

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

In the Matter of the Accusation Against:

ALLSTAR FUMIGATION, INC.;
FLORENCIO PONCE; CHRISTIAN
PONCE; ABDUL-ALEEM RASHEED
3756 Dalton Avenue
Los Angeles, CA 90018

Company Registration Certificate No. PR
5704

Respondent.

Case No. 2012-58

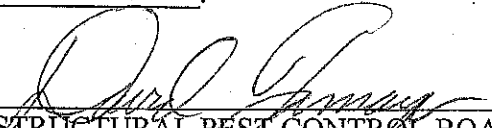
OAH No. 2013041099

DECISION AND ORDER

The attached Stipulated Surrender of License and 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 March 2, 2014.

It is so ORDERED January 31, 2014.



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
4 State Bar No. 237926
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 620-6343
6 Facsimile: (213) 897-2804
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:

Case No. 2012-58

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12 **FLORENCIO PONCE; CHRISTIAN**
13 **PONCE; ABDUL-ALEEM RASHEED**
14 **3756 Dalton Avenue**
Los Angeles, CA 90018

OAH No. 2013041099

STIPULATED SURRENDER OF
LICENSE AND ORDER

15 **Company Registration Certificate No. PR**
16 **5704, Branch 1**

17 Respondent.

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

22
23 **PARTIES**

24 1. William H. Douglas (Complainant) former Interim Registrar/Executive Officer of the
25 Structural Pest Control Board, brought these actions solely in his official capacity. Susan Saylor
26 is the current Registrar/Executive Officer of the Structural Pest Control Board. She maintains
27 these actions solely in her official capacity and is represented in this matter by Kamala D. Harris,
28 Attorney General of the State of California, by Langston M. Edwards, Deputy Attorney General.

1 2. Allstar Fumigation, Inc.; Florencio Ponce; Christian Ponce; Abdul-Aleem Rasheed
2 (Respondent) is representing itself in this proceeding and has chosen not to exercise its right to be
3 represented by counsel.

4 3. On or about October 20, 2008, the Board issued Company Registration Certificate
5 Number PR 5704 ("registration") to Allstar Fumigation, Inc. ("Respondent Allstar or
6 Respondents") in Branch 1, with Florencio Ponce as President, Christian Ponce as Vice President,
7 and Abdul-Aleem Rasheed as Qualifying Manager. On or about May 18, 2009, Company
8 Registration Certificate Number PR 5704 reflected the disassociation of Abdul-Aleem Rasheed
9 as Branch 1 Qualifying Manager. On or about February 8, 2010, Company Registration
10 Certificate Number PR 5704 reflected Christian Ponce as President and 100% shareholder and
11 Raymundo Esteban Gill as Qualifying Manager. On or about June 14, 2010, Company
12 Registration Certificate Number PR 5704 reflected the disassociation of Raymundo Esteban Gill
13 as Qualifying Manager. On or about July 9, 2010, Company Registration Certificate Number PR
14 5704 reflected Susana Haro as Qualifying Manager. On or about July 12, 2010, Company
15 Registration Certificate Number PR 5704 reflected the disassociation of Susana Haro as
16 Qualifying Manager. On or about August 12, 2010, Company Registration Certificate Number
17 PR 5704 reflected Jaime Chavez as Qualifying Manager. On or about February 10, 2011,
18 Company Registration Certificate Number PR 5704 reflected the disassociation of Jaime Chavez
19 as Qualifying Manager. The Company Registration Certificate No. PR 5704 was cancelled on
20 July 29, 2011.

21 22 **JURISDICTION**

23 4. Accusation No. 2012-58 was filed before the Structural Pest Control Board (Board),
24 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
25 and all other statutorily required documents were properly served on Respondent on June 20,
26 2012. Respondent timely filed its Notice of Defense contesting the Accusation. A copy of
27 Accusation No. 2012-58 is attached as Exhibit A and incorporated by reference.
28

1 **ADVISEMENT AND WAIVERS**

2 5. Respondent has carefully read, and understands the charges and allegations in
3 Accusation No. 2012-58. Respondent also has carefully read, and understands the effects of this
4 Stipulated Surrender of License and Order.

5 6. Respondent is fully aware of its legal rights in this matter, including the right to a
6 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
7 its own expense; the right to confront and cross-examine the witnesses against them; the right to
8 present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel
9 the attendance of witnesses and the production of documents; the right to reconsideration and
10 court review of an adverse decision; and all other rights accorded by the California
11 Administrative Procedure Act and other applicable laws.

12 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
13 every right set forth above.

14
15 **CULPABILITY**

16 8. Respondent admits the truth of each and every charge and allegation in Accusation
17 No. 2012-58, agrees that cause exists for discipline and hereby surrenders the Company
18 Registration Certificate No. PR 5704 for the Board's formal acceptance.

19 9. Respondent understands that by signing this stipulation Entity enables the Board to
20 issue an order accepting the surrender of his Company Registration Certificate without further
21 process.

22
23 **CONTINGENCY**

24 10. This stipulation shall be subject to approval by the Structural Pest Control Board.
25 Respondent understands and agrees that counsel for Complainant and the staff of the Structural
26 Pest Control Board may communicate directly with the Board regarding this stipulation and
27 surrender, without notice to or participation by Respondent. By signing the stipulation,
28 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the

1 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
2 stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of
3 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
4 the parties, and the Board shall not be disqualified from further action by having considered this
5 matter.

6 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
7 copies of this Stipulated Surrender of License and Order, including Portable Document Format
8 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

17
18 **ORDER**

19 IT IS HEREBY ORDERED that Company Registration Certificate No. PR 5704, issued to
20 Respondent Allstar Fumigation, Inc.; Florencio Ponce; Christian Ponce; Abdul-Aleem Rasheed,
21 is surrendered and accepted by the Structural Pest Control Board.

22 1. The surrender of Respondent's Company Registration Certificate and the acceptance
23 of the surrendered certificate by the Board shall constitute the imposition of discipline against
24 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
25 Respondent's license history with the Structural Pest Control Board.

26 2. Respondent shall lose all rights and privileges as a Registered Company in California
27 as of the effective date of the Board's Decision and Order.

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3. Respondent shall cause to be delivered to the Board the Company Registration wall certificate on or before the effective date of the Decision and Order.

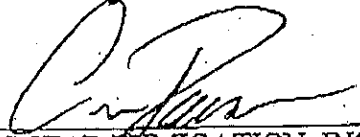
4. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 2012-58 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$4,537.00 prior to issuance of a new or reinstated license/registration.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Company Registration Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Structural Pest Control Board.

DATED: 11-18-13


ALLSTAR FUMIGATION, INC.; FLORENCIO PONCE; CHRISTIAN PONCE; ABDUL-ALBEM RASHEED
Respondent

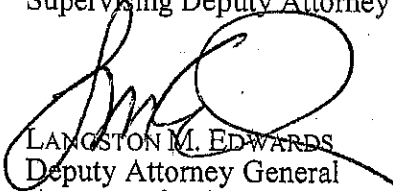
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ENDORSEMENT

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

Dated: 11/15/13

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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