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

In the Matter of the Accusation Against:

Case No. 3908

**LADD DOUGLAS WIIDANEN  
AKA LADD D. WIIDANEN**  
4750 Beloit Drive  
Sacramento, CA. 95838

**DEFAULT DECISION AND ORDER**

Registered Applicator's License, No. RA 49813  
Branch 3  
Field Representative's License No. FR 44440  
Branch 2

[Gov. Code, §11520]

Respondent.

FINDINGS OF FACT

1. On or about May 16, 2011, Complainant William H. Douglas, in his official capacity as the Registrar/Executive Officer of the Structural Pest Control Board, Department of Pesticide Regulation, filed Accusation No. 3908 against Ladd Douglas Wiidanen (Respondent) before the Structural Pest Control Board. (Accusation attached as Exhibit A.)

2. On or about April 15, 2009, the Structural Pest Control Board (Board) issued Registered Applicator's License No. RA 49813 to Respondent. The Registered Applicator's License was in full force and effect at all times relevant to the charges brought in Accusation No. 3908 and will expire on April 15, 2012, unless renewed.

3. On or about June 3, 2009, the Structural Pest Control Board issued Field Representative's License No. FR 44440 to Respondent. The Field Representative's License was

1 in full force and effect at all times relevant to the charges brought in Accusation No. 3908 and  
2 will expire on June 30, 2011, unless renewed.

3 4. On or about May 23, 2011, Respondent was served by Certified and First Class Mail  
4 copies of the Accusation No. 3908, Statement to Respondent, Notice of Defense, Request for  
5 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at  
6 Respondent's address of record which, pursuant to Business and Professions Code section 136, is  
7 required to be reported and maintained with the Board, which was and is:

8 4750 Beloit Drive  
9 Sacramento, CA. 95838.

10 5. Service of the Accusation was effective as a matter of law under the provisions of  
11 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
12 124.

13 6. On or about May 31, 2011, the aforementioned documents were returned by the U.S.  
14 Postal Service marked "Not Deliverable as Addressed." The address on the documents was the  
15 same as the address on file with the Board. Respondent failed to maintain an updated address  
16 with the Board and the Board has made attempts to serve the Respondent at the address on file.  
17 Respondent has not made himself available for service and therefore, has not availed himself of  
18 his right to file a notice of defense and appear at hearing.

19 7. Government Code section 11506 states, in pertinent part:

20 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
21 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
22 of the accusation not expressly admitted. Failure to file a notice of defense shall  
constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
may nevertheless grant a hearing.

23 8. Respondent failed to file a Notice of Defense within 15 days after service upon him  
24 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.  
25 3908.

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1 9. California Government Code section 11520 states, in pertinent part:

2 (a) If the respondent either fails to file a notice of defense or to appear at the  
3 hearing, the agency may take action based upon the respondent's express admissions  
4 or upon other evidence and affidavits may be used as evidence without any notice to  
5 respondent.

6 10. Pursuant to its authority under Government Code section 11520, the Board finds  
7 Respondent is in default. The Board will take action without further hearing and, based on the  
8 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,  
9 as well as taking official notice of all the investigatory reports, exhibits and statements contained  
10 therein on file at the Board's offices regarding the allegations contained in Accusation No. 3908,  
11 finds that the charges and allegations in Accusation No. 3908, are true and correct.

12 11. Taking official notice of its own internal records, pursuant to Business and  
13 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
14 and Enforcement is \$1,117.50, as of May 11, 2012.

#### 14 DETERMINATION OF ISSUES

15 1. Based on the foregoing findings of fact, Respondent Ladd Douglas Wiidanen has  
16 subjected his Registered Applicator's License No. RA 49813, and Field Representative's License  
17 No. FR 44440 to discipline.

18 2. The agency has jurisdiction to adjudicate this case by default.

19 3. The Structural Pest Control Board is authorized to revoke Respondent's Registered  
20 Applicator's License based upon the following violations alleged in the Accusation which are  
21 supported by the evidence contained in the Default Decision Investigatory Evidence Packet in  
22 this case.:

23 a. Respondent's licenses are subject to disciplinary action under Code section 8649, in  
24 that Respondent has been convicted of the following crimes that are substantially related to the  
25 qualifications, functions, and duties of a licensed field representative and applicator.

26 b. On July 23, 2010, in the Superior Court, County of Placer, California, in the matter  
27 entitled, *People vs. Ladd Douglas Wiidanen*, 2008, Case No. 62-95169, Respondent was  
28 convicted by the court of a violation of Penal Code section 288a, subdivision (f) (oral copulation

1 of an unconscious person), a felony. The circumstances of the crime are that on or about  
2 January 1, 2008, Respondent was arrested after S.G. awoke to find Respondent orally copulating  
3 him.

4 c. On August 26, 2010, in the Superior Court, County of Placer, California, in the matter  
5 entitled, *People vs. Ladd Douglas Wiidanen, aka Ladd D. Wiidanen*, 2010, Case No. 6299855,  
6 Respondent was convicted by the court following his plea of nolo contendere to a violation of  
7 Vehicle Code section 23152, subdivision (a) (driving under the influence of alcohol), a  
8 misdemeanor with a further allegation pursuant to Vehicle Code section 23578 for having a blood  
9 alcohol level that measured .14% and .16%.

10 ORDER

11 IT IS SO ORDERED that Applicator's License No. RA 49813, and Field Representative  
12 License No. 44440, heretofore issued to Respondent Ladd Douglas Wiidanen, are revoked.

13 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a  
14 written motion requesting that the Decision be vacated and stating the grounds relied on within  
15 seven (7) days after service of the Decision on Respondent. The agency in its discretion may  
16 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

17 This Decision shall become effective on August 17, 2012.

18 It is so ORDERED July 18, 2012.

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21 FOR THE STRUCTURAL PEST CONTROL BOARD  
22 DEPARTMENT OF PESTICIDE REGULATION

23 Attachment:  
24 Exhibit A: Accusation

25 SA2010102606  
26 10746313

# Exhibit A

Accusation

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 PATRICK M. KENADY  
Deputy Attorney General  
4 State Bar No. 050882  
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5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5377  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

**FILED**

Date 5/16/11 By *William H. Douglas*

8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF PESTICIDE REGULATION**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-57

12 **LADD DOUGLAS WIIDANEN, AKA**  
13 **LADD D. WIIDANEN**  
4750 Beloit Drive  
14 Sacramento, CA 95838  
Applicator's License No. RA 49813  
Branch 3  
15 Field Representative's License No. FR 44440  
Branch 2

**ACCUSATION**

16 Respondent.

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19 Complainant alleges:

20 **PARTIES**

21 1. William H. Douglas ("Complainant") brings this Accusation solely in his official  
22 capacity as the Interim Registrar/Executive Officer of the Structural Pest Control Board,  
23 Department of Pesticide Regulation.

24 **Applicator's License**

25 2. On or about April 15, 2009, the Structural Pest Control Board issued Applicator's  
26 License Number RA 49813 in Branches 2 and 3 to Ladd D. Wiidanen ("Respondent"). On June  
27 3, 2009, the applicator's license was downgraded to a branch 3 due to the issuance of a branch 2  
28

1 field representative's license. The applicator's license was in full force and effect at all times  
2 relevant to the charges brought herein and will expire on April 15, 2012, unless renewed.

3 **Field Representative's License**

4 3. On or about June 3, 2009, the Structural Pest Control Board issued Field  
5 Representative's License Number FR 44440 in branch 2 to Respondent. The field representative's  
6 license was in full force and effect at all times relevant to the charges brought herein and will  
7 expire on June 30, 2011, unless renewed.

8 **STATUTORY PROVISIONS**

9 4. Section 8620 of the Business and Professions Code ("Code") provides, in pertinent  
10 part, that the Board may suspend or revoke a license when it finds that the holder, while a  
11 licensee or applicant, has committed any acts or omissions constituting cause for disciplinary  
12 action or in lieu of a suspension may assess a civil penalty.

13 5. Code section 8625 states:

14 The lapsing or suspension of a license or company registration by  
15 operation of law or by order or decision of the board or a court of law, or the  
16 voluntary surrender of a license or company registration shall not deprive the board of  
17 jurisdiction to proceed with any investigation of or action or disciplinary proceeding  
18 against such licensee or company, or to render a decision suspending or revoking  
19 such license or registration.

18 6. Code section 8649 states:

19 Conviction of a crime substantially related to the qualifications, functions,  
20 and duties of a structural pest control operator, field representative, applicator, or  
21 registered company is a ground for disciplinary action. The certified record of  
22 conviction shall be conclusive evidence thereof.

22 **COST RECOVERY**

23 7. Code section 125.3 states, in pertinent part, that a Board may request the  
24 administrative law judge to direct a licentiate found to have committed a violation or violations of  
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
26 enforcement of the case.

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1 prohibited from serving as an officer, director, associate, partner or responsible managing  
2 employee of a licensee, and any licensee which employs, elects, or associates him shall be subject  
3 to disciplinary action.

4 P R A Y E R

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

- 7 1. Revoking or suspending Applicator's License Number RA 49813, issued to Ladd  
8 Douglas Wiidanen;
- 9 2. Revoking or suspending Field Representative's License Number FR 44440, issued to  
10 Ladd Douglas Wiidanen;
- 11 3. Ordering Ladd Douglas Wiidanen to pay the Structural Pest Control Board the  
12 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
13 Professions Code section 125.3; and,
- 14 4. Taking such other and further action as deemed necessary and proper.
- 15  
16

17 DATED: 5/16/11

William H. Douglas  
18 WILLIAM H. DOUGLAS  
19 Interim Registrar/Executive Officer  
20 Structural Pest Control Board  
21 Department of Pesticide Regulation  
22 State of California  
23 Complainant

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