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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 Accusation Against:

Case No. 77/13-13
ACCUSATION

13 **PARS TECH**
MEHDI PANAHIPOUR, OWNER
14 **12520 Magnolia Avenue Unit I**
Riverside, CA 92503

15 **Automotive Repair Dealer Registration No. 257965**
16 **Lamp Station License No. 257965, Class A**
Brake Station License No. 257965, Class C,

17 **MEHDI PANAHIPOUR**
18 **2563 Flanders Road**
Riverside, CA 92507

19 **Lamp Adjuster License No. 144216, Class A**
20 **Brake Adjuster License No. 144216, Class C,**

21 **and**

22 **ALIREZA MAHDIYAR**
23 **12520 Magnolia Avenue Unit I**
Riverside, CA 92503

24 **Lamp Adjuster License No. 630878, Class A**
25 **Brake Adjuster License No. 630878, Class C**

26 Respondents.

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1 Complainant alleges:

2 **PARTIES**

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

6 **Pars Tech; Mehdi Panahipour, Owner**

7 2. On or about April 29, 2009, the Bureau issued Automotive Repair Dealer
8 Registration Number 257965 (registration) to Mehdi Panahipour (Respondent), owner of Pars
9 Tech. Respondent's registration was in full force and effect at all times relevant to the charges
10 brought herein and will expire on April 30, 2013, unless renewed.

11 3. On or about June 2, 2009, the Bureau issued Lamp Station License Number
12 LS257965 to Respondent. The Lamp Station License was in full force and effect at all times
13 relevant to the charges brought herein and will expire on April 30, 2013, unless renewed.

14 4. On or about June 2, 2009, the Bureau issued Brake Station License Number
15 BS257965 to Respondent. The Brake Station License was in full force and effect at all times
16 relevant to the charges brought herein and will expire on April 30, 2013, unless renewed.

17 **Mehdi Panahipour**

18 5. In or about 2005, the Bureau issued Lamp Adjuster License Number LA144216,
19 class A to Respondent. The Lamp Adjuster License will expire on February 28, 2014, unless
20 renewed.

21 6. In or about 2005, the Bureau issued Brake Adjuster License Number BA144216,
22 class C to Respondent. The Brake Adjuster License will expire on February 28, 2014, unless
23 renewed.

24 **Alireza Mahdiyar**

25 7. On or about March 9, 2009, the Bureau issued Lamp Adjuster License Number
26 LA630878, class A to Alireza Mahdiyar (Respondent Mahdiyar). The Lamp Adjuster License
27 will expire on May 31, 2016, unless renewed.

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1 are supplied. Written consent or authorization for an increase in the original
2 estimated price may be provided by electronic mail or facsimile transmission
3 from the customer. The bureau may specify in regulation the procedures to be
4 followed by an automotive repair dealer if an authorization or consent for an
5 increase in the original estimated price is provided by electronic mail or facsimile
6 transmission. If that consent is oral, the dealer shall make a notation on the work
order of the date, time, name of person authorizing the additional repairs, and
telephone number called, if any, together with a specification of the additional
parts and labor and the total additional cost, and shall do either of the following:

7 (1) Make a notation on the invoice of the same facts set forth in the
notation on the work order.

8 (2) Upon completion of the repairs, obtain the customer's signature
9 or initials to an acknowledgment of notice and consent, if there is an oral consent
of the customer to additional repairs, in the following language:

10 "I acknowledge notice and oral approval of an increase in the
original estimated price.

11 _____
12 (signature or initials)"

13 Nothing in this section shall be construed as requiring an automotive
14 repair dealer to give a written estimated price if the dealer does not agree to
perform the requested repair.

15 18. Section 9889.3 states:

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

18 (a) Violates any section of the Business and Professions Code that relates
to his or her licensed activities.

19 (b) Is convicted of any crime substantially related to the qualifications,
20 functions, or duties of the licenseholder in question.

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

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

24 (e) Has misrepresented a material fact in obtaining a license.

25 (f) Aids or abets an unlicensed person to evade the provisions of this
chapter.

26 (g) Fails to make and keep records showing his or her transactions as a
27 licensee, or fails to have the records available for inspection by the director or his
or her duly authorized representative for a period of not less than three years after
28 completion of any transaction to which the records refer, or refuses to comply
with a written request of the director to make the record available for inspection.

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

3 (i) Is convicted of a violation of Section 551 of the Penal Code.

4 19. Section 9889.16 states:

5 Whenever a licensed adjuster in a licensed station upon an inspection or
6 after an adjustment, made in conformity with the instructions of the bureau,
7 determines that the lamps or the brakes upon any vehicle conform with the
8 requirements of the Vehicle Code, he shall, when requested by the owner or
9 driver of the vehicle, issue a certificate of adjustment on a form prescribed by the
10 director, which certificate shall contain the date of issuance, the make and
11 registration number of the vehicle, the name of the owner of the vehicle, and the
12 official license of the station.

13 REGULATORY PROVISIONS

14 20. California Code of Regulations (CCR), Section 3316 states, in pertinent part:

15

16 (d) Effective April 1, 1999, licensed stations shall purchase certificates
17 of adjustment from the bureau for a fee of three dollars and fifty cents (\$3.50)
18 each and shall not purchase or otherwise obtain such certificates from any other
19 source. Full payment is required at the time certificates are ordered. Certificates
20 are not exchangeable following delivery. A licensed station shall not sell or
21 otherwise transfer unused certificates of adjustment. Issuance of a lamp
22 adjustment certificate shall be in accordance with the following provisions:

23

24 (2) Where all of the lamps, lighting equipment, and related
25 electrical systems on a vehicle have been inspected and found to be in
26 compliance with all requirements of the Vehicle Code and bureau
27 regulations, the certificate shall certify that the entire system meets all of
28 those requirements.

. . . .

21. CCR Section 3321 states, in pertinent part:

22 The operation of official brake adjusting stations shall be subject to the
23 following provisions:

24

25 (c) Effective April 1, 1999, licensed stations shall purchase certificates
26 of adjustment from the bureau for a fee of three dollars and fifty cents (\$3.50) and
27 shall not purchase or otherwise obtain such certificates from any other source. A
28 licensed station shall not sell or otherwise transfer unused certificates of

1 adjustment. Full payment is required at the time certificates are ordered.
2 Certificates are not exchangeable following delivery. Issuance of a brake
3 adjustment certificate shall be in accordance with the following provisions:

4

5 (2) Where the entire brake system on any vehicle has been
6 inspected or tested and found to be in compliance with all requirements of the
7 Vehicle Code and bureau regulations, and the vehicle has been road-tested, the
8 certificate shall certify that the entire system meets all such requirements.

9

10 22. CCR Section 3356 states, in pertinent part:

11 (a) All invoices for service and repair work performed, and parts
12 supplied, as provided for in Section 9884.8 of the Business and Professions Code,
13 shall comply with the following:

14 (1) The invoice shall show the automotive repair dealer's
15 registration number and the corresponding business name and address as shown in
16 the Bureau's records. If the automotive repair dealer's telephone number is shown,
17 it shall comply with the requirements of subsection (b) of Section 3371 of this
18 chapter.

19 (2) The invoice shall separately list, describe and identify all of
20 the following:

21 (A) All service and repair work performed, including all
22 diagnostic and warranty work, and the price for each described service and repair.

23 (B) Each part supplied, in such a manner that the customer
24 can understand what was purchased, and the price for each described part. The
25 description of each part shall state whether the part was new, used, reconditioned,
26 rebuilt, or an OEM crash part, or a non-OEM aftermarket crash part.

27 (C) The subtotal price for all service and repair work
28 performed.

(D) The subtotal price for all parts supplied, not including
sales tax.

(E) The applicable sales tax, if any.

. . . .

24 COST RECOVERY

25 23. Section 125.3 provides, in pertinent part, that a Board may request the
26 administrative law judge to direct a licentiate found to have committed a violation or violations
27 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
28 enforcement of the case.

UNDERCOVER OPERATION #1: 1999 HONDA ACCORD

1
2 24. On December 15, 2011, an undercover operator of the Bureau (“operator”) took
3 the Bureau’s 1999 Honda Accord (Accord) to Respondent’s facility, Pars Tech, at 9:15 a.m. and
4 told Respondent’s technician that she needed a brake and lamp inspection and certificates for the
5 vehicle. Respondent’s technician told the operator that certifications would cost her \$60.00. The
6 front brake rotors on the Bureau-documented vehicle were machined to exceed the
7 manufacturer’s brake rotor minimum thickness specifications. The driver side headlamp was
8 misadjusted and the rear license plate lamp was made to be non-functional with a burned out
9 bulb. The vehicle’s odometer reading was 112,731 miles when she brought it to Respondent’s
10 facility. Respondent’s technician handed the operator a blank auto repair order and told her to fill
11 out the spaces for name and address and to sign it. Respondent’s technician then took the repair
12 order and car keys, then drove the Accord to the back of the building. Ten minutes later
13 Respondent’s technician showed the operator a broken license plate light bulb and said that it
14 would cost her another \$10.00 for him to fix it. After another ten minutes, Respondent’s
15 technician informed the operator that the job was complete. Respondent’s technician then filled
16 out the brake and lamp certificates, wrote license number BA00630878 on the Brake Adjustment
17 Certificate and license number LA00630878 on the Lamp Adjustment Certificate, signed the
18 certificates and the repair order and collected \$70.00. Thereafter, Respondent’s technician
19 returned the keys and provided the operator a copy of the repair order, which was dated
20 December 14, 2011. The operator asked if there was anything else she needed and Respondent’s
21 technician provided Certificate of Brake Adjustment No. BC1367467 and Certificate of Lamp
22 Adjustment No. LC1346327. The operator left the facility at or about 9:35 a.m. with the
23 Accord’s odometer reading remaining at 112,731 miles.

24 25. On January 4, 2012, a Bureau representative (representative) inspected the vehicle
25 and found that the driver’s side headlamp remained improperly aimed. The representative also
26 found the tamper indicators undisturbed showing no headlamp adjustment was even attempted.
27 Further, the representative found the right front and the rear wheel tamper indicators to be intact.

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1 Both front undersized brake rotors remained in place showing neither inspection nor adjustment
2 on these wheels was done properly as stated on the certificate.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Untrue or Misleading Statements)**

5 26. Respondent's registration is subject to disciplinary action pursuant to Code
6 section 9884.7, subdivision (a)(1), in that he made or authorized statements which he knew or in
7 the exercise of reasonable care should have known to be untrue or misleading, as follows:

8 a. Respondent certified under penalty of perjury on Brake Certificate No.
9 BC1367467 that the applicable inspection was performed on the brake system on the Bureau's
10 1999 Honda Accord. In fact, Respondent failed to inspect the brakes on the vehicle.

11 b. Respondent certified under penalty of perjury on Brake Certificate No.
12 BC1367467 that the front brake rotors on the Bureau's 1999 Honda Accord were in a
13 satisfactory condition. In fact, the front brake rotors had been machined to exceed the
14 manufacturer's brake rotor minimum thickness specifications.

15 c. Respondent certified under penalty of perjury on Brake Certificate No.
16 BC1367467 that the Bureau's 1999 Honda Accord had a stopping distance of 20 feet from a
17 speed of 20 miles per hour as a result of a road-test. In fact, Respondent never road tested the
18 vehicle.

19 d. Respondent certified under penalty of perjury on Lamp Certificate No.
20 LC1346327 that the applicable adjustment had been performed on the lighting system on the
21 Bureau's 1999 Honda Accord. In fact, the driver's side headlamp remained improperly aimed.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Dishonesty, Fraud, or Deceit)**

24 27. Respondent's registration is subject to disciplinary action pursuant to Code
25 section 9889.3, subdivision (d), in that he committed acts constituting dishonesty, fraud, or deceit
26 whereby another is injured. Respondent obtained payment from the operator for performing the
27 applicable inspections, adjustments, or repairs of the brake and lighting systems on the Bureau's
28 1999 Honda Accord as specified by the Bureau and in accordance with the Vehicle Code. In

1 fact, Respondent failed to perform the necessary inspections, adjustments, and repairs in
2 compliance with Bureau Regulations or the Vehicle Code.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Issuance of Certificates to a Non-Conforming Vehicle)**

5 28. Respondent's registration is subject to disciplinary action pursuant to Code
6 section 9884.7, subdivision (a)(6), in that he failed to comply with section 9889.16 of that Code
7 in the following material respects: Respondent issued Brake Certificate No. BC1367467 and
8 Lamp Certificate No. LC1346327 as to the Bureau's 1999 Honda Accord when the vehicle was
9 not in compliance with Bureau Regulations or the requirements of the Vehicle Code.

10 **FOURTH CAUSE FOR DISCIPLINE**

11 **(Violation of Regulations)**

12 29. Respondent's registration is subject to disciplinary action pursuant to Code
13 section 9884.7, subdivision (a)(6), in that he failed to comply with provisions of California Code
14 of Regulations, title 16, in the following material respects:

15 a. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Certificate
16 No. LC1346327 as to the Bureau's 1999 Honda Accord when all of the lamps, lighting
17 equipment, and/or related electrical systems on the vehicle were not in compliance with Bureau
18 regulations.

19 b. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Certificate
20 No. BC1367467 as to the Bureau's 1999 Honda Accord when the brake system on the vehicle
21 had not been completely tested or inspected.

22 c. **Section 3556**: Respondent failed to show in the invoice for service and
23 repair work performed, and parts supplied, the automotive repair dealer's registration number in
24 compliance with the provisions of section 9884.8.

25 **FIFTH CAUSE FOR DISCIPLINE**

26 **(Failure to State the Repair Requested)**

27 30. Respondent's registration is subject to disciplinary action pursuant to Code
28 section 9884.7, subdivision (a)(2), in that he caused or allowed the operator to sign the work

1 order which did not state the repairs requested by the customer on the Bureau's 1999 Honda
2 Accord.

3 **SIXTH CAUSE FOR DISCIPLINE**

4 **(Failure to Provide Signed Copy of Document to Customer)**

5 31. Respondent's registration is subject to disciplinary action pursuant to Code
6 section 9884.7, subdivision (a)(3), in that he failed to give to the operator a copy of the repair
7 order requiring the operator's signature, as soon as the operator signed the document.

8 **SEVENTH CAUSE FOR DISCIPLINE**

9 **(Failure to Document Additional Repair Authorization and Provide a Written Estimate)**

10 32. Respondent's registration is subject to disciplinary action pursuant to Code
11 section 9884.7, subdivision (a)(6), in that he failed to comply with the Code in the following
12 material respects:

13 a. **Section 9884.8:** Respondent failed to document the additional repair
14 authorization to install the light bulb near the license plate.

15 b. **Section 9884.9, subdivision (a):** Respondent failed to give to the
16 customer a written estimated price for labor and parts necessary for a specific job.

17 **EIGHTH CAUSE FOR DISCIPLINE**

18 **(Issuance of Certificates to a Non-Conforming Vehicle)**

19 33. Respondent's brake and lamp station licenses are subject to disciplinary action
20 pursuant to Code section 9889.3, subdivisions (a) and (h), in that he failed to comply with
21 section 9889.16 of that Code in the following material respects: Respondent issued Brake
22 Certificate No. BC1367467 and Lamp Certificate No. LC1346327 as to the Bureau's 1999
23 Honda Accord when the vehicle was not in compliance with Bureau Regulations or the
24 requirements of the Vehicle Code.

25 **NINTH CAUSE FOR DISCIPLINE**

26 **(Violation of Regulations)**

27 34. Respondent's brake and lamp station licenses are subject to disciplinary action
28 pursuant to Code section 9889.3, subdivision (c), in that he willfully made a false statement or

1 entry with regard to a material matter in the certificates of compliance, in violation of the
2 provisions of California Code of Regulations, title 16, in the following material respects:

3 a. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Certificate
4 No. LC1346327 as to the Bureau's 1999 Honda Accord when not all of the lamps, lighting
5 equipment, and/or related electrical systems on the vehicle complied with Bureau regulations.

6 b. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Certificate
7 No. BC1367467 as to the Bureau's 1999 Honda Accord when the brake system on the vehicle
8 had not been completely tested or inspected.

9 c. **Section 3556**: Respondent failed to show in the invoice for service and
10 repair work performed, and parts supplied, the automotive repair dealer's registration number in
11 compliance with the provisions of section 9884.8.

12 **TENTH CAUSE FOR DISCIPLINE**

13 **(Dishonesty, Fraud, or Deceit)**

14 35. Respondent's brake and lamp station licenses are subject to disciplinary action
15 pursuant to Code section 9889.3, subdivision (d), in that he committed acts constituting
16 dishonesty, fraud, or deceit whereby another is injured. Respondent obtained payment from the
17 operator for performing the applicable inspections, adjustments, or repairs of the brake and
18 lighting systems on the Bureau's 1999 Honda Accord as specified by the Bureau and in
19 accordance with the Vehicle Code. In fact, Respondent failed to perform the necessary
20 inspections, adjustments, and repairs in compliance with Bureau Regulations or the Vehicle
21 Code.

22 **ELEVENTH CAUSE FOR DISCIPLINE**

23 **(Issuance of Certificates to a Non-Conforming Vehicle)**

24 36. Respondent Mahdiyar's brake and lamp adjuster licenses are subject to
25 disciplinary action pursuant to Code section 9889.3, subdivisions (a) and (h), in that he failed to
26 comply with section 9889.16 of that Code in the following material respects: Respondent issued
27 Brake Certificate No. BC1367467 and Lamp Certificate No. LC1346327 as to the Bureau's 1999

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1 Honda Accord when the vehicle was not in compliance with Bureau Regulations or the
2 requirements of the Vehicle Code.

3 **TWELFTH CAUSE FOR DISCIPLINE**

4 **(Violation of Regulations)**

5 37. Respondent Mahdiyar's brake and lamp adjuster licenses are subject to
6 disciplinary action pursuant to Code section 9889.3, in that he willfully made false statement or
7 entry with regard to a material matter in the certificates of compliance, in violation of the
8 provisions of California Code of Regulations, title 16, in the following material respects:

9 a. **Section 3316, subdivision (d)(2):** Respondent Mahdiyar issued Lamp
10 Certificate No. LC1346327 as to the Bureau's 1999 Honda Accord when not all of the lamps,
11 lighting equipment, and/or related electrical systems on the vehicle complied with Bureau
12 regulations.

13 b. **Section 3321, subdivision (c)(2):** Respondent Mahdiyar issued Brake
14 Certificate No. BC1367467 as to the Bureau's 1999 Honda Accord when the brake system on the
15 vehicle had not been completely tested or inspected.

16 c. **Section 3556:** Respondent Mahdiyar failed to show in the invoice for
17 service and repair work performed, and parts supplied, the automotive repair dealer's registration
18 number in compliance with the provisions of section 9884.8.

19 **UNDERCOVER OPERATION #2: 1998 TOYOTA CAMRY**

20 38. On March 13, 2012, an undercover operator of the Bureau ("operator") took the
21 Bureau's 1998 Toyota Camry (Camry) to Respondent's facility, Pars Tech, at 9:10 a.m. and told
22 Respondent's technician that she needed a brake and lamp inspection and certificates for the
23 vehicle, which her boyfriend was fixing up to resell. Respondent's technician told the operator
24 that certifications would cost \$50.00 for regular customers. The right rear brake drum on the
25 Bureau-documented vehicle was intentionally machined to exceed the manufacturer's drum
26 maximum diameter specification. The right front brake rotor was intentionally machined to
27 exceed the manufacturer's minimum thickness specification. The front headlamps were
28 intentionally misadjusted, and the right rear back up lamp and the left rear tail light were

1 intentionally made to be non-functional. The vehicle's odometer reading was 150,705 miles
2 when the operator brought the Camry to Respondent's shop. Respondent's technician handed the
3 operator a blank auto repair order and told her to fill out the spaces for name and address and to
4 sign it. The required price estimate, job description, and mileage were not preindicated on the job
5 order, which the operator signed. She was not given a copy of the repair order. Respondent's
6 technician then took the repair order and car keys, and drove the Camry to the repair bay. Several
7 minutes later, Respondent's technician showed the operator a broken rear light bulb and said that
8 it would cost her another \$10.00 for him to replace it. After a few more minutes, Respondent's
9 technician informed the operator that the job was complete. Respondent's technician wrote
10 license number BA00630878 on the Brake Adjustment Certificate and license number
11 LA00630878 on the Lamp Adjustment Certificate, signed the certificates, gave the operator
12 Certificate of Brake Adjustment No. BC1409941, Certificate of Lamp Adjustment No.
13 LC1388050, and the now completed repair order, collected \$60.00, and returned the keys to the
14 operator. The repair order dated March 13, 2012 showed \$30.00 for the brake certificate and
15 another \$30.00 for the lamp certificate, but did not show the part or labor cost for the bulb
16 replacement. The operator left the facility at or about 9:25 a.m. with the Camry's odometer
17 reading remaining at 150,705 miles.

18 39. On March 14, 2012, a Bureau representative (representative) inspected the vehicle
19 and found that the headlamps aims were not within specifications. The representative also found
20 the tamper seals on the headlamp adjustment screws still intact, showing the headlamp
21 adjustment was never even attempted. The left rear tail light was still inoperable although the
22 right rear back up lamp had been replaced and operated correctly. The right side wheel tamper
23 indicators that detect wheel removal were intact, indicating that those wheels had not been
24 removed in order to make any measurement of the brake rotor or drum as stated on the
25 certificate. The right rear drum was oversized beyond the manufacturer's maximum specification
26 and the right front brake rotor was undersized beyond the manufacturer's minimum
27 specification.

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1 **THIRTEENTH CAUSE FOR DISCIPLINE**

2 **(Untrue or Misleading Statements)**

3 40. Respondent's registration is subject to disciplinary action pursuant to Code
4 section 9884.7, subdivision (a)(1), in that he made or authorized statements which he knew or in
5 the exercise of reasonable care should have known to be untrue or misleading, as follows:

6 a. Respondent certified under penalty of perjury on Brake Certificate No.
7 BC1409941 that the applicable inspection was performed on the brake system on the Bureau's
8 1998 Toyota Camry. In fact, Respondent failed to properly inspect the brakes on the vehicle.

9 b. Respondent certified under penalty of perjury on Brake Certificate No.
10 BC1409941 that the front brake rotors on the Bureau's 1998 Toyota Camry were in a satisfactory
11 condition. In fact, the front brake rotors had been machined to exceed the manufacturer's brake
12 rotor minimum thickness specifications.

13 c. Respondent certified under penalty of perjury on Brake Certificate No.
14 BC1409941 that the Bureau's 1998 Toyota Camry had a stopping distance of 15 feet from a
15 speed of 20 miles per hour as a result of a road-test. In fact, Respondent never road tested the
16 vehicle.

17 d. Respondent certified under penalty of perjury on Lamp Certificate No.
18 LC1388050 that the applicable adjustment had been performed on the lighting system on the
19 Bureau's 1998 Toyota Camry. In fact, both front headlamps remained improperly aimed and left
20 rear tail light was not operable.

21 **FOURTEENTH CAUSE FOR DISCIPLINE**

22 **(Dishonesty, Fraud, or Deceit)**

23 41. Respondent's registration is subject to disciplinary action pursuant to Code
24 section 9889.3, subdivision (d), in that he committed acts constituting dishonesty, fraud, or deceit
25 whereby another is injured. Respondent obtained payment from the operator for performing the
26 applicable inspections, adjustments, or repairs of the brake and lighting systems on the Bureau's
27 1998 Toyota Camry as specified by the Bureau and in accordance with the Vehicle Code. In fact,

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1 Respondent failed to perform the necessary inspections, adjustments, and repairs in compliance
2 with Bureau Regulations or the Vehicle Code.

3 **FIFTEENTH CAUSE FOR DISCIPLINE**

4 **(Issuance of Certificates to a Non-Conforming Vehicle)**

5 42. Respondent's registration is subject to disciplinary action pursuant to Code
6 section 9884.7, subdivision (a)(6), in that he failed to comply with section 9889.16 of that Code
7 in the following material respects: Respondent issued Brake Certificate No. BC1409941 and
8 Lamp Certificate No. LC1388050 as to the Bureau's 1998 Toyota Camry when the vehicle was
9 not in compliance with Bureau Regulations or the requirements of the Vehicle Code.

10 **SIXTEENTH CAUSE FOR DISCIPLINE**

11 **(Violation of Regulations)**

12 43. Respondent's registration is subject to disciplinary action pursuant to Code
13 section 9884.7, subdivision (a)(6), in that he failed to comply with provisions of California Code
14 of Regulations, title 16, in the following material respects:

15 a. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Certificate
16 No. LC1388050 as to the Bureau's 1998 Toyota Camry when all of the lamps, lighting
17 equipment, and/or related electrical systems on the vehicle were not in compliance with Bureau
18 regulations.

19 b. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Certificate
20 No. BC1409941 as to the Bureau's 1998 Toyota Camry when the brake system on the vehicle
21 had not been completely tested or inspected.

22 c. **Section 3556**: Respondent failed to show in the invoice for service and
23 repair work performed, and parts supplied, the automotive repair dealer's registration number in
24 compliance with the provisions of section 9884.8.

25 **SEVENTEENTH CAUSE FOR DISCIPLINE**

26 **(Failure to State the Repair Requested)**

27 44. Respondent's registration is subject to disciplinary action pursuant to Code
28 section 9884.7, subdivision (a)(2), in that he caused or allowed the operator to sign the work

1 order, which did not state the repairs requested by the customer on the Bureau's 1998 Toyota
2 Camry.

3 **EIGHTEENTH CAUSE FOR DISCIPLINE**

4 **(Failure to Provide Signed Copy of Document to Customer)**

5 45. Respondent's registration is subject to disciplinary action pursuant to Code
6 section 9884.7, subdivision (a)(3), in that he failed to give to the operator a copy of the repair
7 order requiring the operator's signature, as soon as the operator signed the document.

8 **NINETEENTH CAUSE FOR DISCIPLINE**

9 **(Failure to Document Additional Repair Authorization and Provide a Written Estimate)**

10 46. Respondent's registration is subject to disciplinary action pursuant to Code
11 section 9884.7, subdivision (a)(6), in that he failed to comply with the Code in the following
12 material respects:

13 a. **Section 9884.8:** Respondent failed to document the additional repair
14 authorization to install the light bulb near the license plate.

15 b. **Section 9884.9, subdivision (a):** Respondent failed to give to the
16 customer a written estimated price for labor and parts necessary for a specific job.

17 **TWENTIETH CAUSE FOR DISCIPLINE**

18 **(Issuance of Certificates to a Non-Conforming Vehicle)**

19 47. Respondent's brake and lamp station licenses are subject to disciplinary action
20 pursuant to Code section 9889.3, subdivisions (a) and (h), in that he failed to comply with
21 section 9889.16 of that Code in the following material respects: Respondent issued Brake
22 Certificate No. BC1409941 and Lamp Certificate No. LC1388050 as to the Bureau's 1998
23 Toyota Camry when the vehicle was not in compliance with Bureau Regulations or the
24 requirements of the Vehicle Code.

25 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

26 **(Violation of Regulations)**

27 48. Respondent's brake and lamp station licenses are subject to disciplinary action
28 pursuant to Code section 9889.3, subdivision (c), in that he willfully made a false statement or

1 entry with regard to a material matter in the certificates of compliance, in violation of the
2 provisions of California Code of Regulations, title 16, in the following material respects:

3 a. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Certificate
4 No. LC1388050 as to the Bureau's 1998 Toyota Camry when all of the lamps, lighting
5 equipment, and/or related electrical systems on the vehicle were not in compliance with Bureau
6 regulations.

7 b. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Certificate
8 No. BC1409941 as to the Bureau's 1998 Toyota Camry when the brake system on the vehicle
9 had not been completely tested or inspected.

10 c. **Section 3556**: Respondent failed to show in the invoice for service and
11 repair work performed, and parts supplied, the automotive repair dealer's registration number in
12 compliance with the provisions of section 9884.8.

13 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

14 **(Dishonesty, Fraud, or Deceit)**

15 49. Respondent's brake and lamp station licenses are subject to disciplinary action
16 pursuant to Code section 9889.3, subdivision (d), in that he committed acts constituting
17 dishonesty, fraud, or deceit whereby another is injured. Respondent obtained payment from the
18 operator for performing the applicable inspections, adjustments, or repairs of the brake and
19 lighting systems on the Bureau's 1998 Toyota Camry as specified by the Bureau and in
20 accordance with the Vehicle Code. In fact, Respondent failed to perform the necessary
21 inspections, adjustments, and repairs in compliance with Bureau Regulations or the Vehicle
22 Code.

23 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

24 **(Issuance of Certificates to a Non-Conforming Vehicle)**

25 50. Respondent Mahdiyar's brake and lamp adjuster licenses are subject to
26 disciplinary action pursuant to Code section 9889.3, subdivisions (a) and (h), in that he failed to
27 comply with section 9889.16 of that Code in the following material respects: Respondent issued
28 Brake Certificate No. BC1409941 and Lamp Certificate No. LC1388050 as to the Bureau's 1998

1 Toyota Camry when the vehicle was not in compliance with Bureau Regulations or the
2 requirements of the Vehicle Code.

3 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

4 **(Violation of Regulations)**

5 51. Respondent Mahdiyar's brake and lamp adjuster licenses are subject to
6 disciplinary action pursuant to Code section 9889.3, subdivision (c), in that he willfully made
7 false statement or entry with regard to a material matter in the certificates of compliance, in
8 violation of the provisions of California Code of Regulations, title 16, in the following material
9 respects:

10 a. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Certificate
11 No. LC1388050 as to the Bureau's 1998 Toyota Camry when all of the lamps, lighting
12 equipment, and/or related electrical systems on the vehicle were not in compliance with Bureau
13 regulations.

14 b. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Certificate
15 No. BC1409941 as to the Bureau's 1998 Toyota Camry when the brake system on the vehicle
16 had not been completely tested or inspected.

17 c. **Section 3556**: Respondent failed to show in the invoice for service and
18 repair work performed, and parts supplied, the automotive repair dealer's registration number in
19 compliance with the provisions of section 9884.8.

20 **OTHER MATTERS**

21 52. Pursuant to Code section 9884.7, subdivision (c), the Director may suspend,
22 revoke or place on probation the registration for all places of business operated in this state by
23 Respondent Mehdi Panahipour, owner of Pars Tech, upon a finding that Respondent has, or is,
24 engaged in a course of repeated and willful violations of the laws and regulations pertaining to an
25 automotive repair dealer.

26 53. Pursuant to Code section 9889.9, if Lamp Station License Number LS 257965 or
27 Brake Station License Number BS 257965, issued to Respondent Mehdi Panahipour, owner of
28 Pars Tech, is revoked or suspended, any additional license issued under Articles 5 and 6 of

1 Chapter 20.3 of the Business & Professions Code in the name of said licensee may be likewise
2 revoked or suspended by the Director.

3 54. Pursuant to Code section 9889.9, if Brake Adjuster License Number BA 630878
4 or Lamp Adjuster License Number LA 630878, issued to Respondent Alireza Mahdiyar, is
5 revoked or suspended, any additional license issued under Articles 5 and 6 of Chapter 20.3 of the
6 Business & Professions Code in the name of said licensee may be likewise revoked or suspended
7 by the Director.

8 **PRAYER**

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

11 1. Revoking or suspending Automotive Repair Dealer Registration Number 257965,
12 issued to Mehdi Panahipour, owner of Pars Tech;

13 2. Revoking or suspending any other automotive repair dealer registration issued to
14 Mehdi Panahipour;

15 3. Revoking or suspending Lamp Station License Number LS 257965, issued to
16 Mehdi Panahipour, owner of Pars Tech;

17 4. Revoking or suspending Brake Station License Number BS 257965, issued to
18 Mehdi Panahipour, owner of Pars Tech;

19 5. Revoking or suspending Lamp Adjuster License Number LA 144216, issued to
20 Mehdi Panahipour;

21 6. Revoking or suspending Brake Adjuster License Number BA 144216, issued to
22 Mehdi Panahipour;

23 7. Revoking or suspending any additional license issued under Article 5 and 6 of
24 Chapter 20.3 of the Business and Professions Code in the name of Mehdi Panahipour;

25 8. Revoking or suspending Lamp Adjuster License Number LA 630878, issued to
26 Alireza Mahdiyar;

27 9. Revoking or suspending Brake Adjuster License Number BA 630878, issued to
28 Alireza Mahdiyar;

1 10. Revoking or suspending any additional license issued under Article 5 and 6 of
2 Chapter 20.3 of the Business and Professions Code in the name of Alireza Mahdiyari;

3 11. Ordering Mehdi Panahipour, individually, and as owner of Pars Tech, and Alireza
4 Mahdiyari to pay the Director of Consumer Affairs the reasonable costs of the investigation and
5 enforcement of this case, pursuant to Business and Professions Code section 125.3;

6 12. Taking such other and further action as deemed necessary and proper.

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DATED: 9/19/12

John Wallauch
JOHN WALLAUCH
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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