

BEFORE THE
REGISTRAR OF CONTRACTORS
CONTRACTORS STATE LICENSE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SOUTH COAST POOL PLASTERING, INC.
dba SAN DIEGO POOL PLASTERING
12012 Riverside Drive
Lakeside, CA 92040

CASE NO. N2011-508

DEFAULT DECISION
AND ORDER

[Gov. Code, § 11520]

CHRISTOPHER MARK CHASTANG, RMO/CEO/PRES
YVONNE CELIA CHASTANG, RMO
JOHN PAUL CHASTANG, RME
GEORGE HANNIBAL QUINTERO, Officer

Contractor's License No. **733134**, C53

Respondent

SOUTH COAST POOL PLASTERING, INC.
dba SUNRISE CONCRETE COMPANY
12012 Riverside Drive
Lakeside, CA 92040

CHRISTOPHER MARK CHASTANG, CEO/PRES
GEORGE LOUIS KOURY, RME
YVONNE CELIA CHASTANG, Officer
GEORGE HANNIBAL QUINTERO, Officer

Contractor's License No. **846580**, C8

SOUTH COAST POOL PLASTERING, INC.
dba SOUTH COAST POOL PLASTERING INC
12012 Riverside Drive
Lakeside, CA 92040

CHRISTOPHER MARK CHASTANG, RMO/CEO/PRES
GIORGIO HIRAM QUINTERO, RME
YVONNE CELIA CHASTANG, Officer
GEORGE HANNIBAL QUINTERO, Officer

Contractor's License No. **675847**, C53

COASTAL POOL CONSTRUCTION, INC.
dba COASTAL POOL CONSTRUCTION INC
1458 Greenfield Drive
El Cajon, CA 92021

JOHN PAUL CHASTANG, RMO/CEO/PRES

Contractor's License No. **957531**, C53/C61

YVONNE CELIA CHASTANG, SOLE OWNER
10750 Valle Vista Road
Lakeside, CA 92040

Contractor's License No. **904998**, C53

Affiliated Licenses

Respondent **SAN DIEGO POOL PLASTERING**, having been served with Accusation, Case No. N2011-508, Statement to Respondent, and a Notice of Defense form as provided by Sections 11503 and 11505 of the Government Code; having failed to file a Notice of Defense, the Agency has determined that the respondent is in default. Taking official notice of its own internal records, pursuant to Business and Professions Code section 125.3, it is hereby determined that the reasonable cost for Investigation and Enforcement is \$3,711.55 as of March 11, 2013.

This agency will take action on the Accusation and documents on file herein without a hearing as provided by Sections 11505(a) and 11520 of the Government Code and makes the following findings of fact:

FINDINGS OF FACT

1. On or about January 28, 2013, Accusation, Case No. N2011-508, was filed against **SAN DIEGO POOL PLASTERING**, (Respondent) before the Contractors State License Board (Board). A true and correct copy of the Accusation, Case No. N2011-508, is attached as Exhibit "1" to the separate accompanying "Default Decision Evidence Packet" and incorporated by reference as if fully set forth herein.

2. On or about March 4, 1997, the Board issued Contractor's License No. **733134** to **SAN DIEGO POOL PLASTERING**. Said License was in full force and effect at all times relevant to the charges and allegations contained in Accusation, Case No. N2011-508. A true and correct copy of the Certificate of Licensure is attached as Exhibit "2" to the separate accompanying "Default Decision Evidence Packet" and incorporated by reference as if fully set forth herein.

3. On or about January 28, 2013, Respondent was served by certified and first class mail with a true and correct copy of Accusation, Case No. N2011-508, together with copies of all statutorily required documents, at his address of record on file with the Board, which was: 12012 Riverside Drive, Lakeside, CA 92040. A true and correct copy of the Statement to Respondent and Declaration of Service are attached as Exhibit "3" to the separate accompanying "Default Decision Evidence Packet" and incorporated by reference as if fully set forth herein. Service of Accusation, Case No. N2011-508, was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

4. Government Code section 11506 states, in pertinent part:

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

5. Respondent failed to file a Notice of Defense within 15 days after service upon him of a true and correct copy of Accusation, Case No. N2011-508, and has therefore waived his right to a hearing on the merits of the charges and allegations contained therein.

6. Government Code section 11520, subdivision (a), states, in pertinent part:

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

DETERMINATION OF ISSUES

7. Pursuant to its authority under California Government Code section 11520, and based on the relevant evidence before it as contained in the Default Decision Evidence Packet, the Board hereby finds, by clear and convincing evidence, that the charges and allegations contained in Accusation, Case No. N2011-508, Business and Professions Code sections 7109(a), 7111.1, 7113, 7159(c4), (c6), (dd), (d3), (d4), (d5), (d6), (d7), (d9B), (d10A), (d10B), (d10C), (d11A), (d11B), (d12), (d13), (e1), (e2), (e2A), (e5), and the Findings of Fact contained in paragraphs 1- 6 above, and each of them, separately and severally, are true and correct.

ORDER

IT IS SO ORDERED THAT:

License Number **733134** issued to **SOUTH COAST POOL PLASTERING, INC.** dba **SAN DIEGO POOL PLASTERING** is revoked.

IT IS FURTHER ORDERED that pursuant to Section 7102 of the Business and Professions Code and Section 870 of the Code of Regulations, Respondent **SOUTH COAST POOL PLASTERING, INC** dba **SAN DIEGO POOL PLASTERING**, License No. **733134**, shall not apply for reissuance or reinstatement of said license for one year(s) from the effective date of this Decision.

IT IS FURTHER ORDERED that Respondent shall pay the Registrar of Contractors the investigative and enforcement costs in the amount of \$3,711.55, prior to issuance of a new or reinstated license pursuant to Business and Professions Code section 125.3.

IT IS FURHER ORDERED that Respondent shall pay restitution in the amount of \$9,100.00. This amount is to be paid prior to issuance of a new or reinstated license pursuant to Government Code section 11519, subdivision (d).

License No. **846580** issued to **SOUTH COAST POOL PLASTERING, INC.** dba **SUNRISE CONCRETE COMPANY** is revoked.

IT IS FURTHER ORDERED that pursuant to Section 7102 of the Business and Professions Code and Section 870 of Title 16 of the California Code of Regulations, respondent **SOUTH COAST POOL PLASTERING, INC.** dba **SUNRISE CONCRETE COMPANY**, License No. **846580**, shall not apply for reissuance or reinstatement of said license for one year(s) from the effective date of this decision.

License No **675847** issued to **SOUTH COAST POOL PLASTERING, INC.** dba **SOUTH COAST POOL PLASTERING INC** is revoked.

IT IS FURTHER ORDERED that pursuant to Section 7102 of the Business and Professions Code and Section 870 of Title 16 of the California Code of Regulations, respondent **SOUTH COAST POOL PLASTERING, INC.** dba **SOUTH COAST POOL PLASTERING INC**, License No. **675847**, shall not apply for reissuance or reinstatement of said license for one year(s) from the effective date of this decision.

IT IS FURTHER ORDERED that the Accusation is withdrawn as to license **957531 ONLY.**

License No **904998** issued to **YVONNE CELIA CHASTANG** is revoked.

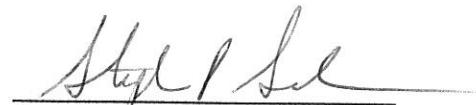
IT IS FURTHER ORDERED that pursuant to Section 7102 of the Business and Professions Code and Section 870 of Title 16 of the California Code of Regulations, respondent **YVONNE CELIA CHASTANG**, License No. **904998**, shall not apply for reissuance or reinstatement of said license for one year(s) from the effective date of this decision.

IT IS THE responsibility of the respondents, named in this Decision, to read and follow the terms and conditions of the Order. Proof of payments of restitution, and payments for the Cost of Investigation and Enforcement if ordered, are to be sent to CSLB, Sacramento Case Management, Post Office Box 26888, Sacramento, CA 95826.

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 May 8, 2013.

IT IS SO ORDERED April 4, 2013.



Stephen P. Sands
Registrar of Contractors

INFORMATION PURSUANT TO §11521 OF THE GOVERNMENT CODE

If you wish to file a Petition for Reconsideration pursuant to Government Code §11521, the Petition must be received prior to the effective date of the Decision. However, please be aware that the Board needs approximately five (5) working days to process a Petition. Petitions should be sent to the following address: CONTRACTORS STATE LICENSE BOARD, P.O. BOX 269121, SACRAMENTO, CA 95826, ATTN: LEGAL ACTION DEPUTY. Fax documents can be sent to (916) 255-3933.

11521. (a) The agency itself may order a reconsideration of all or part of the case on its own motion or on petition of any party. The agency shall notify a petitioner of the time limits for petitioning for reconsideration. The power to order a reconsideration shall expire 30 days after the delivery or mailing of a decision to a respondent, or on the date set by the agency itself as the effective date of the decision if that date occurs prior to the expiration of the 30-day period or at the termination of a stay of not to exceed 30 days which the agency may grant for the purpose of filing an application for reconsideration. If additional time is needed to evaluate a petition for reconsideration filed prior to the expiration of any of the applicable periods, an agency may grant a stay of that expiration for no more than 10 days, solely for the purpose of considering the petition. If no action is taken on a petition within the time allowed for ordering reconsideration, the petition shall be deemed denied.

(b) The case may be reconsidered by the agency itself on all the pertinent parts of the record and such additional evidence and argument as may be permitted, or may be assigned to an administrative law judge. A reconsideration assigned to an administrative law judge shall be subject to the procedure provided in Section 11517. If oral evidence is introduced before the agency itself, no agency member may vote unless he or she heard the evidence.