

FILED

Date 4/23/12 By William H. Douglas

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KENT D. HARRIS
Deputy Attorney General
4 State Bar No. 144804
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-7859
Facsimile: (916) 327-8643
7 Attorneys for Complainant

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

11 In the Matter of the Accusation and Statement of
12 Issues Against:
13 RYAN J. SONNENBERG
1598 Becky Court, #27
14 Santa Rosa, CA 95403
15 Applicator's License No. RA 51148, Br. 2 and 3
16 Respondent/Applicant.

Case No. 2012-52 (Accusation)
ACCUSATION AND STATEMENT
OF ISSUES
Case No. 2012-53 (Statement
of Issues)

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18 William H. Douglas ("Complainant") alleges:

19 PARTIES

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

23 Application Information

24 2. On or about July 22, 2011, the Board received an Application for Field
25 Representative's License from Ryan J. Sonnenberg ("Respondent"). On or about
26 February 21, 2011, Respondent certified under penalty of perjury to the truthfulness of all
27 statements, answers, and representations in the application. The Board denied the application on
28 August 10, 2011.

1 9. Code section 480 states, in pertinent part:

2 (a) A board may deny a license regulated by this code on the grounds that
3 the applicant has one of the following:

4 (2) Done any act involving dishonesty, fraud, or deceit with the intent to
5 substantially benefit himself or herself or another, or substantially injure another.

6 (3)(A) Done any act that if done by a licentiate of the business or profession
7 in question, would be grounds for suspension or revocation of license.

8 10. Code section 8651 states:

9 The performing or soliciting of structural pest control work, the inspecting
10 for structural or household pests, or the applying of any pesticide, chemical, or allied
11 substance for the purpose of eliminating, exterminating, controlling, or preventing
12 structural pests in branches of pest control other than those for which the operator,
13 field representative, or applicator is licensed or the company is registered is a ground
14 for disciplinary action.

15 REGULATORY PROVISIONS

16 11. California Code of Regulations, title 16, section 1999.5 states, in pertinent part:

17 It is the purpose of this regulation to protect the public from false, misleading,
18 deceptive, or unfair representations or claims concerning structural pest control while
19 enabling the public to receive truthful and legitimate information about those
20 structural pest control products and services and the potential of these products and
21 services to reduce impact to health or the environment.

22 (f) Examples of direct or indirect statements or representations which are
23 unfair, deceptive, untrue or misleading include, but are not limited to, the following:

24 (11) Any statement or representation that a pesticide or device is certified,
25 sponsored, recommended, endorsed, or approved by any agency of the Federal
26 Government or the State of California, including but not limited to, "tested by the
27 Department of the Interior," "EPA approved," "EPA registered," "approved by the
28 Structural Pest Control Board," or "recommended by the Structural Pest Control
Board," except that a statement or representation of this type is permissible if
specifically authorized by the Federal or State agency to which it refers.

29 COST RECOVERY

30 12. Code section 125.3 provides, in pertinent part, that the Board may request the
31 administrative law judge to direct a licentiate found to have committed a violation or violations of
32 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
33 enforcement of the case.

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5. Ordering Ryan J. Sonnenberg to pay the Structural Pest Control Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

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

DATED: 4/23/12

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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