

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

In the Matter of the Application of:

**Timothy P. Moser**

For an Operator License

**STIPULATION FOR A  
PROBATIONARY OPERATOR LICENSE**

Timothy Moser, applicant for a structural pest control operator license (hereinafter applicant or respondent), and Kelli Okuma, Executive Officer, Structural Pest Control Board (Board), hereby stipulate as follows:

1. This applicant is not presently licensed as a structural pest control applicator, field representative or an operator with the Board in the State of California.
2. On February 24, 2010, the applicant submitted an application for operator's license. Question number 9 on the application asked: *"Have you ever been convicted of a felony or of a misdemeanor other than minor traffic infractions?"* The applicant checked the box marked "no" next to question number 9. Question number 10 asked: *"Have you or any of you, ever been found guilty of any violation or any provision of the Structural Pest Control Act?" (If yes, attach signed detailed statement.)* The applicant checked the box marked "yes" next to question number 10 and wrote "invalid license for above reason" (indicating "yes" response to question #7, *"Have you ever had a professional or vocational license refused, suspended or revoked by this or any other State?" (If yes, attach signed detailed statement,)* in which he wrote "forgot to pay renewal fee of \$125.00". The applicant signed the application on February 24, 2010, attesting that he had read and understood the complete application and declared that all of the information contained in his application was true and accurate.
3. The applicant was convicted November 26, 1984 - Placerville, California, of the following misdemeanor: 192.3 (B) PC - Vehicle manslaughter, without gross negligence. Defendant was sentenced to 3 years probation and 45 days in jail.
4. The applicant was convicted March 18, 2008 - Sacramento, California, of the following misdemeanor: 23152 (B) VC - DUI. Defendant was sentenced to 3 years probation, 48 hours in jail, and fines.

5. On April 21, 2005, applicant was issued Citation and Fine No. CF 05-136 in the amount of \$5,000 for violation of section 8550(a) (c) (d) of the Business and Professions Code and section 1999.5(a) of the California Code of Regulations. The fine has not been paid.

6. On August 25, 2010, the applicant signed a declaration admitting to recently performing pest control without a proper license for the following reason: "My need to provide for me and my son. It is the only thing I'm really qualified to do. My hope is to work with the Board to rectify this situation as soon as possible."

### ORDER

Applicant, Timothy Moser is hereby granted a probationary Operator's license. The license is placed on three years probation on the following terms and conditions:

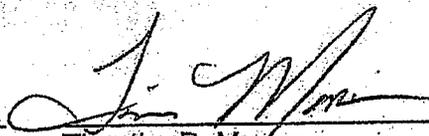
1. Suspension. The license will immediately be placed on suspension until the company registration is applied for and issued.
2. Compliance with all provisions of the Business and Professions Code, Division 3, Chapter 14, Structural Pest Control Operators, and California Code of Regulations, Title 16, Professional and Vocational Regulations, Division 19. Applicant shall obey all laws and rules relating to the practice of structural pest control.
3. Obey all Local, State and Federal laws.
4. Quarterly Reports. Applicant shall file quarterly reports with the Board during the period of probation.
5. Tolling of Probation. Should Applicant leave California to reside outside this state, Applicant must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside the state shall not apply to reduction of the probationary period.
6. Notice to Employees. Applicant shall upon or before the effective date of this Order, post or circulate a notice to all employees involved in structural pest control operations which accurately recite the terms and conditions of probation. Applicant shall be responsible for said notice being immediately available to said employees. "Employees" as used in this provision includes all full-time, part-time, and temporary and relief employees and independent contractors employed or hired at any time during probation.
7. Completion of Probation. Upon successful completion of probation, Applicant's operator license will become fully effective.

8. Violation of Probation. Should Applicant violate probation in any respect, the Board, after giving Applicant notice and an opportunity to be heard, may revoke the probationary license through an administrative hearing process.
9. Random Inspections. Applicant shall reimburse the Board for one random inspection per quarter by the Board specialists during the period of probation not to exceed \$125 per inspection.
10. Cite and Fine Reimbursement. Applicant shall pay to Board the amount of \$5,000 for the outstanding Citation and Fine No. CF 05-136. Applicant shall be permitted to pay the fine in a payment plan approved by the Board, with payments to be completed no later than three months prior to the expiration date of the operator license.

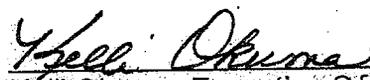
**ACCEPTANCE**

I have carefully read the Order. I understand the Order and the effect it will have on my operator license. I enter into this Order voluntarily, knowingly, and intelligently, and agree to be bound by the Order of the Board.

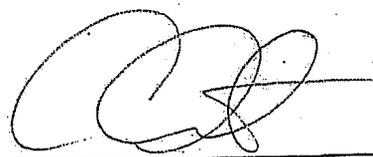
DATED 10-18-10

  
\_\_\_\_\_  
Timothy P. Moser  
Applicant

DATED 12/21/10

  
\_\_\_\_\_  
Kelli Okuma, Executive Officer  
Structural Pest Control Board

This Stipulation for a Probationary Operator License shall become effective on December 22, 2010.

  
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FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF PESTICIDE REGULATION