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

In the Matter of the Accusation Against: **ONE DOT CONSTRUCTION** **KEVIN NGUYEN, CEO/PRES (disassoc. 5/1/18)** **ARNELO SUNGA ANICETE, RMO** **327 Castile Way** **South San Francisco, CA 94080** **Contractor License No. 1010930** Respondent	CASE NO. N2018-366 **ORDER TO ADOPT STIPULATED SETTLEMENT**

The attached Stipulated Settlement is hereby adopted by the Registrar of Contractors as his Decision in the above-entitled matter.

IT IS FURTHER ORDERED pursuant to Section 7102 of the Business and Professions Code and Section 870 of the Code of Regulations, that Respondent, **ONE DOT CONSTRUCTION** License Number **1010930** shall not apply for reissuance or reinstatement of any license for one year(s) from the effective date of this Decision.

IT IS FURTHER ORDERED that Respondent shall pay the investigative costs in the amount of $5,151.00, prior to issuance of a new or reinstated license pursuant to Business and Professions Code section 7102.

IT IS FURTHER ORDERED that Respondent shall pay restitution in the amount of $25,000.00. This amount is to be paid prior to issuance of a new or reinstated license pursuant to Business and Professions Code section 7102.

IT IS THE responsibility of the Respondent, named in this Order, to read and follow the Order. The deadlines for meeting the terms and conditions are based upon the EFFECTIVE DATE of the Order to Adopt Stipulation and Waiver. No notices or reminders will be sent, as to the compliance of the terms and conditions. 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 Order shall become effective on March 24, 2020.

IT IS SO ORDERED February 24, 2020.

David Fogt
Registrar of Contractors

XAVIER BECERRA
Attorney General of California
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Supervising Deputy Attorney General
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Attorneys for Complainant

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

PARTIES

1. Wood Robinson (Complainant) is the Enforcement Supervisor I of the Contractors State License Board (Registrar). He brought this action solely in his official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Susana A. Gonzales, Deputy Attorney General.

2. Respondent One Dot Construction, Kevin Nguyen, CEO/President (disassociated May 1, 2018), Arnelio Sunga Anicete, RMO is represented in this proceeding by attorney Richard Guite, 149 Kentucky Street, 2nd Floor, No. 3, Petaluma, CA 94952.

3. On or about February 4, 2016, the Registrar of Contractors issued Contractor License Number 1010930 to One Dot Construction, Kevin Nguyen, CEO/President (disassociated May 1, 2018), Arnelio Sunga Anicete, RMO (Respondent). The license will expire on February 29, 2020, unless renewed.

JURISDICTION

4. Accusation No. N2018-366 was filed before the Registrar, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 18, 2019. Respondent timely filed its Notice of Defense contesting the Accusation.

5. A copy of Accusation No. N2018-366 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. N2018-366. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of its legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine

the witnesses against them; the right to present evidence and to testify on its 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.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. N2018-366.

10. Respondent agrees that its Contractor License is subject to discipline and they agree to be bound by the Registrar's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Registrar of Contractors or the Registrar's designee. Respondent understands and agrees that counsel for Complainant and the staff of the Contractors' State License Board may communicate directly with the Registrar regarding this stipulation and settlement, without notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent understands and agrees that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Registrar considers and acts upon it. If the Registrar 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 Registrar shall not be disqualified from further action by having considered this matter.

12. 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.

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement.

It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Registrar may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Contractor License No. 1010930 issued to Respondent One Dot Construction, Kevin Nguyen, CEO/President (disassociated May 1, 2018), Arnelio Sunga Anicete, RMO, is revoked.

1. Respondent fully understands and agrees that if it ever files an application for licensure or a petition for reinstatement in the State of California, it must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed.

2. Respondent shall pay the Registrar its costs of investigation and enforcement in the amount of $5,151.97 prior to issuance of a reinstated license, if those costs have not previously been paid and satisfied prior to reinstatement.

3. Respondent fully understands and agrees that the Registrar shall further require as a condition precedent to the restoration of a Contractor License to Respondent One Dot Construction, Kevin Nguyen, CEO/President (disassociated May 1, 2018), Arnelio Sunga Anicete, RMO, that it shall file or have on file a disciplinary contractor's bond in the sum to be fixed by the Registrar based upon the seriousness of the violation, but which sum shall not be less than fifteen thousand dollars ($15,000) nor more than 10 times that amount required by Business and Professions Code section 7071.6. The disciplinary bond is in addition to, may not be combined with, and does not replace any other type of contractor's bond. The disciplinary bond shall remain on file with the Registrar for a period of at least two years and for such additional

time as the Registrar may determine, as required under Business and Professions Code section 7071.8.

4. Respondent One Dot Construction; Kevin Nguyen; Arnelio Sunga Anicete further understands that the Registrar shall additionally require as a condition precedent to the restoration of a Contractor License to Respondent One Dot Construction, Kevin Nguyen, CEO/President (disassociated May 1, 2018), Arnelio Sunga Anicete, RMO, that there must be proof of restitution to A.V. in this case that is the subject of Accusation No. 2019090244, in the amount of Twenty Five Thousand Dollars and No Cents ($25,000.00), unless the debt has been resolved civilly or has been successfully discharged in Bankruptcy.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Richard Guite. I understand the stipulation and the effect it will have on my Contractor License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Registrar of Contractors, Contractors State License Board.

DATED: 01-22-2020

ONE DOT CONSTRUCTION
ARNELIO SUNGA ANICETE, RMO
Respondent

I have read and fully discussed with Respondent One Dot Construction; Kevin Nguyen; Arnelio Sunga Anicete the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 1/22/2020

RICHARD GUITE
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Registrar of Contractors, Contractors State License Board.

DATED: 1/22/20

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General

SUSANA A. GONZALES
Deputy Attorney General
Attorneys for Complainant

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