

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

In the Matter of the Accusation Against:

**A ONE QUALITY TIRES & AUTO REPAIR;
IMRAN ASHRAF, OWNER**
4444 Franklin Boulevard, Unit A
Sacramento, CA 95820

Automotive Repair Dealer Registration
No. ARD 261644

Case No. 77/15-17

Respondent.


DECISION

The attached Stipulation for Revocation 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:

Page 2, line 2: The expiration date of "March 31, 2015" is corrected to "March 31, 2016."

This Decision shall become effective October 28, 2015.

DATED: October 6, 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
3 KRISTINA T. JANSEN
Deputy Attorney General
4 State Bar No. 258229
1300 I Street, Suite 125
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7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 77/15-17

13 **A ONE QUALITY TIRES & AUTO**
14 **REPAIR;**

STIPULATION FOR REVOCATION

15 **IMRAN ASHRAF, OWNER**
16 **4444 Franklin Boulevard, Unit A**
17 **Sacramento, California 95820**

18 **Automotive Repair Dealer Registration No.**
19 **ARD 261644**

20 Respondent.

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

23 **PARTIES**

24 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair. He
25 brought this action solely in his official capacity and is represented in this matter by Kamala D.
26 Harris, Attorney General of the State of California, by Kristina T. Jansen, Deputy Attorney
27 General.

28 2. On or about April 20, 2010, the Bureau of Automotive Repair issued Automotive
Repair Dealer Registration No. ARD 261644 to A One Quality Tires & Auto Repair; Imran
Ashraf, Owner (Respondent). The Automotive Repair Dealer Registration was in full force and

1 effect at all times relevant to the charges brought in Accusation No. 77/15-17 and will expire on
2 March 31, 2015, unless renewed.

3 3. A One Quality Tires & Auto Repair; Imran Ashraf, Owner (Respondent) is
4 represented in this proceeding by attorney Michael W. Thomas, whose address is: Thomas &
5 Associates, 2390 Professional Drive, Roseville, CA 95661.

6 **JURISDICTION**

7 4. Accusation No. 77/15-17 was filed before the Director of Consumer Affairs
8 (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against
9 Respondent. The Accusation and all other statutorily required documents were properly served
10 on Respondent on September 22, 2014. Respondent timely filed his Notice of Defense contesting
11 the Accusation. A copy of Accusation No. 77/15-17 is attached as Exhibit A and incorporated by
12 reference.

13 **ADVISEMENT AND WAIVERS**

14 5. Respondent has carefully read, fully discussed with counsel, and understands the
15 charges and allegations in Accusation No. 77/15-17. Respondent also has carefully read, fully
16 discussed with counsel, and understands the effects of this Stipulation for Revocation.

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

24 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25 every right set forth above.

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1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 77/15-17, agrees that cause exists for discipline and hereby stipulates to the revocation of his
4 Automotive Repair Dealer Registration No. ARD 261644 by the Bureau.

5 9. Respondent understands that by signing this stipulation he enables the Director to
6 issue an order revoking his Automotive Repair Dealer Registration without further process.

7 **CONTINGENCY**

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

18 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
19 copies of this Stipulation for Revocation, including PDF and facsimile signatures thereto, shall
20 have the same force and effect as the originals.

21 12. This Stipulation for Revocation is intended by the parties to be an integrated writing
22 representing the complete, final, and exclusive embodiment of their agreement. It supersedes any
23 and all prior or contemporaneous agreements, understandings, discussions, negotiations, and
24 commitments (written or oral). This Stipulation for Revocation may not be altered, amended,
25 modified, supplemented, or otherwise changed except by a writing executed by an authorized
26 representative of each of the parties.

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

ORDER

IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 261644,
issued to Respondent A One Quality Tires & Auto Repair; Imran Ashraf, Owner, is revoked.

1. Respondent shall lose all rights and privileges as an Automotive Repair Dealer in California as of the effective date of the Director's Decision and Order.

2. Respondent shall cause to be delivered to the Bureau any and all wall and/or pocket licenses and registrations on or before the effective date of the Decision and Order.

3. Pursuant to Government Code section 11522, Respondent may not petition for reinstatement for a period of one (1) year after the effective date of this order. Further, Respondent shall not apply for any new licenses from the Bureau for a period of one (1) year after the effective date of this order. If he ever applies for any future licensure from the Bureau or petitions for reinstatement in the State of California, the Bureau shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 77/15-17 shall be deemed to be true, correct and admitted by Respondent when the Director determines whether to grant or deny the application or petition.

4. Respondent shall pay the Bureau its costs of investigation and enforcement in the amount of \$26,133.35 prior to filing with the Bureau or the Bureau's acceptance of any application or petition for a new or reinstated license.

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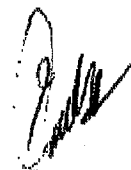
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ACCEPTANCE

I have carefully read the above Stipulation for Revocation and have fully discussed it with my attorney, Michael W. Thomas. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration. I enter into this Stipulation for Revocation voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED:

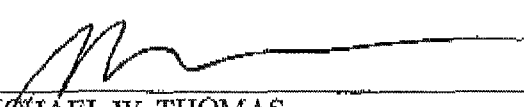
06-29-2015


A ONE QUALITY TIRES & AUTO REPAIR;
IMRAN ASHRAF, OWNER
Respondent

I have read and fully discussed with Respondent A One Quality Tires & Auto Repair; Imran Ashraf, Owner the terms and conditions and other matters contained in this Stipulation for Revocation. I approve its form and content.

DATED:

6/30/15


MICHAEL W. THOMAS
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulation for Revocation is hereby respectfully submitted for consideration
by the Director of Consumer Affairs.

Dated: July 7, 2015

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General



KRISTINA T. JANSEN
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 77/15-17

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KRISTINA T. JANSEN
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Facsimile: (916) 327-8643
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8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 77/15-17

13 **A ONE QUALITY TIRES & AUTO
REPAIR**

A C C U S A T I O N

14 **IMRAN ASHRAF, OWNER**
4444 Franklin Boulevard, Unit A
Sacramento, California 95820

15 **Automotive Repair Dealer Registration No.**
16 **ARD 261644**

17 Respondent.

18
19 Patrick Dorais ("Complainant") alleges:

20 **PARTIES**

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

23 2. On or about April 20, 2010, the Bureau issued Automotive Repair Dealer Registration
24 Number ARD 261644 to Imran Ashraf ("Respondent"), as owner of A One Quality Auto Repairs
25 & Tires. On or about March 8, 2010, the business name was changed to A One Quality Tires &
26 Auto Repair. The automotive repair dealer registration was in full force and effect at all times
27 relevant to the charges brought herein and will expire on March 31, 2015, unless renewed.

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1 6. Code section 9884.8 states:

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

14 7. Code section 9884.9, states, in pertinent part:

15 (a) The automotive repair dealer shall give to the customer a written estimated
16 price for labor and parts necessary for a specific job. No work shall be done and no
17 charges shall accrue before authorization to proceed is obtained from the customer.
18 No charge shall be made for work done or parts supplied in excess of the estimated
19 price without the oral or written consent of the customer that shall be obtained at
20 some time after it is determined that the estimated price is insufficient and before the
21 work not estimated is done or the parts not estimated are supplied. Written consent
22 or authorization for an increase in the original estimated price may be provided by
23 electronic mail or facsimile transmission from the customer. The bureau may specify
24 in regulation the procedures to be followed by an automotive repair dealer if an
25 authorization or consent for an increase in the original estimated price is provided by
26 electronic mail or facsimile transmission. If that consent is oral, the dealer shall
27 make a notation on the work order of the date, time, name of person authorizing the
28 additional repairs, and telephone number called, if any, together with a specification
29 of the additional parts and labor and the total additional cost, and shall do either of
30 the following:

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

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

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

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

41 _____
42 (signature or initials)"

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8. California Code of Regulations, title 16 (“Regulation”), section 3356, states, in pertinent part:

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

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

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

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

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

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

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

COST RECOVERY

9. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

UNDERCOVER OPERATION #1

10. On or about January 7, 2014, a Bureau undercover operator using an alias (the "operator") took a Bureau-documented 2003 Buick (the "Vehicle") to Respondent's facility. The operator told Respondent he wanted a tire repaired and to know why the check engine light was lit. Respondent told the operator that he would telephone him regarding the check engine light after his mechanic came in. Respondent did not give the operator an estimate. Respondent later telephoned the operator and told him the Vehicle needed a "full" tune-up, and that the spark plug

1 wires and a motor mount needed to be replaced. He said the total was \$650, including parts and
2 labor. The operator authorized the recommended repairs over the telephone.

3 11. On or about January 8, 2014, Respondent informed the operator over the telephone
4 that the fuel injector needed to be replaced, and that he would charge \$120, the cost of the part
5 only. Respondent told the operator the total for repairs for the vehicle would be \$770.

6 12. The operator returned to Respondent's facility that same day to retrieve the Vehicle.
7 The operator paid Respondent \$770 cash and signed an invoice dated January 8, 2014 (the
8 "Invoice). The Invoice specified replacement of the Vehicle's MAF sensor (mass air flow sensor),
9 a "full tune up, oil filter + spark plugs + motor oil", a motor mount, and a fuel injector, for \$770
10 total. Respondent gave the operator a copy of the Invoice.

11 13. On or about January 8, 2014, the Bureau inspected the Vehicle by comparing
12 Respondent's Invoice to work performed by Respondent and found that Respondent performed
13 repairs as invoiced. However, the only repair needed was replacement of a number five fuel
14 injector. The motor mount met vehicle manufacturer guidelines and did not need to be replaced.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Untrue or Misleading Statements)**

17 14. Respondent's registration is subject to discipline under Code section 9884.7(a)(1), in
18 that regarding the Bureau's 2003 Buick, Respondent made or authorized statements that he knew
19 or in the exercise of reasonable care should have known to be untrue or misleading as follows:

20 a. Respondent represented to the operator that the 2003 Buick needed a full tune-up
21 when, in fact, it did not.

22 b. Respondent represented to the operator that a motor mount needed to be replaced
23 when, in fact, it did not.

24 c. Respondent represented to the operator on his Invoice dated January 8, 2014, that the
25 spark plugs, spark plug wires, fuel filter, air filter element and mass airflow sensor needed to be
26 replaced. In fact, those parts did not need to be replaced.

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1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations)**

3 18. Respondent's registration is subject to discipline under Code section 9884.7(a)(6), in
4 that as regards the Bureau's 2003 Buick, Respondent failed to materially comply with
5 Regulations, as follows:

6 a. **Section 3356(a)(1):** Respondent failed to set forth his automotive repair dealer
7 registration number on his Invoice dated January 8, 2014.

8 b. **Section 3356(a)(2)(B):** Respondent failed to describe on his Invoice dated January 8,
9 2014, for each part provided whether that part was new, used, reconditioned, or rebuilt.

10 c. **Section 3356(a)(1):** The name on Respondent's Invoice dated January 8, 2014, is:
11 "A1 Quality Tires, Auto Repair & Auto Glass". The owner is "Imran Chaudhry". The dealer's
12 firm name on the State registration certificate as an automotive repair dealer is: "A One Quality
13 Tires & Auto Repair"; and, the owner's name on the registration certificate is: "Imran Ashraf".

14 **UNDERCOVER OPERATION #2**

15 19. On or about March 20, 2014, a Bureau undercover operator using an alias (the
16 "operator") took a Bureau-documented 1999 Pontiac (the "Vehicle") to Respondent's facility.
17 The operator told Respondent's employee, "Lua", that the Vehicle engine was running rough and
18 he wanted it diagnosed. Lua told the operator that he would telephone him after Respondent's
19 mechanic came in and had the operator write his name and address on a blank estimate. The
20 operator was not given a copy of an estimate. Lua telephoned the operator later and told him the
21 Vehicle's vacuum line needed replacement, for \$120 total, which the operator authorized.

22 20. The operator returned to Respondent's facility that same day to retrieve the Vehicle.
23 The operator paid Respondent \$120 cash. Respondent did not give the operator an invoice and the
24 operator left Respondent's facility. The operator returned and asked for an invoice. Respondent
25 then generated an invoice dated March 20, 2014, for \$120 total (the "Invoice"), which specified
26 "clean AGR", "clean IAC valves", and "Ply Dass volvoes hose".

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1 21. On or about April 1, 2014, the Bureau inspected the Vehicle by comparing
2 Respondent's Invoice to work performed by Respondent and determined that the EGR port walls
3 or valve had not been cleaned. Further, the IAC valve was not in need of cleaning.

4 **SIXTH CAUSE FOR DISCIPLINE**

5 **(Untrue or Misleading Statements)**

6 22. Respondent's registration is subject to discipline under Code section 9884.7(a)(1), in
7 that as regards the Bureau's 1999 Pontiac, Respondent made or authorized statements that he
8 knew or in the exercise of reasonable care should have known to be untrue or misleading, as
9 follows:

10 a. Respondent represented to the operator on his Invoice dated March 20, 2014, that the
11 EGR valve had been cleaned when, in fact, it had not been cleaned.

12 b. Respondent represented to the operator on his Invoice dated March 20, 2014, that the
13 IAC valve had been cleaned. In fact, that part did not need to be cleaned.

14 **SEVENTH CAUSE FOR DISCIPLINE**

15 **(Failure to Note Odometer Reading on Signed Document)**

16 23. Respondent is subject to discipline under Code section 9884.7(a)(2), in that
17 Respondent failed to note the odometer reading for the Bureau's 1999 Pontiac on his Invoice.

18 **EIGHTH CAUSE FOR DISCIPLINE**

19 **(Failure to Comply with the Automotive Repair Act)**

20 24. Respondent's registration is subject to discipline under Code section 9884.7(a)(6),
21 in that as regards the Bureau's 1999 Pontiac, Respondent failed to materially comply with the
22 following provisions of that Code, as follows:

23 a. **Section 9884.8:** Respondent failed to provide an invoice to the operator when he
24 retrieved the 1999 Pontiac.

25 b. **Section 9884.8:** Respondent failed on the Invoice dated March 20, 2014, to:

26 i. Describe all work performed on the vehicle.

27 ii. Separately list service work and parts supplied.

28 iii. List separate subtotals for parts and labor.

- 1 iv. Separately state the sales tax.
- 2 c. **Section 9884.9:** Respondent failed to provide the operator with a written estimate
- 3 for parts and labor.

4 **NINTH CAUSE FOR DISCIPLINE**

5 **(Failure to Comply with Regulations)**

6 25. Respondent's registration is subject to discipline under Code section 9884.7(a)(6), in

7 that as regards the Bureau's 1999 Pontiac, Respondent failed to materially comply with

8 Regulations, as follows:

- 9 a. **Section 3356(a)(1):** Respondent failed to set forth his automotive repair dealer
- 10 registration number on his Invoice dated March 20, 2014.
- 11 b. **Section 3356(a)(2)(B):** Respondent failed to describe on his Invoice dated March 20,
- 12 2014, for each part provided whether that part was new, used, reconditioned, or rebuilt.
- 13 c. **Section 3356(a)(1):** The name on Respondent's Invoice dated March 20, 2014, is:
- 14 "A1 Quality Tires, Auto Repair & Auto Glass". The owner is "Imran Chaudhry". However, the
- 15 dealer's firm name as it appears on the State registration certificate as an automotive repair dealer
- 16 is: "A One Quality Tires & Auto Repair"; and, the owner's name on the registration certificate is:
- 17 "Imran Ashraf".

18 **CONSUMER COMPLAINT**

19 26. On or about June 7, 2013, "M.R." had her 2002 Kia Spectra ("Kia") towed to

20 Respondent's facility to replace the timing belt. On or about the following day, Juan,

21 Respondent's employee, told M.R.'s representative, "A.M.", that the engine in the Kia needed to

22 be replaced. Juan represented that Respondent would replace the engine with a used engine for

23 \$1,100 total.

24 27. On or about June 11, 2013, M.R. paid Respondent a \$500 deposit for a used engine

25 and Respondent gave her a receipt dated June 11, 2013. On or about June 19, 2013, M.R. and

26 A.M. retrieved the Kia. M.R. paid the \$600 balance. A.M., on M.R.'s behalf, asked Respondent

27 for paperwork showing the mileage on the used engine that was allegedly installed. Respondent

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1 said it was thrown out. Respondent provided M.R. with an invoice dated June 19, 2013 (the
2 "Invoice"). M.R. signed the Invoice and Respondent gave her a copy.

3 28. On or about August 19, 2013, M.R. caused a complaint to be filed with the Bureau
4 against Respondent. On or about August 28, 2013, a Bureau investigator cleaned accumulated
5 grease from the engine block plate on the Kia and saw that the vehicle identification number
6 (VID) thereon matched the numbers on the firewall in the engine compartment and on the plate at
7 the corner of the left front windshield. He determined that the engine had not been replaced.

8 29. On or about September 6, 2013, Respondent told a Bureau investigator that he
9 installed a used engine in the Kia. The investigator requested that Respondent make available for
10 inspection all documentation related to Respondent's work on the Kia. On or about September 11,
11 2013, Respondent provided the Bureau investigator with three receipts: one that matched the
12 June 11, 2013, receipt for the \$500 deposit given to M.R. for the Kia; another that matched the
13 Invoice received by M.R. on June 19, 2013; and, a third (more legible) receipt dated June 11,
14 2013, documenting M.R.'s \$500 deposit, which states, *inter alia*, "used engine". Respondent
15 failed to produce a receipt for the used engine he allegedly purchased and installed in M.R.'s Kia.

16 **TENTH CAUSE FOR DISCIPLINE**

17 **(Untrue or Misleading Statements)**

18 30. Respondent's registration is subject to discipline under Code section 9884.7(a)(1), in
19 that as regards M.R.'s 2002 Kia, Respondent made or authorized statements that he knew or in
20 the exercise of reasonable care should have known to be untrue or misleading as follows:

21 a. On or about June 8, 2013, Respondent represented to M.R., through her
22 representative, A.M., that the 2002 Kia engine needed to be replaced when, in fact, it did not.

23 b. Respondent's receipt for M.R.'s \$500 cash deposit, dated June 11, 2013, states, "used
24 engine". In fact, Respondent never installed a used engine in M.R.'s vehicle.

25 c. Respondent represented to M.R., A.M., and a Bureau investigator that the engine had
26 been replaced, as set forth in paragraphs 26, 27, and 29, above. In fact, it was not replaced.

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1 **ELEVENTH CAUSE FOR DISCIPLINE**

2 **(Fraudulent Act)**

3 31. Respondent's registration is subject to discipline under Code section 9884.7(a)(4), in
4 that Respondent committed acts that constitute fraud, by making false or misleading statements to
5 M.R. regarding the need to install an engine in M.R.'s 2002 Kia in order to induce her to
6 authorize unnecessary repairs on the vehicle, and then obtained payment from M.R. for the
7 installation of an engine when, in fact, that repair had not been made, as set forth in paragraphs 26
8 through 29, above.

9 **TWELFTH CAUSE FOR DISCIPLINE**

10 **(Failure to Note Odometer Reading on Signed Document)**

11 32. Respondent is subject to discipline under Code section 9884.7(a)(2), in that
12 Respondent failed to note the odometer reading for M.R.'s 2002 Kia on his Invoice dated June 19,
13 2013.

14 **THIRTEENTH CAUSE FOR DISCIPLINE**

15 **(Failure to Comply with the Automotive Repair Act)**

16 33. Respondent's registration is subject to discipline under Code section 9884.7(a)(6),
17 in that as regards M.R.'s 2002 Kia, Respondent failed to materially comply with the following
18 provisions of that Code, as follows:

- 19 a. **Section 9884.8:** Respondent failed on his Invoice dated June 19, 2013, to:
- 20 i. Describe all work performed on the 2002 Kia.
- 21 ii. Separately list service work and parts supplied.
- 22 iii. List separate subtotals for parts and labor.
- 23 iv. Separately state the sales tax.

24 **FOURTEENTH CAUSE FOR DISCIPLINE**

25 **(Failure to Comply with Regulations)**

26 34. Respondent's registration is subject to discipline under Code section 9884.7(a)(6), in
27 that as regards M.R.'s 2002 Kia, Respondent failed to materially comply with Regulations, as
28 follows:

1 a. **Section 3356(a)(1):** Respondent failed to set forth his automotive repair dealer
2 registration number on his Invoice dated June 19, 2013.

3 b. **Section 3356(a)(2)(B):** Respondent failed on his Invoice dated June 19, 2013, to
4 describe for each part provided whether that part was new, used, reconditioned, or rebuilt.

5 c. **Section 3356(a)(1):** The name on Respondent's Invoice dated June 19, 2013, is: "A1
6 Quality Tires, Auto Repair & Auto Glass". The owner is "Imran Chaudhry". However, the
7 dealer's firm name as it appears on the State registration certificate as an automotive repair dealer
8 is: "A One Quality Tires & Auto Repair"; and, the owner's name on the registration certificate is:
9 "Imran Ashraf".

10 **OTHER MATTERS**

11 35. Pursuant to Code section 9884.7(c), the Director may suspend, revoke, or place on
12 probation the registration for all places of business operated in this state by Respondent Imran
13 Ashraf, owner of A One Quality Tires & Auto Repair, upon a finding that Respondent has, or is,
14 engaged in a course of repeated and willful violations of the laws and regulations pertaining to an
15 automotive repair dealer.

16 **PRAYER**

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

19 1. Revoking or suspending Automotive Repair Dealer Registration Number
20 ARD 261644, issued to Imran Ashraf, owner of A One Quality Tires & Auto Repair;

21 2. Revoking or suspending any other automotive repair dealer registration issued to
22 Imran Ashraf;

23 3. Ordering Imran Ashraf to pay the Director of Consumer Affairs the reasonable costs
24 of the investigation and enforcement of this case, pursuant to Business and Professions Code
25 section 125.3; and,

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

DATED: September 15, 2014 Patrick Doraïs

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

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