

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

In the Matter of the Accusation Against:

CORY WILSON
Post Office Box 191246
Los Angeles, CA 90019
Operator's License No. OPR 11142

Respondent.

Case No. 2010-67

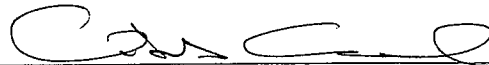
OAH No. L-2011040194;2011040195

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary 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 January 8, 2012.

It is so ORDERED December 9, 2011.



FOR THE STRUCTURAL PEST CONTROL
BOARD
DEPARTMENT OF PESTICIDE REGULATION

1 KAMALA D. HARRIS
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8 **BEFORE THE**
STRUCTURAL PEST CONTROL BOARD
9 **DEPARTMENT OF PESTICIDE REGULATION**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2010-67

11 **CORY WILSON**
12 Post Office Box 191246
Los Angeles, CA 90019
13 Operator's License No. OPR 11142

OAH No. L-2011040194; 2011040195
**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

14 Respondent.
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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:
20

21 **PARTIES**

22 1. William H. Douglas (Complainant) is the Interim Registrar/Executive Officer of the
23 Structural Pest Control Board. He brought this action solely in his official capacity and is
24 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
25 Langston M. Edwards, Deputy Attorney General.

26 2. Cory Wilson (Respondent) is representing himself in this proceeding and has chosen
27 not to exercise his right to be represented by counsel.
28

1 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
2 every right set forth above.

3
4 CULPABILITY

5 9. For the purposes of resolving the Accusation without the expense and uncertainty of
6 further proceedings, Respondent, while making no personal admissions, agrees that at a hearing
7 Complainant could establish a prima facie factual basis for each of the charges contained in
8 Accusation No. 2010-67 and that those charges constitute cause for discipline.

9 10. Respondent agrees that his Operator's License is subject to discipline and he agrees to
10 be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

11
12 CONTINGENCY

13 11. This stipulation shall be subject to approval by the Structural Pest Control Board.
14 Respondent understands and agrees that counsel for Complainant and the staff of the Structural
15 Pest Control Board may communicate directly with the Board regarding this stipulation and
16 settlement, without notice to or participation by Respondent. By signing the stipulation,
17 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the
18 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
19 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of
20 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
21 the parties, and the Board shall not be disqualified from further action by having considered this
22 matter.

23 12. The parties understand and agree that facsimile copies of this Stipulated Settlement
24 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
25 effect as the originals.

26 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
27 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
28 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,

1 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
2 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
3 writing executed by an authorized representative of each of the parties.

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

7
8 **DISCIPLINARY ORDER**

9 IT IS HEREBY ORDERED that Operator's License No. OPR 11142 issued to Respondent
10 is revoked. However, the revocation is stayed and Respondent is placed on probation for three
11 (3) years on the following terms and conditions.

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

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

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

19 4. **Notice to Employers.** Respondent shall notify all present and prospective employers
20 of the decision in Case No. 2010-67 and the terms, conditions and restriction imposed on
21 Respondent by said decision.

22 Within 30 days of the effective date of this decision, and within 15 days of Respondent
23 undertaking new employment, Respondent shall cause his employer to report to the Board in
24 writing acknowledging the employer has read the decision in Case No. 2010-67.

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

1 provision includes all full-time, part-time, temporary and relief employees and independent
2 contractors employed or hired at any time during probation.

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

8 7. **Completion of Probation.** Upon successful completion of probation, Respondent's
9 license will be fully restored.

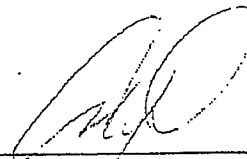
10 8. **Reimbursement to Board.** Respondent shall pay \$900 to the Board for Citation and
11 Fine No. CF 04 -155, within thirty (30) days of the effective date of the Decision.

12 9. **Field Representative Branch 3 License.** Respondent shall be issued a Field
13 Representative's Branch 3 license, for which he applied on or around September 21, 2009, with
14 the same terms and conditions as his operator's license (set forth above), at the effective date of
15 this Stipulated Decision and Disciplinary Order.

16
17 ACCEPTANCE

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

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24 DATED: 10/24/11



25 CORY WILSON
26 Respondent
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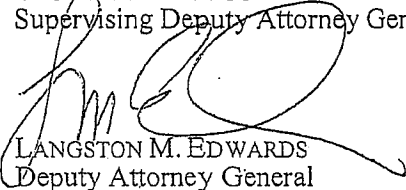
ENDORSEMENT

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

Dated: October 24, 2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney General



LANGSTON M. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2010-67

1 EDMUND G. BROWN JR.
Attorney General of California
2 GLORIA A. BARRIOS
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FILED

Date 3/22/10 By Kelli Okuma

7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 2010-67

13 **CORY WILSON, aka**
14 **CORY RICO WILSON**
Post Office Box 191246
15 Los Angeles, CA 90019

ACCUSATION

16 **Operator's License No. OPR 11142**
Branch 2

17 Respondent.

18
19 Complainant alleges:

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21 **PARTIES**

22 1. Kelli Okuma ("Complainant") brings this Accusation solely in her official capacity as
23 the Registrar/Executive Officer of the Structural Pest Control Board, Department of Pesticide
24 Regulation.

25 **Operator License History**

26 2. On or about July 5, 2005, the Structural Pest Control Board issued Operator's License
27 Number OPR 11142 to Cory Wilson ("Respondent"). The license was in full force and effect at
28 all times relevant to the charges brought herein and will expire on June 30, 2011, unless renewed.

JURISDICTION

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3. This Accusation is brought before the Structural Pest Control Board ("Board"), Department of Pesticide Regulation, under the authority of the following laws. All section references are to the Business and Professions Code ("Code"), unless otherwise indicated.

5. Code section 8620 provides, in pertinent part, that the Board may suspend or revoke a license when it finds that the holder, while a licensee or applicant, has committed any acts or omissions constituting cause for disciplinary action or in lieu of a suspension may assess a civil penalty.

6. Code section 8624 states:

"If the board suspends or revokes an operator's license and one or more branch offices are registered under the name of the operator, the suspension or revocation may be applied to each branch office."

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 8654 states:

Any individual who has been denied a license for any of the reasons specified in Section 8568, or who has had his or her license revoked, or whose license is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a member, officer, director, associate, qualifying manager, or responsible managing employee of any partnership, corporation, firm, or association whose application for a company registration has been denied for any of the reasons specified in Section 8568, or whose company registration has been revoked as a result of disciplinary action, or whose company registration is under suspension, and while acting as such member, officer, director, associate, qualifying manager, or responsible managing employee had knowledge of or participated in any of the prohibited acts for which the license or registration was denied, suspended or revoked, shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or responsible managing employee of a registered company, and the employment, election or association of such person by a registered company is a ground for disciplinary action.

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9. Code section 8593 states:

The board shall require as a condition to the renewal of each operator's and field representative's license that the holder thereof submit proof satisfactory to the board that he or she has informed himself or herself of developments in the field of pest control by completion of courses of continuing education in pest control approved by the board or equivalent activity approved by the board.

STATUTORY PROVISION

10. Code section 8641 states:

Failure to comply with the provisions of this chapter, or any rule or regulation adopted by the board ... is a ground for disciplinary action.

REGULATORY PROVISION

11. California Code of Regulations, section 1950, subdivision (a), states:

Except as provided in section 1951, every licensee is required, as a condition to a renewal of a license, to certify that he or she has completed the continuing education requirements set forth in this article. A licensee who cannot verify completion of continuing education by producing certificates of activity completion, whenever required to do so by the Board, may be subject to disciplinary action under section 8641 of the code.

COST RECOVERY

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

FIRST CAUSE FOR DISCIPLINE

(Documentation of Continuing Education Requirements)

13. Respondent's license is subject to disciplinary action pursuant to Code sections 8620, 8593, and 8641, in that Respondent failed to comply with Regulation section 1950, subdivision (a), by failing to provide the Board with verifiable documentation to demonstrate that he completed continuing education requirements for the renewal period of July 1, 2005, through June 30, 2008, as stated in his License Renewal Application, signed under penalty of perjury and dated July 28, 2008.

1 DISCIPLINE CONSIDERATIONS

2 1. To determine the degree of discipline, if any, to be imposed on Respondent,
3 Complainant alleges that on or about January 24, 2004, in a prior action, the Structural Pest
4 Control Board issued Citation Number CF 04-155 against Respondent's Field Representative
5 License FR 31811 for violation of Business and Professions Code section 8593 and California
6 Code of Regulations section 1950. The citation ordered Respondent to complete eight hours of
7 continuing education and pay \$900 in penalties imposed by citation. That Citation is now final
8 and is incorporated by reference as if fully set forth. Respondent did not comply with the citation
9 nor did he paid the fine, which resulted in the license being canceled.

10 OTHER MATTERS

11 14. Pursuant to Code section 8654, if Respondent's license is disciplined, then
12 Respondent shall be prohibited from serving as an officer, director, associate, partner, or
13 qualifying individual of any license, and any licensee which employs, elects or associates
14 Respondent in any capacity other than as a non-supervising bona fide employee shall be subject
15 to disciplinary action.

16 PRAYER

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

- 19 1. Revoking or suspending Operator's License Number OPR 11142, issued to
20 Cory Wilson, also known as Cory Rico Wilson;
- 21 2. Prohibiting Cory Wilson, also known as Cory Rico Wilson from serving as an officer,
22 director, associate, partner, or qualifying individual of any license, and any licensee which
23 employs, elects or associates Respondent in any capacity other than as a non-supervising bona
24 fide employee
- 25 3. Ordering Cory Wilson, also known as Cory Rico Wilson to pay the Board the
26 reasonable costs of the investigation and enforcement of this case, pursuant to Code section
27 125.3; and,
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4. Taking such other and further action as deemed necessary and proper.

DATED: 3/22/10

Kelli Okuma

KELLI OKUMA
Registrar/Executive Officer
Structural Pest Control Board
Department of Pesticide Regulation
State of California
Complainant

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