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

In the Matter of the Petition to Revoke
Probation Against:

Case No. 2013-25

RICHARD J. SPERRY
1331 Morena Boulevard, Suite 300
San Diego, CA 92110

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

Applicator License No. RA 52879

Respondent.

FINDINGS OF FACT

1. On or about March 24, 2015, Complainant Susan Saylor, in her official capacity as the Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer Affairs, filed Petition to Revoke Probation No. 2013-25 against Richard J. Sperry (Respondent) before the Structural Pest Control Board. (Petition to Revoke Probation attached as Exhibit A.)

2. On or about March 8, 2012, the Structural Pest Control Board (Board) issued Applicator License No. RA 52879 to Respondent. The Applicator License was in full force and effect at all times relevant to the charges brought in Petition to Revoke Probation No. 2013-25 and expired on June 30, 2015, and has not been renewed. This lapse in licensure, however, pursuant to Business and Professions Code section 118(b) does not deprive the Board of its authority to institute or continue this disciplinary proceeding.

1 9. Taking official notice of its own internal records, pursuant to Business and
2 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
3 and Enforcement is \$570.00 as of July 15, 2015.

4 DETERMINATION OF ISSUES

5 1. Based on the foregoing findings of fact, Respondent Richard J. Sperry has subjected
6 his Applicator License No. RA 52879 to discipline.

7 2. The agency has jurisdiction to adjudicate this case by default.

8 3. The Structural Pest Control Board is authorized to revoke Respondent's Applicator
9 License based upon the following violations alleged in the Petition to Revoke Probation which
10 are supported by the evidence contained in the Default Decision Evidence Packet in this case.

11 a. Respondent's probation is subject to revocation because he failed to comply with
12 Probation Condition No. 4, requiring him to file quarterly reports despite being sent two letters
13 reminding him of his responsibility to do so; and

14 b. Respondent's probation is subject to revocation because he failed to comply with
15 Probation Condition No. 8, requiring him to pay the enforcement and prosecution costs as
16 ordered.

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ORDER

IT IS SO ORDERED that Applicator License No. RA 52879, heretofore issued to Respondent Richard J. Sperry, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on October 8, 2015.

It is so ORDERED September 8, 2015



FOR THE STRUCTURAL PEST CONTROL
BOARD
DEPARTMENT OF CONSUMER AFFAIRS

Attachment:
Exhibit A: Petition to Revoke Probation