

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SHEILA J. VASANTHARAM  
Deputy Attorney General  
4 State Bar No. 289217  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2141  
Facsimile: (510) 622-2270  
7 E-mail: Sheila.Vasantharam@doj.ca.gov  
*Attorneys for Complainant*

**FILED**

Date 9/17/14 By *Susan Saylor*

8  
9 **BEFORE THE**  
**STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2015-9

12  
13 **TREVOR COPELAND**  
14 **AKA TREVOR DUANE COPELAND**  
15 **4549 Black Avenue**  
**Pleasanton, CA 94566**

**A C C U S A T I O N**

16 **Applicator License No. RA 54880**

17 Respondent.

18  
19  
20  
21 Complainant alleges:

22 **PARTIES**

23 1. Susan Saylor (Complainant) brings this Accusation solely in her official capacity as the  
24 Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer Affairs.

25 2. On or about September 5, 2013, the Structural Pest Control Board issued Applicator  
26 License Number RA 54880 to Trevor Copeland, also known as Trevor Duane Copeland  
27 (Respondent). The Applicator License was in full force and effect at all times relevant to the charges  
28 brought in this Accusation and will expire on September 5, 2016, unless renewed.

1 **JURISDICTION**

2 3. This Accusation is brought before the Structural Pest Control Board (Board), Department  
3 of Consumer Affairs, under the authority of the following laws. All section references are to the  
4 Business and Professions Code unless otherwise indicated.

5 4. Section 8620 of the Business and Professions Code (Code) provides, in pertinent part,  
6 that the Board may suspend or revoke a license when it finds that the holder, while a licensee or  
7 applicant, has committed any acts or omissions constituting cause for disciplinary action or in lieu of  
8 a suspension may assess a civil penalty.

9 5. Section 8625 of the Code states:

10 "The lapsing or suspension of a license or company registration by operation of law or by order  
11 or decision of the board or a court of law, or the voluntary surrender of a license or company  
12 registration shall not deprive the board of jurisdiction to proceed with any investigation of or action  
13 or disciplinary proceeding against such licensee or company, or to render a decision suspending or  
14 revoking such license or registration."

15 **STATUTORY PROVISIONS**

16 6. Section 8649 of the Code states:

17 "Conviction of a crime substantially related to the qualifications, functions, and duties of a  
18 structural pest control operator, field representative, applicator, or registered company is a ground for  
19 disciplinary action. The certified record of conviction shall be conclusive evidence thereof."

20 7. Section 8655 of the Code states:

21 "A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a  
22 charge substantially related to the qualifications, functions, and duties of a structural pest control  
23 operator, field representative, applicator, or registered company is deemed to be a conviction within  
24 the meaning of this article or Section 8568 of this chapter. The board may order the license or  
25 registration suspended or revoked, or may decline to issue a license, when the time for appeal has  
26 elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting  
27 probation is made suspending the imposition of sentence, irrespective of a subsequent order under the  
28 provisions of Section 1203.4 of the Penal Code allowing the individual or registered company to

1 withdraw a plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or  
2 dismissing the accusation, information or indictment."

3 8. California Code of Regulations, title 16, section 1937.1, states, in pertinent part:

4 "For the purposes of denial, suspension or revocation of a license or company registration  
5 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be  
6 considered to be substantially related to the qualifications, functions or duties of a licensee or  
7 registered company under Chapter 14 of Division 3 of the code if to a substantial degree it evidences  
8 present or potential unfitness of such licensee or registered company to perform the functions  
9 authorized by the license or company registration in a manner consistent with the public health,  
10 safety, or welfare."

11 **COST RECOVERY PROVISION**

12 9. Section 125.3 of the Code states, in pertinent part, that a Board may request the  
13 administrative law judge to direct a licentiate found to have committed a violation or violations of the  
14 licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of  
15 the case.

16 **FACTUAL BACKGROUND**

17 10. On or about October 12, 2013, in Alameda County Superior Court, *People v. Trevor*  
18 *Duane Copeland*, Case No. 145097A, Respondent entered a plea of nolo contendere and was  
19 convicted of receiving stolen property (Penal Code, § 496, subd. (a)). Imposition of the sentence was  
20 suspended. The Alameda County Superior Court ordered Respondent to serve 20 days in jail, fined  
21 him \$433.00, and placed him on probation for three years.

22 11. The offense occurred on or about July 4, 2013, when a Pleasanton Police Department  
23 officer responded to a report of individuals kicking cars in a parking lot. The officer detained  
24 Respondent after he tried to flee from the scene and discard several items that were later identified as  
25 having been stolen from a vehicle in the parking lot. The officer searched Respondent, found  
26 additional stolen items in his possession, and arrested him.

27 ///

28 ///

**FIRST CAUSE FOR DISCIPLINE**

(Substantially Related Conviction)

(Bus. & Prof. Code, §§ 8649, 8655; Cal. Code Regs., tit. 16, § 1937.1)

1  
2  
3  
4  
5  
6  
12. Respondent has subjected his Applicator License to discipline because he was convicted of an offense substantially related to the qualifications, functions, and duties of an applicator. (Bus. & Prof. Code, §§ 8649, 8655; Cal. Code Regs., tit. 16, § 1937.1.) The circumstances are set forth in the Factual Background section, paragraphs 10 and 11, above.

**DISCIPLINARY CONSIDERATIONS**

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
13. After Respondent entered a plea of nolo contendere and was convicted in *People v. Trevor Duane Copeland*, Case No. 145097A, the Alameda County Superior Court placed him on probation for three years. The circumstances are set forth in paragraph 10, above. On or about March 3, 2014, while working at a state facility on a cleanup crew, Respondent violated his probation when he appropriated a piece of outgoing mail from the facility that was not intended for him. Respondent opened the mail, removed a check, and discarded the envelope. Employees at the facility discovered the discarded envelope. After questioning, Respondent admitted that he took the envelope without permission, even though it was not addressed to him, and removed the check from the envelope.

**PRAYER**

17  
18  
19  
20  
WHEREFORE, Complainant requests that a hearing be held on the matters in this Accusation, and that following the hearing, the Structural Pest Control Board issue a decision:

21  
22  
23  
24  
1. Revoking or suspending Applicator License Number RA 54880, issued to Trevor Copeland, also known as Trevor Duane Copeland;

25  
26  
27  
28  
2. Ordering Trevor Copeland, also known as Trevor Duane Copeland, to pay the Structural Pest Control Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

///

///


///

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

3. Taking such other and further action as deemed necessary and proper.

DATED: 9/17/14

  
SUSAN SAYLOR  
Registrar/Executive Officer  
Structural Pest Control Board  
Department of Consumer Affairs  
State of California  
*Complainant*

SF2014902579  
90426469.doc