

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

In the Matter of the Petition to Revoke
Probation Against:

MASTER FUME, INC.;
1868 Del Amo Boulevard, Suite D
Torrance, CA 90501
EDUARDO SANTILLAN, President
EDUARDO SANTILLAN Jr., Vice-President

Company Registration Certificate No. PR
5604,

and

EDUARDO SANTILLAN
1868 Del Amo Boulevard, Suite D
Torrance, CA 90501

Operator's License No. OPR 10743

Respondents.

Case No. 2012-7

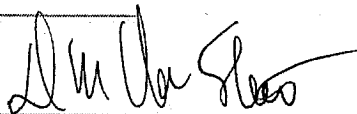
OAH No. 2017090372

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 April 20, 2018

It is so ORDERED March 21, 2018



**FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF CONSUMER AFFAIRS**

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Attorney General of California
2 THOMAS L. RINALDI
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11 **STATE OF CALIFORNIA**

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1868 Del Amo Boulevard, Suite D
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20 Operator's License No. OPR 10743

21 Respondents.
22

Case No. 2012-7

OAH No. 2017090372

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

25 **PARTIES**

26 1. Susan Saylor ("Complainant") is the Registrar/Executive Officer of the Structural
27 Pest Control Board ("Board"). She brought this action solely in her official capacity and is
28

1 represented in this matter by Xavier Becerra, Attorney General of the State of California, by
2 Steve J. Pyun, Deputy Attorney General.

3 2. Respondents Master Fume, Inc. and Eduardo Santillan ("Respondents") are
4 represented in this proceeding by attorney Omar Gastelum, Esq., whose address is: 13300
5 Crossroads Parkway North, Suite 170, City of Industry, CA 91746.

6 3. On or about May 8, 2008, the Board issued Company Registration Certificate No. PR
7 5604 to Master Fume, Inc. Respondent Eduardo Santillan is President of Master Fume, Inc. The
8 Company Registration Certificate was in full force and effect at all times relevant to the charges
9 brought in the Petition to Revoke Probation No. 2012-7.

10 4. On or about June 6, 2003, the Board issued Operator's License No. OPR 10743 to
11 Eduardo Santillan. The Operator's License was in full force and effect at all times relevant to the
12 charges brought in the Petition to Revoke Probation No. 2012-7, and is currently renewed through
13 June 30, 2020.

14 5. In a disciplinary action entitled "*In the Matter of Accusation Against Master Fume,*
15 *Inc., Eduardo Santillan and Eduardo Santillan, Jr.,*" Case No. 2012-7, the Structural Pest Control
16 Board, issued a decision, effective May 8, 2014, in which Respondents' Company Registration
17 Certificate No. PR 5604 and Operator's License No. OPR 10743 were revoked. However, the
18 revocation was stayed, and Respondents' Company Registration Certificate and Operator's
19 License were placed on probation for a period of three (3) years with certain terms and
20 conditions.

21 JURISDICTION

22 6. Petition to Revoke Probation No. 2012-7 was filed before the Board, and is currently
23 pending against Respondents. The Petition to Revoke Probation and all other statutorily required
24 documents were properly served on Respondents on May 4, 2017. Respondents timely filed their
25 Notice of Defense contesting the Petition to Revoke Probation.

26 7. A copy of Petition to Revoke Probation No. 2012-7 is attached as exhibit A and
27 incorporated herein by reference.

28 //

ADVISEMENT AND WAIVERS

1
2 8. Respondents have carefully read, fully discussed with counsel, and understand the
3 charges and allegations in Petition to Revoke Probation No. 2012-7. Respondents have also
4 carefully read, fully discussed with counsel, and understands the effects of this Stipulated
5 Settlement and Disciplinary Order.

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

13 10. Respondents voluntarily, knowingly, and intelligently waive and give up each and
14 every right set forth above.

CULPABILITY

15
16 11. Respondents admit the truth of each and every charge and allegation in Petition to
17 Revoke Probation No. 2012-7.

18 12. Respondents agree that their Company Registration Certificate and Operator's
19 License are subject to discipline, and they agree to be bound by the Board's imposition of
20 discipline as set forth in the Disciplinary Order below.

CONTINGENCY

21
22 13. This stipulation shall be subject to approval by the Structural Pest Control Board.
23 Respondents understand and agree that counsel for Complainant and the staff of the Structural
24 Pest Control Board may communicate directly with the Board regarding this stipulation and
25 settlement, without notice to or participation by Respondents or their counsel. By signing the
26 stipulation, Respondents understand and agree that they may not withdraw their agreement or
27 seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board
28 fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary

1 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
2 action between the parties, and the Board shall not be disqualified from further action by having
3 considered this matter.

4 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
5 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
6 signatures thereto, shall have the same force and effect as the originals.

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

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

16 **DISCIPLINARY ORDER**

17 IT IS HEREBY ORDERED that Company Registration Certificate No. PR 5604 issued to
18 Respondent Master Fume, Inc., and Operator's License No. OPR 10743 issued to Eduardo
19 Santillan, are revoked.

20 1. Respondents shall lose all rights and privileges in California as of the effective date of
21 the Board's Decision and Order.

22 2. Respondents shall cause to be delivered to the Board their pocket license and, if one
23 was issued, their wall certificates on or before the effective date of the Decision and Order.

24 3. If Respondents ever file an application for licensure or a petition for reinstatement in
25 the State of California, the Board shall treat it as a petition for reinstatement. Respondents must
26 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
27 effect at the time the petition is filed, and all of the charges and accusations contained in the
28

1 Petition to Revoke Probation No. 2012-7 shall be deemed to be true, correct and admitted by
2 Respondents when the Board determines whether to grant or deny the petition.

3 4. Respondents shall pay the Board its costs of investigation and enforcement in the
4 amount of \$7,965.00 prior to issuance of a new or reinstated license.

5 5. Respondents shall not apply for licensure or petition for reinstatement for one (1) year
6 from the effective date of the Board's Decision and Order.

7 6. If Respondents should ever apply or reapply for a new license or company
8 registration, or petition for reinstatement of a license or company registration, by any other
9 agency in the State of California, all of the charges and accusations contained in the Petition to
10 Revoke Probation No. 2012-7 shall be deemed to be true, correct and admitted by Respondents
11 for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict
12 licensure.

13 7. If Respondent Eduardo Santillan seeks reinstatement, he shall re-take and pass the
14 operator examination.

15 8. Respondent Eduardo Santillan is prohibited from serving as an officer, director,
16 associate, partner, qualifying manager, or responsible managing employee of any registered
17 company during the period that discipline is imposed on Operator License No. OPR 10743 issued
18 to Eduardo Santillan.

19 ACCEPTANCE


20 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
21 discussed it with my attorney, Omar Gastelum, Esq. I understand the stipulation and the effect it
22 will have on my Company Registration Certificate. I enter into this Stipulated Settlement and
23 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
24 Decision and Order of the Structural Pest Control Board.

25
26 DATED: 02/09/18 Eduardo Santillan
27 MASTER FUME, INC.
28 EDUARDO SANTILLAN, President
Respondent

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

6
7 DATED: 02/09/18 
8 EDUARDO SANTILLAN
9 Respondent

10 I have read and fully discussed with Respondents the terms and conditions and other
11 matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form
12 and content.

13
14 DATED: 02/9/18 
15 OMAR GASTELUM, ESQ.
16 Attorney for Respondents

17 ENDORSEMENT

18 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
19 submitted for consideration by the Structural Pest Control Board.

20 Dated:

21 Respectfully submitted,
22 XAVIER BECERRA
23 Attorney General of California
24 THOMAS L. RINALDI
25 Supervising Deputy Attorney General

26 STEVE J. PYUN
27 Deputy Attorney General
28 Attorneys for Complainant

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