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

11  
12 In the Matter of the Petition to Revoke  
Probation Against:

Case No. 77/15-42

13  
14 **SAN DIEGO TOP TUNE**  
**BASSAM S. RADWAN, OWNER**  
15 **6982 University Avenue**  
**La Mesa, CA 91941**

**PETITION TO REVOKE PROBATION**

16 **Automotive Repair Dealer Registration**  
17 **No. ARD 205624**

18 Respondents.

19  
20 Complainant alleges:

21 **PARTIES**

22 1. Patrick Dorais (Complainant) brings this Petition to Revoke Probation solely in his  
23 official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer  
24 Affairs.

25 2. In 1999, the Bureau of Automotive Repair issued Automotive Repair Dealer  
26 Registration Number ARD 205624 to Bassam S. Radwan, doing business as San Diego Top Tune  
27 (Respondent). The Automotive Repair Dealer Registration was in effect at all times relevant to  
28 the charges brought herein and will expire on June 30, 2015, unless renewed.



1 **CAUSE TO REVOKE PROBATION**

2 **(Cost Recovery)**

3 9. At all times after the effective date of Respondent's probation, Condition 9 stated:

4 Respondent shall pay the BAR, \$13,054.06, jointly and severally with co-  
5 Respondent Michael Wayne Jennings, for investigation and enforcement costs in 24  
6 monthly installments of \$544.00 each, with the first payment due not later than 30  
7 days after the effective date of this Order and the final payment due 12 months prior  
8 to the end of the probationary term, i.e., not later than the 24th month of probation.  
9 Full payment to the BAR of this amount shall be received no later than 12 months  
before probation terminates. Failure to complete payment of cost recovery within this  
time frame shall constitute a violation of probation which may subject Respondent's  
registration to outright revocation; however, the Director's BAR designee may elect  
to continue probation until such time as reimbursement of the entire cost recovery  
amount has been made to the BAR.

10 10. Respondent's probation is subject to revocation because he failed to comply with  
11 Probation Condition 9, referenced above. Respondent was directed to make twenty-four equal  
12 monthly installments of \$544.00 each, with the first payment due no later than August 24, 2014.  
13 Respondent made one payment on September 30, 2014, in the amount of \$1,070.00, and one  
14 payment on October 21, 2014, in the amount of \$550.00. Respondent has not made any further  
15 payments towards cost recovery. The outstanding balance is \$11,434.06.

16 **PRAYER**

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
18 and that following the hearing, the Director of Consumer Affairs issue a decision:

19 1. Revoking the probation that was granted by the Bureau of Automotive Repair in Case  
20 No. 79/14-122 and imposing the disciplinary order that was stayed thereby revoking Automotive  
21 Repair Dealer Registration No. ARD 205624 issued to Bassam S. Radwan, doing business as San  
22 Diego Top Tune;

23 2. Revoking or suspending Automotive Repair Dealer Registration No. ARD 205624,  
24 issued to Bassam S. Radwan, doing business as San Diego Top Tune;

25 3. Ordering Respondent to pay the outstanding balance of the cost recovery in the  
26 amount of \$11,434.06;

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

DATED: March 19, 2015 Patrick Dorais

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

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# **Exhibit A**

**Decision and Order**

**Bureau of Automotive Repair Case No. 79/14-122**