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

In the Matter of the Petition to Revoke Probation Against: **EXTREME BUILDERS CUSTOM CONSTRUCTION** **Arnold Armando Urquidez III, Sole Owner** **524 Griswold Avenue** **San Fernando, CA 91340** **Contractor's License No. 838934, Class B** Respondent.	CASE NO. N2011-328 DEFAULT DECISION AND ORDER [Gov. Code, § 11520]

Respondent, **EXTREME BUILDERS CUSTOM CONSTRUCTION**, having been served with the Petition to Revoke Probation, Case No. N2011-328, 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.

This agency will take action on the Petition to Revoke Probation 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 August 9, 2016, Petition to Revoke Probation, Case No. N2011-328, was filed against EXTREME BUILDERS CUSTOM CONSTRUCTION before the Contractors State License Board (Board). A true and correct copy of the Petition to Revoke Probation, Case No. N2011-328, 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 May 22, 2004, the Board issued Contractor's License No. **838934** to **EXTREME BUILDERS CUSTOM CONSTRUCTION**. The Contractor's License expired on May 31, 2016 and has not been renewed. 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.

3. On or about August 9, 2016, Respondent was served by certified and first class mail with a true and correct copy of Petition to Revoke Probation, Case No. N2011-328, together with copies of all statutorily required documents, at his address of record on file with the Board, which was: 524 Griswold Avenue, San Fernando, CA 91340. 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 Petition to Revoke Probation, Case No. N2011-328, 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 Petition to Revoke Probation 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 Petition to Revoke Probation, Case No. N2011-328, 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 Causes to Revoke Probation contained in Petition to Revoke Probation, Case No. N2011-328, and the Findings of Fact contained in paragraphs 1 - 6 above, and each of them, separately and severally, are true and correct.

8. Pursuant to Business and Professions Code section 7122.5, the performance by an individual, partnership, corporation, limited liability company, firm, or association of an act or omission constituting a cause for disciplinary action, constitutes a cause for disciplinary action against a licensee who at the time that the act or omission occurred was the qualifying individual of that individual, partnership, corporation, limited liability company, firm, or association, whether or not he or she had knowledge of or participated in the prohibited act or omission. Therefore, pursuant to this Code section, **Arnold Armando Urquidez III, Sole Owner**, is subject to discipline regardless of whether or not he had knowledge of or participated in the act(s) or omission(s) alleged in Accusation No. **N2011-328**.

ORDER

IT IS SO ORDERED THAT:

Contractor's License Number **838934** issued to **EXTREME BUILDERS CUSTOM CONSTRUCTION** 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 **EXTREME BUILDERS CUSTOM CONSTRUCTION** Contractor's License No. **838934**, 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 $27,500.00. 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 THE responsibility of the Respondent 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 December 30, 2016.

IT IS SO ORDERED November 29, 2016.

Cindi A. Christenson
Registrar of Contractors