

**MINUTES OF THE STRUCTURAL PEST CONTROL BOARD  
ACT REVIEW COMMITTEE MEETING  
JULY 11, 2014**

The meeting was held July 11, 2014 at The San Diego Foundation, Frank Ault Room,  
2508 Historic Decatur Road, San Diego, California

**Committee Members Present:**

Bob Gordon, Chairman  
Ronna Brand  
Darrell Ennes  
Alan Kanady  
Mike Katz  
Lee Whitmore

**Board Staff Present:**

Susan Saylor, Executive Officer  
Robert Lucas, Assistant Executive Officer  
David Skelton, Administrative Analyst  
Ron Moss, SPCB Specialist

**Departmental Staff Present:**

Kyle Muteff, Legal Counsel

Board member Curtis Good was also present.

**ROLL CALL / ESTABLISHMENT OF QUORUM**

Mr. Gordon read roll call at 9:00 A.M., quorum established.

**APPROVAL OF MINUTES OF THE MAY 7, 2014 COMMITTEE MEETING**

Mr. Ennes moved and Mr. Kanady seconded to approve the minutes of the May 7, 2014 Committee Meeting. Passed unanimously.

**REVIEW OF THE STRUCTURAL PEST CONTROL ACT AND TITLE 16, CALIFORNIA CODE OF REGULATIONS, FOR THE PURPOSE OF UPDATING AND IDENTIFYING CONTINUED NEED AND / OR USE AND TO MAKE RECOMMENDATIONS TO THE BOARD**

Mr. Gordon opened up discussion on B&P Code Section 8516, subdivision (b), subsection (13), paragraph 3.

The Committee extensively discussed the obligation of pest control companies to provide a separately allocated bid for repairs if the company is regularly in the business of performing corrective measures and how it relates to the obligation that a pest control company perform a re-inspection if such an estimate is given.

The Committee agreed to table discussion on B&P Code Section 8516, subdivision (b), subsection (13), paragraph 3 and revisit it at a future meeting.

Mr. Gordon opened up discussion on B&P Code Section 8516, subdivision (h), subsection (1), subsection (A).

The Committee agreed to make the changes shown below to B&P Code Section 8516, subdivision (h), subsection (1), subsection (A) and to make a motion to recommend the changes to the Board at such time as their review of B&P Code Section 8516 is complete.

**(h) A registered company or licensee may enter into and maintain a control service agreement provided the following requirements are met:**

**(1) The control service agreement shall be in writing, signed by both parties, and shall specifically include the following:**

**~~(A) The wood destroying pests and organisms that could infest and infect the structure.~~**

**~~(B) A.~~ A. The wood destroying pests and organisms covered by the control service agreement.**

**B. Any wood destroying pest or organism that is not covered must be specifically listed.**

Mr. Gordon opened up discussion on B&P Code Section 8552.

The Committee extensively discussed the function and necessity of B&P Code Section 8552 and if it could be removed by adding language to B&P Code Section 8550.

Mr. Kanady moved and Mr. Ennes seconded to recommended to the Board the changes shown below to B&P Code Section 8550 and the removal of B&P Code Section 8552. Passed unanimously.

**8550. (a) It is unlawful for any individual person to advertise to engage or offer to engage in the business or practice of structural pest control, as defined in Section 8505, unless he or she is licensed under this chapter.**

**(b) Notwithstanding subdivision (a), an unlicensed individual person may solicit pest control work on behalf of a structural pest control company only if the company is registered pursuant to this chapter, and the unlicensed individual does not perform or offer to perform any act for which an operator, field representative, or applicator license is required pursuant to this chapter. As used in this subdivision, to “solicit pest control work” means to introduce consumers to a registered company and the services it provides, to distribute advertising literature, and to set appointments on behalf of a licensed operator or field representative.**

**(c) It is unlawful for an unlicensed individual person, soliciting pest control work on behalf of a registered structural pest control company pursuant to subdivision (b), to perform or offer to perform any act for which an operator, field representative, or applicator license is required, including, but not limited to, performing or offering pest control evaluations or inspections, pest identification, making any claims of pest control safety or pest control efficacy, or to offer price quotes other than what is provided and printed on the company advertising or literature, or both.**

**(d) It is also unlawful for any unlicensed individual person to offer any opinion, or to make any recommendations, concerning the need for structural pest control work in general, or in connection with a particular structure.**

**(e) It is unlawful for any firm, sole proprietorship, partnership, corporation, association, or other organization or combination thereof to engage or offer to engage in the practice of structural pest control, unless registered in accordance with Article 6 (commencing with Section 8610).**

**~~8552. It is unlawful for any person to advertise or represent in any manner that any pest control work, in whole or in part, has been done upon any structure, unless the work has been performed by a company registered under this chapter.~~**

Mr. Gordon opened up discussion on B&P Code Section 8610.

The Committee extensively discussed the role of the Qualifying Manager in a company's operations and specifically what improvements could be made legislatively or through regulation to ensure proper supervision and accountability.

The Committee tabled the discussion on B&P Code Section 8610.

**PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

There were no public comments for items not the agenda.

**FUTURE MEETING DATES**

The next meeting was scheduled for September 3, 2014 in Sacramento.

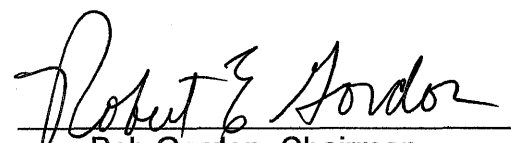
The following meeting was scheduled for October 8, 2014 in Sacramento.

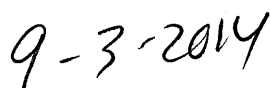
The following meeting was scheduled for November 5, 2014 in Los Angeles or Orange County.

The following meeting was scheduled for December 3, 2014 in Sacramento.

**ADJOURNMENT**

The meeting adjourned at 1:03 P.M.

  
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Bob Gordon, Chairman

  
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Date