

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

In the Matter of the Accusation and Petition to  
Revoke Probation Against:

**ANGEL GALLEGOS**  
15503 Rubicon Avenue  
Bakersfield, California 93314

**Operator License No. OPR 10788, Br. 1**

Respondent

Case No. 2018-37

OAH No. 2018080149

**DECISION AND ORDER**

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

This Decision shall become effective on February 21, 2019

It is so ORDERED January 22, 2019

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

1 XAVIER BECERRA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
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Deputy Attorney General  
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*Attorneys for Complainant*  
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8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation and Petition to  
Revoke Probation Against:  
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14 **ANGEL GALLEGOS**  
15 15503 Rubicon Avenue  
16 Bakersfield, California 93314  
17  
18 **Operator License No. OPR 10788, Br. 1**  
19  
20 Respondent

Case No. 2018-37  
OAH No. 2018080149  
**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

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

23 PARTIES

- 24 1. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest  
25 Control Board (Board). She brought this action solely in her official capacity and is represented  
26 in this matter by Xavier Becerra, Attorney General of the State of California, by Nancy A. Kaiser,  
27 Deputy Attorney General.  
28 2. Angel Gallegos (Respondent) is represented in this proceeding by attorney James L.  
Frederick of Goeltz & Frederick APC, whose address is: 504 W Mission Ave #103, Escondido,  
CA 92025.

1 3. On or about September 18, 2003, the Board issued Operator's License No. OPR  
2 10788, Branch 1 to Angel Gallegos (Respondent). The Operator's License was in full force and  
3 effect at all times relevant to the charges brought in Accusation and Petition to Revoke Probation  
4 No. 2018-37 and will expire on June 30, 2021, unless renewed.

5 JURISDICTION

6 4. Accusation and Petition to Revoke Probation No. 2018-37 was filed before the  
7 Structural Pest Control Board (Board) and is currently pending against Respondent. The  
8 Accusation and Petition to Revoke Probation and all other statutorily required documents were  
9 properly served on Respondent on January 29, 2018. Respondent timely filed his Notice of  
10 Defense contesting the Accusation and Petition to Revoke Probation. A copy of Accusation and  
11 Petition to Revoke Probation No. 2018-37 is attached as Exhibit A and incorporated by reference.

12 ADVISEMENT AND WAIVERS

13 5. Respondent has carefully read, and understands the charges and allegations in  
14 Accusation and Petition to Revoke Probation No. 2018-37. Respondent also has carefully read  
15 and understands the effects of this Stipulated Surrender of License and Order.

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

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

25 CULPABILITY

26 8. Respondent understands and agrees that the charges and allegations in Accusation  
27 and Petition to Revoke Probation No. 2018-37, if proven at a hearing, constitute cause for  
28

1 imposing discipline upon him and hereby surrenders his Operator's License No. OPR 10788,  
2 Branch 1, for the Board's formal acceptance.

3 9. Respondent understands that by signing this stipulation he enables the Board to issue  
4 an order accepting the surrender of his Operator's License without further process.

5 CONTINGENCY

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

15 11. The parties understand and agree that Portable Document Format (PDF) and facsimile  
16 copies of this Stipulated Surrender of License and Order, including Portable Document Format  
17 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

24 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
25 the Board may, without further notice or formal proceeding, issue and enter the following Order:

26 ///  
27 ///  
28 ///

1 ORDER

2 IT IS HEREBY ORDERED that Operator's License No. OPR 10788, Branch 1, issued to  
3 Respondent Angel Gallegos, is surrendered and accepted by the Structural Pest Control Board.

4 1. The surrender of Respondent's Operator's License and the acceptance of the  
5 surrendered license by the Board shall constitute the imposition of discipline against Respondent.

6 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
7 license history with the Structural Pest Control Board.

8 2. Respondent shall lose all rights and privileges as a licensed Operator, Branch 1 in  
9 California as of the effective date of the Board's Decision and Order.

10 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was  
11 issued, his wall certificate on or before the effective date of the Decision and Order.

12 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
13 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
14 comply with all the laws, regulations and procedures for reinstatement of a revoked or  
15 surrendered license in effect at the time the petition is filed, and all of the charges and allegations  
16 contained in the Accusation and Petition to Revoke Probation No. 2018-37 shall be deemed to be  
17 true, correct and admitted by Respondent when the Board determines whether to grant or deny the  
18 petition.

19 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
20 amount of \$10,000 prior to issuance of a new or reinstated license.

21 ACCERTANCE

22 I have carefully read the above Stipulated Surrender of License and Order and have fully  
23 discussed it with my attorney, James L. Frederick. I understand the stipulation and the effect it  
24 will have on my Operator's License. I enter into this Stipulated Surrender of License and Order  
25 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
26 Structural Pest Control Board.

27 DATED: \_\_\_\_\_

12/6/18

28 *Angel Gallegos*  
ANGEL GALLEGOS

Respondent

1 I have read and fully discussed with Respondent Angel Gallegos the terms and conditions  
2 and other matters contained in the above Stipulated Surrender of License and Order. I approve its  
3 form and content.

4 DATED: 12-6-18 James J. Frederick  
5 JAMES L. FREDERICK, ESQ.  
6 Attorney for Respondent

7 ENDORSEMENT

8 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
9 for consideration by the Structural Pest Control Board of the Department of Consumer Affairs.

10 Dated: 12/7/18

Respectfully submitted,  
XAVIER BECERRA  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General

14 N Kaiser  
15 NANCY A. KAISER  
16 Deputy Attorney General  
17 *Attorneys for Complainant*

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