

BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**SOUTHLAND PEST CONTROL;  
MARCELO D. GALLO-ROSERO,  
SHAMIRAN K. GALLO**  
2900 Adams Street, Suite A-14  
Riverside, CA 92504  
Company Registration Certificate No. PR  
6434, Branch 2 and Branch 3

Mailing:  
P.O. Box 5206  
Riverside, CA 92517;

**SOUTHLAND PEST CONTROL  
MARCELO D. GALLO-ROSERO,  
PARTNER/FIELD REPRESENTATIVE**  
2900 Adams Street, Suite A-14  
Riverside, CA 92504  
Field Representative No. FR 43039, Branch  
2 and Branch 3

Mailing:  
P.O. BOX 5206  
Riverside, CA 92517;

**SOUTHLAND PEST CONTROL;  
SHAMIRAN K. GALLO, PARTNER/  
APPLICATOR**  
2900 Adams Street, Suite A-14  
Riverside, CA 92504  
Applicator License No. RA 52115, Branch 2  
and Branch 3

Mailing:  
P.O. BOX 5206  
Riverside, CA 92517;

**PATRICK SULLIVAN MILLER  
SOUTHLAND PEST CONTROL,  
QUALIFYING MANAGER**  
2900 Adams Street, Suite A-14  
Riverside, CA 92504  
Operator License No. OPR 11816, Branch 2  
Field Representative License No. FR 47727,  
Branch 3

Case No. 2015-33

OAH No. 2015030425

Mailing:  
750 Via Pueblo, Unit #208  
Riverside, CA 92507;

EFREM THOMAS ALVAREZ  
SOUTHLAND PEST CONTROL,  
QUALIFYING MANAGER  
2900 Adams Street, Suite A-14  
Riverside, CA 92504  
Operator License No. OPR 12669, Branch 3

Mailing:  
750 Breeze Hill Road, Unit #75  
Vista, CA 92081;

and

ROBERT FRANK ELLETT  
6263 Cosmos Street  
Corona, CA 92880  
Operator License No. OPR 10599, Branch 3

Respondents.

### DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order, as to Respondent Robert Frank Ellett only, is hereby adopted by the Structural Pest Control Board, Department of Consumer Affairs, as its Decision in this matter.

The Decision shall become effective on March 3, 2016.

IT IS SO ORDERED February 2, 2016

  
\_\_\_\_\_  
FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 LANGSTON M. EDWARDS  
Deputy Attorney General  
4 State Bar No. 237926  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
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6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
7

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

10 In the Matter of the Accusation Against:  
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12 **SOUTHLAND PEST CONTROL;**  
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13 **SHAMIRAN K. GALLO**  
2900 Adams Street, Suite A-14  
14 Riverside, CA 92504  
Company Registration Certificate No. PR  
6434, Branch 2 and Branch 3

15 Mailing:  
16 P.O. Box 5206  
17 Riverside, CA 92517;

18 **SOUTHLAND PEST CONTROL**  
**MARCELO D. GALLO-ROSERO,**  
19 **PARTNER/FIELD REPRESENTATIVE**  
2900 Adams Street, Suite A-14  
20 Riverside, CA 92504  
Field Representative No. FR 43039, Branch  
2 and Branch 3

21 Mailing:  
22 P.O. BOX 5206  
23 Riverside, CA 92517;

24 **SOUTHLAND PEST CONTROL;**  
**SHAMIRAN K. GALLO, PARTNER/**  
**APPLICATOR**  
25 2900 Adams Street, Suite A-14  
Riverside, CA 92504  
26 Applicator License No. RA 52115, Branch 2  
and Branch 3  
27  
28

Case No. 2015-33

OAH No. 2015030425  
**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER RE:**

**ROBERT FRANK ELLETT**

1 **Mailing:**  
2 **P.O. BOX 5206**  
3 **Riverside, CA 92517;**

4 **PATRICK SULLIVAN MILLER**  
5 **SOUTHLAND PEST CONTROL,**  
6 **QUALIFYING MANAGER**  
7 **2900 Adams Street, Suite A-14**  
8 **Riverside, CA 92504**  
9 **Operator License No. OPR 11816, Branch 2**  
10 **Field Representative License No. FR 47727,**  
11 **Branch 3**

12 **Mailing:**  
13 **750 Via Pueblo, Unit #208**  
14 **Riverside, CA 92507;**

15 **EFREM THOMAS ALVAREZ**  
16 **SOUTHLAND PEST CONTROL,**  
17 **QUALIFYING MANAGER**  
18 **2900 Adams Street, Suite A-14**  
19 **Riverside, CA 92504**  
20 **Operator License No. OPR 12669, Branch 3**

21 **Mailing:**  
22 **750 Breeze Hill Road, Unit #75**  
23 **Vista, CA 92081;**

24 **and**

25 **ROBERT FRANK ELLETT**  
26 **6263 Cosmos Street**  
27 **Corona, CA 92880**  
28 **Operator License No. OPR 10599, Branch 3**

Respondents.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

**PARTIES**

1. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest Control Board. She brought this action solely in her official capacity and is represented in this

1 matter by Kamala D. Harris, Attorney General of the State of California, by Langston M.  
2 Edwards, Deputy Attorney General.

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

5 3. On or about July 24, 2002, the Structural Pest Control Board issued Operator License  
6 No. OPR 10599 to Respondent Ellett. The Operator License was in full force and effect at all  
7 times relevant to the charges brought in Accusation No. 2015-33 and will expire on June 30,  
8 2017, unless renewed.

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10 **JURISDICTION**

11 4. Accusation No. 2015-33 was filed before the Structural Pest Control Board (Board),  
12 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
13 and all other statutorily required documents were properly served on Respondent on January 7,  
14 2015. Respondent timely filed his Notice of Defense contesting the Accusation.

15 5. A copy of Accusation No. 2015-33 is attached as **Exhibit A** and incorporated herein  
16 by reference.

17  
18 **ADVISEMENT AND WAIVERS**

19 6. Respondent has carefully read, and understands the charges and allegations in  
20 Accusation No. 2015-33. Respondent has also carefully read, and understands the effects of this  
21 Stipulated Settlement and Disciplinary Order.

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



1 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
2 writing executed by an authorized representative of each of the parties.

3 14. In consideration of the foregoing admissions and stipulations, the parties agree that  
4 the Board may, without further notice or formal proceeding, issue and enter the following  
5 Disciplinary Order:

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7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Operator License No. OPR 10599 issued to Respondent  
9 Robert Frank Ellett (Respondent) is revoked. However, the revocation is stayed and Respondent  
10 is placed on probation for three (3) years on the following terms and conditions.

11 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws and all laws  
12 and rules relating to the practice of structural pest control.

13 2. **Quarterly Reports.** Respondent shall file quarterly reports with the Board during  
14 the period of probation.

15 3. **Tolling of Probation.** Should Respondent leave California to reside outside this  
16 state, Respondent must notify the Board in writing of the dates of departure and return. Periods  
17 of residency or practice outside the state shall not apply to reduction of the probationary period.

18 4. **Notice to Employers.** Respondent shall notify all present and prospective employers  
19 of the decision in Case No. 2015-33 and the terms, conditions and restrictions imposed on  
20 Respondent by said decision.

21 Within 30 days of the effective date of this decision, and within 15 days of Respondent  
22 undertaking new employment, Respondent shall cause his employer to report to the Board in  
23 writing acknowledging the employer has read the decision in Case No. 2015-33.

24 5. **Notice to Employees.** Respondent shall, upon or before the effective date of this  
25 decision, post or circulate a notice to all employees involved in structural pest control operations  
26 which accurately recite the terms and conditions of probation. Respondent shall be responsible  
27 for said notice being immediately available to said employees. "Employees" as used in this  
28 provision includes all full-time, part-time, temporary and relief employees and independent

1 contractors employed or hired at any time during probation.

2 6. **Completion of Probation.** Upon successful completion of probation, Respondent's  
3 license will be fully restored.

4 7. **Violation of Probation.** Should Respondent violate probation in any respect, the  
5 Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and  
6 carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against  
7 Respondent during probation, the Board shall have continuing jurisdiction until the matter is  
8 final, and the period of probation shall be extended until the matter is final.

9 8. **Random Inspections.** Respondent shall reimburse the Board for one (1) random  
10 inspection per quarter by Board specialists during the period of probation not to exceed \$125 per  
11 inspection.

12 9. **Prohibited from Serving as Officer, Director, Associate, Partner or Qualifying**  
13 **Manager.** Respondent is prohibited from serving as an officer, director, associate, partner,  
14 qualifying manager or branch office supervisor for more than one registered company during the  
15 period that discipline is imposed on Operator License No. OPR 10599.

16 10. **Cost Recovery.** Pursuant to Section 125.3 of the California Business and Professions  
17 Code, Respondent shall pay to the Board investigation and enforcement costs in the amount of  
18 \$2,897.00 in monthly installments as agreed by the Board to be paid in full, no later than three (3)  
19 months prior to the end of probation. Probation shall not be terminated until all costs are paid in  
20 full.

21 ACCEPTANCE

22 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the  
23 stipulation and the effect it will have on my Operator's License. I enter into this Stipulated  
24 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
25 bound by the Decision and Order of the Structural Pest Control Board.

26 DATED: 7/21/2015

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28 ROBERT FRANK ELLETT  
Respondent

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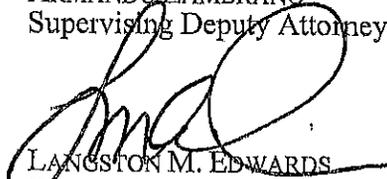
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Structural Pest Control Board.

Dated: 7/21/15

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General



LANGSTON M. EDWARDS  
Deputy Attorney General  
*Attorneys for Complainant*

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