

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

In the Matter of the Accusation Against:

**JONATHAN M. HADERLE
3503 Dover Drive
Santa Cruz, California 95065**

Operator License No. OPR 11774, Branch 2

and

**HADERLE PEST CONTROL
3503 Dover Drive
Santa Cruz, California 95065**

**Company Registration Certificate No. PR
5733, Branch 2**

Respondents.

Case No. 2017-13

OAH No. 2016110381

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary 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 24, 2017.

It is so ORDERED April 24, 2017.



FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF CONSUMER AFFAIRS

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10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

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15 **Operator License No. OPR 11774, Branch 2**
16 **and**

17 **HADERLE PEST CONTROL**
18 **3503 Dover Drive**
Santa Cruz, California 95065

19 **Company Registration Certificate No. PR**
5733, Branch 2

20 Respondents.
21

Case No. 2017-13

OAH No. 2016110381

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

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

24 PARTIES

25 1. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest
26 Control Board (Board). She brought this action solely in her official capacity and is represented
27 in this matter by Kamala D. Harris, Attorney General of the State of California, by Aspasia A.
28 Papavassiliou, Deputy Attorney General.

2. Respondents Jonathan M. Haderle and Haderle Pest Control (Respondents) are representing themselves in this proceeding and have chosen not to exercise their right to be represented by counsel.

3. On or about November 12, 2008, the Board issued Operator License Number OPR 11774 in Branch 2 to Jonathan M. Haderle (Respondent Operator). The Operator License was in full force and effect at all times relevant to the charges brought in this Accusation and will expire on June 30, 2017, unless renewed.

4. On or about December 16, 2008, the Structural Pest Control Board issued Company Registration Certificate Number PR 5733 in Branch 2 to Haderle Pest Control (Respondent Company), with Respondent Operator as Owner and Qualifying Manager.

JURISDICTION

5. Accusation No. 2017-13 was filed before the Board, and is currently pending against Respondents. The Accusation and all other statutorily required documents were properly served on Respondents on August 12, 2016. Respondents timely filed their Notice of Defense contesting the Accusation.

6. A copy of Accusation No. 2017-13 is attached as exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

7. Respondents have carefully read, and understand the charges and allegations in Accusation No. 2017-13. Respondents have also carefully read, and understand the effects of this Stipulated Settlement and Disciplinary Order.

8. Respondents are fully aware of their legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at their own expense; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on their own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondents voluntarily, knowingly, and intelligently waive and give up each and every right set forth above.

CULPABILITY

10. Respondents admit the truth of each and every charge and allegation in Accusation No. 2017-13.

11. Respondents agree that their Operator License and Company Registration Certificate are subject to discipline and they agree to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

RESERVATION

12. The admissions made by Respondents in this stipulation are only for the purposes of this proceeding, or any other proceedings in which the Structural Pest Control Board or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

13. This stipulation shall be subject to approval by the Structural Pest Control Board. Respondents understand and agree that counsel for Complainant and the staff of the Structural Pest Control Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondents. By signing the stipulation, Respondents understand and agree that they may not withdraw their agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

15. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an

1 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
2 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
3 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
4 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
5 writing executed by an authorized representative of each of the parties.

6 16. In consideration of the foregoing admissions and stipulations, the parties agree that
7 the Board may, without further notice or formal proceeding, issue and enter the following
8 Disciplinary Order:

9 **DISCIPLINARY ORDER**

10 IT IS HEREBY ORDERED that Operator License No. OPR 11774 , issued to Respondent
11 Jonathan M. Haderle, and Company Registration Certificate No. PR 5733, issued to Respondent
12 Haderle Pest Control, are revoked. However, the revocations are stayed and Respondents are
13 placed on probation for three (3) years on the following terms and conditions.

14 1. **Obey All Laws.** Respondents shall obey all Federal, State, and Local laws and all
15 laws and rules relating to the practice of structural pest control.

16 2. **Quarterly Reports.** Respondents shall file quarterly reports with the Board during
17 the period of probation.

18 3. **Tolling of Probation.** Should Respondent Jonathan M. Haderle leave California to
19 reside outside this state, Respondent must notify the Board in writing of the dates of departure
20 and return. Periods of residency or practice outside the state shall not apply to reduction of the
21 probationary period.

22 4. **Notice to Employers.** Respondent Jonathan M. Haderle shall notify all present and
23 prospective employers of the decision in Case No. 2017-13 and the terms, conditions and
24 restriction imposed on Respondent by said decision.

25 Within 30 days of the effective date of this decision, and within 15 days of Respondent
26 undertaking new employment, Respondent shall cause his/her employer to report to the Board in
27 writing acknowledging the employer has read the decision in case No. 2017-13.

28 5. **Notice to Employees.** Respondent Haderle Pest Control, shall, upon or before the

1 effective date of this decision, post or circulate a notice to all employees involved in structural
2 pest control operations which accurately recite the terms and conditions of probation.

3 Respondent shall be responsible for said notice being immediately available to said employees.

4 "Employees" as used in this provision includes all full-time, part-time, temporary and relief
5 employees and independent contractors employed or hired at any time during probation.

6 **6. Completion of Probation.** Upon successful completion of probation, Respondents'
7 license and certificate will be fully restored.

8 **7. Violation of Probation.** Should Respondents violate probation in any respect, the
9 Board, after giving Respondents notice and an opportunity to be heard, may revoke probation and
10 carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against
11 Respondents during probation, the Board shall have continuing jurisdiction until the matter is
12 final, and the period of probation shall be extended until the matter is final.

13 **8. Continuing Education Courses.** The following continuing education courses cannot
14 be used toward renewal of Respondent Jonathan M. Haderle's license: the courses completed
15 through CTN Educational Services, Inc. on November 1, 2016 and November 18, 2016; the
16 course completed through UC Integrated Pest Management Program on October 15, 2016; and
17 the course completed through Univar from September 12, 2016 to October 26, 2016.

18 **9. Prohibited from Serving as Officer, Director, Associate, Partner or Qualifying**
19 **Manager.** Respondent Jonathan M. Haderle is prohibited from serving as an officer, director,
20 associate, partner, qualifying manager or branch office manager of more than one registered
21 company during the period of probation.

22 **10. Cost Recovery.** Respondent Jonathan M. Haderle shall reimburse the Board its
23 investigative and enforcement costs in the amount of \$2,597.50. Said amount may be paid in
24 monthly installments as agreed by the Board and shall be paid in full no later than three months
25 prior to the end of probation. Probation shall not be terminated until all costs are paid in full.

26 ACCEPTANCE

27 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
28 stipulation and the effect it will have on my Operator License and Company Registration

1 Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly,
2 and intelligently, and agree to be bound by the Decision and Order of the Structural Pest Control
3 Board.

4 DATED: 2-16-17


JONATHAN M. HADERLE, individually and on
behalf of HADERLE PEST CONTROL
Respondents

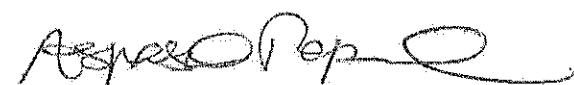
7 ENDORSEMENT

8 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
9 submitted for consideration by the Structural Pest Control Board.

10 Dated: March 17, 2017

Respectfully submitted,

11 KAMALA D. HARRIS
12 Attorney General of California
13 DIANN SOKOLOFF
Supervising Deputy Attorney General

14 
15 ASPASIA A. PAPA VASSILIOU
16 Deputy Attorney General
Attorneys for Complainant

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