

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

In the Matter of the Accusation Against:

Case No. 2013-29

**CHRISTIAN C. SCHIEFEN
1320 Marsten Road, Suite D
Burlingame, CA 94010
Applicator License No. RA 52078**


Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Structural Pest Control Board, Department of Pesticide Regulation, as its Decision in this matter.

This Decision shall become effective on May 25, 2013.

It is so ORDERED April 25, 2013.



FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF PESTICIDE REGULATION

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

12 In the Matter of the Accusation Against:

Case No. 2013-29

13 **CHRISTIAN C. SCHIEFEN**
14 **1320 Marsten Road, Suite D**
15 **Burlingame, CA 94010**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

Applicator License No. RA 52078

Respondent.

16
17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
19 proceeding that the following matters are true:

20 PARTIES

21 1. Susan Saylor (Complainant) is the Interim Registrar/Executive Officer of the
22 Structural Pest Control Board. She brought this action solely in her official capacity and is
23 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
24 Carol Romeo, Deputy Attorney General.

25 2. Christian C. Schiefen (Respondent) is representing himself in this proceeding and has
26 chosen not to exercise his right to be represented by counsel.

27 3. On or about May 19, 2011, the Structural Pest Control Board issued Applicator
28 License No. RA 52078 to Christian C. Schiefen (Respondent). The Applicator License was in

1 full force and effect at all times relevant to the charges brought in Accusation No. 2013-29 and
2 will expire on May 19, 2014, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2013-29 was filed before the Structural Pest Control Board (Board),
5 Department of Pesticide Regulation, and is currently pending against Respondent. The
6 Accusation and all other statutorily required documents were properly served on Respondent on
7 January 17, 2013. Respondent timely filed his Notice of Defense contesting the Accusation. A
8 copy of Accusation No. 2013-29 is attached as Exhibit A and incorporated by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations in
11 Accusation No. 2013-29. Respondent also has carefully read, and understands the effects of this
12 Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of his legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
15 his own expense; the right to confront and cross-examine the witnesses against him; the right to
16 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
17 the attendance of witnesses and the production of documents; the right to reconsideration and
18 court review of an adverse decision; and all other rights accorded by the California
19 Administrative Procedure Act and other applicable laws.

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

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 2013-29, agrees that cause exists for discipline and hereby surrenders his Applicator License
25 No. RA 52078 for the Board's formal acceptance.

26 9. Respondent understands that by signing this stipulation he enables the Board to issue
27 an order accepting the surrender of his Applicator License without further process.

28 ///

CONTINGENCY

1
2 10. This stipulation shall be subject to approval by the Structural Pest Control Board.
3 Respondent understands and agrees that counsel for Complainant and the staff of the Structural
4 Pest Control Board may communicate directly with the Board regarding this stipulation and
5 surrender, without notice to or participation by Respondent. By signing the stipulation,
6 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the
7 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
8 stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of
9 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
10 the parties, and the Board shall not be disqualified from further action by having considered this
11 matter.

12 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of
13 License and Order, including facsimile signatures thereto, shall have the same force and effect as
14 the originals.

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

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

ORDER

23
24 IT IS HEREBY ORDERED that Applicator License No. RA 52078, issued to Respondent
25 Christian C. Schiefen, is surrendered and accepted by the Structural Pest Control Board.

26 1. The surrender of Respondent's Applicator License and the acceptance of the
27 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
28

1 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
2 license history with the Structural Pest Control Board.

3 2. Respondent shall lose all rights and privileges as an Applicator in California as of the
4 effective date of the Board's Decision and Order.

5 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
6 issued, his wall certificate on or before the effective date of the Decision and Order.

7 4. If Respondent ever files an application for licensure or a petition for reinstatement in
8 the State of California, the Board shall treat it as a Petition for Reinstatement. Respondent must
9 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
10 effect at the time the Petition for Reinstatement is filed, and all of the charges and allegations
11 contained in Accusation No. 2013-29 shall be deemed to be true, correct and admitted by
12 Respondent when the Board determines whether to grant or deny the Petition for Reinstatement.


13 5. Respondent shall pay the agency its costs of investigation and enforcement in the
14 amount of \$2,237.50 prior to issuance of a new or reinstated license.

15 6. If Respondent should ever apply or reapply for a new license or certification, or
16 petition for reinstatement of a license, by any other licensing agency in the State of California, all
17 of the charges and allegations contained in Accusation, No. 2013-29 shall be deemed to be true,
18 correct, and admitted by Respondent for the purpose of any Statement of Issues or any other
19 proceeding seeking to deny or restrict licensure.

20 ACCEPTANCE

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

25
26 DATED: 2/19/13


CHRISTIAN C. SCHIEFEN
Respondent

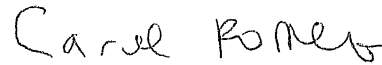
ENDORSEMENT

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

Dated: Feb. 6, 2013

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General



CAROL ROMEO
Deputy Attorney General
Attorneys for Complainant

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