

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

In the Matter of the Accusation Against:

**SIERRA SPRAY FOAM (CAROL MAE STEPPS,
QP; BOBBY FRANCIS STEPPS, GP; BOBBIE
CHARLES STEPPS, GP)**
11750 Borden Road
Herald, CA 95648

CASE NO. N2012-438

DEFAULT DECISION
AND ORDER

Contractor's License No. 638406, C39

Respondent,

[Gov. Code, § 11520]

**PACIFIC POLYMERS INC., dba AMERICAN FOAM
EXPERTS (CAROL MAE STEPPS, RMO; BOBBY
JAMES STEPPS, CEO/Pres.)**
7550 Avila Drive
Sparks, NV 89436
Mailing Address:
P.O. Box 50128
Sparks, NV 89435

Contractor's License No. 969486, C33, C39

**SIERRA SPRAY FOAM ROOFING INC. (BOBBY
FRANCIS STEPPS, RMO)**
11779 Borden Road
Herald, CA 95638
Mailing Address:
P.O. Box 190
Herald, CA 95638

Contractor's License No. 468619, C33, C39

**SIERRA FOAM SYSTEMS INC. (BOBBY FRANCIS
STEPPS, RMO; ROBYN AMELIA STEPPS,
Officer)**
11779 Borden Road
Herald, CA 95638
Mailing Address:
P.O. Box 489
Herald, CA 95638

Contractor's License No. 788342, C33

SIERRA SPECIALTY COATINGS INC. (BOBBY
FRANCIS STEPPS, RMO; ROBYN AMELIA
STEPPS, Officer)
11779 Borden Road
Herald, CA 95638

Contractor's License No. 945446, C33

Affiliated Licenses.

Respondent **SIERRA SPRAY FOAM**, having been served with Accusation, Case No. N2012-438, Statement to Respondent, and a Notice of Defense form as provided by Sections 11503 and 11505 of the Government Code; having filed a Notice of Defense and at a later date withdrawing said 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 \$4,931.39 as of January 16, 2014.

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 November 8, 2013, Accusation, Case No. N2012-438, was filed against SIERRA SPRAY FOAM (Respondent) before the Contractors State License Board. A true and correct copy of the Accusation, Case No N2012-438, 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 February 24, 1992, the Contractors State License Board (Board) issued Contractor's License No. **638406** to **SIERRA SPRAY FOAM**. Said License was in full force and effect at all times relevant to the charges and allegations contained in Accusation, Case No. N2012-438. This license expired February 28, 2010. This lapse in licensure, however, pursuant to business and professions code section 118(b), does not deprive the board of its authority to institute or continue this disciplinary proceeding. 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 November 12, 2013, Respondent was served by certified mail and first class mail with a true and correct copy of Accusation, Case No. N2012-438, together with copies of all statutorily required documents, at their address of record on file with the Board, which was: 11750 Borden Road, Herald, CA 95648. 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. N2012-438, 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 filed a Notice of Defense within 15 days after service upon them of a true and correct copy of Accusation, Case No. N2012-438, which they later withdrew, and has therefore, waived their right to a hearing on the merits of the charges and allegations contained therein.

6. California 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 N2012-438, Business and Professions Code sections 7107, 7109(a), 7113, 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 **638406** issued to RESPONDENT **SIERRA SPRAY FOAM** 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, title 16, Respondent **SIERRA SPRAY FOAM**, License No. **638406**, 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 restitution in the amount of \$30,833.95. This amount is to be paid prior to issuance of a new or reinstated license pursuant to Government Code section 11519, subdivision (d).

IT IS FURTHER ORDERED that Respondent shall pay the investigative costs in the amount of \$4,931.39, prior to issuance of a new or reinstated license pursuant to Business and Professions Code section 125.3.

License No **468619** issued to **SIERRA SPRAY FOAM ROOFING INC.** 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 **SIERRA SPRAY FOAM ROOFING INC.**, License No. **468619**, shall not apply for reissuance or reinstatement of said license for one year(s) from the effective date of this Decision.

License Number **788342** issued to **RESPONDENT SIERRA FOAM SYSTEMS INC.** 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, title 16, Respondent **SIERRA FOAM SYSTEMS INC.**, License No. **788342**, shall not apply for reissuance or reinstatement of said license for one year(s) from the effective date of this Decision.

License Number **945446** issued to **RESPONDENT SIERRA SPECIALTY COATINGS INC.** 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, title 16, Respondent **SIERRA SPECIALTY COATINGS INC.**, License No. **945446**, 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.

This Decision shall become effective on March 10, 2014.

IT IS SO ORDERED February 5, 2014.



Stephen P. Sands
Registrar of Contractors