

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

In the Matter of the Accusation Against:

**ZANE SZOB KIM
211 East Pomona Blvd.
Monterey Park, CA 91755
Operator's License No. OPR 11889**

Respondent.

Case No. 2012-32

OAH No. 2013030696

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary 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 November 24, 2013.

It is so ORDERED October 25, 2013.



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
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Attorneys for Complainant

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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 **ZANE SZOB KIM**
211 East Pomona Blvd.
13 Monterey Park, CA 91755
Operator's License No. OPR 11889
14 Respondent.

Case No. 2012-32
OAH No. 2013030696
**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

20 **PARTIES**

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22 1. Susan Saylor (Complainant) is the Interim Registrar/Executive Officer of the
23 Structural Pest Control Board. She brought this action solely in her 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. Respondent Zane Szob Kim (Respondent) is represented in this proceeding by
27 attorney James L. Frederick, whose address is 504 West Mission Avenue, Suite 103
28 Escondido, California 92025.

1 CULPABILITY

2 9. Respondent admits the truth of each and every relevant charge and allegation in
3 Accusation No. 2012-32, except as to the Eighth Cause for Discipline (Aiding and Abetting an
4 Unlicensed Company). As to the Eighth Cause for Discipline, Respondent understands that the
5 charges and allegations set forth therein, if proven at a hearing, constitute cause for imposing
6 discipline upon Respondent's Operator License No. OPR 11889.

7 10. Respondent agrees that his Operator's License No. OPR 11889 is subject to discipline
8 and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order
9 below.

10 CONTINGENCY

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

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

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's License No. OPR 11889 issued to Respondent
9 Zane Szob Kim (Respondent) is revoked. However, the revocation is stayed and Respondent is
10 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 rules
12 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. 2012-32 and the terms, conditions and restriction 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. 2012-32.

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 Operator's License No. 11889 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 final,
8 and the period of probation shall be extended until the matter is final.

9 8. **Prohibited from Serving as Officer, Director, Associate, Partner or Qualifying**
10 **Manager.** Respondent is prohibited from serving as an officer, director, associate, partner,
11 qualifying manager or branch office manager of any registered company, other than Valley Zane
12 X Terminator, Inc. during the period that discipline is imposed on Operator's License No. 11889.

13 9. **Cost Recovery.** Pursuant to Section 125.3 of the California Business and Professions
14 Code, Respondent shall pay to the Board investigation and enforcement costs in the amount of
15 \$2734.00, according to a payment schedule that has been approved by the Board. Investigation
16 and enforcement costs must be paid in full 6 months prior to the end of probation. Probation shall
17 not be terminated until all costs are paid in full.

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ACCEPTANCE

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

DATED: 7-9-13 *Zane Szob Kim*
ZANE SZOB KIM
Respondent

I have read and fully discussed with Respondent Zane Szob Kim the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 7-9-13 *James L. Frederick*
James L. Frederick
Attorney for Respondent

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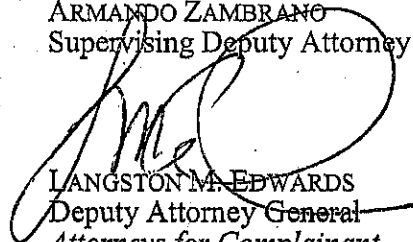
ENDORSEMENT

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

Dated: 7/9/13

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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