

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

Received in BAR EFO  
2014-10-03

In the Matter of the Accusation Against:

**CARFINDERS**  
**MICHAEL GARY ABOUZEID, OWNER**  
1819 Mangrove Avenue  
Chico, CA 95926

Case No. 79/14-102

OAH No. 2014040230

Automotive Repair Dealer Reg. No. ARD 258462  
Smog Check Station License No. RC 258462

and

**KENDALL J. ALLEN**  
2185 Stanley Drive  
Oroville, CA 95966

Smog Check Inspector License No. EO 144378  
Smog Check Repair Technician License No. EI  
144378 (formerly Advanced Emission Specialist  
Technician License No. EA 144378)

Respondents.

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; except that the following typographical error is corrected as follows:

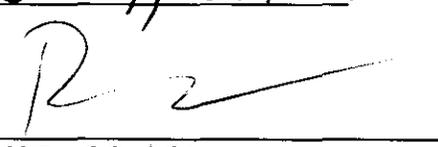
1. Page 2, line 22: The sentence "The technician licenses will expire on February 28, 2015, unless renewed" is corrected to "The technician license expired on February 28, 2015."

This Decision shall become effective

October 7, 2015

DATED:

September 9, 2015

  
TAMARA COLSON  
Assistant General Counsel  
Department of Consumer Affairs

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
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7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:  
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13 **CARFINDERS**  
**MICHAEL GARY ABOUZEID, OWNER**  
14 **1819 Mangrove Avenue**  
**Chico, CA 95926**  
15 **Automotive Repair Dealer Reg. No. ARD 258462**  
**Smog Check Station License No. RC 258462**  
16  
17 **and**  
18 **KENDALL J. ALLEN**  
**2185 Stanley Drive**  
19 **Oroville, CA 95966**  
20 **Smog Check Inspector License No. EO 144378**  
**Smog Check Repair Technician License**  
21 **No. EI 144378 (formerly Advanced Emission**  
**Specialist Technician License No. EA 144378)**  
22 Respondents.

Case No. 79/14-102

OAH No. 2014040230

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

23  
24 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
25 entitled proceedings that the following matters are true:

26 **PARTIES**

27 1. Patrick Dorais ("Complainant") is the Chief of the Bureau of Automotive Repair. He  
28 brought this action solely in his official capacity and is represented in this matter by Kamala D.

1 Harris, Attorney General of the State of California, by Kristina T. Jarvis, Deputy Attorney  
2 General.

3 **Carfinders; Michael Gary Abouzeid, Owner**

4 2. On or about June 15, 2009, the Director of Consumer Affairs ("Director") issued  
5 Automotive Repair Dealer Registration Number ARD 258462 ("registration") to Michael Gary  
6 Abouzeid ("Respondent Abouzeid"), owner of Carfinders. The registration was in full force and  
7 effect at all times relevant to the charges brought herein and will expire on June 30, 2015, unless  
8 renewed.

9 3. On or about July 15, 2009, the Director issued Smog Check Station License Number  
10 RC 258462 to Respondent Abouzeid. The smog check station license was in full force and effect  
11 at all times relevant to the charges brought herein and will expire on June 30, 2015, unless  
12 renewed.

13 4. Respondent Abouzeid is representing himself in this proceeding and has chosen not to  
14 exercise his right to be represented by counsel.

15 **Kendall J. Allen**

16 5. In or about 2001, the Director issued Advanced Emission Specialist Technician  
17 License Number EA 144378 to Kendall J. Allen ("Respondent Allen"). Respondent's advanced  
18 emission specialist technician license expired on February 28, 2013. Pursuant to California Code  
19 of Regulations, title 16, section 3340.28, subdivision (e), the license was renewed, pursuant to  
20 Respondent's election, as Smog Check Inspector License Number EO 144378 and Smog Check  
21 Repair Technician License Number EI 144378 ("technician licenses"), effective March 5, 2013.<sup>1</sup>  
22 The technician licenses will expire on February 28, 2015, unless renewed.

23 ///

24 ///

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26 <sup>1</sup> Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,  
27 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced  
28 Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog  
Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

1 **JURISDICTION**

2 6. Accusation No. 79/14-102 was filed before the Director of Consumer Affairs  
3 (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against  
4 Respondent. The Accusation and all other statutorily required documents were properly served  
5 on Respondent on March 13, 2014. Respondents timely filed their Notice of Defense contesting  
6 the Accusation.

7 7. A copy of Accusation No. 79/14-102 is attached as exhibit A and incorporated herein  
8 by reference.

9 **ADVISEMENT AND WAIVERS**

10 8. Respondent Abouzeid has carefully read, and understands the charges and allegations  
11 in Accusation No. 79/14-102. Respondent Abouzeid has also carefully read, and understands the  
12 effects of this Stipulated Settlement and Disciplinary Order.

13 9. Respondent Abouzeid is fully aware of his legal rights in this matter, including the  
14 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
15 counsel at his own expense; the right to confront and cross-examine the witnesses against him;  
16 the right to present evidence and to testify on his own behalf; the right to the issuance of  
17 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
18 reconsideration and court review of an adverse decision; and all other rights accorded by the  
19 California Administrative Procedure Act and other applicable laws.

20 10. Respondent Abouzeid voluntarily, knowingly, and intelligently waives and gives up  
21 each and every right set forth above.

22 **CULPABILITY**

23 11. Respondent Abouzeid admits the truth of each and every charge and allegation in  
24 Accusation No. 79/14-102.

25 12. Respondent Abouzeid agrees that his Automotive Repair Dealer Registration and his  
26 Smog Check Station License are subject to discipline and he agrees to be bound by the Director's  
27 probationary terms as set forth in the Disciplinary Order below.

28 ///

1 **CONTINGENCY**

2 13. This stipulation shall be subject to approval by the Director of Consumer Affairs or  
3 the Director's designee. Respondent Abouzeid understands and agrees that counsel for  
4 Complainant and the staff of the Bureau of Automotive Repair may communicate directly with  
5 the Director and staff of the Department of Consumer Affairs regarding this stipulation and  
6 settlement, without notice to or participation by Respondent Abouzeid. By signing the  
7 stipulation, Respondent Abouzeid understands and agrees that he may not withdraw his  
8 agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon  
9 it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated  
10 Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall  
11 be inadmissible in any legal action between the parties, and the Director shall not be disqualified  
12 from further action by having considered this matter.

13 14. The parties understand and agree that Portable Document Format (PDF) and facsimile  
14 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile  
15 signatures thereto, shall have the same force and effect as the originals.

16 15. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
17 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
18 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
19 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
20 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
21 writing executed by an authorized representative of each of the parties.

22 16. In consideration of the foregoing admissions and stipulations, the parties agree that  
23 the Director may, without further notice or formal proceeding, issue and enter the following  
24 Disciplinary Order:

25 **DISCIPLINARY ORDER**

26 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 258462  
27 and Smog Check Station License No. RC 258462 issued to Respondent Carfinders; Michael Gary  
28

1 Abouzeid, Owner (Respondent) are revoked. However, the revocations are stayed and  
2 Respondent is placed on probation for five (5) years on the following terms and conditions.

3 1. **Obey All Laws.** Comply with all statutes, regulations and rules governing  
4 automotive inspections, estimates and repairs.

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

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

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

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

19 6. **Violation of Probation.** Should the Director of Consumer Affairs determine that  
20 Respondent has failed to comply with the terms and conditions of probation, the Department may,  
21 after giving notice and opportunity to be heard permanently invalidate the Automotive Repair  
22 Dealer registration and revoke the Smog Check Station license.

23 7. **False and Misleading Advertising.** If the accusation involves false and misleading  
24 advertising, during the period of probation, Respondent shall submit any proposed advertising  
25 copy, whether revised or new, to the Bureau at least thirty (30) days prior to its use.

26 8. **Restrictions.** During the period of probation, Respondent shall not perform any form  
27 of smog inspection, or emission system diagnosis or repair, until Respondent has purchased,  
28 installed, and maintained the diagnostic and repair equipment prescribed by BAR necessary to

1 properly perform such work, and BAR has been given 10 days notice of the availability of the  
2 equipment for inspection by a BAR representative.

3 9. **Cost Recovery.** Payment to the Bureau of cost recovery in the amount of \$10,000.00  
4 shall be received no later than twelve (12) months before probation terminates. Failure to  
5 complete payment of cost recovery within this time frame shall constitute a violation of probation  
6 which may subject Respondent's registration and license to outright revocation; however, the  
7 Director or the Director's Bureau of Automotive Repair designee may elect to continue probation  
8 until such time as reimbursement of the entire cost recovery amount has been made to the Bureau.

9 **ACCEPTANCE**

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

15  
16 DATED: 4/20/15

  
17 CARFINDERS, MICHAEL GARY ABOUZEID,  
18 OWNER  
19 Respondent

20 **ENDORSEMENT**

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

23 Dated: April 20, 2015

24 Respectfully submitted,

25 KAMALA D. HARRIS  
26 Attorney General of California  
27 JANICE K. LACHMAN  
28 Supervising Deputy Attorney General

  
KRISTINA T. JARVIS  
Deputy Attorney General  
Attorneys for Complainant

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**Exhibit A**

**Accusation No. 79/14-102**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 KRISTINA T. JANSEN  
Deputy Attorney General  
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7 *Attorneys for Complainant*

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12 **CARFINDERS**  
13 **MICHAEL GARY ABOUZEID, OWNER**  
14 **1819 Mangrove Avenue**  
**Chico, CA 95926**

**ACCUSATION**

15 **Automotive Repair Dealer Reg. No. ARD 258462**  
16 **Smog Check Station License No. RC 258462**

17 and

18 **KENDALL J. ALLEN**  
**2185 Stanley Drive**  
**Oroville, CA 95966**

19 **Smog Check Inspector License No. EO 144378**  
20 **Smog Check Repair Technician License**  
21 **No. EI 144378 (formerly Advanced Emission-**  
**Specialist Technician License No. EA 144378)**

22 Respondents.

23  
24 Complainant alleges:

25 **PARTIES**

26 I. Patrick Dorais ("Complainant") brings this Accusation solely in his official capacity  
27 as the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

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12. Bus. & Prof. 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.”

13. Bus. & Prof. Code section 477, subdivision (b), states, in pertinent part, that a “license” includes “registration” and “certificate.”

14. Health & Saf. Code section 44072.2 states, in pertinent part:

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

(a) Violates any section of this chapter [the Motor Vehicle Inspection Program (Health and Saf. Code § 44000, et seq.)] and the regulations adopted pursuant to it, which related to the licensed activities.

....

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

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

15. Health & Saf. Code section 44072.10 states, in pertinent part:

....

(c) The department shall revoke the license of any smog check technician or station licensee who fraudulently certifies vehicles or participates in the fraudulent inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of the following:

(1) Clean piping, as defined by the department.

....

(4) Intentional or willful violation of this chapter or any regulation, standard, or procedure of the department implementing this chapter . . .

16. California Code of Regulations, title 16, section 3340.42.2 states:

(a) Effective until the implementation of subsection (c), Smog Check stations and Smog Check technicians shall conduct tests and inspections in accordance with the Bureau's BAR-97 Emissions Inspection System Specifications referenced in subsections (a) and (b) of Section 3340.17. All applicable 1996 and newer model-year spark ignition passenger vehicles and trucks under 14,001 Gross Vehicle Weight Rating (GVWR) shall be given a test of the On-Board Diagnostic (OBDII) systems. The OBDII test consists of a visual check of the Malfunction

1 Indicator Light (MIL) and a functional test of the readiness indicators and fault code  
2 retrieval system.

3 (b) Effective until the implementation of subsection (c), model-year 1996  
4 through 2000 vehicles having more than two (2) incomplete emissions related  
5 readiness monitors, and vehicle model-years 2001 and newer having more than one  
6 (1) incomplete emissions related readiness monitor shall fail the OBDII portion of the  
7 inspection. All vehicle model-years 1996 and newer having more than two (2)  
8 incomplete emissions related readiness monitors shall fail the OBDII portion of the  
9 inspection.

10 (c) Starting on or after January 1, 2013, OBD equipped vehicles shall fail  
11 the OBD inspection if any one of the following conditions occurs as applicable to the  
12 vehicle:

13 (1) The vehicle's MIL does not illuminate when the ignition is on and the  
14 engine is off;

15 (2) The vehicle's MIL illuminates continuously or flashes with the engine  
16 running;

17 (3) The vehicle's OBD system reports the MIL as commanded on;

18 (4) The vehicle's OBD system reports a Diagnostic Trouble Code (DTC);

19 (5) The vehicle's OBD system data indicates the system has not yet been  
20 sufficiently operated to determine the presence or absence of a DTC;

21 (6) The vehicle's OBD system does not communicate with the EIS or  
22 OIS;

23 (7) The vehicle's OBD system data is inappropriate for the vehicle being  
24 tested;

25 (8) The vehicle's OBD system data does not match the original equipment  
26 manufacturer (OEM) or an Air Resources Board (ARB) exempted OBD software  
27 configuration;

28 (9) The vehicle's OBD system reports incomplete readiness monitor(s) as  
specified below:

(A) Gasoline-powered vehicles model-years 1996 through 1999 with  
more than one (1) incomplete monitor,

(B) Gasoline-powered vehicles model-years 2000 and newer with any  
incomplete monitors, excluding the evaporative system monitor;

(C) Diesel-powered vehicles model-years 1998 through 2006 with any  
incomplete monitors;

(D) Diesel-powered vehicles model-years 2007 and newer with any  
incomplete monitors, excluding the particulate filter system monitor.

(d) For the purposes of this section:

///

1 (1) On-Board Diagnostics (OBD) means a system of vehicle component  
2 and condition monitors controlled by an on-board computer designed to alert the  
3 motorist when emission control components or vehicle emission systems are not  
4 functioning properly.

5 (2) Readiness monitor(s) are a status indicator reported by the OBD  
6 system that indicates whether or not monitors of specific emission control devices or  
7 systems have run a self-diagnostic test.

8 (3) Diagnostic Trouble Code (DTC) is an alphanumeric code which is set  
9 in a vehicle's on-board computer when the OBD system detects an emission control  
10 device or system failure.

11 (4) Malfunction Indicator Light (MIL) is illuminated on the dashboard  
12 when the OBD system has detected an emission control device or system failure.  
13 Alternatives may include a "Service Engine Soon" or "Check Engine" message, or an  
14 unlabeled picture of an engine.

### 15 COST RECOVERY

16 17. Bus. & Prof. Code section 125.3 provides, in pertinent part, that a Board may request  
17 the administrative law judge to direct a licentiate found to have committed a violation or  
18 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
19 and enforcement of the case.

### 20 CONSUMER COMPLAINT (RUSSELL): 2005 VOLKSWAGEN JETTA

21 18. On or about October 17, 2012, Dayna Russell ("Russell") purchased a 2005  
22 Volkswagen Jetta from Best Choice Auto ("BCA"), a used car dealer located in Redding,  
23 California. BCA informed Russell that the vehicle had not passed the smog inspection yet and  
24 the MIL (malfunction indicator light) was illuminated. BCA told Russell that they were waiting  
25 on a part and would handle the smog certificate later.

26 19. On or about November 1, 2012, Russell returned the vehicle to BCA due to a problem  
27 with the rear brake. Russell received the vehicle back on November 3, 2012.

28 20. Several weeks went by, and Russell contacted BCA and asked about the smog  
inspection that still needed to be done on the vehicle. BCA told Russell that they were "working  
on it". A few days later, Russell went to the DMV to find out about the registration for the  
vehicle. A clerk informed Russell that the vehicle had passed the smog inspection on December  
8, 2012. Russell told the clerk that the inspection could not have been performed as she had sole  
possession of the vehicle on that date. Russell returned to BCA and confronted them with the

1 information. Russell asked that someone accompany her to the DMV so they could explain how  
2 the inspection could have been done while Russell had the vehicle at work. BCA refused  
3 Russell's request and would not discuss the issue any further.

4 21. On or about January 18, 2013, Russell filed a complaint with the Bureau.

5 22. On or about January 30, 2013, Bureau Representative C. W. called Russell and  
6 requested copies of her records on the vehicle. Later, Russell provided C. W. with copies of a  
7 sales contract from BCA and an invoice from Jiffy Lube in Red Bluff, California, showing the  
8 service history on the vehicle. The odometer reading of the vehicle was listed on the invoice as  
9 106,106 on November 30, 2012, and 109,256 on December 20, 2012. C. W. searched the  
10 Bureau's Vehicle Information Database ("VID") and obtained information showing that on  
11 December 8, 2012, Respondent Allen ("Allen") performed a smog inspection on the vehicle, on  
12 behalf of Respondent Abouzeid ("Abouzeid"), resulting in the issuance of electronic smog  
13 Certificate of Compliance No. OS110278C. The VID data also showed that Allen had entered the  
14 engine size as 1.8 liters, the odometer reading as 101,508 (this was the same odometer reading  
15 listed on the BCA sales contract), and the air injection system as not applicable.<sup>2</sup>

16 23. On or about March 7, 2013, C. W. met with Russell at the State of California Referee  
17 Center located in Redding, California. Qualified Technician J. S. performed a smog inspection  
18 on the vehicle. The vehicle failed all three portions of the inspection, the visual inspection,  
19 functional check, and emissions test. The vehicle inspection report issued by J. S. showed that  
20 the air injection system had failed the visual inspection, and that the engine size on the vehicle  
21 was 2.0 liters.

22 24. On or about May 8, 2013, Bureau Representatives K. R. and M. J. went to  
23 Abouzeid's facility and met with Abouzeid and Allen. K. R. informed Allen that the engine size  
24 and smog check equipment he entered for the vehicle was incorrect and that the buyer (Russell)

25  
26 <sup>2</sup> The entry, "not applicable", may only be used when the vehicle is not originally  
27 equipped with the particular emissions control component being inspected, or when a particular  
28 test cannot be performed due to vehicle incompatibility with inspection equipment.

1 had possession of the vehicle at the time Allen allegedly performed the smog inspection. Allen  
2 admitted that he had not performed a proper inspection, but denied clean piping<sup>3</sup> the vehicle.  
3 Allen claimed that he might have taken information from paperwork provided by BCA and  
4 inspected another vehicle they had brought in that was the same make and model as Russell's  
5 vehicle.

6 25. On or about May 9, 2013, K. R. and M. J. met with Russell at her residence. K. R.  
7 inspected the vehicle and confirmed that the vehicle's VIN (vehicle identification number)  
8 matched the VIN that was entered by Allen during the December 8, 2012, smog inspection. K. R.  
9 also found that the engine size of the vehicle was 2.0 liters, that the vehicle had an air injection  
10 system, which was a required emission control component for the vehicle, and that the air  
11 injection system pump intake hose was disconnected.

12 **FIRST CAUSE FOR DISCIPLINE**  
13 **(Untrue or Misleading Statements)**

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

18 a. Respondent Abouzeid's technician, Respondent Allen, certified that the 2005  
19 Volkswagen Jetta had passed inspection and was in compliance with applicable laws and  
20 regulations. In fact, Allen used clean piping methods in order to issue a certificate for the vehicle  
21 and did not test or inspect the vehicle as required by Health & Saf. Code section 44012. Further,  
22 the air injection system pump intake hose was disconnected. As such, the vehicle would not pass  
23 the inspection required by Health & Saf. Code section 44012.

24 ///

25 ///

26 <sup>3</sup> California Code of Regulations, title 16, section 3340.1 states, in pertinent part, that  
27 "[c]lean piping' for the purposes of Health and Safety Code section 44072.10(c)(1), means the  
28 use of a substitute exhaust emissions sample in place of the actual test vehicle's exhaust in order  
to cause the EIS to issue a certificate of compliance for the test vehicle".



1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations Pursuant**  
3 **to the Motor Vehicle Inspection Program)**

4 29. Respondent Abouzeid's smog check station license is subject to disciplinary action  
5 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to  
6 comply with provisions of California Code of Regulations, title 16, as follows:

7 a. **Section 3340.35, subdivision (c):** Respondent Abouzeid issued an electronic smog  
8 certificate of compliance for the 2005 Volkswagen Jetta even though the vehicle had not been  
9 inspected in accordance with section 3340.42.

10 b. **Section 3340.41, subdivision (c):** Respondent Abouzeid authorized or permitted his  
11 technician, Respondent Allen, to enter false information into the Emissions Inspection System  
12 ("EIS") by entering vehicle identification information or emission control system identification  
13 data for a vehicle other than the one being tested.

14 c. **Section 3340.42:** Respondent Abouzeid failed to ensure that the required smog tests  
15 were conducted on the 2005 Volkswagen Jetta in accordance with the Bureau's specifications.

16 **FIFTH CAUSE FOR DISCIPLINE**

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

18 30. Respondent Abouzeid's smog check station license is subject to disciplinary action  
19 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed a  
20 dishonest, fraudulent or deceitful act whereby another is injured by issuing an electronic smog  
21 certificate of compliance for the 2005 Volkswagen Jetta without ensuring that a bona fide  
22 inspection was performed of the emission control devices and systems on the vehicle, thereby  
23 depriving the People of the State of California of the protection afforded by the Motor Vehicle  
24 Inspection Program.

25 **SIXTH CAUSE FOR DISCIPLINE**

26 **(Violations of the Motor Vehicle Inspection Program)**

27 31. Respondent Allen's technician licenses are subject to disciplinary action pursuant to  
28 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with

1 section 44012 of that Code in a material respect, as follows: Respondent failed to perform the  
2 emission control tests on the 2005 Volkswagen Jetta in accordance with procedures prescribed by  
3 the department.

4 **SEVENTH CAUSE FOR DISCIPLINE**

5 **(Failure to Comply with Regulations Pursuant**  
6 **to the Motor Vehicle Inspection Program)**

7 32. Respondent Allen's technician licenses are subject to disciplinary action pursuant to  
8 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with  
9 provisions of California Code of Regulations, title 16, as follows:

10 a. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the 2005  
11 Volkswagen Jetta in accordance with Health & Saf. Code sections 44012 and 44035, and  
12 California Code of Regulations, title 16, section 3340.42.

13 b. **Section 3340.41, subdivision (c):** Respondent entered false information into the EIS  
14 by entering vehicle identification information or emission control system identification data for a  
15 vehicle other than the one being tested.

16 c. **Section 3340.42:** Respondent failed to conduct the required smog tests on the 2005  
17 Volkswagen Jetta in accordance with the Bureau's specifications.

18 **EIGHTH CAUSE FOR DISCIPLINE**

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

20 33. Respondent Allen's technician licenses are subject to disciplinary action pursuant to  
21 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed a dishonest,  
22 fraudulent or deceitful act whereby another is injured by issuing an electronic smog certificate of  
23 compliance for the 2005 Volkswagen Jetta without performing a bona fide inspection of the  
24 emission control devices and systems on the vehicle, thereby depriving the People of the State of  
25 California of the protection afforded by the Motor Vehicle Inspection Program.

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1                                    **REVIEW OF SMOG CHECK TEST RECORDS FOR CARFINDERS**

2            34. Bureau Representative K. R. reviewed VID data pertaining to smog inspections  
3 conducted at Respondent Abouzeid's facility from February 2013 to August 2013. K. R. found  
4 that Respondent Allen bypassed the required OBDII<sup>4</sup> tests on the vehicles identified below, each  
5 of which he had previously tested and failed due to OBDII functional failures (with the exception  
6 of vehicle 4). K. R. also found that Allen entered false information into the EIS, causing at least  
7 one vehicle (vehicle 5) to fail the smog inspection.

8            **Vehicle 1: 2000 Mitsubishi Eclipse**

9            35. The Bureau's VID data showed that on February 5, 2013, Allen performed a smog  
10 inspection on a 2000 Mitsubishi Eclipse, License No. 6VZM671. The vehicle failed the OBDII  
11 functional test (and the overall inspection) due to too many incomplete OBDII monitors. The  
12 VID data also showed that on February 6, 2013, Allen performed a second smog inspection on  
13 the vehicle and bypassed the OBDII functional test, resulting in the issuance of electronic smog  
14 Certificate of Compliance No. OS820590C (the test summary indicated that the vehicle's  
15 powertrain control module (PCM) was not scanned by the analyzer).

16            **Vehicle 2: 1997 Lincoln Town Car**

17            36. The Bureau's VID data showed that on February 9, 2013, at 11:04 a.m., Allen  
18 performed a smog inspection on a 1997 Lincoln Town Car, License No. 3TYD702. The vehicle  
19 failed the OBDII functional test due to too many incomplete OBDII monitors. The VID data also  
20 showed that on February 9, 2013, at 11:17 a.m., Allen performed a second smog inspection on the  
21 vehicle and bypassed the OBDII functional test, resulting in the issuance of electronic smog  
22 Certificate of Compliance No. OS900661C (the test summary showed N/C, indicating that the  
23 vehicle's PCM was not scanned by the analyzer).

24 \_\_\_\_\_  
25            <sup>4</sup> The On Board Diagnostics (OBD II) functional test is an automated function of the  
26 BAR-97 analyzer. During the OBD II functional test, the technician is required to connect an  
27 interface cable from the BAR-97 analyzer to a Diagnostic Link Connector (DLC) which is  
28 located inside the vehicle. Through the DLC, the BAR-97 analyzer automatically retrieves  
information from the vehicle's on-board computer about the status of the readiness indicators,  
trouble codes, and the MIL. If the vehicle fails the OBD II functional test, it will fail the overall  
inspection.

1           **Vehicle 3: 2002 Audi A4 Quattro**

2           37. The Bureau's VID data showed that on March 28, 2013, at 10:28 a.m., Allen  
3 performed a smog inspection on a 2002 Audi A4 Quattro, License No. 5RZC659. The vehicle  
4 failed the OBDII functional test due to too many incomplete OBDII monitors. The VID data also  
5 showed that on March 28, 2013, at 11:29 a.m., Allen performed a second smog inspection on the  
6 vehicle and bypassed the OBDII functional test, resulting in the issuance of electronic smog  
7 Certificate of Compliance No. OU560637C (the test summary showed N/C, indicating that the  
8 vehicle's PCM was not scanned by the analyzer).

9           **Vehicle 4: 1997 Pontiac Sunfire**

10          38. The Bureau's VID data showed that on August 7, 2013, at 10:01 a.m., Allen  
11 performed a smog inspection on a 1997 Pontiac Sunfire, License No. 3TCJ278. Allen entered  
12 (into the EIS) "Biennial" as the inspection reason. The vehicle failed the inspection due to  
13 excessive tailpipe emissions. All of the OBDII monitors had run to completion at the time of the  
14 inspection; however, a diagnostic trouble code had been stored in the vehicle's PCM.

15          39. The VID data also showed that on August 7, 2013, at 11:37 a.m., Allen performed a  
16 second smog inspection on the vehicle, and entered "Change of Ownership" as the inspection  
17 reason. The vehicle passed the inspection (it had passing tailpipe emissions), resulting in the  
18 issuance of electronic smog Certificate of Compliance No. OY451529C. Allen had bypassed the  
19 OBDII functional test during the inspection (the test summary showed N/C, indicating that the  
20 vehicle's PCM was not scanned by the analyzer). Allen had not performed an "after repairs" test  
21 on the vehicle, and there was no information recorded in the VID indicating what had been done  
22 to repair the emissions failure.

23          **Vehicle 5: 2004 Ford F450**

24          40. The Bureau's VID data showed that on August 8, 2013, Allen performed a smog  
25 inspection on a 2004 Ford F450, License No. 7M34061. Allen had entered (into the EIS) the  
26 vehicle's gross vehicle weight rating (GVWR) as 9,000 pounds. The vehicle failed the OBDII  
27 functional test due to too many incomplete OBDII monitors. The VID data also showed that on  
28 August 15, 2013, Allen performed another smog inspection on the vehicle and bypassed the

1 OBDII functional test, resulting in the issuance of electronic smog Certificate of Compliance No.  
2 OY546848C (the test summary showed N/C, indicating that the vehicle's PCM was not scanned  
3 by the analyzer).

4 41. K. R. obtained additional data showing that Allen had performed two prior smog  
5 inspections on the vehicle at Abouzeid's facility. Allen performed the first inspection on July 15,  
6 2010, resulting in the issuance of electronic smog Certificate of Compliance No. NU803689C.  
7 Allen performed the second inspection on August 15, 2012, resulting in the issuance of electronic  
8 smog Certificate of Compliance No. OQ037363C. During both inspections, Allen had entered  
9 the vehicle's GVWR as 15,000 pounds and had bypassed the OBDII functional test, which was in  
10 compliance with the Bureau's Smog Check Inspection Procedures Manual.

11 42. On October 15, 2013, K. R. went to Abouzeid's facility and requested their smog  
12 check records. On October 22 and 30, 2013, K. R. received copies of various documents,  
13 including invoices and vehicle inspection reports ("VIR") for vehicles 1 through 5, identified  
14 above, as well as an AT&T Service Order pertaining to the smog inspections on vehicle 5, the  
15 2004 Ford F450 ("2004 Ford"). The VIR's for the failed inspections on vehicles 1 through 3 and  
16 5 stated that the vehicles "failed the MIL/check engine light due to failure to successfully  
17 complete all OBD self tests".

18 43. On November 4, 2013, K. R. went to AT&T located in Chico, California, and  
19 inspected the 2004 Ford in the presence of their fleet technician, C. K. K. R. found that the  
20 vehicle's GVWR was 15,000 pounds as stated on the information label affixed to the vehicle cab  
21 on the driver's side. The under hood emission control information label on the 2004 Ford stated  
22 that the engine was certified for use only in heavy duty vehicles with a GVWR above 14,000  
23 pounds and that it was *OBDI* certified, indicating that the OBDII functional test was not  
24 applicable to the vehicle. K. R. also noted that the vehicle did not have an exhaust gas  
25 recirculation ("EGR") system. When K. R. reviewed the emission control equipment that was  
26 required for the vehicle's engine, he found that it was not equipped with an EGR system. K. R.  
27 asked C. K. what they had done after the 2004 Ford failed the August 8, 2013, smog check  
28 inspection at Carfinders. C. K. provided K. R. with an AT&T Repair Order, indicating that

1 Carfinders found more monitors needed to run in order for the vehicle to pass the smog  
2 inspection. The Repair Order also stated that two oxygen sensors still had not run and that the  
3 vehicle had been driven and checked for three days "with no luck". AT&T took the vehicle to the  
4 local Ford dealership, Wittmeier Auto Center ("Wittmeier"), for diagnosis. C. K. provided K. R.  
5 with an invoice in the amount of \$47.50 that had been issued by Wittmeier for the diagnostic  
6 work. K. R. found that Wittmeier verified the vehicle's certification level to be OBDI, indicating  
7 that the monitors were not required to run to completion. K. R. also found that Carfinders had  
8 caused AT&T to incur unnecessary expenses due to Allen's improper smog inspection on the  
9 vehicle.

10 **NINTH CAUSE FOR DISCIPLINE**

11 **(Untrue or Misleading Statements)**

12 44. Respondent Abouzeid's registration is subject to disciplinary action pursuant to Bus.  
13 & Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized  
14 statements which he knew or in the exercise of reasonable care should have known to be untrue or  
15 misleading, as follows:

16 a. Respondent Abouzeid's smog check technician, Respondent Allen, certified that  
17 vehicles 1 through 4, identified in paragraphs 35 through 38 above, had passed inspection and  
18 were in compliance with applicable laws and regulations. In fact, Allen bypassed or failed to  
19 perform the required OBDII functional test on the vehicles in order to issue smog certificates of  
20 compliance for the vehicles, and did not test or inspect the vehicles as required by Health & Saf.  
21 Code section 44012. Further, Allen previously tested and failed vehicles 1 through 3 due to  
22 OBDII functional failures in that the vehicles had two or more emissions related readiness  
23 monitors that had not run to completion. As such, the vehicles would not pass the inspection  
24 required by Health Saf. Code section 44012.

25 b. Respondent Abouzeid's smog check technician, Respondent Allen, certified that the  
26 2004 Ford, vehicle 5 identified in paragraph 40 above, had a GVWR of 9,000 pounds. In fact, the  
27 vehicle had a GVWR of 15,000 pounds.

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1 c. Respondent Abouzeid's smog check technician, Respondent Allen, certified under  
2 penalty of perjury on the VIR dated August 8, 2013 for the 2004 Ford, vehicle 5 identified in  
3 paragraph 40 above, that the vehicle failed the MIL functional test (and the overall inspection)  
4 due to the failure to complete all OBD self-tests. In fact, the OBDII functional test was not  
5 applicable to the vehicle and the monitors were not required to run to completion.

6 d. Respondent Abouzeid's smog check technician, Respondent Allen, certified under  
7 penalty of perjury on the VIR's dated April 8, 2013, and April 15, 2013, for the 2004 Ford,  
8 vehicle 5 identified in paragraph 40 above, that the vehicle had passed the visual inspection and  
9 functional test of the ERG system. In fact, the vehicle was not equipped with an EGR system.

10 e. Respondent Abouzeid's smog check technician, Respondent Allen, certified under  
11 penalty of perjury on the VIR for vehicle 4, identified in paragraph 38 above, specifically, the  
12 VIR for the inspection of August 7, 2013, at 10:01 a.m., that the inspection reason was "biennial",  
13 yet certified on the VIR for the inspection of August 7, 2013, at 11:37 a.m., that the inspection  
14 reason was "change of ownership".

15 **TENTH CAUSE FOR DISCIPLINE**

16 **(Fraud)**

17 45. Respondent Abouzeid's registration is subject to disciplinary action pursuant to Bus.  
18 & Prof. Code section 9884.7, subdivision (a)(4), in that Respondent committed acts that constitute  
19 fraud by issuing electronic smog certificates of compliance for vehicles 1 through 4, identified in  
20 paragraphs 35 through 38 above, without ensuring that bona fide inspections were performed of  
21 the emission control devices and systems on the vehicles, thereby depriving the People of the  
22 State of California of the protection afforded by the Motor Vehicle Inspection Program.

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1 **ELEVENTH CAUSE FOR DISCIPLINE**

2 **(Violations of the Motor Vehicle Inspection Program)**

3 46. Respondent Abouzeid's smog check station license is subject to disciplinary action  
4 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to  
5 comply with the following sections of that Code:

6 a. **Section 44012:** Respondent failed to ensure that the emission control tests were  
7 performed on vehicles 1 through 5, identified in paragraphs 35 through 38 and 40 above, in  
8 accordance with procedures prescribed by the department.

9 b. **Section 44015:** Respondent issued electronic smog certificates of compliance for  
10 vehicles 1 through 4, identified in paragraphs 35 through 38 above, without ensuring that the  
11 vehicles were properly tested and inspected to determine if they were in compliance with Health  
12 & Saf. Code section 44012.

13 **TWELFTH CAUSE FOR DISCIPLINE**

14 **(Failure to Comply with Regulations Pursuant**

15 **to the Motor Vehicle Inspection Program)**

16 47. Respondent Abouzeid's smog check station license is subject to disciplinary action  
17 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to  
18 comply with provisions of California Code of Regulations, title 16, as follows:

19 a. **Section 3340.35, subdivision (c):** Respondent issued electronic smog certificates of  
20 compliance for vehicles 1 through 4, identified in paragraphs 35 through 38 above, even though  
21 the vehicles had not been inspected in accordance with section 3340.42.

22 b. **Section 3340.41, subdivision (c):** Respondent Abouzeid authorized or permitted his  
23 technician, Respondent Allen, to enter false information into the EIS, as set forth above.

24 c. **Section 3340.42:** Respondent failed to ensure that the required smog tests were  
25 conducted on vehicles 1 through 5, identified in paragraphs 35 through 38 and 40 above, in  
26 accordance with the Bureau's specifications.

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1 **THIRTEENTH CAUSE FOR DISCIPLINE**

2 (Dishonesty, Fraud or Deceit)

3 48. Respondent Abouzeid's smog check station license is subject to disciplinary action  
4 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed  
5 dishonest, fraudulent or deceitful acts whereby another is injured by issuing electronic smog  
6 certificates of compliance for vehicles 1 through 4, identified in paragraphs 35 through 38 above,  
7 without ensuring that bona fide inspections were performed of the emission control devices and  
8 systems on the vehicles, thereby depriving the People of the State of California of the protection  
9 afforded by the Motor Vehicle Inspection Program.

10 **FOURTEENTH CAUSE FOR DISCIPLINE**

11 (Violations of the Motor Vehicle Inspection Program)

12 49. Respondent Allen's technician license is subject to disciplinary action pursuant to  
13 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with  
14 section 44012 of that Code, as follows: Respondent failed to perform the emission control tests  
15 on vehicles 1 through 5, identified in paragraphs 35 to 38 and 40 above, in accordance with  
16 procedures prescribed by the department.

17 **FIFTEENTH CAUSE FOR DISCIPLINE**

18 (Failure to Comply with Regulations Pursuant  
19 to the Motor Vehicle Inspection Program)

20 50. Respondent Allen's technician license is subject to disciplinary action pursuant to  
21 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with  
22 provisions of California Code of Regulations, title 16, as follows:

23 a. **Section 3340.30, subdivision (a)**: Respondent failed to inspect and test vehicles 1  
24 through 5, identified in paragraphs 35 through 38 and 40 above, in accordance with Health & Saf.  
25 Code sections 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

26 b. **Section 3340.41, subdivision (c)**: Respondent entered false information into the EIS,  
27 as set forth above.

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1 c. Section 3340.42: Respondent failed to conduct the required smog tests on vehicles 1  
2 through 5, identified in paragraphs 35 through 38 and 40 above, in accordance with the Bureau's  
3 specifications.

4 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

6 51. Respondent Allen's technician license is subject to disciplinary action pursuant to  
7 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed dishonest,  
8 fraudulent, or deceitful acts whereby another is injured by issuing electronic smog certificates of  
9 compliance for vehicles 1 through 4, identified in paragraphs 35 through 38 above, without  
10 performing bona fide inspections of the emission control devices and systems on the vehicles,  
11 thereby depriving the People of the State of California of the protection afforded by the Motor  
12 Vehicle Inspection Program.

13 **MATTERS IN AGGRAVATION**

14 52. To determine the degree of discipline, if any, to be imposed on Respondents  
15 Abouzeid and Allen, Complainant alleges as follows:

16 **Respondent Abouzeid**

17 a. On or about November 5, 2010, the Bureau issued Citation No. C2011-0586 against  
18 Respondent for violations of Health & Saf. Code section 44012, subdivision (f) (failure to  
19 determine that emission control devices and systems required by State and Federal law are  
20 installed and functioning correctly in accordance with test procedures); and California Code of  
21 Regulations, title 16, section ("Regulation") 3340.35, subdivision (c) (issuing a certificate of  
22 compliance to a vehicle that was improperly tested). On or about October 21, 2010, Respondent  
23 issued a certificate of compliance to a Bureau undercover vehicle with a non-functional EGR  
24 valve. The Bureau assessed civil penalties totaling \$1,000 against Respondent for the violations.  
25 Respondent paid the fine on January 10, 2011.

26 b. On or about November 18, 2011, the Bureau issued Citation No. C2012-0486 against  
27 Respondent for violating Health & Saf. Code section 44012, subdivision (f) (failure to perform a  
28 visual/functional check of emission control devices according to procedures prescribed by the

1 department). On or about October 20, 2011, Respondent issued a certificate of compliance to a  
2 Bureau undercover vehicle with a missing AIR pump. The Bureau assessed a civil penalty of  
3 \$1,500 against Respondent for the violation. Respondent appealed the citation, but it was upheld  
4 with an effective date of January 14, 2013. Respondent paid the fine on February 11, 2013.

5 **Respondent Allen**

6 c. On or about November 27, 2006, the Bureau issued Citation No. M07-0328 against  
7 Respondent for violations of Health & Saf. Code section 44032 (qualified technicians shall  
8 perform tests of emission control systems and devices in accordance with Health & Saf. Code  
9 section 44012); and Regulation 3340.30, subdivision (a) (qualified technicians shall inspect, test  
10 and repair vehicles in accordance with Health & Saf. Code sections 44012 and 44035 and  
11 Regulation 3340.42). On or about November 16, 2006, Respondent issued a certificate of  
12 compliance to a Bureau undercover vehicle with a missing air injection system. Respondent was  
13 directed to complete an 8 hour training course and to submit proof of completion to the Bureau  
14 within 30 days from receipt of the citation. Respondent completed the training on February 7,  
15 2007.

16 d. On or about November 5, 2010, the Bureau issued Citation No. M2011-0587 against  
17 Respondent for violations of Health & Saf. Code section 44032 (qualified technicians shall  
18 perform tests of emission control systems and devices in accordance with Health & Saf. Code  
19 section 44012); and Regulation 3340.30, subdivision (a) (qualified technicians shall inspect, test  
20 and repair vehicles in accordance with Health & Saf. Code sections 44012 and 44035 and  
21 Regulation 3340.42). On or about October 21, 2010, Respondent issued a certificate of  
22 compliance to a Bureau undercover vehicle with a non-functional EGR valve. Respondent was  
23 directed to complete an 8 hour training course and to submit proof of completion to the Bureau  
24 within 30 days from receipt of the citation. Respondent completed the training on January 11,  
25 2011.

26 e. On or about November 18, 2011, the Bureau issued Citation No. M2012-0487 against  
27 Respondent for violating Health & Saf. Code section 44032 (qualified technicians shall perform  
28 tests of emission control systems and devices in accordance with Health & Saf. Code section

1 44012). On or about October 20, 2011, Respondent issued a certificate of compliance to a Bureau  
2 undercover vehicle with a missing AIR pump. Respondent was directed to complete a 16 hour  
3 training course and to submit proof of completion to the Bureau within 30 days from receipt of  
4 the citation. Respondent appealed the citation, but it was upheld with an effective date of January  
5 14, 2013. Respondent completed the training on February 21, 2013.

6 **OTHER MATTERS**

7 53. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may  
8 suspend, revoke or place on probation the registration for all places of business operated in this  
9 state by Respondent Michael Gary Abouzeid, owner of Carfinders, upon a finding that  
10 Respondent has, or is, engaged in a course of repeated and willful violations of the laws and  
11 regulations pertaining to an automotive repair dealer.

12 54. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Station License  
13 Number RC 258462, issued to Respondent Michael Gary Abouzeid, owner of Carfinders, is  
14 revoked or suspended, any additional license issued under this chapter in the name of said  
15 licensee may be likewise revoked or suspended by the Director.

16 55. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License  
17 Number EO 144378 and Smog Check Repair Technician License No. EI 144378, issued to  
18 Respondent Kendall J. Allen, are revoked or suspended, any additional license issued under this  
19 chapter in the name of said licensee may be likewise revoked or suspended by the Director.

20 **PRAYER**

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

- 23 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD  
24 258462, issued to Michael Gary Abouzeid, owner of Carfinders;
- 25 2. Revoking or suspending any other automotive repair dealer registration issued to  
26 Michael Gary Abouzeid;
- 27 3. Revoking or suspending Smog Check Station License Number RC 258462, issued to  
28 Michael Gary Abouzeid, owner of Carfinders;

- 1        4.    Revoking or suspending any additional license issued under Chapter 5 of the Health
- 2 and Safety Code in the name of Michael Gary Abouzeid;
- 3        5.    Revoking or suspending Smog Check Inspector License Number EO 144378 and
- 4 Smog Check Repair Technician License No. EI 144378 issued to Kendall J. Allen;
- 5        6.    Revoking or suspending any additional license issued under Chapter 5 of the Health
- 6 and Safety Code in the name of Kendall J. Allen;
- 7        7.    Ordering Michael Gary Abouzeid, owner of Carfinders, and Kendall J. Allen to pay
- 8 the Director of Consumer Affairs the reasonable costs of the investigation and enforcement of this
- 9 case, pursuant to Business and Professions Code section 125.3;
- 10       8.    Taking such other and further action as deemed necessary and proper.

11  
12 DATED: \_\_\_\_\_ → 3/12/14 by PAT DORAIS  
13 PATRICK DORAIS  
14 Chief  
15 Bureau of Automotive Repair  
16 Department of Consumer Affairs  
17 State of California  
18 Complainant  
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