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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. 77/11-36

13 **DEANS BODY SHOP**  
14 **40140 Enterprise Drive**  
15 **Oakhurst, CA 93644**  
16 **LORI ANN LAGOW, OWNER**  
17 **Automotive Repair Dealer Registration No.**  
18 **ARD 181482**

**A C C U S A T I O N**

Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Sherry Mehl ("Complainant") brings this Accusation solely in her official capacity as  
21 the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

22 **Automotive Repair Dealer Registration**

23 2. On a date uncertain in 1994, the Bureau issued Automotive Repair Dealer  
24 Registration Number ARD 181482 ("registration") to Lori Ann Lagow ("Respondent"), doing  
25 business as Deans Body Shop. The registration expired on December 31, 2010, and has not been  
26 renewed.

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1 JURISDICTION

2 3. Business and Professions Code ("Code") section 9884.7 provides that the Director  
3 may revoke an automotive repair dealer registration.

4 4. Code section 9884.13 provides, in pertinent part, that the expiration of a valid  
5 registration shall not deprive the Director of jurisdiction to proceed with a disciplinary proceeding  
6 against an automotive repair dealer or to render a decision temporarily or permanently  
7 invalidating (suspending or revoking) a registration.

8 STATUTORY PROVISIONS

9 5. Code section 9884.7 states, in pertinent part:

10 (a) The director, where the automotive repair dealer cannot show there  
11 was a bona fide error, may deny, suspend, revoke, or place on probation the  
12 registration of an automotive repair dealer for any of the following acts or omissions  
13 related to the conduct of the business of the automotive repair dealer, which are done  
14 by the automotive repair dealer or any automotive technician, employee, partner,  
15 officer, or member of the automotive repair dealer.

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

19 (4) Any other conduct that constitutes fraud.

20 (b) Except as provided for in subdivision (c), if an automotive repair  
21 dealer operates more than one place of business in this state, the director pursuant to  
22 subdivision (a) shall only suspend, revoke, or place on probation the registration of  
23 the specific place of business which has violated any of the provisions of this chapter.  
24 This violation, or action by the director, shall not affect in any manner the right of the  
25 automotive repair dealer to operate his or her other places of business.

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

6. Code section 22, subdivision (a), states:

"Board" as used in any provision of this Code, refers to the board in  
which the administration of the provision is vested, and unless otherwise expressly  
provided, shall include "bureau," "commission," "committee," "department,"  
"division," "examining committee," "program," and "agency."

7. Code section 477, subdivision (b), states, in pertinent part, that a "license" includes  
"registration" and "certificate."

1 **COST RECOVERY**

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

6 **CONSUMER COMPLAINT (TUTTLE)**

7 9. On or about August 12, 2009, a representative from 21st Century Insurance Company  
8 inspected a 2004 GMC Denali, owned by David Allen Tuttle ("consumer"), following a collision.  
9 The consumer drove the vehicle to Respondent's facility for collision repairs. The consumer  
10 understood that his vehicle would be repaired pursuant to the estimate and/or any supplemental  
11 estimates prepared by 21st Century Insurance Company. The repairs to the vehicle were  
12 completed in or about December 2009. The consumer was not satisfied with the repairs  
13 Respondent performed on his vehicle. The problems with the vehicle included a poorly fitting  
14 left front door and paint that was cracking on the front bumper, which were not resolved by  
15 Respondent.

16 10. On or about September 1, 2010, the consumer filed a complaint with the Bureau and  
17 on or about October 20, 2010, a Bureau representative drove to Respondent's facility; however,  
18 the business was closed. The Bureau then drove to the consumer's residence and inspected the  
19 vehicle using the Supplemental of Record 5 with Summary dated February 12, 2010, as a  
20 reference. That inspection revealed the following repairs, including labor that had not been  
21 performed correctly or had not been performed at all:

- 22 a. The Bureau was able to verify that the left front door did not fit correctly and that the  
23 paint on the front bumper was cracking.
- 24 b. Respondent failed to overhaul the front bumper.
- 25 c. Respondent failed to replace the left front upper and lower door hinges.
- 26 d. Respondent failed to replace the left rear view mirror.
- 27 e. Respondent failed to weld the left front door hinges.

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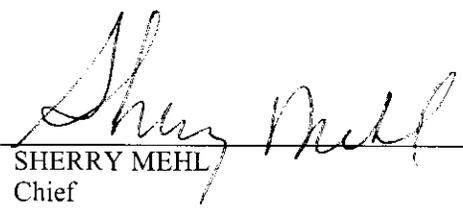


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3. Ordering Lori Ann Lagow to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

4. Taking such other and further action as deemed necessary and proper.

DATED: 12/9/11



SHERRY MEHL  
Chief  
Bureau of Automotive Repair  
Department of Consumer Affairs  
State of California  
*Complainant*

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