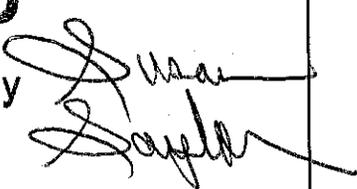


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FILED

Date 4/15/14 By



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

12 In the Matter of the Accusation Against:

Case No. 2014-49

13 **FLYTECH INC.,**
14 **P.O. Box 7749**
Moreno Valley, CA 92552
15 **CHARLES D. CLARK**
President/Qualifying Manager

ACCUSATION

16 **Company Registration Certificate No. PR 6604**

17 **and**

18 **CHARLES DAN CLARK**
19 **24870 Highwood Street**
Moreno Valley, CA 92551

20 **Operator's License No. OPR 10356**

21 Respondents.

22
23 Complainant alleges:

24 **PARTIES**

25 1. Susan Saylor (Complainant) brings this Accusation solely in her official capacity as
26 the Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer
27 Affairs.

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1 **COSTS**

2 15. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licentiate found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case, with failure of the licentiate to comply subjecting the license to not
6 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
7 may be included in a stipulated settlement.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Securing a License by Fraud, Deceit, or Knowing Misrepresentation of a Material Fact)**

10 16. Respondent Charles Dan Clark is subject to disciplinary action under sections 498
11 and 8637 of the Code in that he secured his Operator's License by fraud, deceit, or knowing
12 misrepresentation of a material fact. The circumstances are as follows:

13 17. On or about June 29, 2012, Respondent signed the "License Renewal Application –
14 Operator" for Operator's License number OPR 10356. Declaring under penalty of perjury under
15 the laws of the State of California that his information was true and correct, Respondent stated
16 that he completed 18 hours of continuing education required for the renewal of his license.
17 Respondent's Operator's License was subsequently renewed for a period of three years.

18 18. In a letter dated November 28, 2012, mailed to Respondent's address of record, the
19 Board informed Respondent that he had been selected for a continuing education audit.
20 Respondent was directed to provide the certificates of course completion for the 18 hours of
21 continuing education claimed on his license renewal application. Respondent was told that the
22 requested information was due 14 days from the date of the letter, and that failure to comply
23 would subject him to disciplinary action. After Respondent failed to respond to the letter, a
24 second letter dated January 9, 2013, was mailed to Respondent. Respondent failed to comply.

25 19. In a letter dated October 23, 2013, sent to Respondent via First Class and Certified
26 Mail, Respondent was directed to provide the requested information within 14 days. The
27 Domestic Return Receipt was signed on October 28, 2013. Respondent failed to comply.

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1 manager, or responsible managing employee of a registered company, and the employment,
2 election or association of such person(s) by Flytech Inc. is a ground for disciplinary action.

3 **PRAYER**

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

6 1. Revoking or suspending Operator's License Number OPR 10356, issued to Charles
7 Dan Clark;

8 2. Revoking or suspending Company Registration Certificate Number PR 6604, issued
9 to Flytech Inc., with Charles D. Clark as its President and Qualifying Manager;

10 3. Ordering Flytech Inc. and/or Charles Dan Clark to pay the Structural Pest Control
11 Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business
12 and Professions Code section 125.3;

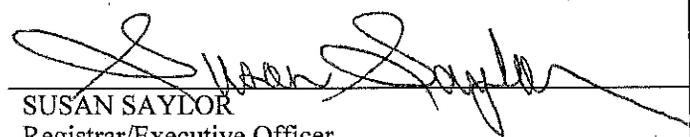
13 4. Taking such other and further action as deemed necessary and proper.

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17 DATED: 4/15/14



18 SUSAN SAYDOR
19 Registrar/Executive Officer
20 Structural Pest Control Board
21 Department of Consumer Affairs
22 State of California
23 *Complainant*

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