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8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF PESTICIDE REGULATION**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-35

12 **AARON P. EDWARDS**  
13 **43555 Corte Logrono**  
14 **Temecula, CA 92592**

**DEFAULT DECISION AND ORDER**

15 **Field Representative License No. FR 48084**

[Gov. Code, §11520]

16 Respondent.

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18 **FINDINGS OF FACT**

19 1. On or about February 11, 2013, Complainant Susan Saylor, in her official capacity as  
20 the Interim Registrar/Executive Officer of the Structural Pest Control Board, Department of  
21 Pesticide Regulation, filed Accusation No. 2013-35 against Aaron P. Edwards (Respondent)  
22 before the Structural Pest Control Board. (The Accusation is attached as Exhibit A.)

23 2. On or about August 22, 2012, the Structural Pest Control Board (Board) issued Field  
24 Representative License No. FR 48084 to Respondent. The Field Representative License was in  
25 full force and effect at all times relevant to the charges brought in Accusation No. 2013-35 and  
26 will expire on June 30, 2015, unless renewed.

27 3. On or about February 19, 2013, Respondent was served by Certified and First Class  
28 Mail copies of the Accusation No. 2013-35, Statement to Respondent, Notice of Defense, Request

1 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
2 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
3 section 136 and California Code of Regulations, title 16, section 1911, is required to be reported  
4 and maintained with the Board. Respondent's address of record was and is:

5 43555 Corte Logrono  
6 Temecula, CA 92592

7 4. On or about February 19, 2013, Respondent was served by Certified and First Class  
8 Mail copies of the Accusation No. 2013-35, Statement to Respondent, Notice of Defense, Request  
9 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
10 11507.7) at Respondent's alternate address which is:

11 California Correctional Institution  
12 P. O. Box 1031  
Tehachapi, CA 93581

13 5. Service of the Accusation was effective as a matter of law under the provisions of  
14 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
15 124.

16 6. On or about March 5, 2013, the aforementioned documents served to Respondent's  
17 address of record were returned by the U.S. Postal Service marked "Undeliverable as Addressed -  
18 Unable to Forward." The Domestic Return Receipt for the documents served to Respondent's  
19 alternate address was signed on February 25, 2013 acknowledging receipt.

20 7. Government Code section 11506 states, in pertinent part:

21 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
22 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
23 of the accusation not expressly admitted. Failure to file a notice of defense shall  
constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
may nevertheless grant a hearing.

24 8. Respondent failed to file a Notice of Defense within 15 days after service upon him  
25 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.  
26 2013-35.

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1 9. California Government Code section 11520 states, in pertinent part:

2 (a) If the respondent either fails to file a notice of defense or to appear at the  
3 hearing, the agency may take action based upon the respondent's express admissions  
4 or upon other evidence and affidavits may be used as evidence without any notice to  
5 respondent.

6 10. Pursuant to its authority under Government Code section 11520, the Board finds  
7 Respondent is in default. The Board will take action without further hearing and, based on the  
8 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
9 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
10 file at the Board's offices regarding the allegations contained in Accusation No. 2013-35, finds  
11 that the charges and allegations in Accusation No. 2013-35, are separately and severally, found to  
12 be true and correct by clear and convincing evidence.

13 11. Taking official notice of its own internal records, pursuant to Business and  
14 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
15 and Enforcement is \$552.50 as of April 5, 2013.

#### 16 **DETERMINATION OF ISSUES**

17 1. Based on the foregoing findings of fact, Respondent Aaron P. Edwards has subjected  
18 his Field Representative License No. FR 48084 to discipline.

19 2. The agency has jurisdiction to adjudicate this case by default.

20 3. The Structural Pest Control Board is authorized to revoke Respondent's Field  
21 Representative License based upon the following violation alleged in the Accusation which is  
22 supported by the Default Decision Investigatory Evidence Packet in this case.

23 4. Respondent subjected his license to disciplinary action under sections 490 and  
24 8649 of the Code in that on or about October 23, 2012, in a criminal proceeding entitled *People of*  
25 *the State of California v. Aaron Patrick Edwards*, in Riverside County Superior Court, case  
26 number SWF1207037, Respondent was convicted on his plea of guilty of violating Penal Code  
27 section 273.5, subdivision (a), inflicting corporal injury resulting in a traumatic injury upon a  
28 spouse/cohabitant, a felony, a crime that is substantially related to the qualifications, functions,  
and duties of a field representative.

ORDER

IT IS SO ORDERED that Field Representative License No. FR 48084, heretofore issued to Respondent Aaron P. Edwards, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on May 25, 2013.

It is so ORDERED April 25, 2013



FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF PESTICIDE REGULATION

DOJ Matter ID: SD2013704762

Attachment:  
Exhibit A: Accusation