

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

In the Matter of the Accusation Against:

G C TRANSMISSION
GUILLERMO COLONDRES ROSADO
493 E. 6th Street, Suite A
Tracy, California 95376

Automotive Repair Dealer Registration
No. ARD 219883

Respondent.

Case No. 77/10-45

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter.

This Decision shall become effective

August 24, 2011

DATED: July 19, 2011


DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 STERLING A. SMITH
Deputy Attorney General
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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. 77/10-45

13 **G C TRANSMISSION; GUILLERMO**
14 **COLONDRES ROSADO**
15 **493 E. 6th Street, Suite A**
16 **Tracy, California 95376**
17 **Automotive Repair Dealer Registration No.**
18 **ARD 219883**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

Respondent.

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 PARTIES

22 1. Sherry Mehl (Complainant) is the Chief of the Bureau of Automotive Repair. She
23 brought this action solely in her official capacity and is represented in this matter by Kamala D.
24 Harris, Attorney General of the State of California, by Sterling A. Smith, Deputy Attorney
25 General.

26 2. Respondent G C Transmission; Guillermo Colondres Rosado (Respondent) is
27 representing himself in this proceeding and has chosen not to exercise his right to be represented
28 by counsel.

1 DISCIPLINARY ORDER

2 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 219883
3 issued to Respondent Guillermo Colondres doing business as GC Transmission (Respondent) is
4 revoked. However, the revocation is stayed and Respondent is placed on probation for three (3)
5 years on the following terms and conditions.

6 1. **Obey All Laws.** Comply with all statutes, regulations and rules governing
7 automotive inspections, estimates and repairs, including but not limited to maintaining a current,
8 valid Automotive Repair Dealer Registration at all times.

9 2. **Reporting.** Respondent or Respondent's authorized representative must report in
10 person or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the
11 Bureau, but no more frequently than each quarter, on the methods used and success achieved in
12 maintaining compliance with the terms and conditions of probation.

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

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

19 5. **Jurisdiction.** If an accusation is filed against Respondent during the term of
20 probation, the Director of Consumer Affairs shall have continuing jurisdiction over this matter
21 until the final decision on the accusation, and the period of probation shall be extended until such
22 decision.

23 6. **Violation of Probation.** Should the Director of Consumer Affairs determine that
24 Respondent has failed to comply with the terms and conditions of probation, the Department may,
25 after giving notice and opportunity to be heard, suspend or revoke Respondent's Automobile
26 Repair Dealer Registration.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED: 6-20-11 Guillermo Colondres Rosado
GUILLERMO COLONDRES ROSADO dba GC
TRANSMISSION
Respondent

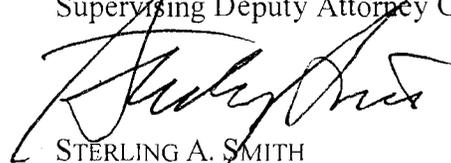
ENDORSEMENT

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

Dated: June 22, 2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
ARTHUR D. TAGGART
Supervising Deputy Attorney General



STERLING A. SMITH
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 77/10-45

1 KAMALA D. HARRIS
Attorney General of California
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9 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
STATE OF CALIFORNIA

11
12 In the Matter of the Accusation Against:

Case No. 77110-45

13 **GUILLERMO COLONDRES ROSADO**
dba G C TRANSMISSION
14 493 E. 6th Street, Suite A
Tracy, California 95376
15
16 **Automotive Repair Dealer Registration No.**
ARD 219883

A C C U S A T I O N

17 Respondent.

18
19 Sherry Mehl ("Complainant") alleges:

20 **PARTIES**

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

23 2. In 2002, the Bureau issued Automotive Repair Dealer Registration Number ARD
24 219883 to Guillermo Colondres Rosado ("Respondent"), doing business as G C Transmission.
25 The registration was delinquent between January 31, 2003, and April 17, 2003; January 31, 2004,
26 and April 21, 2004; January 31, 2006, and April 20, 2006; and January 31, 2008, and May 19,
27 2008. On February 14, 2011, the license was renewed and will expire on January 31, 2012,
28 unless renewed.

1 STATUTORY PROVISIONS

2 3. Section 9884.7 of the Business and Professions Code ("Code") states, in pertinent
3 part:

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

10 (6) Failure in any material respect to comply with the provisions of this
11 chapter [the Automotive Repair Act (Bus. & Prof. Code, § 9880, et seq.)] or
12 regulations adopted pursuant to it.

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

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

24 4. Code section 9884.6(a) states:

25 "It is unlawful for any person to be an automotive repair dealer unless that person has
26 registered in accordance with this chapter and unless that registration is currently valid."

27 5. Code section 9884.8 states:

28 All work done by an automotive repair dealer, including all warranty work,
shall be recorded on an invoice and shall describe all service work done and parts
supplied. Service work and parts shall be listed separately on the invoice, which shall
also state separately the subtotal prices for service work and for parts, not including
sales tax, and shall state separately the sales tax, if any, applicable to each. If any
used, rebuilt, or reconditioned parts are supplied, the invoice shall clearly state that
fact. If a part of a component system is composed of new and used, rebuilt or
reconditioned parts, that invoice shall clearly state that fact. The invoice shall include
a statement indicating whether any crash parts are original equipment manufacturer
crash parts or nonoriginal equipment manufacturer aftermarket crash parts. One copy
of the invoice shall be given to the customer and one copy shall be retained by the
automotive repair dealer.

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