

Criminal Complaint Intro / Summary for DA, AG and the CSLB

Alex Carriaga, Structural Pest Control Inspector

Non-bonafide report produced with DECEIT for a future Buyer he had never met

(This Document supports Claim and Causes of Action Document)

(This Document is intended to support and verify Confessions)

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Criminal Complaint Summary

Introduction

Alex Carriaga is a Licensed Structural Pest Control Inspector in California. He produced a “non-bonafide” pre sale inspection report that omitted defects and clear and quantifiable information related to \$23,000 in damages and concealment that he knew was going to be presented as part of the sale of real property.

The report was done for the Seller’s Agent instead of the Seller. Over 10 violations of the structural pest control act are found in the report and 7 or more areas suggestive of discipline were identified.



Statement of Facts - Carriaga Fraud

1. Alex Carriaga is a Licensed Pest Control Inspector in California.
2. Prior to 2/5/2021, Wheeler Termite and/or Alex Carriaga, an inspector affiliated with Wheeler Termite at that time, received an order for a Property Inspection from Kent Weinstein, a Seller’s Agent with Keller Williams Coastal Estates out of Carmel California. The order was for 12 Bayview Road. (This is via testimony of Carriaga)
3. On 2/5/2021 Alex Carriaga performed an inspection and produced a report for 12 Bayview Road. Carriaga met the Seller’s Agent at the vacant property. The Seller’s Agent opened the door. The Seller’s Agent oriented him to the home. The Seller’s Agent then went back to his car while the inspection was done. No one else was present. The Seller’s Agent paid for the inspection via check that day. The inspection report was delivered to the Agent only on that day or several days later. No contact was made with the Property Owner/Seller and no notes were placed on the report with the Property Seller’s Contact Information. (This is all via testimony of Carriaga and evidenced on the report)
4. On 3/26/2021 the Seller’s Agent presented the report to the buyers via email for consideration prior to an offer. It’s unclear if the seller knew the report had been done or had been given a copy.
5. On 3/27/2021 the Buyer submitted an offer to purchase. The buyer relied on the content of the report and gave consideration to the information presented with no way to know the report contained material omissions and misrepresentations of defects totalling \$23,000, that any reasonable seller or buyer would have expected to have obtained from that report.
6. On 3/31/2021 buyers were notified of contract acceptance. Title to the property Transferred to them at that time per clause 13B of the contract.
7. **\$10,000 in Omissions - 900sf 2nd floor Attic** - On 4/4/2021 we discovered major moisture related defects in the 1000’sf, 5’ high 2nd floor attic . The attic had suffered from a racoon invasion that lasted

Non-bonafide report produced with DECEIT for a future Buyer he had never met

several weeks, and the racoons had destroyed all the insulation and used the 1000sf attic as a littler box. The insulation was filled with feces and the insulation and drywall had been urinated over a great deal. The presence of weeks worth of raccoon urine was absolutely Carriaga's responsibility to call out. Calling this out would have drawn attention to a portion of \$10,000 in raccoon related damage in the attic. A review of Carriagas report after our discovery showed no problems in the Attic AND it had no notes indicating he had not inspected the attic. A conversation with Carriaga after close of escrow revealed he had not gone in the 2nd floor attic and simply "forgotten" to note that on the report. **(1573 - Constructive Fraud)** The information about the Raccoon invasion was obtained from the seller's agent at the time we found the damage. His statement that day indicated he and the seller had committed disclosure fraud

8. **\$5,000 in Omissions - 600sf Crawl Space** - On 4/4/2021 we discovered major material defects in the 36" high, 600 sf crawl space that was Carriaga's responsibility to call out. A 12" high water flood line was around the entire foundation. Significant water inflow concerns were apparent from the foundation vent. The Structural Column in the middle of the crawl space was severely dry-rotten and structurally unsound. It was apparent it too had been affected by as much as 12" of flooding prior. The Structural Column at the end of the main girder had dry rotted and affected by termites. A new column had been installed but it was not done properly and it has shifted. These defects were documented several days later in photos by a home inspector for purposes of dialogue with the Seller and those responsible for enforcing discipline and penalties on Carriaga and/or the Seller. A review of Carriaga's report showed no defects in the crawl space AND no notes that it was not inspected. In the conversation with Carriaga after Close of Escrow, direct reference to these defects were omitted after he had stated he had not gotten into the attic and forgotten to note it. It seemed apparent he had been involved in some type of criminal scheme, and we didn't want to give away all the facts known to us at that time, in order to encourage as much dialogue as possible. A review of the report by the CA State Investigator revealed it did have a note on it suggesting that he did get in the crawl space. **(1573 - Constructive Fraud)**
9. **\$8,000 in Omissions - 150 lf of Fascia** - On 4/4/2021 we discovered major material defects in the fascia that totaled \$8000. The fascia had undergone a cosmetic cover up process. Marks on the fascia that correspond with notes on the report indicate Carriaga had become aware not only of defects but if the nature in which they had been concealed. Only a few locations of damage with no notation of concealment or quantification of damages were included on the report. No one looking at the report as it was presented could have known if he was calling out \$20, \$200, \$2,000 or \$20,000 in damage and no one could have known he had become aware of cosmetic concealment as part of his reporting process. **(1573 - Constructive Fraud)**
10. **\$0 - Other report concerns** - A review of the report after close of escrow showed Carriaga had committed more than 10 violations of the Structural pest control act.
11. The Seller was notified of the omissions during escrow and asked to reduce the price of the contract amount accordingly. The seller acknowledged knowledge of the Attic Damage and refuted knowledge of the fascia and crawl space damage and refused to adjust pricing.
12. At time of close of Escrow the buyer realized damages from the frauds, due to the seller's lack of adjustment for the non-disclosed defects. The buyer completed the purchase of the home with

knowledge of fraud with the option to pursue it after close, asis supported by **Jue vs Smiser 1994**.

13. Per **Jue vs Smiser 1994**. A buyer who discovers non-disclosed defects during escrow can walk away or stand on the contract, complete this part of the transaction and maintain standing to sue for fraud. The buyer has a right to pursue damages from the Inspector (tort for fraud without privity required). This could result in compensatory and punitive damages. The buyer has a right to pursue the seller for damages from breach of contract based on Jue vs Smiser (1994).

Statement of Facts - Carriaga and Weinstein, Conspiracy to Commit Fraud, Coordinated Reports

1. A comparison of the Omissions between Carriaga's Report and a pre-sale Home inspection report done a week apart, show identical defect omissions and under statements of fact. Given both of those reports were prepared for the Seller's Agent, given he and the seller then omitted disclosures related to the 2nd floor attic known to them, and given they both later admitted to those in detail when they were discovered, the appearance of a coordinated disclosure fraud scheme organized by the Seller's Agent becomes self evident.

Proposed Charges

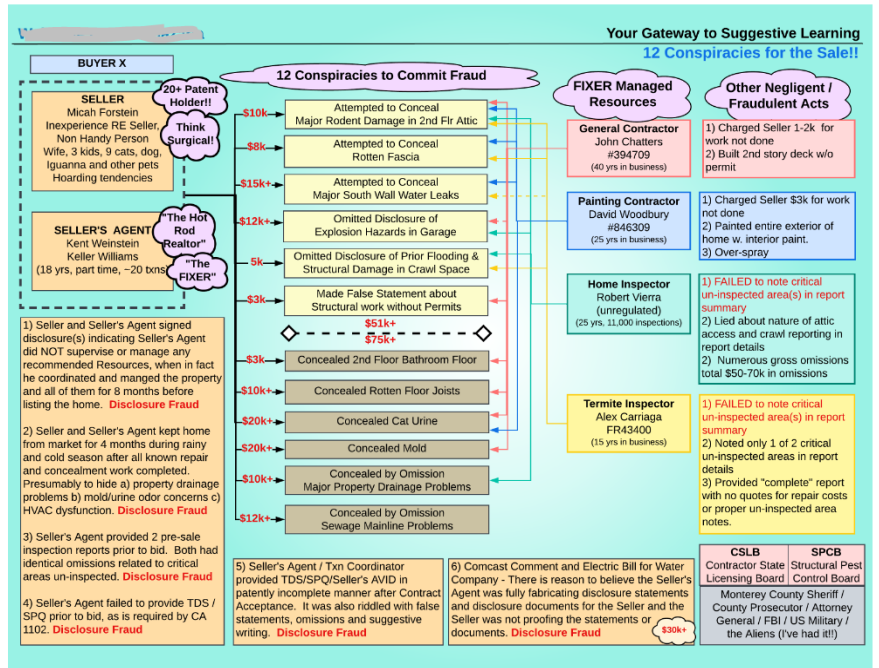
Fraud - 3+ counts

Carriaga produced a non-bonafied report detailed in documents noted as Termite Inspector 1 through Termite Inspector 3. Additional process and procedural frauds noted in Doc 11.

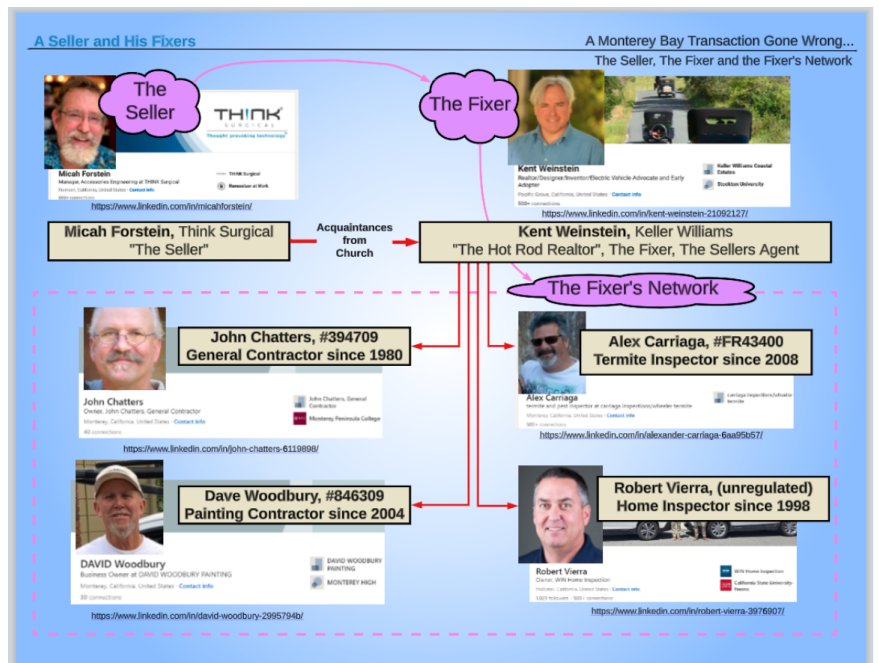
Conspiracy to Commit Fraud - 2+ counts

Carriaga's methods for failing to note defects combined with no notes of inspection omissions in two key areas aligns nearly identical to methods employed by a home inspector, both of whom were engaged by the Seller's Agent.

This gave prospective buyers no access to knowledge of what work was done and who did the work, to cross check representation statements.



NOTE: there are larger images of the flow charts later in the document



Website - <https://inspector-complaints-2023.bryancanary.com/>

<https://inspector-complaints-2023.bryancanary.com/>

Inspector-Complaints-2023
Home
SPCB
Bond Claims
Conspiracy?
About

Defect	Known value to Seller at time of Omission	Quotes to Rectify
Termite Inspector 1 - Crawl Space - Structural Omissions** - view	(\$4k+)	[\$4,358 // \$4,600]**
Termite Inspector 2 - 2nd floor Attic - Extreme Damage Omissions - view	(\$8k+)	[\$7,950 // \$8,500]
Termite Inspector 3 - Fascia - Damage Scope Omissions - view	(\$8k+)	[\$8,805 // \$7,450]
Total	(\$20k+)	[\$21,113 // \$20,550]

Other Exhibits

Termite Inspector 4 - "Partial" Report marked as "Complete" . Funded by RE Agent - [view](#)

Termite Inspector 99a - Printable Exec Summary and Licensing Information - [view](#)

Termite Inspector 99b -Carriaga's full report" - [view](#)

TI 1 - Original Document with Exhibits before they were broken out into separate documents. (\$15k-18k+)

** -- LIABILITY NOTES - Financially, only the Crawl Space Damage is Full Responsibility for Carriaga / Wheeler Termite. Minor amount for Attic may or may not apply, but is not being pursued. Procedurally both omissions are relevant plus the "Complete Report" Notation. The Fascia damage is noted here because he marked it as damaged, but the report was delivered for consideration without any estimates for scope for consideration. If confusion and obfuscation was not a goal, it's unclear how it could have turned out so riddled with problems.

Quotes to Rectify --- Details

Quotes - Pre-populated Docs for Quotes - [view](#)

Quotes - [Contractor 1](#) | [Contractor 2](#)

Quotes - View/Print Summary Spreadsheet

Total for Rectifying Defects -- \$20k to \$21k

Termite Inspector Omissions - Quotes to Correct

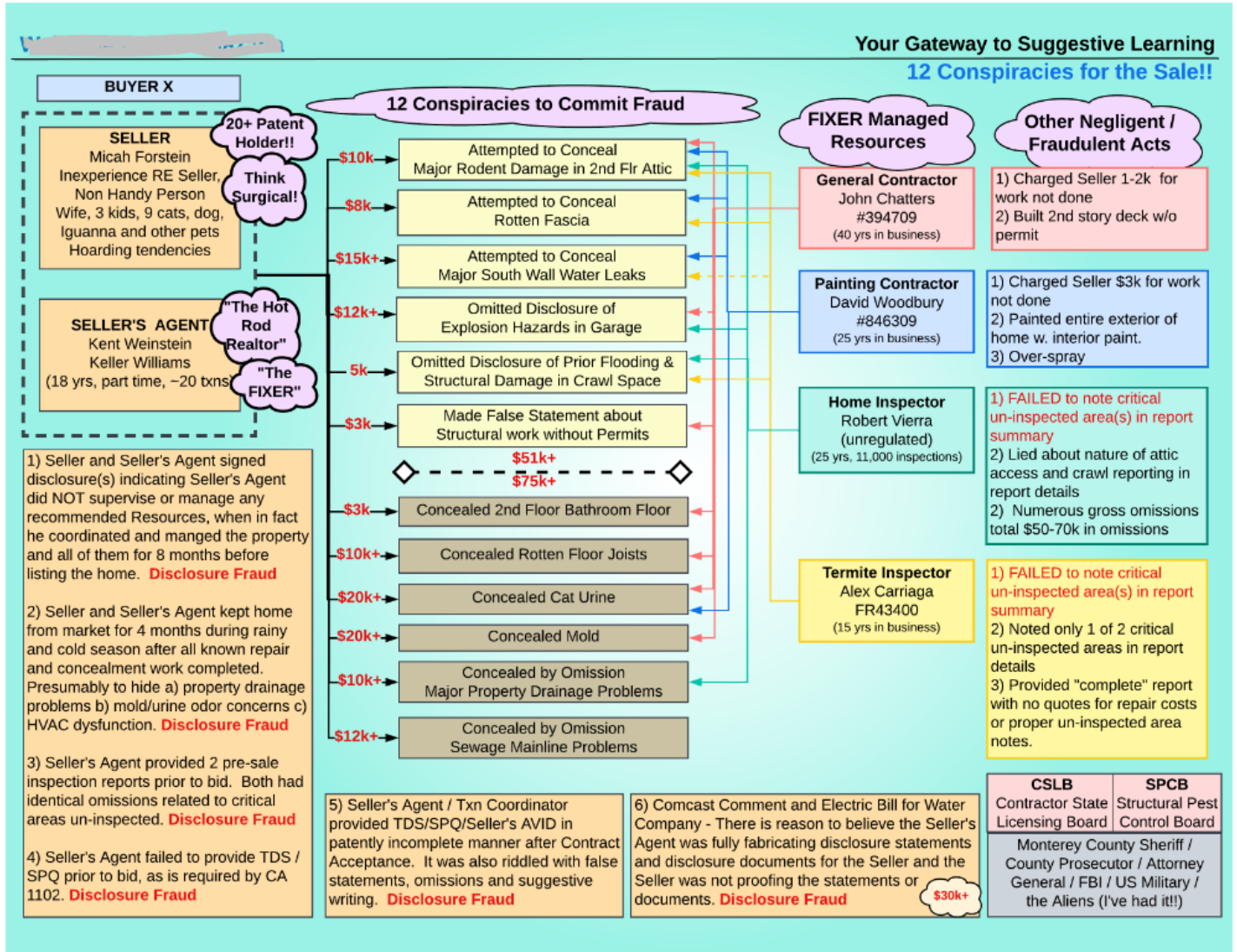
Termite Inspector Omissions	Quotes from Contractor 1	Quotes from Contractor 2
Termite Inspector 2 - Crawl Space - Structural Damage Omissions		
Main Post	\$2,423	\$2,800
End Post	\$1,935	\$1,800
Subtotal	\$4,358	\$4,600
Termite Inspector 3 - Attic - Extreme Damage		
Failed to note damage concerns	\$7,950	\$8,500
Subtotal	\$7,950	\$8,500
Termite Inspector 4 - Fascia Damage - Scope Omission		
Remove and Replace	\$8,805	\$7,450
Subtotal	\$8,805	\$7,450
Total	\$21,113	\$20,550

NOTE: Termite Inspector 2 -- a direct liability for the Inspector. Some type of penalties should also apply.
Termite Inspector 3 -- they may say was not within his scope BUT, some penalties should apply
Termite Inspector 4 - they are claiming he had no obligation to provide estimates on a report marked as "Complete Report". This value was also included in Painter Concealment.

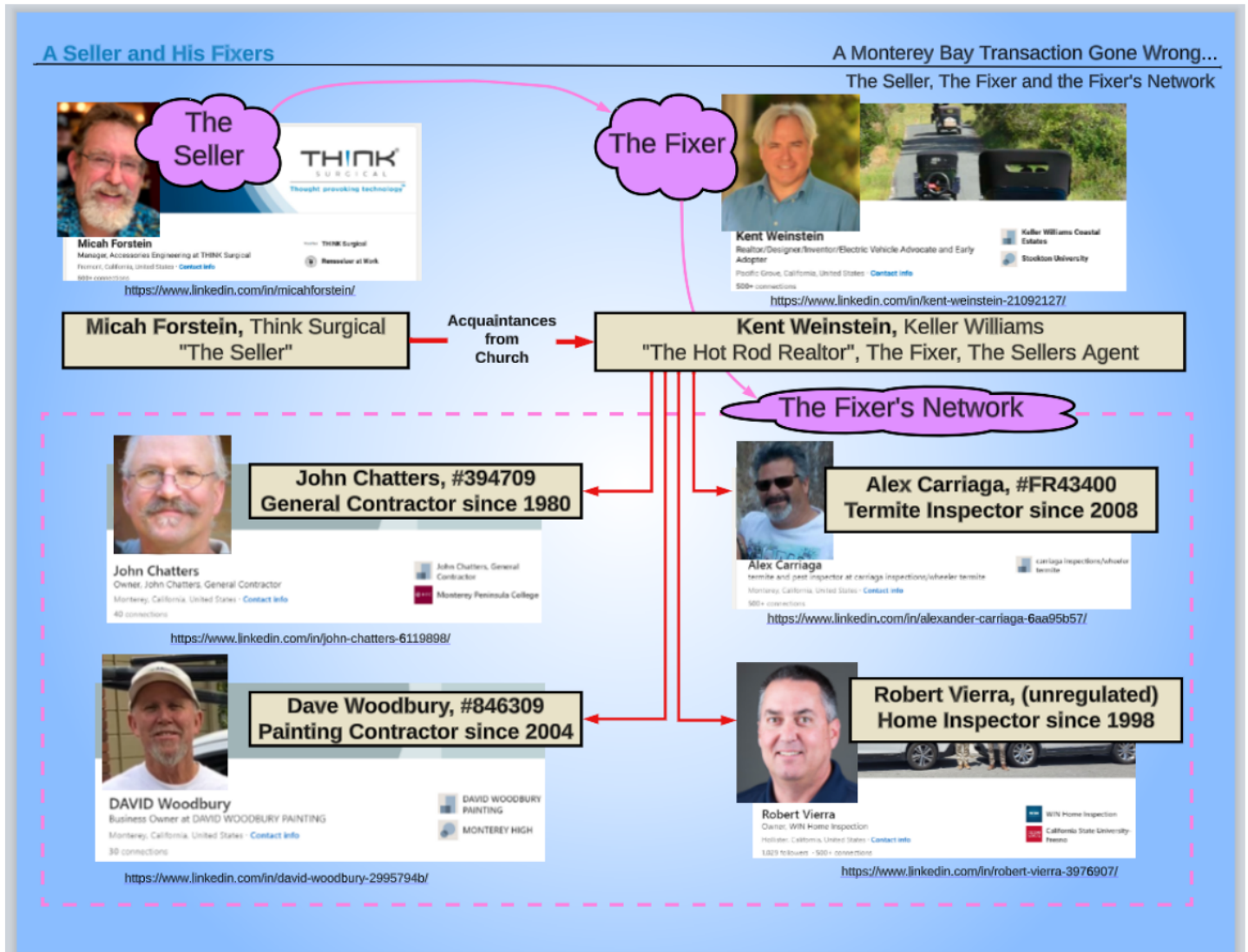
Note: The total for damages is \$21,000 here vs the \$23,000 mentioned in the statement of facts. There is \$2,000 related to drywall that was accidentally omitted in this report.

SUPPORTING DOCs - Flow Charts

Flow Chart - 12 Conspiracies that show Fix Up Related Connections



Flow Chart - A Seller and His Fixers



SUPPORTING DOCs - Emails with Carriaga

Estring 1 - 4/2/2021 Canary to Wheeler and back. Request for reinspection...

b.wheeler1959@gmail.com

<https://mail.google.com/mail/u/0/#search/b.wheeler1959%40gmail.com/VpCqJRzzsgClwTmWVrCxBGVgRXvKPDbSCxckBTjpzvStsHXLWVfHHkQQMwgfNvJqJzhzncG>

12 Bayview Road - Termite Inspection Follow up



Bryan Canary <bryan@bryancanary.com>
to b.wheeler1959 ▾

Fri, Apr 2, 2021, 1:12 PM ☆ ↩ Reply ⋮

Hi Bob -

I just left you a voicemail.

I've just contracted to purchase 12 Bayview Road in the Elkhorn Slough area.

I've got a copy of your report and your work estimates for a small portion of the identified areas.

It seems clear a subterranean termite treatment is required as well as tenting along with some required/suggested repairs.

I'd like to set up a consultation, re-inspection, and/or an inspection with you, as you suggest, to meet with you and discuss these findings. My goal is to get a better idea of what you found and along with a better understanding of scope of work related to abatement and repairs and scope of costs.

Can you please advise availability and cost for the consult / reinspection / inspection. We live about 1 mile from there and our agent is our landlord so accessing the property is easy for us and we are flexible.

Thanks
Bryan Canary
443-831-2978



Bob Wheeler <b.wheeler1959@gmail.com>
to me ▾

Fri, Apr 2, 2021, 1:21 PM ☆ ↩ Reply ⋮

Hi Bryan

I believe the inspector on this was Alex Carriaga. Unfortunately Alex just had a death in the family and may not be available for a week or 2 to meet you at the property. I am forwarding your email to Alex and I'm sure he will be in touch soon

Bob Wheeler

Estring 2 - 3/13/2023 Canary to Robert Vierra and Bob Wheeler

<https://mail.google.com/mail/u/0/#search/b.wheeler1959%40gmail.com/GTvVlcRzCbfnBNVPhkwFwIGGZzFTtgkRxxHfdcPfwxwGvsstxBwTkCQQQwLtKMZhVgHScDHsdGSD>

CA DRE Complaint vs Weinstein/Keller Williams/Coldwell Banker now active - Your work at 12 Bayview Rd



→ Bryan Canary <bryan@bryancanary.com>
to Robert, b.wheeler1959 ▾

Mar 13, 2023, 4:30 PM ☆ ↶ Reply to all ⋮

Dear Robert and Alex(via Bob) -

You are getting this email due to your work at 12 Bayview Road. As Robert may have been aware, a tremendous amount of concealment work transpired at that property in preparation for sale.

As you may not be aware, I, as the buyer, forced documents from the Seller's Agent and Seller revealing quotes, invoices and email dialogue related to the concealment work.

A complaint against Weinstein, Keller Williams and Coldwell bankers is now active with the California Department of Real Estate. They have hundreds upon hundreds of pages of documents. Due to size and breadth of the problems revealed in this transaction, those were made available to them and others in law enforcement via a public website: <https://home-purchase-2021.bryancanary.com/>

As you will see on that website, the FTC, the Department of Justice, the Attorney General of CA, and the Monterey County Prosecutor's office were notified of the website s and the transaction details in November 2022.

I chose not to reach out to you individually until the CADRE investigation was active, which it is as of last week.

Attached is a detailed letter for you both with questions in the appendix.

Hopefully you will be willing to work with me to place blame where blame is due.

Please reply to this Demand for Information by Friday, 3/24/2023.

All initial correspondence should be done via email. If we need to have a phone conversation we can schedule that.

Thanks for your attention to these very big matters.

Bryan

One attachment • Scanned by Gmail ⓘ



EString 3 - 3/14/2023 - 3/18/2023 - Carriaga to Canary & back

acarriaga1@gmail.com

<https://mail.google.com/mail/u/0/#search/wheelertermite2%40gmail.com/CqMvqmWZkLmFRRwQbswpcgGgRgGngDlwmsPMkNXhBPvxTHCrRkJDhwhdgmNvfkVHJPRxlcmlrKg>

On Tue, Mar 14, 2023 at 8:51 PM Alex Carriaga <acarriaga1@gmail.com> wrote:
This is Alex, you can call me at 831-595-5510 to discuss termite inspection.

On Tue, Mar 14, 2023, 9:39 PM Bryan Canary <bryan@bryancanary.com> wrote:
Hi Alex

I just forwarded you the email that had been sent to Bob. Please reply to confirm receipt of that and please read or skim the attachment. so you have a good understanding of the situation.

After confirming receipt I will give you a call

Thanks
Bryan

On Wed, Mar 15, 2023 at 12:58 PM Alex Carriaga <acarriaga1@gmail.com> wrote:
He sent to me and I did read. You can call me at 831-595-5501

On Wed, Mar 15, 2023 at 3:15 PM Bryan Canary <bryan@bryancanary.com> wrote:
Hey

I just sent email to wheelertermite2@gmail.com you should have that now.

thx for your time and info.

b

Re: 12 bayview road. Termite inspection



Bryan Canary <bryan@bryancanary.com>

to Alex ▾

Sat, Mar 18, 11:04 AM



Reply

Hey

Were you able to look up payment for 12 Bayview to see who was billed and who paid for it?

I'd really appreciate that info.

thx much

b

EString 4 - 3/15/2023- 3/20/2023 - Canary to Carriaga and Back

wheelertermite2@gmail.com

<https://mail.google.com/mail/u/0/#search/wheelertermite2%40gmail.com/DmwnWrRpfDTTQCsgkvsHXxbFtzKcZfzZfNKDTPiXxdvjVXnfbNCZhPjLhDKWPfdPvrpqbHMmWmL>

12 Bayview - Conversation Summary



Bryan Canary <bryan@bryancanary.com>
to wheelertermite2 ▾

Wed, Mar 15, 3:15 PM ☆ ↶ Reply ⋮

Hi Alex -

Thanks for your time today.

Per our conversation, please check on who got billed and who paid for the termite transaction for 12 Bayview.

Below is a summary of our dialogue. Please indicate if I missed anything relevant or mischaracterized anything.

Thanks much for your time and the good dialogue.

b

1. The agent was not familiar to you. you've only done one inspection for him. you assume he got your name from others in his office you do work for
2. The agent called you and coordinated the inspection
3. The agent was there for the inspection. He got you in the home and oriented, he referenced the 1st floor attic access and then he was in his car during your inspection.
4. You did not inspect the 2nd floor attic. You indicated you typically look for attic access in closets and such. it's unclear if you missed seeing the small access or if he had suggested the fact that none existed. You seem to feel he may have said none existed but that is not a clear memory.
5. You typically note if an important area like an attic is not inspected. That note was not made on this report. It was an accidental oversight. You do not recall getting any instructions from the agent to intentionally omit that type of note.
6. The agent did NOT specify he wanted repair estimates. That is something that some agents who order reports ask for for negotiation purposes. Others do not.
7. You only provide repair estimates for your reports when asked by the customer, be that the agent, a buyer or seller
8. You never spoke to the agent or seller after delivering a report. They never called for "clearance report" or any other support for the report.
9. You do carry errors and omissions insurance. It's definitely relevant if you provide a clearance report and something was done incorrectly. It may or may not be relevant for a missing comment about an attic inspection omission. We don't know that and it shouldn't be relevant given the context of the behavior committed by the Seller's Agent, Buyer Agent Seller and Brokers in general.
10. In general, the industry is filled with various shades of ethical challenges. s is often the case in most construction related industries. There is a bigger concern with national companies offering "free" inspections and then upselling on treatments that are not required and obtaining recurring contracts that are typically not required.

Criminal Complaint - Dialogue/Support - for DA, AG, SPCB
Alex Carriaga, Structural Pest Control Inspectors
Non-bonafide report produced with DECEIT for a future Buyer he had never met



← **alex carriaga** <wheelertermite2@gmail.com>
to me ▾

Mon, Mar 20, 10:14 AM



← Reply



It was paid by check that day. So was probably paid by realtor. Online account does not go back that far.



Bryan Canary <bryan@bryancanary.com>
to alex ▾

Mon, Mar 20, 10:44 AM



← Reply

perfect. that's more than enough for my needs given Micah was out of state the entire time.

many thx.

b

EString 5 - 8/25/2023 - 8/30/2023 - Canary to Carriaga and Back

August 25, 2023 - Email from Canary to Wheeler

Canary sent Wheeler an email demanding \$4,500. Available upon request.

August 25, 2023 - Email from Wheeler to Canary

RE: Demand for Payment for Gross Negligence - \$4,500 - Response due by 9/1/2023



← b.wheeler1999@gmail.com
to me ▾

Fri, Aug 25, 2:16 PM (6 days ago) ☆ ↩ Reply ⋮

Bryan,

Both the structural pest control board and the bonding company have ruled against you. Legally we are only responsible for 120 days from the time of the inspection or if some type of fraud was committed. The only issue found in the afore mentioned attic was rodent droppings, which we are not required to report on. You will get nothing from me. Now go be a responsible homeowner like the rest of us and go away.

Bob

Sent from Mail for Windows

August 25, 2023 - Email from Canary to Wheeler

Re: Demand for Payment for Gross Negligence - \$4,500 - Response due by 9/1/2023



Bryan Canary <bryan@bryancanary.com>
to b.wheeler1999@gmail.com ▾

Fri, Aug 25, 2:38 PM (6 days ago) ☆ ↩ Reply ⋮

Hi Bob -

I don't want to waste your time and mine. Mine has already been stolen from me. I'm trying to recoup that now while minimize any loss of time for you. .

Business and Professional Code 8621 indicates complaints can be brought against licensees and registered companies for fraud, gross negligence or misrepresentation no later than four years after the commission of the act (see below) . The general statute of limitations for a tort claim in California is three years.

The Structural Pest Control Board exposed their regulatory capture and Inspector Bias almost a decade ago. That's all been documented now. The Bond Company suggested there was no "FRAUD" but didn't state that clearly NOR did they render any decision on "GROSS NEGLIGENCE" .which in fact, has a 4 year statute.

The attic included urine and moisture related conditions from racoons. They dont poop without peeing too. The moisture damage was actually slightly visible to through the paint job, but your inspector didn't go into the attic at all, so unsure why that's relevant to you?

The \$4500 is all crawl space related omissions. He blew that royally.

Can you provide any pointers to the information or regulations which states you are only responsible for omissions, defects fraud or related for 120 days ?

If it exists I need to consider that to make sure I don't waste more of your time and mine.

Bryan

August 26, 2023 - Email from Wheeler to Canary

RE: Demand for Payment for Gross Negligence - \$4,500 - Response due by 9/1/2023

[Redacted]
to me

Sat, Aug 26, 9:08 AM (5 days ago)

☆ ↩ Reply ⋮

Bryan Canary,

This will be my last communication with you. My question to you is why did you not do your due diligence until 2 years after the fact. As a homeowner or potential home owner you have certain responsibilities to maintain your home. We were never called back to the property at any point to perform the recommended work or to re-inspect the work that was done by others. The Structural Pest Control Board states that no work or re-inspections can be performed by us at the property after 120 days from the original inspection. The reason being that a lot can change in that short amount of time, let alone 2 years. Which is why after the 120 day timeline, we are not allowed to complete any work or to perform re-inspections after the afore mentioned timeline. You are accusing us of fraud, but to what avail? Why in the world would we consider committing fraud when there was absolutely nothing to gain? The 4 year statute you referred to applies only if we certified the house of being free and clear of wood destroying organisms or insects, which we did not. We are not required or licensed to inspect for anything else including rodents. That is classified as branch 2 and we are only a branch 3 Company.

I will be contacting my attorney, if I hear from you again and bring a counter suit for defamation. This email and other emails from you in the past would more than sufficient evidence of harassment and defamation of character, along with having the Bond Company and SPCB dismissing your claim.

Bob Wheeler

August 30, 2023 - Email from Canary to Pest Board Enforcement

Canary sent Pest Board and Bond Company an email. Part of it indicated Wheeler had declared the complaint had been closed.

August 30, 2023 - Email from Pest Board Enforcement to Canary

RE: [EXTERNAL] Demand for Payment for Gross Negligence - \$4,500 - Response due by 9/1/2023

← PestBoardEnforcement

to [Redacted]

Aug 30, 2023, 10:13 AM (1 day ago)

☆ ↩ Reply to all ⋮

Good morning -

Please send the document via word or a pdf.

We are still investigating what you provided in your complaint, this case is ongoing and has not been closed.

Thank you.

[Redacted]

SUPPORTING DOCs - Online review that matches our email with Bob Wheeler related to statutes

In the email dialogue in prior Appendix Wheeler presented seemingly errant information related to his liability responsibilities. This mirrors a statement online by another consumer.

★ ★ ★ ★ ★ 4/23/2022

Had a very poor experience with this company. After certifying there was no infestation or infection, they declined responsibility for very visible and active infection. Then tried to lie about the laws regarding discovery.

IMO, Beware of this company.

<https://www.yelp.com/biz/wheeler-termite-salinas>

SUPPORTING DOCs - Carriaga - Profiles

SPCB - License - Alex Carriaga

<https://search.dca.ca.gov/details/8400/FR/43400/90c84130ac5386623d65c7a7b5eddbfc>





STRUCTURAL PEST CONTROL BOARD

LICENSING DETAILS FOR: 43400

NAME: CARRIAGA, ALEXANDER S
LICENSE TYPE: FIELD REPRESENTATIVE
LICENSE STATUS: CLEAR ⓘ
LICENSE OR REGISTRATION CLASS: BRANCH 2 & 3

ADDRESS NOT DISCLOSED

ISSUANCE DATE
JULY 25, 2008

EXPIRATION DATE
JUNE 30, 2026

CURRENT DATE / TIME
FEBRUARY 21, 2024
6:55:29 PM

LICENSE RELATIONSHIPS

NAME: TERMINIX INTERNATIONAL CO L P
LICENSE/REGISTRATION TYPE: COMPANY REGISTRATION
LICENSE NUMBER: 801 **PRIMARY STATUS:** CLEAR ♦ ACCUSATION WITHDRAWN
ADDRESS :
10161 CROYDON WAY #1
SACRAMENTO CA 95827
SACRAMENTO COUNTY
[MAP](#)

NAME: WHEELER TERMITE COMPANY
LICENSE/REGISTRATION TYPE: COMPANY REGISTRATION
LICENSE NUMBER: 3130 **PRIMARY STATUS:** CLEAR
ADDRESS :
9934 MIMOSA PATH
SALINAS CA 93907
MONTEREY COUNTY
[MAP](#)

License #2

<https://search.dca.ca.gov/details/8400/OPR/8923/2af47034a0d0c3a878ecc7abe55f97e3>





STRUCTURAL PEST CONTROL BOARD

LICENSING DETAILS FOR: 8923

NAME: WHEELER, ROBERT BRIAN

LICENSE TYPE: OPERATOR

LICENSE STATUS: CLEAR 

LICENSE OR REGISTRATION CLASS: BRANCH 3

ADDRESS NOT DISCLOSED

ISSUANCE DATE
MARCH 17, 1992

EXPIRATION DATE
JUNE 30, 2024

CURRENT DATE / TIME
FEBRUARY 21, 2024
7:11 PM

LICENSE RELATIONSHIPS

NAME: WHEELER TERMITE COMPANY

LICENSE/REGISTRATION TYPE: COMPANY REGISTRATION

LICENSE NUMBER: [3130](#) **PRIMARY STATUS:** CLEAR

ADDRESS :
9934 MIMOSA PATH
SALINAS CA 93907
MONTEREY COUNTY

[MAP](#)

NAME: CARRIAGA INSPECTION SERVICES

LICENSE/REGISTRATION TYPE: COMPANY REGISTRATION

LICENSE NUMBER: [7821](#) **PRIMARY STATUS:** CLEAR

ADDRESS :
930 SIERRA DRIVE
SALINAS CA 93901
MONTEREY COUNTY

[MAP](#)

Linked In

SUPPORTING DOCs - Carriaga Report**Link to full report**

<https://drive.google.com/file/d/1kFMhPoizxxgn9mfYlb5hYkPJwU8PkZZj/view>

Link to analysis

Doc 11 -

https://docs.google.com/document/d/1tY8lkqvJfPyJ6hgMSzNPFpNV71RRI3-la68l_TwDd4M/edit?usp=sharing

Page 1 - numerous concerns

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT # 20200732					
BUILDING NO. 12	STREET BAYVIEW RD	CITY CASTROVILLE	ZIP 95012	Date of Inspection 02/05/2021	NUMBER OF PAGES 1 of 7
WHEELER TERMITE CO. 9934 MIMOSA PATH Salinas, CA 93907 PH# (831) 633-2284 Email b.wheeler1959@gmail.com PR 3130					
Ordered by: KENT WEINSTEIN		Property Owner and/or Party of Interest		Report sent to:	
1		2		3	
COMPLETE REPORT ☒ LIMITED REPORT ☐ SUPPLEMENTAL REPORT ☐ REINSPECTION REPORT ☐					
GENERAL DESCRIPTION: This is a two story, wood sided, single family residence with a raised foundation. It has an attached garage and an attached patio. It has a composition roof and was vacant at the time of inspection.				Inspection Tag Posted: Subarea. 5	
Other Tags Posted:					
An inspection has been made of the structure(s) on the diagram in accordance with the the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.					
Subterranean Termites ☒ Drywood Termites ☒ Fungus/Dryrot ☒ Other Findings ☒ Further Inspection ☒					
If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items					
Key: 1 = Subterranean Termites 2 = Drywood Termites 3 = Fungus/Dryrot 4 = Other Findings 5 = Further Inspection					
Inspected By <u>ALEX CARRIAGA</u> License No. <u>FR 43400</u> Signature <u>[Signature]</u> 7					
You are entitled to obtain copies of all reports and completion notices on this property report to the Structural Pest Control Board during the preceding two years. To obtain copies contact: Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, California 95815-3831.					
NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708, (800) 737-8188 or www.pestboard.ca.gov. (form t1a - 3/15/08) 43M-41 (Rev. 10/01)					

1) ordered by real estate agent

2) property owner blank - (violation)... think blank prescription from Dr for meds...

3) report sent to blank - (violation)

4) "Complete Report" - suggestively misleading given he said he did NOT get into attic when questioned after the fact

5) Raised foundation - inaccurate description. Partial raised foundation partial slab (violation)

6) This says he posted an inspection tag in the sub area. None was found there and he failed to note 5k in dry rot damage in crawl

7) signature is related to attestation that all work done in accordance with SPC Act

Page 11 - Payment receipt

WHEELER TERMITE CO. 9934 MIMOSA PATH Salinas, CA 93907 PH# (831) 633-2284 Email b.wheeler1959@gmail.com		INVOICE Invoice Number: 20200732 Invoice Date: 02/05/2021
Bill To: KENT WEINSTEIN	Address of Property Inspected: 12 BAYVIEW RD CASTROVILLE, CA 95012	
Invoice Description:	Date of Inspection: 02/05/2021 Termite Inspection Report Fee: \$ 195.00 <i>(Termite work not included.)</i> (CK#) Payments: \$ 195.00 Date: 02/06/2021 TOTAL DUE: \$ 0.00	
TERMS: Due upon receipt of invoice.		

NOTICE TO OWNER

Under the California Mechanics Lien Law any structural pest control company which contracts to do work for you, any contractor, subcontractor, laborer, supplier or other person who helps to improve your property, but is not paid for his or her work or supplies, has a right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your structural pest control company in full if the subcontractor, laborers or suppliers remain unpaid.

To preserve their right to file a claim or lien against your property, certain claimants such as subcontractors or material suppliers are required to provide you with a document entitled "Preliminary Notice". Prime contractors and laborers for wages do not have to provide this notice. A Preliminary Notice is not a lien against your property. Its purpose is to notify you of persons who may have a right to file a lien against your property if they are not paid.

SUPPORTING DOCs - Images

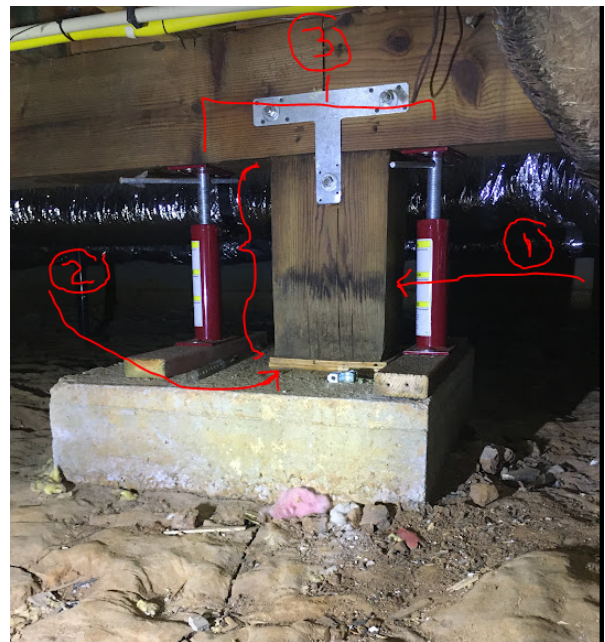
These photos are used again later in the appendices. They are also found in the Termite Inspector 1, 2, 3, 4 docs. These are being provided without commentary just for context and easy reference out of context as needed. .

Crawl





12" high water line



Dry rot damag and partially compressed post



<< (1) original post had dry rotted and termite damage and was replaced with small footing and post (2) that had also dry rotted

2nd floor attic

The Batt insulation looked like Blown due to Raccoon Infestation...



**This is NOT normal.
This is NOT just rats or mice. (It was Raccoons)
If this has been seen, it warranted comments.**

8. Insulation Condition

Observations:

- Tunneling observed at house insulation.
- The insulation installed in the rafters is disturbed by rodent activity. The house insulation is minimal. Recommend having the existing insulation replaced due to rodent damaged.



Found dispersed.



Rodent activity noted.

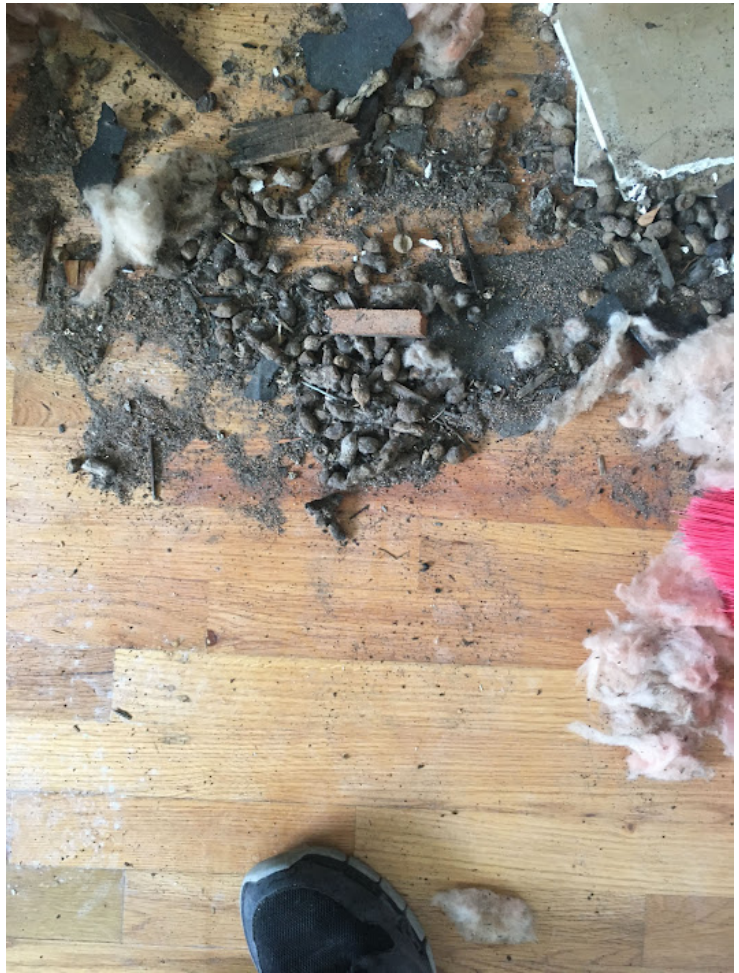


This insulation is NOT supposed to look like cotton candy.

This is batted insulation and it's supposed to be sitting in between the joists.

This damage was done by raccoon burrowing.

That is a small portion of the feces from raccoons that were living in the attic. The odor with the attic hatch open was mesmerizing.



Photos were tough to get but shadows are visible.

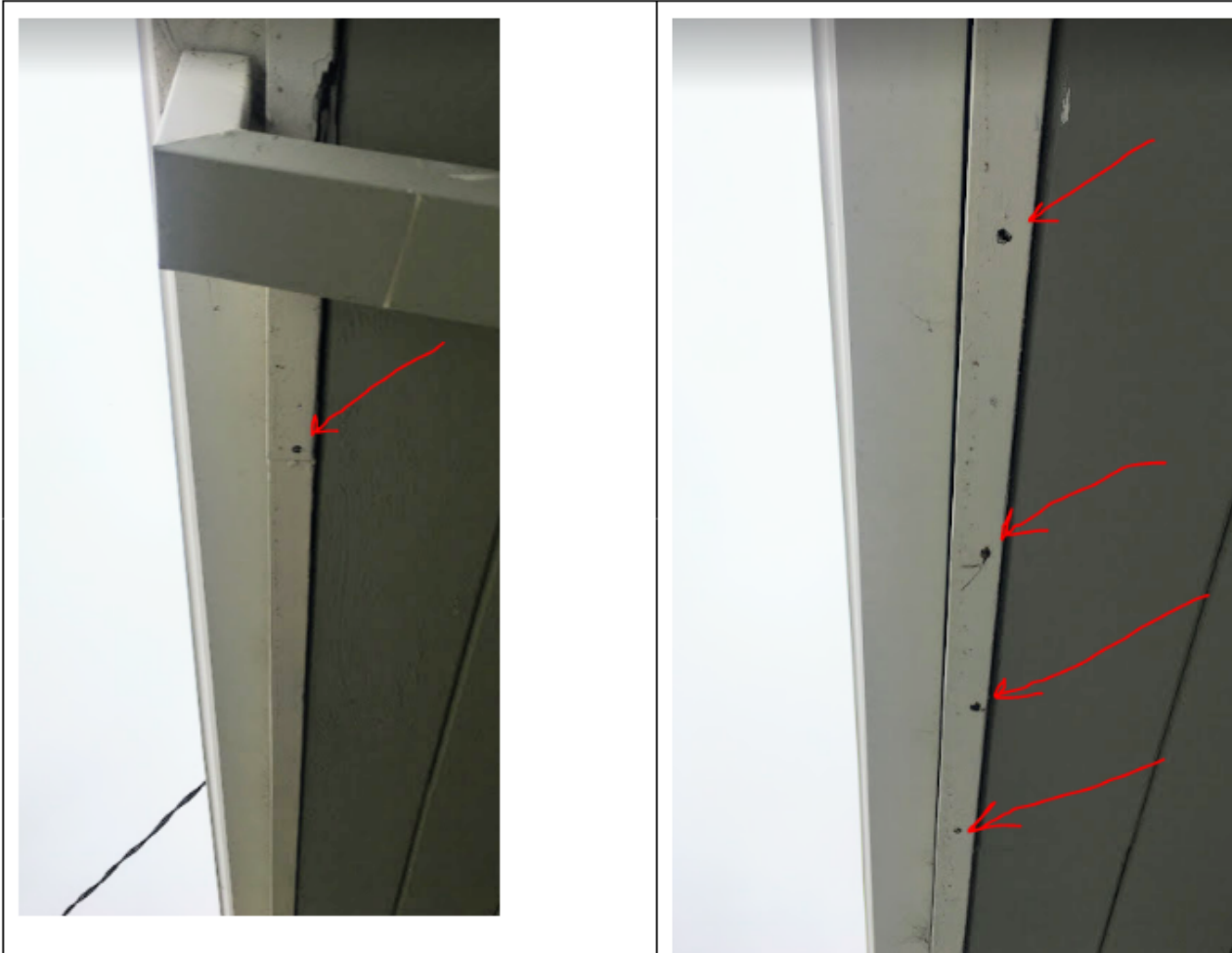
The stains ranged from silver dollar size to 3-4 inches. There were 30-40 stains. Mostly in the two south bedroom ceilings but some minor in others. (May 22, 2021)



Fascia Concealment

Images of Defect Testing

The arrow below is pointing to a perfectly round hole in the fascia. That hole was created by Alex when doing his inspection. They use a bolt on the end of a stick to push on the wood to see someone has "covered up" dry rot with putty and paint.

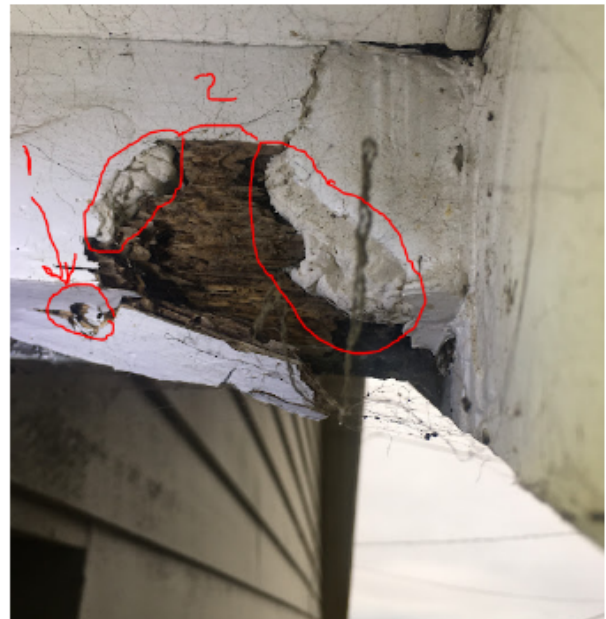


#1 represents the hole from his bolt test.
#2 transpired as we checked into it. Almost 1" of putty was used to build up the surface to make it smooth so it could be painted to look satisfactory.

It just seems odd there was no additional note that said, "The Bolt Test was used to determine fascia condition. It appears some level of concealment of damage may have transpired".

It's also odd that there is no way to know if he's talking about the 1st or 2nd floor.

Without repair pricing on the Report, which is not required, there was no way to know this was \$8,000 in damage. We should be pursuing the Termite Inspector for this "vague reference", but because he is not required to provide pricing it seems best to pursue the Seller and his Agent for this.



The concealment work would have been done by a Painter, for example. Carriaga's bolt test was specifically designed to test for concealment. He found concealment but only noted it on his report as having found pest / dry rot damage.

SUPPORTING DOCs - Quotes

Crawl

2nd floor Attic - (and Drywall)

Contractor 1 - \$7,950

<https://home-Purchase-2021.bryancanary.com><https://contractor-complaints-2023.bryancanary.com>

Estimate for Repairs - Termite Inspector Related Defects

Termite Inspector 3 - Attic - Extreme Damage Omissions

Please provide pricing for the following work. If you want to provide a price range please use Price 1 for lower range and price 2 for upper. Otherwise just use Price 1 to represent your estimate.

Description of Work	Price 1	Price 2
Remove 900 sf of destroyed insulation (R19) Clean beams and spots on drywall ceiling with mold and urine remediator Install 900 sf of insulation (R19) NOTE: An argument can be made this is outside of the reporting scope and responsibilities of the Termite Inspector. The level of damage that was existing was EXTREME and extremely obvious. To claim that no comments would have or should have been made about such extreme concerns that may have in fact lead to conditions to affect structural integrity, by a structural inspector, seems grossly inappropriate.	\$7,950 ⁰⁰	
Total	\$7,950 ⁰⁰	

Date 9/12/23

Contractor Name

Company Name

Contractor License

Contractor Signature

Contractor 2 - \$8,500

<https://home-Purchase-2021.bryancanary.com>
<https://contractor-complaints-2023.bryancanary.com>

Estimate for Repairs - Termite Inspector Related Defects

Termite Inspector 3 - Attic - Extreme Damage Omissions

Please provide pricing for the following work. If you want to provide a price range please use Price 1 for lower range and price 2 for upper. Otherwise just use Price 1 to represent your estimate.

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Total	\$8,500.00	

Date 8-12-23

Contractor Name

Company Name

Contractor License

Contractor Signature

Fascia

Contractor 1 - \$8805

<https://home-Purchase-2021.bryancanary.com>

<https://contractor-complaints-2023.bryancanary.com>

Estimate for Repairs - Termite Inspector Related Defects

Termite Inspector 4 - Fascia Damage - Scope Omissions

Please provide pricing for the following work. If you want to provide a price range please use Price 1 for lower range and price 2 for upper. Otherwise just use Price 1 to represent your estimate.

Description of Work	Price 1	Price 2
Remove 4 gutters -- front upper (30'), front lower(60'), rear lower (30') rear upper (30') Remove existing 2x8 painted material (150') Acquire 150' of 2x8 framing material Prime and paint (2 coats) 150' of 2x8 framing material Install 150' lineal feet of 2x8 framing material Install 4 gutters NOTE: Our Termite Inspector and an unrelated GC both quotes approximately \$8000 for this work NOTE: this is the value of the work the painter's work attempted to help conceal and the same information is included in the Painters Documentation.	#8,805 ⁰⁰	
Total	#8,805 ⁰⁰	

Date 8/12/23

Contractor Name _____

Company Name _____

Contractor License _____

Contractor Signatur _____

Contractor 2 - \$7450

<https://home-Purchase-2021.bryancanary.com>

<https://contractor-complaints-2023.bryancanary.com>

Estimate for Repairs - Termite Inspector Related Defects

Termite Inspector 4 - Fascia Damage - Scope Omissions

Please provide pricing for the following work. If you want to provide a price range please use Price 1 for lower range and price 2 for upper. Otherwise just use Price 1 to represent your estimate.

Description of Work	Price 1	Price 2
Remove 4 gutters -- front upper (30'), front lower(60'), rear lower (30') rear upper (30') Remove existing 2x8 painted material (150') Acquire 150' of 2x8 framing material Prime and paint (2 coats) 150' of 2x8 framing material Install 150' lineal feet of 2x8 framing material Install 4 gutters NOTE: Our Termite Inspector and an unrelated GC both quotes approximately \$8000 for this work NOTE: this is the value of the work the painter's work attempted to help conceal and the same information is included in the Painters Documentation.	\$7450 ⁰⁰	
Total	\$7450 ⁰⁰	

Date 8-18-23

Contractor Name

Company Name

Contractor L

Contractr

SUPPORTING DOCs - at websites

Supporting Docs - <https://criminal-complaints-2024.bryancanary.com/>

Please see <https://criminal-complaints-2024.bryancanary.com/> for more details and supporting documents

← → ↻ 🔍 <https://criminal-complaints-2024.bryancanary.com/re-fix-up-disclosure-scheme/level1-complaints> ☆ 📄 📧 📧 📧 📧 📧 📧 📧 📧

Criminal-Complaints-2024 Home RE Fix Up & Disclosure Scheme Dear DA...

Criminal Complaint - Alex Carriaga - Structural Pest Control Inspector

Alex Carriaga omitted proper reference to \$23,000 in defects that were his to call out. His report was created as part of a "fix-up and disclosure fraud scheme" organized by a Seller's Agent and Seller prior to the sale of a residential property valued at \$900,000. His report contributed to a scheme that resulted in \$200,000 in non disclosed defects and other frauds. He was able to produce that report in what should have been under 3 hours of total time invested.

- 1) Mry DA Complaint Forms - [view](#) [view redacted](#)
- 2) Complaint / Causes of Action - [view worksheet](#)
- 3) Criminal Complaint Dialogue - For DA, AG [Doc 11 from website](#) (w/ picture book stmt of facts)
- 4) Additional Supporting Documents:

View docs with added context at: <https://inspector-complaints-2023.bryancanary.com/>) [view](#)



Alex Carriaga
Structural Pest
Control Inspector

Supporting Docs - <https://inspector-complaints-2023.bryancanary.com/> (TI1-TI3)

<https://inspector-complaints-2023.bryancanary.com/>

Screenshot - Top of Home Page

← → ↻ 🔍 <https://inspector-complaints-2023.bryancanary.com> ☆ 📄 📧 📧 📧 📧 📧 📧 📧 📧

Inspector-Complaints-2023 Home SPCB Bond Claims Conspiracy? About

This website provides complaints about TWO Monterey County Property Inspectors:

1. Alex Carriaga, Termite Inspector -- Wheeler Termite Company -- (FR43400)
2. Robert Vierra, Home Inspector -- RLV Home Inspections//DBA Win Home Inspection Monterey (unlicensed industry)

This Complaint details errors and omissions in "pre-sale" inspection reports completed for a Seller's Agent as part of an Organized Scheme to ready a home for sale at a price well above its market value.

On the eve of March 26, 2021, we received Inspection Reports done by these two inspectors. The following day we wrote a contract to purchase with consideration given to the information in the Reports. We had no ability to for-see or give consideration to the omissions. Several days later we took Title to the Property, at time of Contract Ratification, per clause 13B.

That is NOT an intuitive concept, but relevant, factual, and proper when understood properly. It also means the "fraudulent reports" and the right to pursue the "fraudulent acts" related to creating them transferred to us at that time too, with no need to pursue the Seller.

It was not the Seller's job to QC the reports of Professionals, although he might be found "negligent" if we went that route, or even involved in a Conspiracy, but chasing "doers" gets to the root of Fraud. We then closed Escrow 6 weeks later.

It's been a strange form of Hell since then, but we are working hard to change things for the better.



Screenshot - Carriaga Fraud Summary and Reference Documents

[Inspector-Complaints-2023](#)
[Home](#)
[SPCB](#)
[Bond Claims](#)
[Conspiracy? ▾](#)
[About](#)

Defect	Known value to Seller at time of Omission	Quotes to Rectify
Termite Inspector 1 - Crawl Space - Structural Omissions** - view	(\$4k+)	[\$4,358 // \$4,600]**
Termite Inspector 2 - 2nd floor Attic - Extreme Damage Omissions - view	(\$8k+)	[\$7,950 // \$8,500]
Termite Inspector 3 - Fascia - Damage Scope Omissions - view	(\$8k+)	[\$8,805 // \$7,450]
Total	(\$20k+)	[\$21,113 // \$20,550]

Other Exhibits

Termite Inspector 4 - "Partial" Report marked as "Complete". Funded by RE Agent - [view](#)

Termite Inspector 99a - Printable Exec Summary and Licensing Information - [view](#)

Termite Inspector 99b - Carriaga's full report" - [view](#)

TI 1 - Original Document with Exhibits before they were broken out into separate documents. (\$15k-18k+)

** -- LIABILITY NOTES - Financially, only the Crawl Space Damage is Full Responsibility for Carriaga / Wheeler Termite. Minor amount for Attic may or may not apply, but is not being pursued. Procedurally both omissions are relevant plus the "Complete Report" Notation. The Fascia damage is noted here because he marked it as damaged, but the report was delivered for consideration without any estimates for scope for consideration. If confusion and obfuscation was not a goal, it's unclear how it could have turned out so riddled with problems. ▾

Quotes to Rectify --- Details

Quotes - Pre-populated Docs for Quotes - [view](#)

Quotes - [Contractor 1](#) | [Contractor 2](#)

Quotes - View/Print Summary Spreadsheet

Total for Rectifying Defects -- \$20k to \$21k

Termite Inspector Omissions - Quotes to Correct

Termite Inspector Omissions	Quotes from Contractor 1	Quotes from Contractor 2
Termite Inspector 2 - Crawl Space - Structural Damage Omissions		
Main Post	\$2,423	\$2,800
End Post	\$1,935	\$1,800
Subtotal	\$4,358	\$4,600
Termite Inspector 3 - Attic - Extreme Damage		
Failed to note damage concerns	\$7,950	\$8,500
Subtotal	\$7,950	\$8,500
Termite Inspector 4 - Fascia Damage - Scope Omission		
Remove and Replace	\$8,805	\$7,450
Subtotal	\$8,805	\$7,450
Total	\$21,113	\$20,550

NOTE: Termite Inspector 2 -- a direct liability for the Inspector. Some type of penalties should also apply.
Termite Inspector 3 -- they may say was not within his scope BUT, some penalties should apply.
Termite Inspector 4 - they are claiming he had no obligation to provide estimates on a report marked as "Complete Report". This value was also included in Painter Concealment.