

**BEFORE THE DIRECTOR
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF AUTOMOTIVE REPAIR
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**HAMILTON UNION SERVICE and
HOSSAIN ERFAN KHAZIRI, Owner**
337 E. Hamilton Avenue
Campbell, CA 95008-0206

Automotive Repair Dealer Reg. No.
ARD 148777
Smog Check Station License
No. RC 148777

JA MARE DEJHON PERRY
P. O. Box 111146
Campbell, CA 95011-1146

Smog Check Inspector License No.
EO 631117
Smog Check Repair Technician License No.
EI 631117 (formerly Advanced Emission
Specialist Technician Specialist License
No EA 63117)

Respondents.

Case No. 79/15-1

DECISION

The attached Stipulated Settlement and Disciplinary Order as to Respondent Hamilton Union Service and Hossain Erfan Khaziri is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter only as to respondent Hamilton Union Service, Hossain Erfan Khaziri, Automotive Repair Dealer Registration No. ARD 148777 and Smog Check Station License No. RC 148777; except that the following typographical error is corrected as follows:

Page 1, line 14: The name "Efran" is corrected to "Erfan."

The suspension Automotive Repair Dealer Registration No. ARD 148777 and Smog Check Station License No. RC 148777, issued to Respondent Hamilton, shall commence on the effective date of this Decision.

This Decision shall become effective July 1, 2015.

DATED: June 26, 2015



TAMARA COLSON
Assistant General Counsel
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SHANA A. BAGLEY
Deputy Attorney General
4 State Bar No. 169423
1515 Clay Street, 20th Floor
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 79/15-1

13 **HAMILTON UNION SERVICE and**
HOSSAIN ERFAN KHAZIRI, Owner
14 **337 E. Hamilton Avenue**
Campbell, CA 95008-0206

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO
RESPONDENT HAMILTON UNION
SERVICE AND HOSSAIN EFRAN
KHAZIRI

15 **Automotive Repair Dealer Registration No.**
ARD 148777
16 **Smog Check Station License No. RC 148777**

17 **JA MARE DEJHON PERRY**
18 **P.O. Box 111146**
Campbell, CA 95011-1146

19 **Smog Check Inspector License No. EO**
20 **631117**
Smog Check Repair Technician License EI
21 **631117,**
(formerly Advanced Emission Specialist
22 **Technician License No. EA 631117)**

23 Respondents.

24
25 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
26 entitled proceedings that the following matters are true:

27 *///*

1 **PARTIES**

2 1. Patrick Dorais ("Complainant") is the Chief of the Bureau of Automotive Repair. He
3 brought this action solely in his official capacity and is represented in this matter by Kamala D.
4 Harris, Attorney General of the State of California, by Shana A. Bagley, Deputy Attorney
5 General.

6 2. Respondent Hamilton Union Service and Hossain Erfan Khaziri, Owner (Respondent
7 Hamilton) is represented in this proceeding by attorney Kirk W. Elliott, Esq., whose address is:
8 Roberts & Elliott, LLP, 150 Almaden Boulevard, Suite 950, San Jose, CA 95113.

9 3. On or about August 16, 1989, the Bureau of Automotive Repair issued Automotive
10 Repair Dealer Registration No. ARD 148777 to Respondent Hamilton. The Automotive Repair
11 Dealer Registration was in full force and effect at all times relevant to the charges brought in
12 Accusation No. 79/15-1 and will expire on August 31, 2015, unless renewed.

13 4. On or about September 12, 1989, the Bureau of Automotive Repair issued Smog
14 Check Station License No. RC 148777 to Respondent Hamilton. The Smog Check Station
15 License was in full force and effect at all times relevant to the charges brought in Accusation No.
16 79/15-1 and will expire on August 31, 2015, unless renewed.

17 **JURISDICTION**

18 5. Accusation No. 79/15-1 was filed before the Director of Consumer Affairs (Director),
19 for the Bureau of Automotive Repair (Bureau), and is currently pending against Respondent. The
20 Accusation and all other statutorily required documents were properly served on Respondent on
21 August 4, 2014. Respondent timely filed his Notice of Defense contesting the Accusation.

22 6. A copy of Accusation No. 79/15-1 is attached as exhibit "A" and incorporated by
23 reference.

24 **ADVISEMENT AND WAIVERS**

25 7. Respondent has carefully read, fully discussed with counsel, and understands the
26 charges and allegations in Accusation No. 79/15-1. Respondent has also carefully read, fully
27 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
28 Order.

1 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
2 copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format
3 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

4 14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
5 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
6 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
7 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
8 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
9 writing executed by an authorized representative of each of the parties.

10 15. In consideration of the foregoing admissions and stipulations, the parties agree that
11 the Director may, without further notice or formal proceeding, issue and enter the following
12 Disciplinary Order:

13 **DISCIPLINARY ORDER**

14 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 148777
15 and Smog Check Station License No. RC 148777 to Respondent Hamilton Union Service and
16 Hossain Erfan Khaziri, Owner, is revoked. However, the revocation is stayed and Respondent is
17 placed on probation for three years on the following terms and conditions.

18 1. **Actual Suspension.** Automotive Repair Dealer Registration No. ARD 148777 and
19 Smog Check Station License No. RC 148777 issued to Respondent Hamilton is suspended for
20 three days.

21 2. **Obey All Laws.** Comply with all statutes, regulations and rules governing
22 automotive inspections, estimates and repairs.

23 3. **Post Sign.** Post a prominent sign, provided by the Bureau, indicating the beginning
24 and ending dates of the suspension and indicating the reason for the suspension. The sign shall be
25 conspicuously displayed in a location open to and frequented by customers and shall remain
26 posted during the entire period of actual suspension.

27 4. **Reporting.** Respondent or Respondent's authorized representative must report in
28 person or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the

1 Bureau, but no more frequently than each quarter, on the methods used and success achieved in
2 maintaining compliance with the terms and conditions of probation.

3 5. **Report Financial Interest.** Within 30 days of the effective date of this action, report
4 any financial interest which any partners, officers, or owners of the Respondent facility may have
5 in any other business required to be registered pursuant to Section 9884.6 of the Business and
6 Professions Code.

7 6. **Random Inspections.** Provide Bureau representatives unrestricted access to inspect
8 all vehicles (including parts) undergoing repairs, up to and including the point of completion.

9 7. **Jurisdiction.** If an accusation is filed against Respondent during the term of
10 probation, the Director of Consumer Affairs shall have continuing jurisdiction over this matter
11 until the final decision on the accusation, and the period of probation shall be extended until such
12 decision.

13 8. **Violation of Probation.** Should the Director of Consumer Affairs determine that
14 Respondent has failed to comply with the terms and conditions of probation, the Department may,
15 after giving notice and opportunity to be heard, temporarily or permanently invalidate the
16 registration and suspend or revoke the smog check station license.

17 9. **False and Misleading Advertising.** If the accusation involves false and misleading
18 advertising, during the period of probation, Respondent shall submit any proposed advertising
19 copy, whether revised or new, to the Bureau at least 30 days prior to its use.

20 10. **Restrictions.** During the period of probation, Respondent shall not perform any form
21 of smog inspection, or emission system diagnosis or repair, until Respondent has purchased,
22 installed, and maintained the diagnostic and repair equipment prescribed by BAR necessary to
23 properly perform such work, and BAR has been given 10 days notice of the availability of the
24 equipment for inspection by a BAR representative.

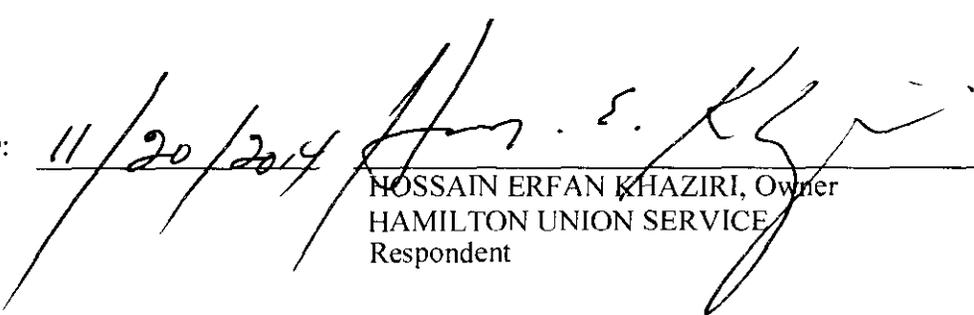
25 11. **Cost Recovery.** Respondent Hamilton shall pay \$4,000.00 to the Bureau, pursuant to
26 Business and Professions Code section 125.3, 50% of the costs of investigation and enforcement.
27 Payment to the Bureau of the full amount of cost recovery shall be received within 30 days of the
28 effective date of the decision. Failure to complete payment of cost recovery within this time

1 frame shall constitute a violation of probation that may subject Respondent's license and
2 registration to outright revocation; however, the Director or the Director's Bureau of Automotive
3 Repair designee may elect to continue probation until such time as reimbursement of the entire
4 cost recovery amount has been made to the Bureau.

5 **ACCEPTANCE**

6 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
7 discussed it with my attorney, Kirk W. Elliott, Esq. I understand the stipulation and the effect it
8 will have on my Automotive Repair Dealer Registration and Smog Check Station License. I
9 enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and
10 intelligently, and agree to be bound by the Decision and Order of the Director of Consumer
11 Affairs.

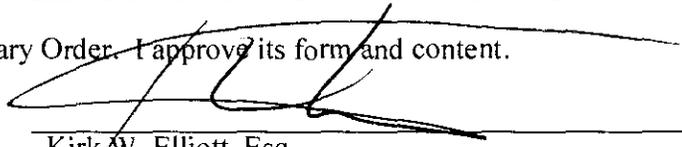
12
13 DATED: 11/20/2014



HOSSAIN ERFAN KHAZIRI, Owner
HAMILTON UNION SERVICE
Respondent

16
17 I have read and fully discussed with Respondent Hamilton Union Service and Hossain
18 Erfan Khaziri, Owner, the terms and conditions and other matters contained in the above
19 Stipulated Settlement and Disciplinary Order. I approve its form and content.

20 DATED: 11/24/14



Kirk W. Elliott, Esq.
Attorney for Respondent

21
22 **ENDORSEMENT**

23 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
24 submitted for consideration by the Director of Consumer Affairs

Dated: 8 NOV 2014

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General

SHANA A. BAGLEY
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 79/15-1

1 KAMALA D. HARRIS
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2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SHANA A. BAGLEY
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7 *Attorneys for Complainant*

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14 **HOSSAIN ERFAN KHAZIRI, Owner**
337 E. Hamilton Avenue
Campbell, CA 95008-0206

ACCUSATION

15 **Automotive Repair Dealer Registration No.**
16 **ARD 148777**
Smog Check Station License No. RC 148777

17 **JA MARE DEJHON PERRY**
18 **P.O. Box 111146**
19 **Campbell, CA 95011-1146**

20 **Smog Check Inspector License No. EO**
21 **631117**
22 **Smog Check Repair Technician License EI**
23 **631117,**
(formerly Advanced Emission Specialist
Technician License No. EA 631117)

24 Respondents.

25
26 ///
27 ///
28 ///

1 Complainant alleges:

2 PARTIES

3 1. Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as
4 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs.

5 **Respondent Hamilton**

6 2. On or about August 16, 1989, the Bureau of Automotive Repair issued Automotive
7 Repair Dealer Registration Number ARD 148777 to Hamilton Union Service and Hossain Erfan
8 Khaziri, Owner (Respondent Hamilton). The Automotive Repair Dealer Registration was in full
9 force and effect at all times relevant to the charges brought in this Accusation and will expire on
10 August 31, 2014, unless renewed.

11 3. On or about September 12, 1989, the Bureau of Automotive Repair issued Smog
12 Check Station License Number RC 148777 to Respondent Hamilton. The Smog Check Station
13 License was in full force and effect at all times relevant to the charges brought in this Accusation
14 and will expire on August 31, 2014, unless renewed.

15 **Respondent Perry**

16 4. On or about June 22, 2009, the Director issued Advanced Emission Specialist
17 Technician License Number EA 631117 to Ja Mare Dejhon Perry (Respondent Perry).
18 Respondent Perry's advanced emission specialist technician license was due to expire on August
19 31, 2013. Pursuant to California Code of Regulations, title 16, section 3340.28, subdivision (e),
20 said license was renewed, pursuant to Respondent Perry's election, as Smog Check Inspector
21 License No. EO 631117, and Smog Check Repair Technician License No. EI 631117, effective
22 August 6, 2013.¹ Respondent's smog check inspector license and smog check repair technician
23 license will expire on August 31, 2015, unless renewed.

24

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26 ¹ Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,
27 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced
28 Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog
Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

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JURISDICTION

5. The Director of Consumer Affairs (Director) for the Bureau of Automotive Repair, brings this Accusation under the authority of the following laws. All sections references are to the Business and Professions Code (Code) unless otherwise indicated.

6. Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued, or reinstated.

7. Code Section 9884.13 provides, in part, that the expiration of a valid registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary proceeding against an automotive repair dealer or to render a decision invalidating a registration temporarily or permanently.

8. Health and Safety Code Section 44002 provides, in part, that the Director has all the powers and authority granted under the Automotive Repair Act for enforcing the Motor Vehicle Inspection Program.

9. Health and Safety Code Section 44072.6 provides, in part, that the expiration or suspension of a license by operation of law, or by order or decision of the Director of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director of jurisdiction to proceed with disciplinary action.

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STATUTORY PROVISIONS

10. Code Section 477 provides, in part, that "Board" includes "bureau," "commission," "committee," "department," "division," "examining committee," "program," and "agency." "License" includes certificate, registration or other means to engage in a business or profession regulated by the Code.

11. Code Section 9884.7 states:

(a) The director, where the automotive repair dealer cannot show there was a bona fide error, may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the

1 automotive repair dealer or any automotive technician, employee, partner, officer, or
2 member of the automotive repair dealer.

3 (1) Making or authorizing in any manner or by any means whatever any
4 statement written or oral which is untrue or misleading, and which is known, or which
5 by the exercise of reasonable care should be known, to be untrue or misleading.

6 ...

7 (4) Any other conduct that constitutes fraud.

8 ...

9 (6) Failure in any material respect to comply with the provisions of this chapter
10 or regulations adopted pursuant to it.

11 ...

12 (c) Notwithstanding subdivision (b), the director may suspend, revoke, or place
13 on probation the registration for all places of business operated in this state by an
14 automotive repair dealer upon a finding that the automotive repair dealer has, or is,
15 engaged in a course of repeated and willful violations of this chapter, or regulations
16 adopted pursuant to it.

17 12. Health and Safety Code Section 44012 states, in part:

18 The test at the smog check stations shall be performed in accordance with
19 procedures prescribed by the department, pursuant to Section 44013, shall require, at
20 a minimum, loaded mode dynamometer testing in enhanced areas, and two-speed
21 testing in all other program areas, and shall ensure all of the following:

22 ...

23 (f) A visual or functional check is made of emission control devices specified
24 by the department, including the catalytic converter in those instances in which the
25 department determines it to be necessary to meet the findings of Section 44001. The
26 visual or functional check shall be performed in accordance with procedures
27 prescribed by the department.

28 13. Health and Safety Code Section 44015, subdivision (b), states that "[i]f a vehicle
meets the requirements of Section 44012, a smog check station licensed to issue certificates shall
issue a certificate of compliance or a certificate of noncompliance."

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14. Health and Safety Code section 44032 states:

No person shall perform, for compensation, tests or repairs of emission control devices or systems of motor vehicles required by this chapter unless the person performing the test or repair is a qualified smog check technician and the test or repair is performed at a licensed smog check station. Qualified technicians shall perform tests of emission control devices and systems in accordance with Section 44012.

15. Health and Safety Code Section 44072.2 states, in part:

The director may suspend, revoke, or take other disciplinary action against a license as provided in this article if the licensee, or any partner, officer, or director thereof, does any of the following:

(a) Violates any section of this chapter [the Motor Vehicle Inspection Program (Health and Saf. Code, § 44000, et seq.)] and the regulations adopted pursuant to it, which related to the licensed activities.

...

(c) Violates any of the regulations adopted by the director pursuant to this chapter.

(d) Commits any act involving dishonesty, fraud, or deceit whereby another is injured.

...

(h) Violates or attempts to violate the provisions of this chapter relating to the particular activity for which he or she is licensed.

16. Health and Safety Code section 44072.8 states:

When a license has been revoked or suspended following a hearing under this article, any additional license issued under this chapter in the name of the licensee may be likewise revoked or suspended by the director.

17. Health and Safety Code section 44072.10, subdivision (c), states, in part:

The department shall revoke the license of any smog check technician or station licensee who fraudulently certifies vehicles or participates in the fraudulent inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of the following:

1 (1) Clean piping, as defined by the department.
2

3 (4) Intentional or willful violation of this chapter or any regulation, standard, or
4 procedure of the department implementing this chapter.

5 **REGULATORY PROVISIONS**

6 18. California Code of Regulations, title 16, section 3340.1 states, in part:

7 "Clean piping," for the purposes of Health and Safety Code section
8 44072.10(c)(1), means the use of a substitute exhaust emissions sample in place of the
9 actual test vehicle's exhaust in order to cause the EIS to issue a certificate of
10 compliance for the test vehicle.

11 19. California Code of Regulations, title 16, section 3340.30 states, in part:

12 A smog check technician shall comply with the following requirements at all
13 times while licensed.

14 (a) A licensed technician shall inspect, test and repair vehicles in accordance
15 with section 44012 of the Health and Safety Code, section 44035 of the Health and
16 Safety Code, and section 3340.42 of this article.

17 20. California Code of Regulations, title 16, section 3340.35, subdivision (c), states, in
18 part:

19 A licensed station shall issue a certificate of compliance or noncompliance to
20 the owner or operator of any vehicle that has been inspected in accordance with the
21 procedures specified in section 3340.42 of this article and has all the required
22 emission control equipment and devices installed and functioning correctly.

23 21. California Code of Regulations, title 16, section 3340.41, subdivision (c), states:

24 No person shall enter into the emissions inspection system any vehicle
25 identification information or emission control system identification data for any
26 vehicle other than the one being tested. Nor shall any person knowingly enter into the
27 emissions inspection system any false information about the vehicle being tested.

28 22. California Code of Regulations, title 16, section 3340.42, states, in part:

Smog check stations and smog check technicians shall conduct tests and
inspections in accordance with the bureau's BAR-97 Emissions Inspection System
Specifications referenced in subsections (a) and (b) of Section 3340.17

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1 23. California Code of Regulations, title 16, section 3371, states, in part:

2 No dealer shall publish, utter, or make or cause to be published, uttered, or
3 made any false or misleading statement or advertisement which is known to be false
4 or misleading, or which by the exercise of reasonable care should be known to be
false or misleading.

5 **COST RECOVERY**

6 24. Code section 125.3 provides, in part, that a Board may request the administrative law
7 judge to direct a licentiate found to have committed a violation or violations of the licensing act to
8 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

9 **CLEAN PIPING ACTIVITIES**

10 25. On or about August 7, 2013, a 2005 Nissan 350Z, California license number
11 6MTV972, failed a smog inspection at a smog facility in Manteca, California. On or about
12 August 8, 2013, Respondent Perry, as an employee of Respondent Hamilton, entered data in to a
13 BAR-97 analyzer/Emissions Inspection System (EIS), under oath, attesting that he conducted a
14 smog inspection on the 2005 Nissan. Respondent Hamilton issued a certificate of compliance for
15 the 2005 Nissan. The August 8, 2013, inspection indicated that the odometer reading of the 2005
16 Nissan had two more miles added to it since the smog inspection the prior day in a city
17 approximately 75 miles away. On or about August 10, 2013, EV² purchased the 2005 Nissan
18 from a private party. On or about August 11, 2013, EV discovered that the 2005 Nissan's
19 catalytic converters were defective, so it should not have passed a proper smog inspection. EV
20 filed a complaint with the Bureau regarding the improper smog inspection by Respondent
21 Hamilton's facility.

22 26. On or about September 12, 2013, Respondent Perry admitted to Bureau investigators
23 that during smog inspections at Respondent Hamilton's facility, he used clean piping methods and
24 issued fraudulent certificates of compliance for six cars, as follows:

25
26 ///

27 _____
28 ² To maintain privacy, this Accusation identifies the complaining witness by letters.

Date/Time of Inspection	Vehicle Identification	Certificate Number
August 8, 2013, between 1931 and 1942 hours	2005 Nissan 350Z, CA license no. 6MTV972	OY454377
August 8, 2013, between 1948 and 1956 hours	1993 Mazda RX7, CA license no. 6GCE270	OY454378
August 11, 2013, between 1847 and 1854 hours	1997 BMW 3-series, WA license no. AHF6108	OY454390
August 11, 2013, between 1933 and 2023 hours	1984 Chevrolet G30 van, CA license no. 2LYT076	OY454391
August 12, 2013, between 1859 and 1914 hours	1993 Honda Civic, CA license no. 6SRH009	OY454398
August 23, 2013, between 1900 and 1912 hours	1990 Mazda RX7, CA license no. 6LQF701	OY727802

27. Respondent Perry admitted that as to the six cars listed, above, he received text messages from people requesting an illegal smog certificate. Each time, he manually entered the car's information into the EIS but used a different car to complete and pass the smog inspection. The six cars listed on the certificates of compliance were not present at the shop during the inspection. Respondent Perry provided each Vehicle Inspection Report in exchange for \$75.00 to \$100.00.

FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

28. Respondent Hamilton's registration is subject to discipline because it made statements which it knew or which by exercise of reasonable care it should have known were untrue or misleading when it issued six electronic certificates of compliance certifying that the cars complied with applicable laws and regulations when, in fact, they should not have passed inspection, were not physically present during the inspection, and were not inspected as required. (Bus. & Prof. Code, § 9884.7, subd. (a)(1).) The underlying circumstances are set forth more particularly in paragraphs 25 through 27, above.

1 39. The underlying circumstances are set forth more particularly in paragraphs 25 through
2 27, above.

3 **EIGHTH CAUSE FOR DISCIPLINE**

4 **(Fraud)**

5 40. Respondent Perry's inspector and technician licenses are subject to discipline because
6 he committed dishonest, fraudulent, or deceitful acts whereby another is injured by issuing
7 electronic smog certificates of compliance for the six cars identified in paragraph 26, above,
8 without performing bona fide inspections of the emission control devices and systems on those
9 cars, thereby depriving the People of the State of California of the protection afforded by the
10 Motor Vehicle Inspection Program. (Health & Saf. Code, § 44072.2, subd. (d).)

11 41. The underlying circumstances are set forth more particularly in paragraphs 25 through
12 27, above.

13 **DISCIPLINARY CONSIDERATIONS**

14 42. To determine the degree of discipline, if any, to be imposed on Respondent Hamilton,
15 Complainant alleges that on or about March 29, 2000, in a prior action, the Bureau of Automotive
16 Repair issued Citation Number C00-0284 and ordered Respondent to pay a civil penalty of
17 \$250.00. The citation fine was paid on April 24, 2000. The citation is now final and is
18 incorporated by reference as if fully set forth.

19 43. To determine the degree of discipline, if any, to be imposed on Respondent Hamilton,
20 Complainant alleges that on or about March 3, 2008, in a prior action, the Bureau of Automotive
21 Repair issued Citation Number C08-0733 and ordered Respondent Hamilton to pay a civil penalty
22 of \$500.00. The citation fine was paid on March 23, 2009. The citation is now final and is
23 incorporated by reference as if fully set forth.

24 44. To determine the degree of discipline, if any, to be imposed on Respondent Hamilton,
25 Complainant alleges that on or about August 5, 2013, in a prior action, the Bureau of Automotive
26 Repair issued Citation Number C2014-0086 and ordered Respondent Hamilton to pay a civil
27 penalty of \$1,000.00. The citation fine was paid on September 19, 2013. The citation is now
28 final and is incorporated by reference as if fully set forth.

- 1 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
- 2 and Safety Code in the name of Hamilton Union Service;
- 3 5. Revoking or suspending Smog Check Inspector License No. EO 631117 and Smog
- 4 Check Repair Technician License No. EI 631117 issued to Ja Mare Dejhon Perry;
- 5 6. Revoking or suspending any additional license issued under Chapter 5 of the Health
- 6 and Safety Code in the name of Ja Mare Dejhon Perry;
- 7 7. Ordering Hamilton Union Service, Hossain Erfan Khaziri, and Ja Mare Dejhon Perry
- 8 to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement
- 9 of this case, pursuant to Business and Professions Code section 125.3; and
- 10 8. Taking such other and further action as deemed necessary and proper.

11
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13 DATED: July 3, 2014



PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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