

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

In the Matter of the First Amended Petition to
Revoke Probation Against:

**L.A. EXTERMINATOR CORP.; KI BUM
NAM AKA KEVIN NAM
211 E. Pomona Blvd.
Monterey park, CA 91755
Company Registration Certificate No. PR
5773
Field Representative's License No. FR 44519
Branch 3
Operator's License No. OPR 11789 Branch
2**

Respondent.

Case No. 2012-32

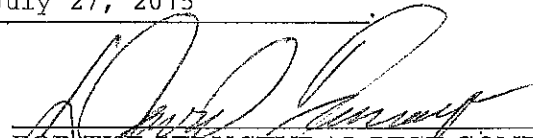
OAH No. 2015010600

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 August 26, 2015.

It is so ORDERED July 27, 2015



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
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7

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

10 In the Matter of the First Amended Petition to
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12 **L.A. EXTERMINATOR CORP.; KI BUM**
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Company Registration Certificate No. PR
15 5773
Field Representative's License No. FR 44519
16 Branch 3
Operator's License No. OPR 11789 Branch
17 2

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

Respondent.

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

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24 **PARTIES**

25 1. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest
26 Control Board. She brought this action solely in her official capacity and is represented in this
27 matter by Kamala D. Harris, Attorney General of the State of California, by Langston M.
28 Edwards, Deputy Attorney General.

1 2. L.A. Exterminator Corp.; Ki Bum Nam aka Kevin Nam (Respondents) are
2 represented in this proceeding by attorney James L. Frederick, whose address is 504 West
3 Mission Avenue, Suite 103, Escondido, CA 92025.

4 3. On or about February 23, 2009, the Structural Pest Control Board issued Company
5 Registration Certificate No. PR 5773 to L.A. Exterminator Corp.; Ki Bum Nam aka Kevin Nam.
6 The Company Registration Certificate was in full force and effect at all times relevant to the
7 charges brought in Petition to Revoke Probation No. 2012-32.

8 4. On or about July 8, 2009, the Structural Pest Control Board issued Field
9 Representative's License No. FR 44519 to Ki Bum Nam aka Kevin Nam. The license was in full
10 force and effect at all times relevant to the charges brought herein and will expire on June 30,
11 2018, unless renewed.

12 5. On or about December 23, 2008, the Structural Pest Control Board issued Operator's
13 License No. OPR 11789 Branch 2 to Ki Bum Nam aka Kevin Nam. The license was in full force
14 and effect at all times relevant to the charges brought herein and will expire on June 30, 2017,
15 unless renewed.

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17 **JURISDICTION**

18 6. Petition to Revoke Probation No. 2012-32 was filed before the Structural Pest Control
19 Board (Board), Department of Consumer Affairs, and is currently pending against Respondents.
20 The Petition to Revoke Probation and all other statutorily required documents were properly
21 served on Respondents on January 13, 2015. The First Amended Petition to Revoke Probation
22 and all other statutorily required documents were properly served in Respondents on May 27,
23 2015. Respondents timely filed its Notice of Defense contesting the Petition to Revoke
24 Probation. A copy of the First Amended Petition to Revoke Probation No. 2012-32 is attached as
25 **Exhibit A** and incorporated by reference.

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1 **ADVISEMENT AND WAIVERS**

2 7. Respondents have carefully read, fully discussed with counsel, and understand the
3 charges and allegations in the First Amended Petition to Revoke Probation No. 2012-32.
4 Respondents also have carefully read, fully discussed with counsel, and understands the effects of
5 this Stipulated Surrender of License and Order.

6 8. Respondents are fully aware of its legal rights in this matter, including the right to a
7 hearing on the charges and allegations in the First Amended Petition to Revoke Probation; the
8 right to be represented by counsel, at its own expense; the right to confront and cross-examine the
9 witnesses against them; the right to present evidence and to testify on its own behalf; the right to
10 the issuance of subpoenas to compel the attendance of witnesses and the production of
11 documents; the right to reconsideration and court review of an adverse decision; and all other
12 rights accorded by the California Administrative Procedure Act and other applicable laws.

13 9. Respondents voluntarily, knowingly, and intelligently waives and gives up each and
14 every right set forth above.

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16 **CULPABILITY**

17 10. Respondents admit the truth of each and every charge and allegation in the First
18 Amended Petition to Revoke Probation No. 2012-32, agree that cause exists for discipline and
19 hereby surrender their Company Registration Certificate No. PR 5773, Field Representative's
20 License No. FR 44519 and Operator's License No. OPR 11789 for the Board's formal
21 acceptance.

22 11. Respondents understand that by signing this stipulation Entity enables the Board to
23 issue an order accepting the surrender of their Company Registration Certificate, Field
24 Representative's License and Operator's License without further process.

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CONTINGENCY

12. This stipulation shall be subject to approval by the Structural Pest Control Board. Respondents understand and agree that counsel for Complainant and the staff of the Structural Pest Control Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondents or its counsel. By signing the stipulation, Respondents understand and agree that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

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

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

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

ORDER

IT IS HEREBY ORDERED that Company Registration Certificate No. PR 5773, Field Representative's License No. FR 44519 Branch 3, and Operator's License No. OPR 11789 Branch 2 issued to Respondent L.A. Exterminator Corp.; Ki Bum Nam aka Kevin Nam, is surrendered and accepted by the Structural Pest Control Board.

1 1. The surrender of Respondent's Company Registration Certificate, Field
2 Representative's License, and Operator's License and the acceptance of the surrendered license
3 by the Board shall constitute the imposition of discipline against Respondents. This stipulation
4 constitutes a record of the discipline and shall become a part of Respondents' license history with
5 the Structural Pest Control Board.

6 2. Respondents shall lose all rights and privileges as a Pest Control Operator and Field
7 Representative in California as of the effective date of the Board's Decision and Order.

8 3. Respondents shall cause to be delivered to the Board its pocket license and, if one
9 was issued, its wall certificates on or before the effective date of the Decision and Order.

10 4. If Respondents ever file an application for licensure or a petition for reinstatement in
11 the State of California, the Board shall treat it as a petition for reinstatement. Respondents must
12 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
13 effect at the time the petition is filed, and all of the charges and allegations contained in First
14 Amended Petition to Revoke Probation No. 2012-32 shall be deemed to be true, correct and
15 admitted by Respondents when the Board determines whether to grant or deny the petition.

16 5. Respondents shall pay the agency its costs of investigation and enforcement in the
17 amount of \$4,079.77 prior to issuance of a new or reinstated license.

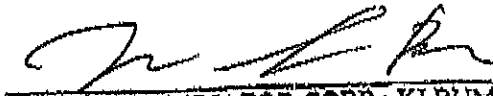
18 6. If Respondents should ever apply or reapply for a new license or certification, or
19 petition for reinstatement of a license, by any other state licensing agency in the State of
20 California, all of the charges and allegations contained in Petition to Revoke Probation, No. 2012-
21 32 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any
22 Statement of Issues or any other proceeding seeking to deny or restrict licensure.

23 7. Respondent is prohibited from serving as an officer, director, associate, partner,
24 qualifying manager or branch office manager of any registered company during the period that
25 discipline is imposed on Company Registration Certificate No. PR 5773, Field Representative's
26 License No. FR 44519, and Operator's License No. OPR 11789.

ACCEPTANCE

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

DATED: 5-29-2015 
L.A. EXTERMINATOR CORP.; KI BUM NAM
AKA KEVIN NAM
Respondent

I have read and fully discussed with Respondents L.A. Exterminator Corp.; Ki Bum Nam aka Kevin Nam the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 5-29-15 
JAMES L. FREDERICK
Attorney for Respondent

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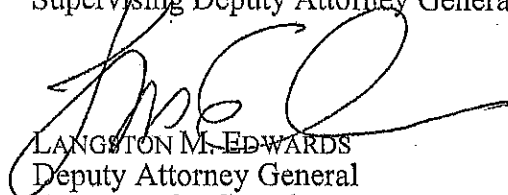
ENDORSEMENT

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

Dated: *May 29, 2015*

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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