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FILED
Date 11/17/11 By William H. Douglas

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

In the Matter of the Statement of Issues Against: **CESAR RAYMUNDO LARA** **BUG STOP SERVICES** **330 E. 220th Street** **Carson, California 90745** Respondent.	Case No. 2012-24 **STATEMENT OF ISSUES**

William H. Douglas ("Complainant") alleges:

PARTIES

1. Complainant brings this Statement of Issues solely in his official capacity as the Interim Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of Pesticide Regulation.

APPLICATION INFORMATION

2. On or about September 15, 2010, the Board received an Application for Registration of Company to upgrade Bug Stop Services, Inc. to include Branch 3 from Cesar Raymundo Lara ("Respondent"). On or about September 9, 2010, Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and representations in the application. The Board denied the application on January 25, 2011.

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LICENSE INFORMATION

Bug Stop Services, Inc. - Company Registration Certificate No. PR 5687

3. On or about October 2, 2008, the Board issued Company Registration Certificate Number PR 5687 in Branch 2 to Bug Stop Services, Inc., with Michael Rodriguez as the President and Sinclair Jones as the Qualifying Manager. Sinclair Jones passed away. On or about February 9, 2009, the registration was suspended for failing to have a Qualifying Manager. On or about July 8, 2009, Cesar Raymundo Lara became the Qualifying Manager. On or about August 30, 2010, Respondent Lara became the President, John Griffin became the Secretary, and Soledad Lara became the Vice President.

Cesar Raymundo Lara

Operator's License No. 11879

4. On or about July 2, 2009, the Board issued Operator's License Number OPR 11879 in Branch 2 to Respondent an employee of Rapid Pest Solutions, Inc. On or about July 6, 2009, Respondent left the employ of Rapid Pest Solutions, Inc. On or about July 8, 2009, Respondent became the Qualifying Manager of Bug Stop Services, Inc. On or about September 16, 2009, Respondent became the Qualifying Manager for Pro Central Termite Control in Branch 2. On or about August 30, 2010, Respondent became the President of Bug Stop Services, Inc. The license will expire on June 30, 2012, unless renewed.

Field Representative's License No. FR 38391

5. On or about March 29, 2005, the Board issued Field Representative's License Number FR 38391 in Branch 2 to Respondent as an employee of Dewey Pest Control. On or about June 10, 2008, the license was upgraded to include Branch 3. On or about February 18, 2009, the license was upgraded to include Branch 1, and Respondent became employed with Master Fume, Inc. On or about March 5, 2009, Respondent became employed with Rapid Pest Solutions, Inc. The license will expire on June 30, 2013, unless renewed.

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STATUTORY PROVISIONS

6. Business and Professions Code ("Code") section 8568 provides, in pertinent part, that the Board may deny a license or registration if the applicant has committed any act or omissions constituting grounds for discipline under Code section 480.

7. Code section 480 states, in pertinent part:

> (a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:
>
> (2) Done any act involving dishonesty, fraud, or deceit with the intent to substantially benefit himself or herself or another, or substantially injure another.
>
> (3)(A) Done any act that if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.

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.

BACKGROUND INFORMATION

9. On or about July 2, 2009, the Board issued Operator's License Number OPR 11879 in Branch 2 to Respondent. On or about July 8, 2009, Respondent became the Qualifying Manager of Bug Stop Services, Inc. On or about August 8, 2011, the Board filed Accusation No. 2012-6, alleging that Respondent, while the Qualifying Manager for Bug Stop Services, Inc. violated Code section 8651, as more particularly set forth below in paragraph 10.

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FIRST CAUSE FOR DENIAL OF APPLICATION

(Committed Acts Which If Done By A Licentiate Would be Grounds For Discipline)

10. Respondent's application is subject to denial under Code sections 8568 and 480(a)(3), in that between May 2010 and August 2010, while acting as the Qualifying Manager for Bug Stop Services, Inc., Respondent committed acts which if done by a licentiate, would be grounds for suspension or revocation under Code sections 8651 (deviation from operations authorized by license or registration), as more particularly set forth in Accusation No. 2012-6, attached hereto as **Exhibit A**.

SECOND CAUSE FOR DENIAL OF APPLICATION

(Dishonesty, Fraud or Deceit)

11. Respondent's application is subject to denial under Code sections 8568 and 480(a)(2), in that while acting as the Qualifying Manager for Bug Stop Services, Inc., Respondent committed acts involving dishonesty, fraud or deceit with the intent to substantially benefit himself, or substantially injure another, as more particularly set forth in Accusation No. 2012-6, attached hereto as **Exhibit A**.

OTHER MATTERS

12. Pursuant to Code section 8654, if Respondent's application is denied, then Respondent 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 grounds for disciplinary action.

PRAYER

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

1. Denying the application of Cesar Raymundo Lara;

2. Prohibiting Cesar Raymundo Lara from serving as an officer, director, associate, partner, qualifying manager, or responsible managing employee of any licensee;

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3. Revoking or suspending any other license for which Cesar Raymundo Lara is furnishing the qualifying experience or appearance; and,

4. Taking such other and further action as deemed necessary and proper.

DATED: 11/17/11

William H. Douglas

WILLIAM H. DOUGLAS
Interim Registrar/Executive Officer
Structural Pest Control Board
Department of Pesticide Regulation
State of California
Complainant

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