

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

In the Matter of the Application of:

Mitchell M. Rodgers

For an Applicator License

**STIPULATION FOR A
PROBATIONARY LICENSE**

Mitchell M. Rodgers, applicant for a structural pest control applicator license (hereinafter applicant or respondent), and Kelli Okuma, Executive Officer, Structural Pest Control Board (Board), hereby stipulate as follows:

1. This applicant is not presently licensed as a structural pest control applicator, field representative or an operator with the Board in the State of California.
2. On September 14, 2009, the applicant successfully passed the applicator license examination. Question number 11 on the application for examination and license asked "Have you ever been convicted of a felony or of a misdemeanor other than minor traffic infractions?" The applicant checked the box marked "yes" next to Question number 11, and wrote "see back" next to the line reading "If YES, explain." On the back of page 2 of the application he wrote:

1995 – 10851 CVC Code
1996 – 11377 H&S
2000 – 496 (A) PC
2001 – 459 PC

The applicant signed the application on August 26, 2009, attesting that he had read and understood the complete application and declared that all of the information contained in his application was true and accurate.

3. The applicant was convicted March 15, 1995, in the Municipal Court, Santa Rosa, California of the following misdemeanor: 496.1 PC - Receive known stolen property. Defendant was sentenced to 30 days in jail and placed on probation for 24 months.

4. The applicant was convicted March 17, 1995, in the Superior Court, Tuolumne, California of the following felonies: Count 1: 10851(A) – Take vehicle without owner's consent/vehicle theft, and Count 2: 11377(A) – Possession of a controlled substance. Defendant was sentenced to 270 days in jail and placed on 60 months probation. On September 25, 2000, probation was reinstated and extended to April 9, 2001.

5. The applicant was convicted July 20, 2000, in the Municipal Court, Santa Rosa, California of the following felony: 496(A) – Receive known stolen property. Defendant was sentenced to 3 years prison; sentence suspended, received 12 months jail, and placed on probation for 24 months. On May 27, 2004, probation was revoked resulting in 8 months prison.

6. The applicant was convicted May 9, 2002, in the Superior Court, Sonoma, California of the following felony: 459 PC – Burglary. Defendant was sentenced to 4 years prison, sentence suspended, and placed on 36 months probation. On May 27, 2004, probation was revoked resulting in 4 years prison.

7. The applicant was incarcerated in the San Quentin State Prison on June 3, 2004. Defendant was sentenced to 4 years and 8 months for the 2000 and 2002 convictions. On March 14, 2007, defendant was released from prison and subsequently was released from parole on April 13, 2008.

ORDER

Applicant, Mitchell M. Rodgers is hereby granted a probationary applicator's license. The license is placed on three years probation on the following terms and conditions:

1. Compliance with all provisions of the Business and Professions Code, Division 3, Chapter 14, Structural Pest Control Operators, and California Code of Regulations, Title 16, Professional and Vocational Regulations, Division 19. Applicant shall obey all laws and rules relating to the practice of structural pest control.
2. Obey all Local, State and Federal laws.
3. Quarterly Reports. Applicant shall file quarterly reports with the Board during the period of probation.
4. Tolling of Probation. Should Applicant leave California to reside outside this state, Applicant must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside the state shall not apply to reduction of the probationary period.

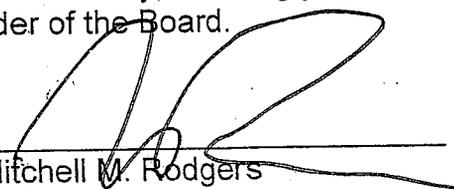
5. Notice to Employers. Applicant shall notify all present and prospective employers of the terms, conditions and restrictions imposed on Applicant by said Order. Within 30 days of the effective date of this Order, and within 15 days of Applicant undertaking new employment, Applicant shall cause his employer to report to the Board in writing acknowledging the employer has read the Order in this matter.
6. Completion of Probation. Upon successful completion of probation, Applicant's license will become fully effective.
7. Violation of Probation. Should Applicant violate probation in any respect, the Board, after giving Applicant notice and an opportunity to be heard, may revoke the probationary license through an administrative hearing process.
8. Field Representative's License. Should Applicant apply for a field representative license and pass the examination, the Board shall issue a field representative license, which shall be immediately placed on probation for the same duration and under the same terms and conditions as set forth in this Order.

ACCEPTANCE

I have carefully read the Order. I understand the Order and the effect it will have on my applicator's license. I enter into this Order voluntarily, knowingly, and intelligently, and agree to be bound by the Order of the Board.

DATED

6-21-10



Mitchell M. Rodgers
Applicant

DATED

7/7/10



Kelli Okuma

Structural Pest Control Board

This Stipulation for a Probationary License shall become effective on

July 7, 2010



FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF PESTICIDE REGULATIONS