

BEFORE THE
STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF PESTICIDE REGULATION
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

LOPEZ EXTERMINATING
CARLOS ENRIQUE LOPEZ, Owner
HYUN MO PARK, Qualifying Manager
P.O. Box 1707
Rancho Cucamonga, California 91729
- and/or -
2487 West Washington Blvd.
Los Angeles, California 91729
Company Registration Certificate No. PR
4925, Br. 3
Operator License No. OPR 10016, Br. 3

CARLOS ENRIQUE LOPEZ
2163 Durfee Avenue
El Monte, California 91733
Registered Applicator's License No. RA
20466, Br. 2

Respondents.

Case No. 2008-35

OAH No. L-2010010515

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Structural Pest Control Board, Department of Pesticide Regulation, as its Decision in this matter.

This Decision shall become effective on August 25, 2011.

It is so ORDERED July 26, 2011.



FOR THE STRUCTURAL PEST CONTROL BOARD,
DEPARTMENT OF PESTICIDE REGULATION

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 CHRISTINA THOMAS
Deputy Attorney General
4 State Bar No. 171168
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2557
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

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

12 In the Matter of the Accusation Against:

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18 **4925, Br. 3**
19 **Operator License No. OPR 10016, Br. 3**
20 **CARLOS ENRIQUE LOPEZ**
21 2163 Durfee Avenue
El Monte, California 91733
22 **Registered Applicator's License No. RA**
23 **20466, Br. 2**

Respondents.

Case No. 2008-35

OAH No. L-2010010515

**STIPULATED SURRENDER OF
LICENSE AND ORDER AS TO HYUN
MO PARK, ONLY**

24 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
25 proceeding that the following matters are true:

26 PARTIES

27 1. William H. Douglas (Complainant) is the Interim Registrar/Executive Officer of the
28 Structural Pest Control Board, Department of Pesticide Regulation (Board). He brought this

1 action solely in his official capacity and is represented in this matter by Kamala D. Harris,
2 Attorney General of the State of California, by Christina Thomas, Deputy Attorney General.

3 2. Hyun Mo Park (Respondent) is representing himself in this proceeding and has
4 chosen not to exercise his right to be represented by counsel.

5 3. On or about April 14, 1999, the Board issued Operator's License No. OPR 10016, in
6 Branch 3, to Respondent Park. The license will expire on June 30, 2013, unless renewed.

7 JURISDICTION

8 4. Accusation No. 2008-35 was filed before the Structural Pest Control Board,
9 Department of Pesticide Regulation, and is currently pending against Respondent. The
10 Accusation and all other statutorily required documents were properly served on Respondent on
11 January 17, 2008. Respondent filed his Notice of Defense contesting the Accusation. A copy of
12 Accusation No. 2008-35 is attached as exhibit A and incorporated herein by reference.

13 ADVISEMENT AND WAIVERS

14 5. Respondent has carefully read, and understands the charges and allegations in
15 Accusation No. 2008-35. Respondent has also carefully read, and understands the effects of this
16 Stipulated Surrender of License and Order.

17 6. Respondent is fully aware of his legal rights in this matter, including the right to a
18 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
19 his own expense; the right to confront and cross-examine the witnesses against him; the right to
20 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
21 the attendance of witnesses and the production of documents; the right to reconsideration and
22 court review of an adverse decision; and all other rights accorded by the California
23 Administrative Procedure Act and other applicable laws.

24 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25 every right set forth above.

26 CULPABILITY

27 8. Respondent understands that by signing this stipulation he enables the Board to
28 issue an order accepting the surrender of his license without further process.

CONTINGENCY

1
2 9. This stipulation shall be subject to approval by the Structural Pest Control Board.
3 Respondent understands and agrees that counsel for Complainant and the staff of the Structural
4 Pest Control Board may communicate directly with the Board regarding this stipulation and
5 surrender, without notice to or participation by Respondent. By signing the stipulation,
6 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the
7 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
8 stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of
9 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
10 the parties, and the Board shall not be disqualified from further action by having considered this
11 matter.

12 10. The parties understand and agree that facsimile copies of this Stipulated Surrender of
13 License and Order, including facsimile signatures thereto, shall have the same force and effect as
14 the originals.

15 11. This Stipulated Surrender of License and Order is intended by the parties to be an
16 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
17 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
18 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
19 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
20 executed by an authorized representative of each of the parties.

21 12. In consideration of the foregoing admissions and stipulations, the parties agree that
22 the Board may, without further notice or formal proceeding, issue and enter the following Order:
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ORDER

24
25 IT IS HEREBY ORDERED that Operator's License No. OPR 10016, issued to Respondent
26 Hyun Mo Park is surrendered and accepted by the Structural Pest Control Board.
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1 13. The surrender of Respondent's Operator's License and its acceptance by the Board
2 shall constitute the imposition of discipline against Respondent. This stipulation constitutes a
3 record of the discipline and shall become a part of Respondent's license history with the Board.

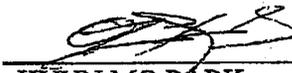
4 14. Respondent shall lose all rights and privileges as a Structural Pest Control Operator in
5 California as of the effective date of the Board's Decision and Order.

6 15. Respondent shall cause to be delivered to the Board both the wall license certificate
7 and, if one was issued, pocket license on or before the effective date of the Decision and Order.

8 16. Upon reapplication, if and when Respondent's license is reinstated, Respondent shall
9 pay the Board its costs of investigation and enforcement in the amount of \$15,358.50.

10 ACCEPTANCE

11 I have carefully read the Stipulated Surrender of License and Order. I understand the
12 stipulation and the effect it will have on my Operator's License. I enter into this Stipulated
13 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound
14 by the Decision and Order of the Structural Pest Control Board.

15 DATED: 05/16/11 
16 HYUN MO PARK
17 Respondent

18 ENDORSEMENT

19 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
20 for consideration by the Structural Pest Control Board of the Department of Pesticide Regulation.

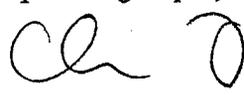
21 Dated: May 16, 2011
22 Respectfully submitted,
23 KAMALA D. HARRIS
24 Attorney General of California
25 MARC D. GREENBAUM
26 Supervising Deputy Attorney General
27 
28 CHRISTINA THOMAS
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 2008-35

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 MARC GREENBAUM
Supervising Deputy Attorney General
3 CHRISTINA M. THOMAS, State Bar No. 171168
Deputy Attorney General
4 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
5 Telephone: (213) 897-2557
Facsimile: (213) 897-2804
6
7 Attorneys for Complainant

8 **BEFORE THE**
9 **STRUCTURAL PEST CONTROL BOARD**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:
12 **LOPEZ EXTERMINATING**
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16 **Company Registration Certificate No. PR 4925, Br. 3**
Operator License No. OPR 10016, Br. 3
17
18 **CARLOS ENRIQUE LOPEZ**
2163 Durfee Avenue
18 El Monte, California 91733
19 **Registered Applicator's License No. RA 20466, Br. 2**
20
21 Respondents.

Case No. 2008-35

A C C U S A T I O N

22 Kelli Okuma ("Complainant") alleges:

23 **PARTIES**

24 1. Complainant brings this Accusation solely in her official capacity as the
25 Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of
26 Consumer Affairs.

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7. Code section 8625 states:

The lapsing or suspension of a license or company registration by operation of law or by order or decision of the board or a court of law, or the voluntary surrender of a license or company registration shall not deprive the board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such licensee or company, or to render a decision suspending or revoking such license or registration.

8. Code section 8622 states:

When a complaint is accepted for investigation of a registered company, the board, through an authorized representative, may inspect any or all properties on which a report has been issued pursuant to Section 8516 or a notice of completion has been issued pursuant to Section 8518 by the registered company to determine compliance with the provisions of this chapter and the rules and regulations issued thereunder. If the board determines the property or properties are not in compliance, a notice shall be sent to the registered company so stating. The registered company shall have 30 days from the receipt of the notice to bring such property into compliance, and it shall submit a new original report or completion notice or both and an inspection fee of not more than one hundred twenty-five dollars (\$125) for each property inspected. If a subsequent reinspection is necessary, pursuant to the board's review of the new original report or notice or both, a commensurate reinspection fee shall also be charged. If the board's authorized representative makes no determination or determines the property is in compliance, no inspection fee shall be charged.

The notice sent to the registered company shall inform the registered company that if it desires a hearing to contest the finding of noncompliance, the hearing shall be requested by written notice to the board within 20 days of receipt of the notice of noncompliance from the board. Where a hearing is not requested pursuant to this section, payment of any assessment shall not constitute an admission of any noncompliance charged.

STATUTORY PROVISIONS

9. Code section 8641 states:

Failure to comply with the provisions of this chapter, or any rule or regulation adopted by the board, or the furnishing of a report of inspection without the making of a bona fide inspection of the premises for wood-destroying pests or organisms, or furnishing a notice of work completed prior to the completion of the work specified in the contract, is a ground for disciplinary action.

10. Code section 8642 states:

The commission of any grossly negligent or fraudulent act by the licensee as a pest control operator, field representative, or applicator or by a registered company is a ground for disciplinary action.

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11. Code section 8505.17(c) states:

Registered structural pest control companies shall prepare and submit to the county agricultural commissioner a monthly report of all pesticides used in that county. The report shall be on a form approved by the Director of Pesticide Regulation and shall contain the name and registration number of each pesticide, the amount used, and the number of applications made. The report shall be submitted to the commissioner by the 10th day of the month following the month of application. Each pesticide use report or combination of use reports representing a registered structural pest control company's total county pesticide use for the month shall have affixed thereto a pesticide use stamp issued by the board in the denomination fixed by the board in accordance with Section 8674 as the pesticide use report filing fee. The board shall provide for the sale of these stamps and for the refund of moneys paid for stamps which are returned to it unused. When a registered structural pest control company performs no pest control during a month in a county in which it has given notice pursuant to Section 15204 of the Food and Agricultural Code, the registered company shall submit a use report stating this fact to the commissioner. No pesticide use stamp is required on negative use reports.

12. Code section 8518 states, in pertinent part:

When a registered company completes work under a contract, it shall prepare, on a form prescribed by the board, a notice of work completed and not completed, and shall furnish that notice to the owner of the property or the owner's agent within 10 working days after completing the work. The notice shall include a statement of the cost of the completed work and estimated cost of work not completed.

The address of each property inspected or upon which work was completed shall be reported on a form prescribed by the board and shall be filed with the board no later than 10 working days after completed work.

Every property upon which work is completed shall be assessed a filing fee pursuant to Section 8674.

Failure of a registered company to report and file with the board the address of any property upon which work was completed pursuant to subdivision(b) of Section 8516, subdivision (b) of Section 8516.1, or Section 8518 are grounds for disciplinary action and shall subject the registered company to a fine of not more than two thousand five hundred dollars (\$2,500).

13. Code section 8550 states, in pertinent part:

(a) It is unlawful for any individual to engage or offer to engage in the business or practice of structural pest control, as defined in Section 8505, unless he or she is licensed under this chapter.

(b) Notwithstanding subdivision (a), an unlicensed individual may solicit pest control work on behalf of a structural pest control company only if the company is registered pursuant to this chapter, and the unlicensed individual does not perform or offer to perform any act for which an operator, field representative, or applicator license is required pursuant to this chapter. As used in this subdivision, to "solicit pest control work" means to introduce consumers to a registered company and the services it provides, to distribute advertising

1 literature, and to set appointments on behalf of a licensed operator or field
2 representative.

3 **REGULATORY PROVISIONS**

4 14. California Code of Regulations, title 16, section 1970(b), states that the
5 report for each pest control operation, other than fumigation, in which a pesticide is used shall
6 contain the following information:

- 7 Date of treatment.
8 Name of owner or his or her agent.
9 Address of property.
10 Description of area treated.
11 Target pest(s).
12 Pesticide and amount used.
13 Identity of person or persons who applied the pesticide.

14 **COST RECOVERY/RESTITUTION**

15 15. Code section 125.3 provides, in pertinent part, that the Board may request
16 the administrative law judge to direct a licentiate found to have committed a violation or
17 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
18 and enforcement of the case.

19 16. Government Code section 11519(d) provides, in pertinent part, that the
20 Board may require restitution of damages suffered as a condition of probation in the event
21 probation is ordered.

22 **BACKGROUND INFORMATION**

23 17. On or about January 16, 2007, the Board received information that Lopez
24 Exterminating was falsifying documents and allowing unlicensed employees to apply pesticides.
25 On or about January 18, 2007, a Board investigator, Steven Smith ("Smith"), met with Eduardo
26 Valtierra ("Valtierra"), the manager of Lopez Exterminating, to review work orders wherein
27 pesticide application was involved and to review the Monthly Use Reports provided to the
28 counties where work was performed. Smith discovered unlicensed activity and fraudulent
documents.

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1 Commissioner, and the Los Angeles County Agriculture Commissioner, on its January 2006
2 MURS that no chemical applications were performed, when in fact, according to the Board's
3 WDO Activity Search, it had performed one chemical application in San Bernardino County.

4 February, March and April 2006

5 21. Lopez Exterminating reported on its February, March, and
6 April 2006, MURS provided to the Los Angeles County Agriculture Commissioner, the San
7 Bernardino County Agriculture Commissioner, and the Riverside County Agriculture
8 Commissioner, that no chemical applications were performed, when in fact, according to the
9 Board's Wood Destroying Organisms ("WDO") Activity Search, Lopez Exterminating had
10 performed chemical applications on 10 properties in Los Angeles County; 15 properties in
11 Riverside County; and on 10 properties in San Bernardino County.

12 May 2006

13 22. Lopez Exterminating reported to the San Bernardino County Agriculture
14 Commissioner and the Orange County Agriculture Commissioner, on its May 2006 MURS, that
15 no chemical applications were performed, when in fact, according to the Board's WDO Activity
16 Search, Lopez Exterminating had performed chemical applications on 36 properties in San
17 Bernardino County and on 20 properties in Orange County.

18 23. Lopez Exterminating reported to the Riverside County Agriculture
19 Commissioner on its May 2006 MURS that it had performed chemical applications on 30
20 properties, when in fact, according to the Board's WDO Activity Search, it had performed
21 chemical applications on 35 properties.

22 24. Lopez Exterminating reported to the Los Angeles County Agriculture
23 Commissioner on its May 2006 MURS that it had performed chemical applications on 45
24 properties, when in fact, according to the Board's WDO Activity Search, it had performed
25 chemical applications on 72 properties.

26 June 2006

27 25. Lopez Exterminating reported to the San Bernardino County Agriculture
28 Commissioner, the Orange County Agriculture Commissioner, and the Riverside County

1 Agriculture Commissioner, on its June 2006 MURS, that no chemical applications were
2 performed, when in fact, according to the Board's WDO Activity Search, Lopez Exterminating
3 had performed chemical applications on 74 properties in San Bernardino County; 13 properties in
4 Orange County; and on 38 properties in Riverside County.

5 26. Lopez Exterminating reported to the Los Angeles County Agriculture
6 Commissioner on its June 2006 MURS that it had performed chemical applications on 80
7 properties, when in fact, according to the Board's WDO Activity Search, it had performed
8 chemical applications on 113 properties.

9 July 2006

10 27. Lopez Exterminating reported to the San Bernardino County Agriculture
11 Commissioner on its July 2006 MURS that it had performed chemical applications on 8
12 properties, when in fact, according to the Board's WDO Activity Search, it had performed
13 chemical applications on 37 properties.

14 28. Lopez Exterminating reported to the Orange County Agriculture
15 Commissioner and the Los Angeles County Agriculture Commissioner on its July 2006 MURS
16 that no chemical applications were performed, when in fact, according to the Board's WDO
17 Activity Search, it had performed chemical applications on 17 properties in Orange County and
18 on 88 properties in Los Angeles County.

19 29. Lopez Exterminating reported to the Riverside County Agriculture
20 Commissioner on its July 2006 MURS that it had performed chemical applications on 10
21 properties, when in fact, according to the Board's WDO Activity Search, it had performed
22 chemical applications on 31 properties.

23 August 2006

24 30. Lopez Exterminating reported to the San Bernardino County Agriculture
25 Commissioner, the Orange County Agriculture Commissioner, and the Riverside County
26 Agriculture Commissioner, on its August 2006 MURS, that no chemical applications were
27 performed, when in fact, according to the Board's WDO Activity Search, Lopez Exterminating
28 had performed chemical applications on 45 properties in San Bernardino County; 19 properties in

1 Orange County; and on 34 properties in Riverside County.

2 31. Lopez Exterminating reported to the Los Angeles County Agriculture
3 Commissioner on its August 2006 MURS that it had performed chemical applications on 15
4 properties, when in fact, according to the Board's WDO Activity Search, it had performed
5 chemical applications on 108 properties.

6 **September 2006**

7 32. Lopez Exterminating reported to the San Bernardino County Agriculture
8 Commissioner, the Orange County Agriculture Commissioner, and Riverside County Agriculture
9 Commissioner, on its September 2006 MURS, that no chemical applications were performed,
10 when in fact, according to the Board's WDO Activity Search, Lopez Exterminating had
11 performed chemical applications on 16 properties in San Bernardino County; 12 properties in
12 Orange County; and on 21 properties in Riverside County.

13 33. Lopez Exterminating reported to Los Angeles County Agriculture
14 Commissioner on its September 2006 MURS that it had performed chemical applications on 30
15 properties, when in fact, according to the Board's WDO Activity Search, it had performed
16 chemical applications on 64 properties.

17 34. It was further discovered that the recommendation made by Valtierra to
18 fumigate the structure located at 2529 Indiana Avenue, South Gate, California, had been changed
19 to a chemical treatment without Valtierra's knowledge.

20 **THIRD CAUSE FOR DISCIPLINE**

21 **(Failure to Submit and File Monthly Use Reports)**

22 35. Respondent Lopez Exterminating's company registration, Respondent
23 Park's operator's license, and Respondent Lopez' applicator's license are subject to discipline
24 under Code section 8641, in that Respondents failed to comply with Code section 8505:17(c), by
25 failing to prepare and submit MURS to the San Bernardino County Agriculture Commissioner,
26 the Orange County Agriculture Commissioner, the Riverside County Agriculture Commissioner,
27 and the Los Angeles County Agriculture Commissioner, for October, November, and December
28 2006. The Board performed a WDO Activity Search which disclosed the following chemical

1 applications had been performed:

2 October 2006

- 3 a. San Bernardino County - 24 chemical applications completed.
- 4 b. Orange County - 23 chemical applications completed.
- 5 c. Riverside County - 15 chemical applications completed.
- 6 d. Los Angeles County - 77 chemical applications completed.

7 November 2006

- 8 a. San Bernardino County - 14 chemical applications completed.
- 9 b. Orange County - 13 chemical applications completed.
- 10 c. Riverside County - 14 chemical applications completed.
- 11 d. Los Angeles County - 83 chemical applications completed.

12 December 2006

- 13 a. San Bernardino County - 17 chemical applications completed.
- 14 b. Orange County - 22 chemical applications completed.
- 15 c. Riverside County - 17 chemical applications completed.
- 16 d. Los Angeles County - 76 chemical applications completed.

17 FOURTH CAUSE FOR DISCIPLINE

18 (Failure to Submit and File Wood Destroying Pests
19 and Organisms Inspection Reports with the Board)

20 36. Respondent Lopez Exterminating's company registration, Respondent
21 Park's operator's license, and Respondent Lopez' applicator's license are subject to discipline
22 under Code section 8518, in that Respondents failed to prepare and submit Wood Destroying
23 Pests and Organisms Inspection Reports to the Board in November and December 2005, and
24 February and March 2006.

25 FIFTH CAUSE FOR DISCIPLINE

26 (Fraudulent Act)

27 37. Respondent Lopez Exterminating's company registration, Respondent
28 Park's operator's license, and Respondent Lopez' applicator's license, are subject to discipline

1 under Code section 8642, in that on or about June 23, 2006, Respondents falsified Wood
2 Destroying Pests and Organisms Inspection Report No. 2529, concerning the property located at
3 2529 Indiana Avenue, South-Gate, California, by changing Valtierra's recommendation to
4 fumigate the structure, to performing a chemical treatment, without Valtierra's knowledge.

5 **SIXTH CAUSE FOR DISCIPLINE**

6 **(Failure to Comply with Record Requirements)**

7 38. Respondent Lopez Exterminating's company registration, Respondent
8 Park's operator's license, and Respondent Lopez' applicator's license, are subject to discipline
9 under Code section 8641, in that Respondents failed to comply with California Code of
10 Regulations, title 16, section 1970(b), by failing to record the name of the individual who applied
11 pesticides, the pesticide used, and the amount of pesticide used, for each of the reports provided
12 for the properties listed below:

13 8200 Bolsa #108, Midway City, California
14 6645 Butte Drive, Riverside, California
15 1277 Bothwell Avenue, Colton, California
16 140 West Ash Avenue, Fullerton, California
17 13550 Corcoran Street, San Fernando, California
18 226 Fir Street, Brea, California
19 161 West Century Blvd., Los Angeles, California
20 18813 Jurupa Avenue, Bloomington, California

21 **OTHER MATTERS**

22 39. Notice is hereby given that section 8620 of the Code provides, in pertinent
23 part, that a respondent may request that a civil penalty of not more than \$5,000 be assessed in
24 lieu of an actual suspension of 1 to 19 days; or not more than \$10,000 for an actual suspension of
25 20 to 45 days. Such request must be made at the time of the hearing and must be noted in the
26 proposed decision. The proposed decision shall not provide that a civil penalty shall be imposed
27 in lieu of a suspension.

28 40. Pursuant to Code section 8624, the causes for discipline established as to
Company Registration Certificate Number PR 4925, issued to Lopez Exterminating, likewise
constitute cause for discipline against Operator's License Number OPR 10016, issued to Hyun
Mo Park, who serves as the Qualifying Manager of Lopez Exterminating, regardless of whether

1 Hyun Mo Park had knowledge of or participated in the acts or omissions which constitute cause
2 for discipline against Lopez Exterminating.

3 41. Pursuant to Code section 8654, if discipline is imposed on Company
4 Registration Certificate Number PR 4925, issued to Lopez Exterminating, then Hyun Mo Park,
5 who serves as the Qualifying Manager of Lopez Exterminating, shall be prohibited from serving
6 as an officer, director, associate, partner, qualifying manager, or responsible managing employee
7 for any registered company during the time the discipline is imposed, and any registered
8 company which employs, elects, or associates him, shall be subject to disciplinary action.

9 42. Pursuant to Code section 8654, if discipline is imposed on Company
10 Registration Certificate Number PR 4925, issued to Lopez Exterminating, likewise constitute
11 cause for discipline against Carlos Enrique Lopez, who is the owner of Lopez Exterminating,
12 Registered Applicator's License No. RA 20466; regardless of whether Carlos Enrique Lopez had
13 knowledge of or participated in the acts or omissions which constitute cause for discipline
14 against Lopez Exterminating.

15 PRAYER

16 **WHEREFORE**, Complainant requests that a hearing be held on the matters
17 herein alleged, and that following the hearing, the Structural Pest Control Board issue a decision:

- 18 1. Revoking or suspending Company Registration Certificate Number
19 PR 4925, issued to Lopez Exterminating;
- 20 2. Revoking or suspending Operator's License Number OPR 10016, issued
21 to Hyun Mo Park;
- 22 3. Revoking or suspending any other license for which Hyun Mo Park is
23 furnishing the qualifying experience or appearance;
- 24 4. Revoking or suspending Registered Applicator's License No. RA 20466,
25 issued to Carlos Enrique Lopez;

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5. Prohibiting Hyun Mo Park from serving as an officer, director, associate, partner, qualifying manager or responsible managing employee of any registered company during the period that discipline is imposed on Company Registration Certificate Number PR 4925, issued to Lopez Exterminating;

6. Ordering Lopez Exterminating, Hyun Mo Park, and Carlos Enrique Lopez to pay the Structural Pest Control Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

7. Taking such other and further action as deemed necessary and proper.

DATED: 1/15/08



KELLI OKUMA
Registrar
Structural Pest Control Board
Department of Consumer Affairs
State of California
Complainant

LA2007601691
Accusation (kdg)12/21/07; amd 1/14/08

Exhibit B



April 10, 2008

Mr. Carlos Enrique Lopez
Lopez Exterminating
P. O. Box 1707
Rancho Cucamonga, CA 91729

Dear Mr. Lopez:

IN THE MATTER OF THE ACCUSATION NO. 2008-35

Enclosed is a copy of the Default Decision and Order rendered by the Structural Pest Control Board regarding the above-referenced matter. Also enclosed is a copy of Government Code section 11522 for your information.

As a result of the Decision, Company Registration Certificate No. PR 4925 and Registered Applicator's License No. RA 20466 are revoked, **effective May 10, 2008**. Please return said registration/license to the Board immediately.

If you wish to file a petition for reconsideration pursuant to Government Code section 11521, the petition must be received prior to the effective date of the decision. However, please be aware the Board needs approximately one week to process a petition for reconsideration. Attached is a copy of the Government Code section for your review. **Please note that reconsideration is NOT available to you if you entered into a stipulated decision with the Board.**

If you have any questions, please do not hesitate to contact this office.

Sincerely,

NANCY GAYTAN
Disciplinary Action Analyst

KELLI OKUMA
Registrar

Enclosure

cc: Christina Thomas, Deputy Attorney General

CERTIFIED MAIL – RETURN RECEIPT REQUESTED