

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

In the Matter of the Accusation Against:

Case No. 2014-5

SCOTT MICHAEL GUINN
12436 Del Amo Boulevard
Lakewood, CA 90715
Applicator License No. RA 52862

Respondent.

DECISION AND ORDER

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

This Decision shall become effective on May 23, 2014.

It is so ORDERED April 23, 2014



FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF CONSUMER AFFAIRS

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STRUCTURAL PEST CONTROL BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

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13 **Lakewood, CA 90715**
Applicator License No. RA 52862

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Respondent.

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16 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
17 entitled proceedings that the following matters are true:

18 PARTIES

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

23 2. Scott Michael Guinn (Respondent) is represented in this proceeding by attorney Scott
24 Well, whose address is 2122 N Broadway, Santa Ana, CA 92706.

25 3. On or about March 2, 2012, the Structural Pest Control Board issued Applicator
26 License No. RA 52862 to Respondent. The Applicator License was in full force and effect at all
27 times relevant to the charges brought in Accusation No. 2014-5 and will expire on March 2, 2015,
28 unless renewed.

1 JURISDICTION

2 4. Accusation No. 2014-5 was filed before the Structural Pest Control Board (Board),
3 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
4 and all other statutorily required documents were properly served on Respondent on July 23,
5 2013. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of
6 Accusation No. 2014-5 is attached as Exhibit A and incorporated by reference.

7 ADVISEMENT AND WAIVERS

8 5. Respondent has carefully read, fully discussed with counsel, and understands the
9 charges and allegations in Accusation No. 2014-5. Respondent also has carefully read, fully
10 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
11 Order.

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

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

21 CULPABILITY

22 8. Respondent admits the truth of each and every charge and allegation in Accusation
23 No. 2014-5, agrees that cause exists for discipline and hereby surrenders his Applicator License
24 (No. RA 52862) for the Board's formal acceptance.

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

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CONTINGENCY

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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 or his counsel. By signing the
6 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
7 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
8 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary
9 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
10 action between the parties, and the Board shall not be disqualified from further action by having
11 considered this matter.

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

24 IT IS HEREBY ORDERED that Applicator License No. RA 52862, issued to Respondent
25 Scott Michael Guinn, is surrendered and accepted by the Structural Pest Control Board.

26 1. Respondent shall lose all rights and privileges as a licensed applicator in California as
27 of the effective date of the Board's Decision and Order.

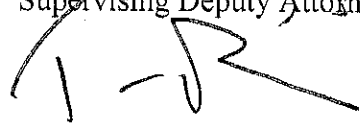
ENDORSEMENT

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

Dated: 2-19-2014

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
KAREN B. CHAPPELLE
Supervising Deputy Attorney General



THOMAS L. RINALDI
Deputy Attorney General
Attorneys for Complainant

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