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

In the Matter of the Accusation Against:

ISRAEL SERRANO, JR.
15757 Lemon Street
Whittier, CA 90604
Applicator License No. RA 54199

Respondent.

Case No. 2015-21

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about October 21, 2014, Complainant Susan Saylor, in her official capacity as the Registrar/Executive Officer of the Structural Pest Control Board, filed Accusation No. 2015-21 against Israel Serrano, Jr. (Respondent) before the Structural Pest Control Board. (Accusation attached as Exhibit A.)
2. On or about April 3, 2013, the Structural Pest Control Board issued Applicator License No. RA 54199 to Respondent. The Applicator License was in full force and effect at all times relevant to the charges brought in Accusation No. 2015-21 and will expire on April 3, 2016, unless renewed.

1 3. On or about October 29, 2014, Respondent was served by Certified and First Class
2 Mail copies of the Accusation No. 2015-21, Statement to Respondent, Notice of Defense, Request
3 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
4 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
5 section 136, is required to be reported and maintained with the Board. Respondent's address of
6 record was and is:

7 15757 Lemon Street
8 Whittier, CA 90604.

9 4. Service of the Accusation was effective as a matter of law under the provisions of
10 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
11 124.

12 5. On or about November 3, 2014, Respondent returned the signed certified return
13 receipt that was affixed to the aforementioned documents.

14 6. Government Code section 11506 states, in pertinent part:

15 (c) The respondent shall be entitled to a hearing on the merits if the respondent
16 files a notice of defense, and the notice shall be deemed a specific denial of all parts
17 of the accusation not expressly admitted. Failure to file a notice of defense shall
18 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
19 may nevertheless grant a hearing.

20 7. Respondent failed to file a Notice of Defense within 15 days after service upon him
21 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.
22 2015-21.

23 8. California Government Code section 11520 states, in pertinent part:

24 (a) If the respondent either fails to file a notice of defense or to appear at the
25 hearing, the agency may take action based upon the respondent's express admissions
26 or upon other evidence and affidavits may be used as evidence without any notice to
27 respondent.

28 9. Pursuant to its authority under Government Code section 11520, the Board finds
Respondent is in default. The Board will take action without further hearing and, based on the
relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
taking official notice of all the investigatory reports, exhibits and statements contained therein on

1 file at the Board's offices regarding the allegations contained in Accusation No. 2015-21, finds
2 that the charges and allegations in Accusation No. 2015-21, are separately and severally, found to
3 be true and correct by clear and convincing evidence.

4 10. Taking official notice of its own internal records, pursuant to Business and
5 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
6 and Enforcement is \$2,680.00 as of February 4, 2015.

7 DETERMINATION OF ISSUES

8 1. Based on the foregoing findings of fact, Respondent Israel Serrano, Jr. has subjected
9 his Applicator License No. RA 54199 to discipline.

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

11 3. The Structural Pest Control Board is authorized to revoke Respondent's Applicator
12 License based upon the following violations alleged in the Accusation which are supported by the
13 evidence contained in the Default Decision Evidence Packet in this case:

14 a. Business and Professions Code sections 8649 and 490, in conjunction with California
15 Code of Regulations, title 16, section 1937.1 (Convictions of Substantially Related Crimes for
16 violations of Penal Code section 487, subdivision (a) [grand theft] and Vehicle Code section
17 23152, subdivision (b) [driving while having 0.08% or more, by weight of alcohol, in his blood]).

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ORDER

IT IS SO ORDERED that Applicator License No. RA 54199, heretofore issued to Respondent Israel Serrano, Jr., 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 April 26, 2015.

It is so ORDERED March 27, 2015


FOR THE STRUCTURAL PEST CONTROL BOARD

51687289.DOC
DOJ Matter ID:LA2014511968

Attachment:
Exhibit A: Accusation