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

12 In the Matter of the Accusation Against:

13 **CYPRESS UNION 76,**  
14 **MUSA S. SAMAWI, OWNER**  
15 **4002 Ball Road**  
**Cypress, CA 90630**

16 **Automotive Repair Dealer Registration No. ARD 227419**  
**Smog Check-Test Only Station License No. TC 227419**

17 Respondent.

Case No. 79/15-51

**ACCUSATION**

(SMOG CHECK)

18  
19 Complainant alleges:

20 **PARTIES**

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

23 **Automotive Repair Dealer Registration**

24 2. On June 2, 2003, the Bureau of Automotive Repair issued Automotive Repair  
25 Dealer Registration Number ARD 227419 to Musa S. Samawi (Respondent), Owner of Cypress  
26 Union 76. The Automotive Repair Dealer Registration was due to expire on April 30, 2012,  
27 however, was cancelled on October 26, 2011.

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1 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
2 and enforcement of the case, with failure of the licentiate to comply subjecting the license to not  
3 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs  
4 may be included in a stipulated settlement.

5 **CAUSE FOR DISCIPLINE**

6 **(Failure to Pay Administrative Fine)**

7 9. Respondent has subjected his station license to discipline pursuant to Health and  
8 Safety Code section 44050, subdivision (e), for failure to pay an administrative fine. The  
9 circumstances are that on October 27, 2010, the Bureau issued Citation No. C2011-0508 to  
10 Respondent against his station license for violations of Health and Safety Code section 44012,  
11 subdivision (f), failure to determine that emission control devices and systems required by the  
12 state and federal law are installed and functioning correctly in accordance with test procedures  
13 and California Code of Regulations, title 16, (Regulation), section 3340.35, subdivision (c),  
14 issuing a certificate of compliance to a vehicle that was improperly tested. The Bureau assessed  
15 an administrative fine in the amount of \$1,000.00. On November 10, 2010, the Bureau served  
16 Respondent with the citation. On November 22, 2010, Respondent requested a timely appeal but  
17 withdrew the appeal upon acceptance of a settlement on September 22, 2011. In the settlement,  
18 Respondent agreed to pay the \$1,000.00 penalty by the stipulated deadline of November 6, 2011.  
19 Respondent did not pay the administrative fine.

20 **OTHER MATTERS**

21 10. Under Health and Safety Code section 44072.8, if Smog Check Station License  
22 Number TC 227419, issued to Musa S. Samawi, Owner of Cypress Union 76, is revoked or  
23 suspended, any additional license issued under this chapter in the name of said licensee may be  
24 likewise revoked or suspended by the director.

25 **PRAYER**

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

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1. Revoking Automotive Repair Dealer Registration Number ARD 227419, issued to Musa S. Samawi, Owner of Cypress Union 76;
2. Revoking Smog Check-Test Only Station License Number TC 227419, issued to Musa S. Samawi, Owner of Cypress Union 76;
3. Ordering Musa S. Samawi 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;
4. Taking such other and further action as deemed necessary and proper.

DATED: October 7, 2014

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

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