1 2 3 4 5 6 7 8 9	KAMALA D. HARRIS Attorney General of California JANICE K. LACHMAN Supervising Deputy Attorney General KRISTINA T. JANSEN Deputy Attorney General State Bar No. 258229 1300 I Street, Suite 125 P.O. Box 944255 Sacramento, CA 94244-2550 Telephone: (916) 324-5403 Facsimile: (916) 327-8643 Attorneys for Complainant BEFORE THE STRUCTURAL PEST CONTROL BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
11	In the Matter of the Accusation Against: Case No. 2014–19
12	PATRICK WILLIAM LOCKARD
13	4121 Oakmont Rd. Shingle Springs, CA 95682A C C U S A T I O N
14	Applicator License No. RA 51362
15	Respondent.
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- 17	Susan Saylor ("Complainant") alleges:
18	PARTIES
19	1. Complainant brings this Accusation solely in her official capacity as the
20	Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of
21	Consumer Affairs.
22	2. On or about September 28, 2010, the Board issued Applicator License Number RA
23	51362 to Patrick William Lockard ("Respondent"). The license was in full force and effect at all
24	times relevant to the charges brought herein and will expire on September 28, 2013, unless
25	renewed.
26	JURISDICTION
27	3. Business and Professions Code ("Code") section 8620 provides, in pertinent part, that
28	the Board may suspend or revoke a license when it finds that the holder, while a licensee or
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	Accusation

1	applicant, has committed any acts or omissions constituting cause for disciplinary action or in lieu	
2	of a suspension may assess a civil penalty.	
3	4. Code section 8625 states:	l
4	The lapsing or suspension of a license or company registration by operation of	
5	law or by order or decision of the board or a court of law, or the voluntary surrender of a license or company registration shall not deprive the board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such	
6	licensee or company, or to render a decision suspending or revoking such license or registration.	
7	STATUTORY PROVISIONS	
8	5. Code section 8649 states:	
9	Conviction of a crime substantially related to the qualifications, functions, and	
10	duties of a structural pest control operator, field representative, applicator, or registered company is a ground for disciplinary action. The certified record of	
11	conviction shall be conclusive evidence thereof.	
12	COST RECOVERY	
13	6. Code section 125.3 provides, in pertinent part, that the Registrar may request the	
14	administrative law judge to direct a licentiate found to have committed a violation or violations of	
15	the licensing act to pay a sum not to exceed the reasonable costs of the investigation and	
16	enforcement of the case.	
17	FIRST CAUSE FOR DISCIPLINE	ĺ
18	(Conviction of a Crime)	
19	7. Respondent is subject to discipline under Code section 8649, in that on or about	
20	July 10, 2013, in the case of People v. Patrick William Lockard, (Super. Ct. El Dorado County,	
21	2013, Case No. P12CRF0485), Respondent was convicted by the Court on his plea of nolo	
22	contendere of violating Penal Code section 243.4(a) (sexual battery by restraint), a felony. The	
23	crime is substantially related to the qualifications, functions or duties of a licensed applicator.	
24	The circumstances of the crime were that on or about August 2, 2012, Respondent willfully and	
25	unlawfully touched an intimate part of Jane Doe, while said person was unlawfully restrained by	
26	Respondent, and against her will and for the purpose of sexual arousal, sexual gratification, and	
27	sexual abuse.	
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## **OTHER MATTERS** 1 8. Code section 8620 provides, in pertinent part, that a Respondent may request that a 2 civil penalty of not more than \$5,000 be assessed in lieu of an actual suspension of 1 to 19 days, 3 or not more than \$10,000 for an actual suspension of 20 to 45 days. Such request must be made 4 5 at the time of the hearing and must be noted in the proposed decision. The proposed decision 6 shall not provide that a civil penalty shall be imposed in lieu of a suspension. 9. Pursuant to Code section 8654, if discipline is imposed on Applicator License 7 Number RA 51362, issued to Respondent, then Respondent shall be prohibited from serving as an 8 officer, director, associate, partner or responsible managing employee of a licensee, and any 9 licensee which employs, elects, or associates Respondent shall be subject to disciplinary action. 10 PRAYER 11 12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Structural Pest Control Board issue a decision: 13 Revoking or suspending Applicator License Number RA 51362, issued to Patrick 1. 14 William Lockard; 15 2 Revoking or suspending any other license for which Patrick William Lockard is 16 17 furnishing the qualifying experience or appearance; 3. Prohibiting Patrick William Lockard from serving as an officer, director, associate, 18 19 partner, qualifying manager or responsible managing employee of any registered company during the period that discipline is imposed on Applicator License Number RA 51362, issued to Patrick 20William Lockard: 21 4. Ordering Patrick William Lockard to pay the Structural Pest Control Board the 2.2 reasonable costs of the investigation and enforcement of this case, pursuant to Business and 23 24 Professions Code section 125.3; and, 25 111 26 ||| 27 /// 111 28 3

Taking such other and further action as deemed necessary and proper. 5. (DATED: SUSAN SAYLOR Registrar/Executive Officer Structural Pest Control Board State of California Complainant SA2013112943 11176623.doc 

Accusation