

**BEFORE THE DIRECTOR
OF THE
DEPARTMENT OF PESTICIDE REGULATION
STATE OF CALIFORNIA**

In the Matter of
Fraudulent Records by

Mr. Troy Breen
Breen Professional & Continuing Education
P.O. Box 462
Lemoore, CA 93245

SETTLEMENT AGREEMENT

Respondent/

This Settlement Agreement ("Agreement") is entered into by and between the California Department of Pesticide Regulation ("the Department"), and Mr. Troy Breen of Breen Professional & Continuing Education ("Mr. Breen"), collectively referred to as the Parties.

1. On November 26, 2018, Mr. Breen submitted false and/or fraudulent records to the Department regarding the amount of continuing education hours completed for the following courses:

	Course I.D. Code	Course Date
1.	M-0886-18	9/10/2018
2.	M-0887-18	9/11/2018
3.	M-0886-18	9/24/2018
4.	M-0887-18	9/25/2018
5.	M-0886-18	10/1/2018
6.	M-0887-18	10/2/2018
7.	M-0886-18	10/15/2018
8.	M-0887-18	10/16/2018
9.	M-0887-18	10/23/2018
10.	M-0886-18	10/29/2018
11.	M-0887-18	10/30/2018
12.	M-0886-18	11/5/2018
13.	M-0887-18	11/6/2018
14.	M-0886-18	11/12/2018
15.	M-0887-18	11/13/2018

Mr. Troy Breen

Page 2

2. Mr. Breen admits to violating California Food and Agricultural Code section 11792, subdivision (d), which provides that it is unlawful for any person to make a false or fraudulent statement, record, or report or to use fraud or misrepresentation in connection with meeting any license requirement.

3. The Parties agree by this Agreement to resolve this matter without the need for formal litigation.

THEREFORE, the Parties agree as follows:

4. The Department shall take no further civil or criminal action against Mr. Breen for the actions described in paragraph 1.

5. Mr. Breen shall pay the Department \$5,000, payable in seven (7) quarterly payments. A payment of \$500.00 shall be due on May 30, 2019. Payments of \$750.00 shall be due on August 30, 2019, November 30, 2019, February 28, 2020, May 30, 2020, August 30, 2020, and November 30, 2020. Checks shall be **made out to "Cashier, Department of Pesticide Regulation,"** and mailed to:

Drew Saruwatari, Senior Staff Attorney
Office of Legal Affairs
Department of Pesticide Regulation
1001 I Street, P.O. Box 4015
Sacramento, California 95812-4015

A copy of this agreement shall accompany the check.

6. Mr. Breen represents that he will not submit false and/or fraudulent records to the Department after execution of this agreement.

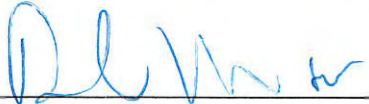
7. Mr. Breen agrees he will not apply to be a continuing education sponsor or a continuing education teacher pursuant to California Code of Regulations, title 3, section 6512 for the continuing education courses, or courses substantially similar to, Ag Continuing Ed 1 and Ag Continuing Ed 2. Mr. Breen may apply to be a continuing education sponsor or a continuing education teacher for courses other than Ag Continuing Ed 1 and Ag Continuing Ed 2 and that are not substantially similar to Ag Continuing Ed 1 and Ag Continuing Ed 2.

8. This Agreement constitutes the entire understanding between the Parties, is not intended to benefit or obligate any third party, and fully supersedes all prior written or oral negotiations between the Parties.

Mr. Troy Breen
Page 3

9. This Agreement tolls the statute of limitations relative to any violation covered by this Agreement and upon breach of any terms of this Agreement, at the discretion of the Department it becomes null and void, and the Department may take action concerning that violation.

Executed by:



Teresa Marks, Acting Director
Department of Pesticide Regulation

on 5/30, 2019
at Sacramento, California



Mr. Troy Breen
Breen Professional & Continuing Education

on MAY 16, 2019, 2019
at dunsmuir, California
(city)