

**BEFORE THE COMMISSIONER OF AGRICULTURE  
STATE OF COLORADO**

**Proceeding Number AG001YVM**

**STIPULATION AND FINAL ORDER**

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**IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST THE NATIONAL  
MILL DOG RESCUE, A COLORADO NON-PROFIT CORPORATION ACTING BY  
AND THROUGH THERESA L. STRADER, PACFA LICENSE NUMBER: AG001YVM**  
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The Colorado Department of Agriculture (“Department”), by and through the Commissioner of Agriculture, State of Colorado (“Commissioner”), and The National Mill Dog Rescue, a corporation acting by and through Theresa L. Strader, (“Respondent”), in order to resolve the matters addressed herein concerning violations of the Pet Animal Care and Facilities Act (“PACFA”), sections 35-80-104, 35-80-107, and 35-80-108, C.R.S., and PACFA Rules 9, 18, 19 and 20, hereby agree and stipulate as follows:

1. The National Mill Dog Rescue is a Colorado corporation acting by and through Theresa L. Strader (“Respondent”).
2. Respondent is licensed by the Department as a pet animal care facility in accordance with §35-80-104, C.R.S., and holds license number AG001YZVM. The Department and the Commissioner have jurisdiction over Respondent pursuant to §35-80-109, C.R.S.
3. Pursuant to § 35-80-112, C.R.S., the Commissioner may deny, restrict, or revoke any PACFA license for established violations of PACFA, or any rule promulgated thereunder. Further, pursuant to §35-80-113, C.R.S., the Commissioner may seek civil penalties in an amount up to \$1,000.00 per established violation of PACFA or its rules and regulations.
4. On January 7, 2019, the Department received a consumer complaint against Respondent. On January 17, 2019 and February 5, 2019, the Department conducted an investigation into the complaint, which resulted in a May 8, 2019 failed inspection. On June 24, 2019, the Department issued Respondent a Notice of Disciplinary Proceedings.
5. The Respondent admits there is a factual basis for the Department’s June 24, 2019 Notice of Disciplinary Proceedings. The Respondent and the Department stipulate, and the Commissioner hereby finds as follows:
  - a. On August 7, 2018, NMDR transferred a dog named “Mookie” to their facility from outside the state without obtaining and maintaining the requisite certificate

of veterinary inspection (“CVI”). NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 18.3.

- b. On April 20, 2018, NMDR transferred a dog named “Lydia” to their facility from outside the state without obtaining and maintaining the requisite certificate of veterinary inspection (“CVI”). NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 18.3.
- c. On May 29, 2018, NMDR transferred a dog named “Ivy” to their facility from outside the state without obtaining and maintaining the requisite certificate of veterinary inspection (“CVI”). NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 18.3.
- d. On December 5, 2018, NMDR transferred a dog named “Juneau” and her puppies to their facility from outside the state without obtaining and maintaining a complete certificate of veterinary inspection (“CVI”). NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 18.3.
- e. In March 2018, NMDR transferred a dog named “Snowman” to their facility from outside the state without obtaining and maintaining the requisite certificate of veterinary inspection (“CVI”). NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 18.3.
- f. On May 29, 2018, NMDR transferred a dog named “Jethro” to their facility from outside the state without obtaining and maintaining the requisite certificate of veterinary inspection (“CVI”). NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 18.3.
- g. On April 22, 2018, NMDR transferred a dog named “Fonda” to their facility from outside the state without obtaining and maintaining the requisite certificate of veterinary inspection (“CVI”). NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 18.3.
- h. On January 17, 2019, NMDR failed to produce medical treatment records for a dog that received medical treatment while in its care. The dog, named “Shani,” was pregnant and received treatment for a broken leg while in the care of NMDR. NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 19.1 and 19.9.4.
- i. On January 17, 2019, NMDR failed to produce medical treatment records for a dog that received medical treatment while in its care. The dog, named “Oscar,” was severely injured in a dog fight while at the NMDR facility. NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 19.1 and 19.9.4.

- j. On January 17, 2019, NMDR failed to produce medical treatment records for a dog that received medical treatment while in its care. The dog, named “Jubilee,” was severely injured in a dog fight while at the NMDR facility. NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 19.1 and 19.9.4.
  - k. On January 19, 2019, NMDR failed to produce a complete acquisition record for a dog in its care named “Mindy.” The acquisition record lacked an address and phone number for the source of the dog, and listed an inaccurate date of transfer. NMDR acted in violation of section 35-80-108(1)(g), C.R.S., and PACFA Rules, 8 CCR 1202-15, Part 19.1.
  - l. In November 2017, NMDR failed to ensure a dog named “Iris” was housed in an enclosure separate from the opposite sex, and as a result, Iris was impregnated while in the care of the facility. This was a repeat violation from a March 2017 inspection. NMDR acted in violation of section §35-80-108(1)(g), C.R.S., and PACFA Rule 8 CCR 1202-15, Part 14.8.
  - m. In January 2019, NMDR transported animals from their facility to other pet animal care facilities without creating and maintaining the requisite manifest. NMDR acted in violation of section §35-80-108(1)(g), C.R.S., and PACFA Rule 8 CCR 1202-15, Part 20.13.
  - n. In January 2019, NMDR transported dogs and cats to other pet animal care facilities without the requisite pet transporter license. NMDR acted in violation of sections 35-80-104, C.R.S., 35-80-108(1)(a) and (1)(g), C.R.S., and PACFA Rule 8 CCR 1202-15, Part 1.9.10.
  - o. In license years 2017 and 2018, NMDR failed to submit the required annual report for facilities who conduct the activities of a Pet Transporter. NMDR acted in violation of section §35-80-108(1)(g), C.R.S., and PACFA Rule 8 CCR 1202-15, Part 5.
6. The Respondent and the Department agree, as a final disposition of the matter described above, to the following administrative sanctions and conditions:
- a. Respondent’s PACFA license shall be placed on probationary status for one calendar year. During that probationary period, PACFA will conduct regular inspections of Respondent’s facility. The inspections shall be unannounced. If, during the probationary period, Respondent fails an inspection, or otherwise violates the PACFA Act or PACFA Rules, Respondent shall surrender its PACFA license. Such surrender shall be treated as a revocation for purposes of §35-80-112(3), C.R.S. Respondent shall be given notice and an opportunity for a hearing, pursuant to article 4 of title 24, C.R.S., of any alleged inspection failures or violations of the PACFA Act or PACFA Rules.

- b. Respondent shall pay a civil penalty to the Department of fifteen thousand dollars (\$15,000.00). Of that penalty, \$7,000.00 is immediately due and payable, and the remaining \$8,000.00 shall be held in abeyance pending Respondent's successful completion of the one-year probationary period that will begin on the effective date of this Stipulation and Order. If Respondent does not commit any violation of the PACFA Act or the PACFA Rules, and does not fail any inspections during the probationary period, the \$8,000.00 stayed portion of the civil penalty shall be permanently vacated. If Respondent fails an inspection or violates a provision of the PACFA Act or PACFA Rules while on probation, the Department may request and the Commissioner shall order payment of the \$8,000.00. This sanction shall be in addition to Respondent's surrender of its PACFA license, and any other sanction imposed by the Commissioner for such violation. Respondent shall be given notice and an opportunity for a hearing, pursuant to article 4 of title 24, C.R.S., of any alleged inspection failures or violations of the PACFA Act or PACFA Rules.
7. The Department and Respondent agree that it is the intent and purpose of this Stipulation and Order to provide for the settlement of the allegations and charges in the June 24, 2019 Notice of Disciplinary Proceeding.
  8. Respondent understands and acknowledges its rights under the State Administrative Procedure Act, §§24-4-104 and 105, C.R.S., to request and receive a formal hearing on this matter and hereby voluntarily waives those rights and requests that this Stipulation and Order be accepted by the Commissioner with the same force and effect as an order entered after a formal administrative proceeding. Respondent waives the right to appear at such hearing, with or without counsel, the right to cross-examine the Department's witnesses, and the right to present evidence on its behalf. Respondent further waives the right to appeal the order entered herein.
  9. This Stipulation and Order is entered into by Respondent voluntarily, after opportunity to consult with an attorney, and with full understanding and acceptance of its legal consequences.
  10. Respondent warrants that it possesses the legal authority to enter into this Stipulation and that it has taken all actions required by procedures, by-laws or other applicable law to exercise that authority.
  11. This Stipulation and Order shall be effective and become an order of the Commissioner upon acceptance and signature by the Program Manager of the Pet Animal Care and Facilities Act, Inspection and Consumer Services Division, and the Commissioner or her designees.
  12. This Stipulation and Order is a public record in the possession of the Department and is subject to Colorado's Open Records laws.
  13. This Stipulation and Final Order consists of six (6) pages, including a signature page.

Theresa L. Strader

Theresa L. Strader  
For Respondent, National Mill Dog Rescue  
5335 JD Johnson Road  
Peyton, Colorado 80831

Dated: July 30, 2019

Nick Fisher

Nick Fisher, PACFA Program Manager  
Colorado Department of Agriculture  
Inspection & Consumer Services Division  
2331 West 31<sup>st</sup> Avenue  
Denver, Colorado 80211

Dated: 8-2, 2019

APPROVED AS TO FORM:

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**FINAL ORDER**

**BEFORE THE COLORADO DEPARTMENT OF AGRICULTURE**  
**IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST THE NATIONAL**  
**MILL DOG RESCUE, A COLORADO CORPORATION ACTING BY AND THROUGH**  
**THERESA L. STRADER, PACFA LICENSE NUMBER: AG001YVM**

After having reviewed the above Stipulation, I hereby adopt same as an Order.

DATED this 8<sup>th</sup> day of August 2019

  
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Commissioner, Colorado Department of Agriculture