

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

In the Matter of the Statement of Issues Against:

EZ LUBE LLC (FORMERLY EZ LUBE, INC.)
GUY MARSALA, President and
Chief Executive Officer
3540 Howard Way, Suite 200
Costa Mesa, CA 92626

Case No. 77/06-68s

Applicant/Respondent.

DECISION

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

This Decision shall become effective on July 19, 2010.

IT IS SO ORDERED July 14, 2010.



DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

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

**In the Matter of the Statement of Issues
Against:**

EZ LUBE LLC (FORMERLY EZ LUBE, INC.)
3540 Howard Way, Suite 200
Costa Mesa, CA 92626
Guy Marsala, President and
Chief Executive Officer

Case No. 77/06-68s

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

Applicant/Respondent.

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

PARTIES

1. Complainant, Sherry Mehl, ("Complainant") is the Chief of the Bureau of
Automotive Repair, Department of Consumer Affairs.

2. Guy Marsala, solely in his capacity as President and Chief Executive Officer of
EZ LUBE LLC; D.B.A. EZ LUBE ("Respondent"), has represented Respondent's interest
throughout the pendency of this matter since April 29, 2010, and has read and understands the
contents of this Stipulation, its terms, condition and effect. EZ LUBE INC. was previously a
registrant of the Bureau, holding numerous Automotive Repair Dealer registration numbers. EZ
LUBE INC. became EZ LUBE LLC and is currently a registrant holding numerous Automotive
Repair Dealer Registration numbers, which are currently on probation.

3. On June 16, 2005, Accusation, Case No. 77/06-68 was filed against Respondent
(EZ LUBE INC.) alleging violations of the Automotive Repair Act, and the regulations
pertaining thereto. A copy of said Accusation is attached hereto as Exhibit "A" and is
incorporated by reference as if fully set forth therein.

///

JURISDICTION

1
2 4. On January 22, 2008, in Case No. 77/06-68, the Director issued a Stipulated
3 Settlement and Disciplinary Order, which revoked all of the Respondent's (EZ LUBE INC.)
4 Automotive Repair Dealer Registrations effective January 28, 2008. Respondent's new business
5 entity EZ LUBE LLC's applications for numerous Automotive Repair Dealer Registrations were
6 issued and immediately revoked. Said revocations were stayed and the registrations were placed
7 on probation for a period of five (5) years with certain terms and conditions imposed. A copy of
8 said Stipulated Settlement and Disciplinary Order is attached hereto as Exhibit "B" and is
9 incorporated by reference as if fully set forth therein.

10 5. On or about, May 5, 2010 Respondent submitted an update to the previously
11 submitted applications, application case file numbers: AI 2010 5086; AI 2010 5087; AI 2010
12 5088; AI 2010 5089; AI 2010 5090; AI 2010 5091; AI 2010 5092; AI 2010 5093; AI 2010 5094;
13 AI 2010 5095; AI 2010 5096; AI 2010 5097; AI 2010 5098; AI 2010 5099; AI 2010 5100; AI
14 2010 5101; AI 2010 5102; AI 2010 5103; AI 2010 5104; AI 2010 5105; AI 2010 5106; AI 2010
15 5107; AI 2010 5108; AI 2010 5109; AI 2010 5110; AI 2010 5111; AI 2010 5112; AI 2010 5113;
16 AI 2010 5114; AI 2010 5115; AI 2010 5116; AI 2010 5117; AI 2010 5118; AI 2010 5119; AI
17 2010 5120; AI 2010 5121; AI 2010 5122; AI 2010 5123; AI 2010 5124; AI 2010 5125; AI 2010
18 5126; AI 2010 5127; AI 2010 5128; AI 2010 5129; AI 2010 5130; AI 2010 5131; AI 2010 5132;
19 AI 2010 5133; AI 2010 5134; AI 2010 5135; AI 2010 5136; AI 2010 5137; AI 2010 5138; AI
20 2010 5139; AI 2010 5140; AI 2010 5141; AI 2010 5142; AI 2010 5143; AI 2010 5144; AI 2010
21 5145; AI 2010 5146; AI 2010 5147; AI 2010 5148; AI 2010 5149; AI 2010 5150; AI 2010 5151;
22 AI 2010 5152; AI 2010 5153; AI 2010 5154; AI 2010 5155; AI 2010 5156; AI 2010 5157; AI
23 2010 5158; and applied to the Director for Automotive Repair Dealer Registrations as Chief
24 Executive Officer of EZ LUBE LLC located at 3540 Howard Way, Suite 200, Costa Mesa, CA
25 92626. On or about May 24, 2010, Respondent submitted correspondence to the Bureau
26 agreeing to apply the terms of Stipulated Settlement and Disciplinary Order 77/06-68 to
27 Respondent's new updated Automotive Repair Dealer Registrations. A copy of said update to
28 the applications dated May 5, 2010, and Respondent's correspondence date May 24, 2010, is

1 attached hereto as Exhibit "C" and are incorporated by reference as if fully set forth therein.
2 Said applications are subject to denial under Business and Professions Code section 480(a) (2).

3 6. The parties herein stipulate that for the purposes of this matter, Accusation
4 Number 77/06-68, referenced herein as Exhibit "A" may be deemed to constitute a Statement of
5 Issues, for purposes of the denial of Respondents application, as referenced herein above in
6 Paragraph 5.

7 ADVISEMENT AND WAIVERS

8 7. Respondent has carefully read, and understands the charges and allegations in
9 Accusation No. 77/06-68. Respondent has also carefully read, and understands the effects of this
10 Stipulated Settlement and Disciplinary Order.

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

18 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
19 every right set forth above.

20 CULPABILITY

21 10. Respondent admits the truth of each and every charge and allegation in Accusation
22 No. 77/06-68.

23 11. Respondent agrees that its Registration and Station License are subject to discipline
24 and agree to be bound by the Director's imposition of discipline set forth in the Disciplinary
25 Order .

26 CONTINGENCY

27 12. This stipulation shall be subject to approval by the Director or his designee.
28 Respondent understands and agrees that counsel for Complainant and the staff of the Bureau may

1 communicate directly with the Director and staff of the Department of Consumer Affairs
2 regarding this stipulation and settlement, without notice to or participation by Respondent. By
3 signing the stipulation, Respondent understands and agrees that it may not withdraw its
4 agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon
5 it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated
6 Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall
7 be inadmissible in any legal action between the parties, and the Director shall not be disqualified
8 from further action by having considered this matter.

9 13. The parties understand and agree that facsimile copies of this Stipulated Settlement
10 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
11 effect as the originals

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

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

21 **DISCIPLINARY ORDER**

22 **IT IS ORDERED** that Respondent's Automotive Repair Dealer Registration applications,
23 application case file numbers: AI 2010 5086; AI 2010 5087; AI 2010 5088; AI 2010 5089; AI
24 2010 5090; AI 2010 5091; AI 2010 5092; AI 2010 5093; AI 2010 5094; AI 2010 5095; AI 2010
25 5096; AI 2010 5097; AI 2010 5098; AI 2010 5099; AI 2010 5100; AI 2010 5101; AI 2010 5102;
26 AI 2010 5103; AI 2010 5104; AI 2010 5105; AI 2010 5106; AI 2010 5107; AI 2010 5108; AI
27 2010 5109; AI 2010 5110; AI 2010 5111; AI 2010 5112; AI 2010 5113; AI 2010 5114; AI 2010
28 5115; AI 2010 5116; AI 2010 5117; AI 2010 5118; AI 2010 5119; AI 2010 5120; AI 2010 5121;

1 AI 2010 5122; AI 2010 5123; AI 2010 5124; AI 2010 5125; AI 2010 5126; AI 2010 5127; AI
2 2010 5128; AI 2010 5129; AI 2010 5130; AI 2010 5131; AI 2010 5132; AI 2010 5133; AI 2010
3 5134; AI 2010 5135; AI 2010 5136; AI 2010 5137; AI 2010 5138; AI 2010 5139; AI 2010 5140;
4 AI 2010 5141; AI 2010 5142; AI 2010 5143; AI 2010 5144; AI 2010 5145; AI 2010 5146; AI
5 2010 5147; AI 2010 5148; AI 2010 5149; AI 2010 5150; AI 2010 5151; AI 2010 5152; AI 2010
6 5153; AI 2010 5154; AI 2010 5155; AI 2010 5156; AI 2010 5157; AI 2010 5158; upon
7 Respondent's full compliance with the requirements for issuance of said registrations shall be
8 issued and immediately revoked, with the revocations stayed, subject in all respects to the terms
9 and conditions of probation as set forth in the Stipulated Settlement and Disciplinary Order as
10 Case No. 77/06-68, (Exhibit "B") entered on December 28, 2007, with an effective date of
11 January 28, 2008, and a probation end date of January 28, 2013.

12 **ACCEPTANCE**

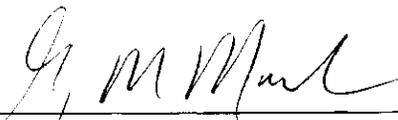
13 Respondent has carefully read the Stipulated Settlement and Disciplinary Order.
14 Respondent understands the stipulation and the effect it will have on its Automotive Repair
15 Dealer Registrations. Respondent enters into this Stipulated Settlement and Disciplinary Order
16 voluntarily, knowingly, and intelligently, and agrees to be bound by the Decision and Order of
17 the Director of Consumer Affairs.

18 ///

19 ///

20 DATED: _____

7/2/2010



21 EZ LUBE LLC, Respondent
22 By: GUY MARSALA,
23 President and Chief Executive Officer

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1 I have read and fully discussed with Respondent and Guy Marsala, President and Chief
2 Executive Officer, the terms and conditions and other matters contained in the above Stipulated
3 Settlement and Disciplinary Order. I approve its form and content.

4 ///

5 ///

6 DATED: July 2, 2010 Richard J. Maire, Jr.
7 Richard J. Maire, Jr.
8 Attorney at Law

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13 **ENDORSEMENT**

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

16 Dated: July 2, 2010

17 Respectfully Submitted.

18 Sherry Mehl
19 SHERRY MEHL, Chief
20 Bureau of Automotive Repair
21 Department of Consumer Affairs
22 Complainant

Exhibit A

Accusation No. 77/06-68

1 BILL LOCKYER, Attorney General
of the State of California
2 SHARON F. COHEN, R. N.
Supervising Deputy Attorney General
3 BARRY G. THORPE, State Bar No. 126422
Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-5845
6 Facsimile: (213) 897-2804

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 and Statement of
13 Issues Against:

Case No. 77/06-68

14 **EZ LUBE, INC., dba**
15 **EZ LUBE, INC., #03**
27125 N. Sierra Highway
Canyon Country, California 91351 and/or
16 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AG 217322
17 **MICHAEL J. DOBSON, PR**
18 **RICHARD D. TEASTA, CEO**

ACCUSATION AND
STATEMENT OF ISSUES

19 **EZ LUBE, INC., dba**
20 **EZ LUBE, INC., #4**
1460 E. Foothill Boulevard
Upland, California 91786 and/or
21 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AD 210164
22 **MICHAEL J. DOBSON, PR**
23 **RICHARD D. TEASTA, CEO**

24 **EZ LUBE, INC., dba**
25 **EZ LUBE, INC., #10**
24043 Hawthorne Boulevard
Torrance, California 90505 and/or
26 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AC 210008
27 **MICHAEL J. DOBSON, PR**
28 **RICHARD D. TEASTA, CEO**

1 **EZ LUBE, INC., dba**
EZ LUBE, INC., #13
2 10800 Riverside Drive
North Hollywood, California 91602 and/or
3 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
4 Automotive Repair Dealer Registration
No. AK 218416
5 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
6
7 **EZ LUBE, INC., dba**
EZ LUBE, INC., #14
24281 Moulton Parkway
8 Laguna Hills, California 92653 and/or
3506 W. Lake Center Drive, Suite B
9 Santa Ana, California 92704
Automotive Repair Dealer Registration
10 No. AG 217300
MICHAEL J. DOBSON, PR
11 **RICHARD D. TEASTA, CEO**
12
13 **EZ LUBE, INC., dba**
EZ LUBE, INC., #16
7361 Edinger Avenue
Huntington Beach, California 92647 and/or
14 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
15 Automotive Repair Dealer Registration
No. AG 217302
16 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
17
18 **EZ LUBE, INC., dba**
EZ LUBE, INC., #17
4002 N. Harbor Boulevard
19 Fullerton, California 92835 and/or
3506 W. Lake Center Drive, Suite B
20 Santa Ana, California 92704
Automotive Repair Dealer Registration
21 No. AD 210163
MICHAEL J. DOBSON, PR
22 **RICHARD D. TEASTA, CEO**
23
24 **EZ LUBE, INC., dba**
EZ LUBE, INC., #19
1700 Artesia Boulevard
Redondo Beach, California 90278 and/or
25 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
26 Automotive Repair Dealer Registration
No. AC 210009
27 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
28

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #24**
2658 Jamacha Road
3 El Cajon, California 92019 and/or
3506 W. Lake Center Drive, Suite B
4 Santa Ana, California 92704
Automotive Repair Dealer Registration
5 No. AG 217306
MICHAEL J. DOBSON, PR
6 **RICHARD D. TEASTA, CEO**

7 **EZ LUBE, INC., dba**
8 **EZ LUBE, INC., #25**
2585 Clairmont Drive
9 San Diego, California 92117 and/or
3506 W. Lake Center Drive, Suite B
10 Santa Ana, California 92704
Automotive Repair Dealer Registration
11 No. AG 217307
MICHAEL J. DOBSON, PR
12 **RICHARD D. TEASTA, CEO**

13 **EZ LUBE, INC., dba**
14 **EZ LUBE, INC., #26**
5658 Rosemead Boulevard
15 Temple City, California 91780 and/or
3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
Automotive Repair Dealer Registration
17 No. AD 210162
MICHAEL J. DOBSON, PR
18 **RICHARD D. TEASTA, CEO**

19 **EZ LUBE, INC., dba**
20 **EZ LUBE, INC., #27**
13421 Washington Boulevard
21 Culver City, California 90232 and/or
3506 W. Lake Center Drive, Suite B
22 Santa Ana, California 92704
Automotive Repair Dealer Registration
23 No. AG 217308
MICHAEL J. DOBSON, PR
24 **RICHARD D. TEASTA, CEO**

25 **EZ LUBE, INC., dba**
26 **EZ LUBE, INC., #28**
6819 La Tijera
27 Los Angeles, California 90045 and/or
3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AJ 218096
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

1 EZ LUBE, INC., dba
2 EZ LUBE, INC., #34
3 13401 Whittier Boulevard
4 Whittier, California 90602 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration
8 No. AD 210161
9 MICHAEL J. DOBSON, PR
10 RICHARD D. TEASTA, CEO

11 EZ LUBE, INC., dba
12 EZ LUBE, INC., #37
13 5380 Sepulveda Boulevard
14 Culver City, California 90230 and/or
15 3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
17 Automotive Repair Dealer Registration
18 No. AL 213693
19 MICHAEL J. DOBSON, PR
20 RICHARD D. TEASTA, CEO

21 EZ LUBE, INC., dba
22 EZ LUBE, INC., #38
23 12055 Scripps Summit Drive
24 San Diego, California 92131 and/or
25 3506 W. Lake Center Drive, Suite B
26 Santa Ana, California 92704
27 Automotive Repair Dealer Registration
28 No. AG 217310
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

18 EZ LUBE, INC., dba
19 EZ LUBE, INC., #41
20 17511 Yorba Linda Boulevard
21 Yorba Linda, California 92886 and/or
22 3506 W. Lake Center Drive, Suite B
23 Santa Ana, California 92704
24 Automotive Repair Dealer Registration
25 No. AG 217321
26 MICHAEL J. DOBSON, PR
27 RICHARD D. TEASTA, CEO

23 EZ LUBE, INC., dba
24 EZ LUBE, INC., #48
25 20860 Sherman Way
26 Canoga Park, California 91303 and/or
27 3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AF 222289
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #49**
26731 Rancho Parkway
3 Lake Forest, California 92630 and/or
3506 W. Lake Center Drive, Suite B
4 Santa Ana, California 92704
Automotive Repair Dealer Registration
5 No. AG 217313
MICHAEL J. DOBSON, PR
6 **RICHARD D. TEASTA, CEO**

7 **EZ LUBE, INC., dba**
8 **EZ LUBE, INC., #52**
2420 W. Olive Avenue
9 Burbank, California 91506 and/or
3506 W. Lake Center Drive, Suite B
10 Santa Ana, California 92704
Automotive Repair Dealer Registration
11 No. AG 217318
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

12 **EZ LUBE, INC., dba**
13 **EZ LUBE, INC., #60**
8122 Masi Drive
14 Rancho Cucamonga, California 91730 and/or
3506 W. Lake Center Drive, Suite B
15 Santa Ana, California 92704
Automotive Repair Dealer Registration
16 No. AG 217320
MICHAEL J. DOBSON, PR
17 **RICHARD D. TEASTA, CEO**

18 **EZ LUBE, INC., dba**
19 **EZ LUBE, INC., #65**
305 N. Citrus Street
20 West Covina, California 91790 and/or
3506 W. Lake Center Drive, Suite B
21 Santa Ana, California 92704
Automotive Repair Dealer Registration
22 No. AM 225492
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #67**
4059 University Parkway
25 San Bernardino, California 92407 and/or
3506 W. Lake Center Drive, Suite B
26 Santa Ana, California 92704
Automotive Repair Dealer Registration
27 No. AG 234863
MICHAEL J. DOBSON, PR
28 **RICHARD D. TEASTA, CEO**

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #71**
3 3504 Central Avenue
4 Riverside, California 92506 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration
8 No. AM 237097
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**

11 **EZ LUBE, INC., dba**
12 **EZ LUBE, INC., #74**
13 3232 E. Chapman Avenue, Suite E
14 Orange, California 92869 and/or
15 3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
17 Automotive Repair Dealer Registration
18 No. AD 233342
19 **MICHAEL J. DOBSON, PR**
20 **RICHARD D. TEASTA, CEO**

21 **EZ LUBE, INC., dba**
22 **EZ LUBE, INC., #79**
23 9862 Adams Avenue
24 Huntington Beach, California 92646 and/or
25 3506 W. Lake Center Drive, Suite B
26 Santa Ana, California 92704
27 Automotive Repair Dealer Registration
28 No. AB 232022
29 **MICHAEL J. DOBSON, PR**
30 **RICHARD D. TEASTA, CEO**

31 **EZ LUBE, INC., dba**
32 **EZ LUBE, INC., #91**
33 12120 Carmel Mountain Road
34 San Diego, California 92128 and/or
35 3506 W. Lake Center Drive, Suite B
36 Santa Ana, California 92704
37 Automotive Repair Dealer Registration
38 No. AB 232023
39 **MICHAEL J. DOBSON, PR**
40 **RICHARD D. TEASTA, CEO**

41 **EZ LUBE, INC., dba**
42 **EZ LUBE, INC., #92**
43 4365 Genesee Avenue
44 San Diego, California 92117 and/or
45 3506 W. Lake Center Drive, Suite B
46 Santa Ana, California 92704
47 Automotive Repair Dealer Registration
48 No. AB 232024
49 **MICHAEL J. DOBSON, PR**
50 **RICHARD D. TEASTA, CEO**

1 EZ LUBE, INC., dba
2 EZ LUBE, INC., #97
3 7450 Mission Grove Parkway
4 Riverside, California 92508 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration
8 No. AF 234389
9 MICHAEL J. DOBSON, PR
10 RICHARD D. TEASTA, CEO
11
12 EZ LUBE, INC., dba
13 EZ LUBE, INC., #102
14 2613 E. Palmdale Blvd.
15 Palmdale, California 93550 and/or
16 3506 W. Lake Center Drive, Suite B
17 Santa Ana, California 92704
18 Automotive Repair Dealer Registration
19 No. AD 238886
20 MICHAEL J. DOBSON, PR
21 RICHARD D. TEASTA, CEO
22
23 EZ LUBE, INC., dba
24 EZ LUBE, INC., Nos. 6 through 118¹
25 MICHAEL J. DOBSON, PR
26 RICHARD D. TEASTA, CEO
27
28 EZ LUBE, L.L.C., Nos. 3 through 123²
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO
DANIEL F. PRENDERGAST, CFO
ALLEN F. BRAUN, COO

Respondents.

Dennis Kenneally ("Complainant") alleges:

PARTIES

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

REGISTRATION INFORMATION

1. EZ Lube, Inc., Store Nos. 6 through 118 are identified and set forth on Appendix A attached hereto and incorporated herein.
2. EZ Lube, L.L.C., Store Nos. 3 through 123 are identified and set forth in paragraph 34, below, and are incorporated herein.

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EZ Lube, Inc., #03

2. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer Registration Number AG 217322 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #03 ("Respondent EZ #03"). The registration will expire on July 31, 2007, unless renewed.

EZ Lube, Inc., #04

3. On or about October 26, 2000, the Bureau issued Automotive Repair Dealer Registration Number AD 210164 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #4 ("Respondent EZ #4"). The registration was delinquent from April 30, 2001, to May 14, 2001, from April 30, 2002, to June 7, 2002, and from April 30, 2006, to July 24, 2006. The registration will expire on April 30, 2007, unless renewed.

EZ Lube, Inc., #10

4. On a date uncertain in 2000, the Bureau issued Automotive Repair Dealer Registration Number AC 210008 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #10 ("Respondent EZ #10"). The registration will expire on March 31, 2007, unless renewed.

EZ Lube, Inc., #13

5. On or about October 22, 2001, the Bureau issued Automotive Repair Dealer Registration Number AK 218416 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #13 ("Respondent EZ #13"). The registration was delinquent from October 31, 2002, until November 19, 2002. The registration will expire on October 31, 2006, unless renewed.

EZ Lube, Inc., #14

6. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer Registration Number AG 217300 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #14 ("Respondent EZ #14"). The registration will expire on July 31, 2007, unless renewed.

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1 **EZ Lube, Inc., #16**

2 7. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
3 Registration Number AG 217302 ("registration") to EZ Lube, Inc., doing business as EZ Lube,
4 Inc. #16 ("Respondent EZ #16"). The registration will expire on July 31, 2007, unless
5 renewed.

6 **EZ Lube, Inc., #17**

7 8. On or about October 26, 2000, the Bureau issued Automotive Repair
8 Dealer Registration Number AD 210163 ("registration") to EZ Lube, Inc., doing business as
9 EZ Lube, Inc. #17 ("Respondent EZ #17"). The registration was delinquent from April 30, 2001,
10 to May 14, 2001, from April 30, 2002, to June 7, 2002, and from April 30, 2006, to July 24,
11 2006. The registration will expire on April 30, 2007, unless renewed.

12 **EZ Lube, Inc., #19**

13 9. On or about October 26, 2000, the Bureau issued Automotive Repair
14 Dealer Registration Number AC 210009 ("registration") to EZ Lube, Inc., doing business as
15 EZ Lube, Inc. #19 ("Respondent EZ #19"). The registration was delinquent from March 31,
16 2006, to July 24, 2006. The registration will expire on March 31, 2007, unless renewed.

17 **EZ Lube, Inc., #24**

18 10. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
19 Registration Number AG 217306 ("registration") to EZ Lube, Inc., doing business as
20 EZ Lube, Inc. #24 ("Respondent EZ #24"). The registration will expire on July 31, 2007, unless
21 renewed.

22 **EZ Lube, Inc., #25**

23 11. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
24 Registration Number AG 217307 ("registration") to EZ Lube, Inc., doing business as
25 EZ Lube, Inc. #25 ("Respondent EZ #25"). The registration was delinquent from July 31, 2002,
26 to October 21, 2002, and from July 31, 2005, to October 17, 2005. The registration will expire
27 on July 31, 2007, unless renewed.

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1 **EZ Lube, Inc., #26**

2 12. On or about October 26, 2000, the Bureau issued Automotive Repair
3 Dealer Registration Number AD 210162 ("registration") to EZ Lube, Inc., doing business as
4 EZ Lube, Inc. #26 ("Respondent EZ #26"). The registration was delinquent from April 30, 2001,
5 to May 14, 2001, from April 30, 2002, to June 7, 200, and from April 30, 2006, to July 24, 2006.
6 The registration will expire on April 30, 2007, unless renewed.

7 **EZ Lube, Inc., #27**

8 13. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
9 Registration Number AG 217308 ("registration") to EZ Lube, Inc., doing business as
10 EZ Lube, Inc. #27 ("Respondent EZ #27"). The registration will expire on July 31, 2007, unless
11 renewed.

12 **EZ Lube, Inc., #28**

13 14. On or about September 12, 2001, the Bureau issued Automotive Repair
14 Dealer Registration Number AJ 218096 ("registration") to EZ Lube, Inc., doing business as
15 EZ Lube, Inc. #28 ("Respondent EZ #28"). The registration will expire on September 30, 2006,
16 unless renewed.

17 **EZ Lube, Inc., #34**

18 15. On or about October 26, 2000, the Bureau issued Automotive Repair Dealer
19 Registration Number AD 210161 ("registration") to EZ Lube, Inc., doing business as
20 EZ Lube, Inc. #34 ("Respondent EZ #34"). The registration was delinquent from April 30,
21 2001, to July 19, 2001, from April 30, 2002, to June 7, 2002, and from April 30, 2006, to July
22 24, 2006. The registration will expire on April 30, 2007, unless renewed.

23 **EZ Lube, Inc., #37**

24 16. On or about November 27, 2000, the Bureau issued Automotive Repair
25 Dealer Registration Number AL213693 ("registration") to EZ Lube, Inc., doing business as
26 EZ Lube, Inc. #37 ("Respondent EZ #37"). The registration will expire on November 30, 2006,
27 unless renewed.

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1 **EZ Lube, Inc., #38**

2 17. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
3 Registration Number AG 217310 ("registration") to EZ Lube, Inc., doing business as
4 EZ Lube, Inc. #38 ("Respondent EZ #38"). The registration will expire on July 31, 2007, unless
5 renewed.

6 **EZ Lube, Inc., #41**

7 18. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
8 Registration Number AG 217321 ("registration") to EZ Lube, Inc., doing business as
9 EZ Lube, Inc. #41 ("Respondent EZ #41"). The registration will expire on July 31, 2007, unless
10 renewed.

11 **EZ Lube, Inc., #48**

12 19. On or about August 7, 2002, the Bureau issued Automotive Repair Dealer
13 Registration Number AF 222289 ("registration") to EZ Lube, Inc., doing business as
14 EZ Lube, Inc. #48 ("Respondent EZ #48"). The registration will expire on June 30, 2007, unless
15 renewed.

16 **EZ Lube, Inc., #49**

17 20. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
18 Registration Number AG 217313 ("registration") to EZ Lube, Inc., doing business as
19 EZ Lube, Inc. #49 ("Respondent EZ #49"). The registration was delinquent from July 31, 2003,
20 to October 20, 2004. The registration will expire on July 31, 2007, unless renewed.

21 **EZ Lube, Inc., #52**

22 21. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
23 Registration Number AG 217318 ("registration") to EZ Lube, Inc., doing business as
24 EZ Lube, Inc. #52 ("Respondent EZ #52"). The registration will expire on July 31, 2007, unless
25 renewed.

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1 **EZ Lube, Inc., #60**

2 22. On or about August 1, 2001, the Bureau issued Automotive Repair Dealer
3 Registration Number AG 217320 ("registration") to EZ Lube, Inc., doing business as
4 EZ Lube, Inc. #60 ("Respondent EZ #60"). The registration will expire on July 31, 2007, unless
5 renewed.

6 **EZ Lube, Inc., #65**

7 23. On a date uncertain in 2003, the Bureau issued Automotive Repair Dealer
8 Registration Number AM 225492 ("registration") to EZ Lube, Inc., doing business as
9 EZ Lube, Inc. #65 ("Respondent EZ #65"). The registration will expire on December 31, 2006,
10 unless renewed.

11 **EZ Lube, Inc., #67**

12 24. On or about August 9, 2004, the Bureau issued Automotive Repair Dealer
13 Registration Number AG 234863 ("registration") to EZ Lube, Inc., doing business as
14 EZ Lube, Inc. #67 ("Respondent EZ #67"). The registration will expire on July 31, 2007, unless
15 renewed.

16 **EZ Lube, Inc., #71**

17 25. On or about January 6, 2005, the Bureau issued Automotive Repair Dealer
18 Registration Number AM 237097 ("registration") to EZ Lube, Inc., doing business as
19 EZ Lube, Inc. #71 ("Respondent EZ #71"). The registration will expire on December 31, 2006
20 unless renewed.

21 **EZ Lube, Inc., #74**

22 26. On or about May 14, 2004, the Bureau issued Automotive Repair Dealer
23 Registration Number AD 233342 ("registration") to EZ Lube, Inc., doing business as
24 EZ Lube, Inc. #74 ("Respondent EZ #74"). The registration will expire on April 30, 2007, unless
25 renewed.

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EZ Lube, Inc., #79

27. On or about April 14, 2005, the Bureau issued Automotive Repair Dealer Registration Number AB 232022 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #79 ("Respondent EZ #79"). The registration will expire on February 28, 2007, unless renewed.

EZ Lube, Inc., #91

28. On or about April 14, 2004, the Bureau issued Automotive Repair Dealer Registration Number AB 232023 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #91 ("Respondent EZ #91"). The registration will expire on February 28, 2007, unless renewed.

EZ Lube, Inc., #92

29. On or about April 14, 2004, the Bureau issued Automotive Repair Dealer Registration Number AB 232024 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #92 ("Respondent EZ #92"). The registration will expire on February 28, 2007, unless renewed.

EZ Lube, Inc., #97

30. On or about July 20, 2004, the Bureau issued Automotive Repair Dealer Registration Number AF 234389 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #97 ("Respondent EZ #97"). The registration will expire on June 30, 2007, unless renewed.

EZ Lube, Inc., #102

31. On or about July 21, 2005, the Bureau issued Automotive Repair Dealer Registration Number AD 238886 ("registration") to EZ Lube, Inc., doing business as EZ Lube, Inc. #102 ("Respondent EZ #102"). The registration will expire on April 30, 2007, unless renewed.

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1 EZ Lube, Inc., Store Nos. 6 through 118

2 32. The Bureau issued automotive repair registrations to EZ Lube, Inc., Store
3 Nos. 6 through 118, as set forth in Appendix A, attached hereto and incorporated by reference.

4 APPLICATIONS FOR REGISTRATION INFORMATION

5 33. On or about October 19, 2005, Michael J. Dobson as manager, filed a
6 Limited Liability Company Application for Registration with the California Secretary of State,
7 on behalf of EZ Lube, L.L.C. The application listed the date of organization of EZ Lube L.L.C.
8 as October 17, 2005. On or about November 17, 2005, Michael J. Dobson, PR., and Richard D.
9 Teasta, Secretary, entered into an Agreement and Plan of Merger in order to merge EZ Lube,
10 Inc., into EZ Lube, L.L.C., a limited liability company organized and existing under the laws of
11 Delaware. EZ Lube L.L.C. was designated as the surviving entity. On or about November 23,
12 2005, Michael J. Dobson, PR., and Richard D. Teasta, Secretary, filed an Other Business Entity
13 Certificate of Merger with the California Secretary of State.

14 34. On and between January 23, 2006 and April 13, 2006, Michael J. Dobson,
15 PR., Richard D. Teasta, C.E.O., Daniel F. Prendergast, C.F.O., and Allen F. Braun, C.O.O.,
16 submitted Limited Liability Company Applications for Automotive Repair Dealer Registrations
17 to the Bureau, on behalf of Respondents EZ Lube #03 through EZ Lube #123.

18 STATUTORY PROVISIONS

19 35. Section 9884.7 of the Business and Professions Code ("Code") states, in
20 pertinent part:

21 (a) The director, where the automotive repair dealer cannot show there was
22 a bona fide error, may refuse to validate, or may invalidate temporarily or
23 permanently, the registration of an automotive repair dealer for any of the
24 following acts or omissions related to the conduct of the business of the
automotive repair dealer, which are done by the automotive repair dealer or any
automotive technician, employee, partner, officer, or member of the automotive
repair dealer.

25 (1) Making or authorizing in any manner or by any means whatever any
26 statement written or oral which is untrue or misleading, and which is known, or
which by the exercise of reasonable care should be known, to be untrue or
misleading.

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1 (2) Causing or allowing a customer to sign any work order which does not
2 state the repairs requested by the customer or the automobile's odometer reading
at the time of repair.

3 (3) Failing or refusing to give to a customer a copy of any document
4 requiring his or her signature, as soon as the customer signs the document.

5 (4) Any other conduct which constitutes fraud.

6 (5) Conduct constituting gross negligence.

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

10 (7) Any willful departure from or disregard of accepted trade standards for
11 good and workmanlike repair in any material respect, which is prejudicial to
12 another without consent of the owner or his or her duly authorized representative.

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

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

25 36. Code section 9884.8 states:

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

37. Section 9884.9 of the Code states:

(a) The automotive repair dealer shall give to the customer a written
estimated price for labor and parts necessary for a specific job. No work shall be
done and no charges shall accrue before authorization to proceed is obtained from
the customer. No charge shall be made for work done or parts supplied in excess

1 of the estimated price without the oral or written consent of the customer that
2 shall be obtained at some time after it is determined that the estimated price is
3 insufficient and before the work not estimated is done or the parts not estimated
4 are supplied. Written consent or authorization for an increase in the original
5 estimated price may be provided by electronic mail or facsimile transmission from
6 the customer. The bureau may specify in regulation the procedures to be followed
7 by an automotive repair dealer if an authorization or consent for an increase in the
8 original estimated price is provided by electronic mail or facsimile transmission.
9 If that consent is oral, the dealer shall make a notation on the work order of the
10 date, time, name of person authorizing the additional repairs and telephone
11 number called, if any, together with a specification of the additional parts and
12 labor and the total additional cost, and shall do either of the following:

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

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

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

20 _____
21 (signature or initials)"

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

25 38. Code section 9884.13 provides, in pertinent part, that the expiration of a
26 valid registration shall not deprive the director or chief of jurisdiction to proceed with a
27 disciplinary proceeding against an automotive repair dealer or to render a decision invalidating a
28 registration temporarily or permanently.

39. Section 9880.1(f) of the Code states that "person" includes firm,
partnership, association, limited liability company, or corporation.

40. Code section 477 provides, in pertinent part, that "Board" includes
"bureau," "commission," "committee," "department," "division," "examining committee,"
"program," and "agency." "License" includes certificate, registration or other means to engage
in a business or profession regulated by the Code.

41. Section 480 of the Code states, in pertinent part:

"(a) A board may deny a license regulated by this code on the grounds
that the applicant has one of the following:

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(2) Done any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; or

(3) Done any act which if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.

The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions or duties of the business or profession for which application is made.

.....”

REGULATORY PROVISIONS

42. California Code of Regulations, title 16, section 3356.1, states:

An automotive repair dealer may charge a customer for costs associated with the handling, management and disposal of toxic wastes or hazardous substances under California or federal law which directly relate to the servicing or repair of the customer's vehicle. Such charge must be disclosed to the customer by being separately itemized on the estimate prepared pursuant to section 9884.9, subdivision (a) and on the invoice prepared pursuant to section 9884.8. In order to assess this charge, the automotive repair dealer must note on the estimate and invoice the station's Environmental Protection Agency identification number required by section 262.12 of title 40 of the Code of Federal Regulations.

43. California Code of Regulations, title 16, section 3366, states, in pertinent

part:

(a) Except as provided in subsection (b) of this section, any automotive repair dealer that advertises or performs, directly or through a sublet contractor, automotive air conditioning work and uses the words service, inspections, diagnosis, top off, performance check or any expression or term of like meaning in any form of advertising or on a written estimate or invoice shall include and perform all of the following procedures as part of that air conditioning work:

(15) High and low side system operating pressures, as applicable, have been measured and recorded on the final invoice; and,

(16) The center air distribution outlet temperature has been measured and recorded on the final invoice.

44. California Code of Regulations, title 16, section 3372.1, states, in pertinent

part:

An automotive repair dealer shall not advertise automotive service at a price that is misleading. Price advertising is misleading in circumstances which include but are not limited to the following:

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1 (a) The automotive repair dealer does not intend to sell the advertised service at
2 the advertised price but intends entice the consumer into a more costly transaction.

3 COST RECOVERY

4 45. Code section 125.3 provides, in pertinent part, that a Board may request
5 the administrative law judge to direct a licentiate found to have committed a violation or
6 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
7 and enforcement of the case.

8 RESPONDENT EZ #48

9 UNDERCOVER OPERATION NO. 1 - 1990 OLDSMOBILE CALAIS

10 46. On or about April 4, 2005, a Bureau undercover operator using the alias
11 Elena Martinez ("operator") drove a Bureau-documented³ 1990 Oldsmobile Calais, California
12 License Plate No. 3JOP769, to Respondent EZ #48's facility located at 20860 Sherman Way,
13 Canoga Park, California. The only service needed was an oil change.

14 47. The operator spoke with a male employee named Armando. The operator
15 told Armando she wanted an oil change. The operator signed an estimate dated April 4, 2005,
16 and received a copy of the document. The operator was escorted to a waiting room. A short time
17 later, another male employee came to the waiting room and asked the operator to follow him to
18 the shop area. The employee told the operator that the fuel filter and fuel injection were "very
19 dirty" and that they needed "cleaning." The employee told the operator that these services would
20 make the vehicle run better and that the vehicle would use less fuel. The male employee quoted

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24 3. As part of the documentation process that was conducted prior to the undercover
25 operations in this case, each undercover vehicle had undergone a complete maintenance service,
26 including the replacement or service of all lubricants, fluids, and filters. All lubricants, fluids,
27 and filters were documented to be clean, new, and not in need of any service or replacement
28 prior to each operation. The engine oil and filter were maintenance elements of each
undercover vehicle and were induced to require servicing. In some instances the windshield
washer reservoir needed fluid to be added, and the air pressure in the tires needed adjustment.
The documentation of each vehicle also included the marking of various components to
establish if the services sold were performed or parts replaced.

1 the operator an revised estimate amount of \$133.04. The operator authorized the services. After
2 the services were completed, the operator paid \$133.04 and received Invoice No. 1830378.

3 48. On April 20, 2005, the Bureau re-inspected the vehicle using Invoice No.
4 1830378 as a reference. The inspection revealed the following:

5 a. The invoice indicated that the chassis had not been lubricated because the
6 grease fittings were sealed. In fact, both lower control arm ball joints and both outer tie rod end
7 joints are not sealed and require periodic lubrication.

8 b. The fuel filter had been replaced; however, replacement of this part was
9 unnecessary.

10 c. The invoice indicated that the fuel system cleaning had been performed;
11 however, this service was unnecessary.

12 d. The oil drain plug washer and oil filter had not been replaced as invoiced.

13 **FIRST CAUSE FOR DISCIPLINE**

14 **(Untrue or Misleading Statements)**

15 49. Respondent EZ #48 is subject to discipline under Code section 9884.7,
16 subdivision (a)(1), in that on or about April 4, 2005, it made statements which it knew or which
17 by exercise of reasonable care it should have known were untrue or misleading, as follows:

18 a. Respondent EZ #48 falsely represented to the operator that the fuel filter
19 and fuel injection were dirty and needed to be cleaned. In fact, those services were unnecessary.

20 b. Respondent EZ #48 falsely represented on Invoice No. 1830378 that the
21 chassis had not been lubricated because the grease fittings were sealed. In fact, both lower
22 control arm ball joints and both outer tie rod end joints are not sealed and require periodic
23 lubrication.

24 c. Respondent EZ #48 falsely represented on Invoice No. 1830378 that it had
25 replaced the oil filter and oil drain plug washer. In fact, those parts had not been replaced as
26 invoiced.

27 d. Respondent EZ #48's Invoice No. 1830378 was misleading in that it
28 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$55.22.

1 b. Section 9884.9, subdivision (a):

2 i. On Invoice No. 1830378, Respondent EZ #48 failed to document
3 the operator's authorization for additional repairs.

4 ii. On Invoice No. 1830378, Respondent EZ #48 failed to obtain the
5 operator's authorization for the addition of the hazardous waste fee.

6 **UNDERCOVER OPERATION NO. 2 - 1999 MERCURY SABLE**

7 53. On or about April 19, 2005, a Bureau undercover operator using the alias
8 Ronda Jackson ("operator") drove a Bureau-documented 1999 Mercury Sable, California
9 License Plate No. 4RKS064, to Respondent EZ #48's facility located at 20860 Sherman Way,
10 Canoga Park, California. The only service needed was an oil change.

11 54. The operator spoke with a male employee and told him she wanted an oil
12 change. The operator told the employee that she had a coupon for a \$19.99 full service oil
13 change. The employee told the operator that the coupon was only good during grand openings
14 but that he would honor it. The operator then spoke with another employee and provided him
15 with her information. The operator signed and was provided with an estimate dated April 19,
16 2005. The operator was escorted to a waiting room. A short time later, another employee named
17 Freddy approached the operator. Freddy told the operator that the radiator coolant was a little
18 dirty and would need to be serviced soon; the fuel filter was rusted and real dirty and needed to
19 be replaced; and that the fuel injectors were dirty and needed to be serviced. Freddy told the
20 operator that she would get better gas mileage if she had the service done and that it should be
21 done every 15,000 miles or once per year. The operator authorized the services. After the
22 services were completed, the operator paid \$138.28 and received Invoice No. 1931845.

23 55. On May 25, 2005, the Bureau re-inspected the vehicle using Invoice No.
24 1931845 as a reference. The inspection revealed the following:

25 a. The invoice indicated that the oil drain plug washer had been replaced;
26 however, that part had not been replaced as invoiced.

27 b. The fuel filter had been replaced; however, replacement of this part was
28 unnecessary.

1 c. The invoice indicated that the fuel system cleaning had been performed;
2 however, this service was unnecessary.

3 **FIFTH CAUSE FOR DISCIPLINE**

4 **(Untrue or Misleading Statements)**

5 56. Respondent EZ #48 is subject to discipline under Code section 9884.7,
6 subdivision (a)(1), in that on or about April 19, 2005, it made statements which it knew or which
7 by exercise of reasonable care it should have known were untrue or misleading, as follows:

8 a. Respondent EZ #48 falsely represented to the operator that the fuel filter
9 was rusted and dirty and was preventing fuel from getting to the vehicle when, in fact, that
10 statement was untrue. The replacement of that part was unnecessary.

11 b. Respondent EZ #48 falsely represented to the operator that the fuel
12 injectors were dirty and not getting good flow and needed to be serviced when, in fact, that
13 statement was untrue. The fuel injectors did not need servicing.

14 c. Respondent EZ #48 falsely represented on Invoice No. 1931845 that the
15 oil drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.

16 d. Respondent EZ #48's Invoice No. 1931845 was misleading in that it
17 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$56.22.

18 **SIXTH CAUSE FOR DISCIPLINE**

19 **(Fraudulent Acts)**

20 57. Respondent EZ #48 is subject to discipline under Code section 9884.7,
21 subdivision (a)(4), in that on or about April 19, 2005, it committed acts which constitute fraud, as
22 follows:

23 a. Respondent EZ #48 failed to replace the oil drain plug washer as invoiced.

24 b. Respondent EZ #48 charged the operator for a fuel injector service. In
25 fact, that service was unnecessary.

26 c. Respondent EZ #48 charged the operator for a fuel filter service. In fact,
27 that service was unnecessary.

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1 because it lasts longer. The operator showed Javier the coupon and Javier told her the price
2 would be \$10 off with the coupon. The operator signed an estimate dated April 21, 2005, for
3 \$63.66 and received a copy of the document. The operator was escorted to a waiting room. A
4 short time later, another male employee who identified himself as Martin came to the waiting
5 room and asked the operator to follow him to the shop area. Martin told the operator that the
6 vehicle needed a fuel filter and that she should have the transmission and power steering flushed
7 at the next oil change. Martin told her that if she did not have the power steering flushed, the
8 "power steering would be hard to steer." After the services were completed, the operator paid
9 \$343.01 and received Invoice No. 1917999.

10 62. On April 22, 2005, the Bureau began re-inspecting the vehicle using
11 Invoice No. 1917999 as a reference. The inspection revealed the following:

- 12 a. The fuel filter had been replaced; however, replacement of that part was
13 unnecessary.
- 14 b. The invoice indicated that the fuel system cleaning had been performed;
15 however, this service was unnecessary.
- 16 c. The invoice indicated that the transmission had been flushed; however,
17 this service was unnecessary.
- 18 d. The invoice indicated that the radiator fluid had been exchanged; however,
19 this service was unnecessary.

20 **NINTH CAUSE FOR DISCIPLINE**

21 **(Untrue or Misleading Statements)**

22 63. Respondent EZ #41 is subject to discipline under Code section 9884.7,
23 subdivision (a)(1), in that on or about April 21, 2005, it made statements which it knew or which
24 by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 25 a. Respondent EZ #41 falsely represented to the operator that the fuel filter
26 needed to be replaced. In fact, replacement of this part was unnecessary.
- 27 b. Respondent EZ #41 falsely represented to the operator that the
28 transmission and power steering needed to be flushed. In fact, those services were unnecessary.

1 c. Respondent EZ #41 falsely represented to the operator that the radiator
2 fluid needed to be exchanged and the fuel system needed to be cleaned. In fact, those services
3 were unnecessary.

4 d. Respondent EZ #41 falsely represented to the operator that if she did not
5 have the power steering flush done, the power steering would be hard to steer.

6 e. Respondent EZ #41's advertisement is false and misleading in that it does
7 not intend to sell just the advertised 14-point inspection and oil change for \$19.99 but, rather, it
8 is intended to entice the operator into a more costly transaction.

9 f. Respondent EZ #41's Invoice No. 1917999 was misleading in that it
10 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$128.87.

11 TENTH CAUSE FOR DISCIPLINE

12 (Fraudulent Acts)

13 64. Respondent EZ #41 is subject to discipline under Code section 9884.7,
14 subdivision (a)(4), in that on or about April 21, 2005, it committed acts which constitute fraud, as
15 follows:

16 a. Respondent EZ #41 charged the operator for a fuel filter service and fuel
17 cleaning service. In fact, those services were unnecessary.

18 b. Respondent EZ #41 charged the operator for a transmission flush, power
19 steering flush, and radiator fluid exchange. In fact, those services were unnecessary.

20 ELEVENTH CAUSE FOR DISCIPLINE

21 (Failure to Comply with Regulations)

22 65. Respondent EZ #41 is subject to discipline under Code section 9884.7,
23 subdivision (a)(6), in that on or about April 21, 2005, it failed to comply with the following
24 sections of California Code of Regulations, title 16:

25 a. Section 3356.1: Respondent EZ #41 failed to record its EPA
26 identification number on Invoice No. 1917999.

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1 b. Section 3372.1: Respondent EZ #41's advertisement is false and
2 misleading in that it does not intend to sell just the advertised 14-point inspection and oil change
3 for \$19.99 but, rather, it is intended to entice the operator into a more costly transaction.

4 TWELFTH CAUSE FOR DISCIPLINE

5 (Failure to Comply with the Automotive Repair Act)

6 66. Respondent EZ #41 is subject to discipline under Code section 9884.7,
7 subdivision (a)(6), in that on or about April 21, 2005, it failed to materially comply with the
8 following Code sections:

9 a. Section 9884.8: On Invoice No. 1917999, Respondent EZ #41 failed to
10 separately state the subtotal price for service work performed and parts supplied.

11 b. Section 9884.9, subdivision (a): On Invoice No. 1917999, Respondent
12 EZ #41 failed to document the operator's authorization for additional repairs.

13 UNDERCOVER OPERATION NO. 2 - 1997 TOYOTA CAMRY

14 67. On or about May 18, 2005, a Bureau undercover operator using the alias
15 Debbi Adams ("operator") drove a Bureau-documented 1997 Toyota Camry, California
16 License Plate No. 3SPP809, to Respondent EZ #41's facility located at 17511 Yorba Linda
17 Boulevard, Yorba Linda, California. The only service needed was an oil change.

18 68. The operator spoke with a male employee named Jacob and told him she
19 wanted an oil change and showed him a coupon for an oil change and 14-point inspection for
20 \$19.99. The operator provided Jacob with her information, signed the estimate dated May 18,
21 2005, and was provided a copy of the document. The operator was escorted to a waiting room.
22 A short time later, Jacob directed the operator to the service area. Jacob told the operator that the
23 vehicle's fuel system needed to be cleaned. When asked why, Jacob replied that the fuel system
24 was dirty and "it needs it." Jacob told the operator that the fuel system cleaning would cost
25 \$59.99. The operator authorized the service. After the services were completed, the operator
26 paid Jacob \$83.68 and received Invoice No. 1919073.

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1 FOURTEENTH CAUSE FOR DISCIPLINE

2 (Fraudulent Acts)

3 71. Respondent EZ #41 is subject to discipline under Code section 9884.7,
4 subdivision (a)(4), in that on or about May 18, 2005, it committed acts which constitute fraud, as
5 follows:

- 6 a. Respondent EZ #41 charged the operator for a fuel system cleaning. In
7 fact, that service was unnecessary.
- 8 b. Respondent EZ #41 failed to replace the oil drain plug washer as invoiced.
- 9 c. Respondent EZ #41 charged the operator for a full service oil change
10 which included checking the tire pressures. In fact, that service had not been performed as
11 invoiced.

12 FIFTEENTH CAUSE FOR DISCIPLINE

13 (Departure from Trade Standards)

14 72. Respondent EZ #41 is subject to discipline under Code section 9884.7,
15 subdivision (a)(7), in that on or about May 18, 2005, it willfully departed from or disregarded
16 accepted trade standards for good and workmanlike repair in a material respect. Respondent #41
17 overfilled the engine oil level with one extra quart of oil.

18 SIXTEENTH CAUSE FOR DISCIPLINE

19 (Failure to Comply with Regulations)

20 73. Respondent EZ #41 is subject to discipline under Code section 9884.7,
21 subdivision (a)(6), in that on or about May 18, 2005, it failed to comply with the following
22 sections of California Code of Regulations, title 16:

- 23 a. Section 3356.1: Respondent EZ #41 failed to record its EPA
24 identification number on Invoice No. 1919073.
- 25 b. Section 3372.1: Respondent EZ #41's advertisement is false and
26 misleading in that it does not intend to sell just the advertised 14-point inspection and oil change
27 for \$19.99 but, rather, it is intended to entice the operator into a more costly transaction.

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1 operator to have been changed by EZ #52 from the clear red coolant, to a dirty colored coolant.⁴
2 Robert told the operator that the fluid looked bad and that the manufacturer recommended
3 replacement of the fluid every 20-30,000 miles. Robert continued by pointing to the power
4 steering reservoir telling the operator that the fluid was dirty. Robert went on to say that the
5 manufacturer recommended that the fluid be replaced every 15-20,000 miles. Robert told the
6 operator that if he got all the services done he would be given a VIP card that would entitle him
7 to a discount on the services and any future oil changes. Robert stated that the services would
8 cost \$260. The operator authorized the services. After the services were completed, the operator
9 paid \$231.44 and received Invoice No. 1853043.

10 77. On April 26, 2005, the Bureau began re-inspecting the vehicle using
11 Invoice No. 1853043 as a reference. The inspection revealed the following:

12 a. The oil drain plug washer had not been replaced as invoiced.

13 b. The invoice indicated that the radiator exchange had been performed;
14 however, that service was unnecessary.

15 c. The invoice indicated that the fuel system cleaning had been performed;
16 however, that service was unnecessary.

17 d. The invoice indicated that the power steering service had been performed;
18 however, that service was unnecessary.

19 **EIGHTEENTH CAUSE FOR DISCIPLINE**

20 (Untrue or Misleading Statements)

21 78. Respondent EZ #52 is subject to discipline under Code section 9884.7,
22 subdivision (a)(1), in that on or about April 20, 2005, it made statements which it knew or which
23 by exercise of reasonable care it should have known were untrue or misleading, as follows:

24 a. Respondent EZ #52 falsely represented to the operator that the vehicle
25 needed a radiator fluid exchange. EZ Lube #52 had deliberately contaminated the vehicle's
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27 4. At the time the operator received the undercover vehicle for this undercover operation,
28 the level of the radiator coolant was observed to be at slightly above the low level mark. The
color of the coolant was also observed to be clear red which is the type used by Toyota.

1 coolant overflow tank. In fact, when the operator's vehicle was presented to Respondent EZ #52
2 for service, a radiator fluid exchange was unnecessary.

3 b. Respondent EZ #52 falsely represented to the operator that the vehicle
4 manufacturer recommends replacement of the power steering fluid and fuel injection service
5 every 15-20,000 miles. In fact, this statement is untrue.

6 c. Respondent EZ #52 falsely represented to the operator that the black film
7 on the throttle body indicated that the fuel injectors were dirty. In fact, this statement is untrue.

8 d. Respondent EZ #52 falsely represented on Invoice No. 1853043 that the
9 oil drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.

10 e. Respondent EZ #52's Invoice No. 1853043 was misleading in that it
11 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$70.44.

12 **NINETEENTH CAUSE FOR DISCIPLINE**

13 **(Fraudulent Acts)**

14 79. Respondent EZ #52 is subject to discipline under Code section 9884.7,
15 subdivision (a)(4), in that on or about April 20, 2005, it committed acts which constitute fraud, as
16 follows:

17 a. Respondent EZ #52 sold and charged the operator for a radiator fluid
18 exchange by deliberately contaminating the vehicle's coolant overflow tank. In fact, when the
19 operator's vehicle was presented to Respondent EZ #52 for service, a radiator fluid exchange was
20 unnecessary.

21 b. Respondent EZ #52 charged the operator for a fuel injection service by
22 representing that the black film on the throttle body indicated that the fuel injectors were dirty.
23 In fact, that service was unnecessary.

24 c. Respondent EZ #52 charged the operator for a power steering fluid
25 service. In fact, that service was unnecessary.

26 d. Respondent EZ #52 failed to replace the oil drain plug washer as invoiced.

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1 TWENTIETH CAUSE FOR DISCIPLINE

2 (Failure to Comply with Regulations)

3 80. Respondent EZ #52 is subject to discipline under Code section 9884.7,
4 subdivision (a)(6), in that on or about April 20, 2005, it failed to comply with section 3356.1 of
5 California Code of Regulations, title 16, by failing to record its EPA identification number on
6 Invoice No. 1853043.

7 TWENTY-FIRST CAUSE FOR DISCIPLINE

8 (Failure to Comply with the Automotive Repair Act)

9 81. Respondent EZ #52 is subject to discipline under Code section 9884.7,
10 subdivision (a)(6), in that on or about April 20, 2005, it failed to materially comply with the
11 following Code sections:

12 a. Section 9884.8: On Invoice No. 1853043, Respondent EZ #52 failed to
13 separately state the subtotal price for service work performed and parts supplied.

14 b. Section 9884.9, subdivision (a): On Invoice No. 1853043, Respondent
15 EZ #52 failed to document the operator's authorization for additional repairs.

16 UNDERCOVER OPERATION NO. 2 - 1993 CHEVROLET 1500 TRUCK

17 82. On or about April 25, 2005, a Bureau undercover operator using the alias
18 George Ramos ("operator") drove a Bureau-documented 1993 Chevrolet 1500 truck, California
19 License Plate No. 4U40375, to Respondent EZ #52's facility located at 2420 W. Olive Avenue,
20 Burbank, California. This vehicle was equipped with a video camera in the engine compartment
21 which was in use during the undercover run. The only service needed was an oil change.

22 83. The operator spoke with a male employee named Jose and told him he
23 wanted an oil change. The operator provided Jose with his information, signed the estimate
24 dated April 25, 2005, and was provided a copy of the document. The operator was escorted to a
25 waiting room. A short time later, another male employee named Karo directed the operator to
26 the service area. Karo told the operator that the only concerns he saw with the vehicle were the
27 fuel filter and the power steering fluid. Karo told the operator that he had checked the fuel filter
28 and found that it had low pressure, which meant the filter was clogged. Karo also told the

1 operator that the fuel pump would be damaged if the filter was not replaced. Karo went on to say
2 that because the filter was clogged, the entire fuel system should be cleaned. Karo stated that the
3 fuel system cleaning would clean "all 8 injectors." (In fact, the vehicle is only equipped with two
4 injectors). Karo stated he would give the operator a \$30 credit against the cost of the service.
5 Karo also told the operator that the power steering fluid was low and since there were no leaks,
6 the low fluid meant that the fluid had broken down. Karo stated he would flush out the power
7 steering fluid and replace it with a new fluid, and would add a synthetic additive. The operator
8 authorized the services. Karo told the operator that the cost of the services would be \$237.13
9 after the \$30 discount. After the services were completed, the operator paid \$237.13 and
10 received Invoice No. 1853252.

11 84. On May 2, 2005, the Bureau re-inspected the vehicle using Invoice No.
12 1853252 as a reference. The inspection revealed the following:

- 13 a. The oil drain plug washer had not been replaced as invoiced.
- 14 b. The chassis, which has serviceable grease fittings, had not been lubricated.
- 15 c. The differential fluid level had not been checked as invoiced.
- 16 d. The fuel filter had been replaced; however, replacement of that part was
17 unnecessary.
- 18 e. The invoice indicated that the fuel system cleaning had been performed;
19 however, this service was unnecessary.
- 20 f. The power steering fluid flush exchange had not been performed as
21 invoiced. A review of the video tape established that the power steering fluid had not been
22 checked by EZ #52 which would be a necessary prerequisite for representing that the power
23 steering fluid was low.

24 TWENTY-SECOND CAUSE FOR DISCIPLINE

25 (Untrue or Misleading Statements)

26 85. Respondent EZ #52 is subject to discipline under Code section 9884.7,
27 subdivision (a)(1), in that on or about April 25, 2005, it made statements which it knew or which
28 by exercise of reasonable care it should have known were untrue or misleading, as follows:

1 a. Respondent EZ #52 falsely represented to the operator that the fuel filter
2 was checked and found to have low pressure. In fact, that statement was untrue.

3 b. Respondent EZ #52 falsely represented to the operator that the fuel filter
4 was clogged and needed to be replaced. In fact, that statement was untrue and that part was not
5 in need of replacement.

6 c. Respondent EZ #52 falsely represented to the operator that because the
7 fuel filter was clogged, it necessitated cleaning the entire fuel system. In fact, that statement was
8 untrue.

9 d. Respondent EZ #52 falsely represented to the operator that the power
10 steering fluid level was low. In fact, that statement was untrue.

11 e. Respondent EZ #52 falsely represented on Invoice No. 1853252 that the
12 chassis was sealed and therefore could not be lubricated. In fact, this vehicle has serviceable
13 fittings that should have been lubricated; however, that service had not been performed.

14 f. Respondent EZ #52 falsely represented on Invoice No. 1853252 that a
15 power steering fluid flush exchange had been performed. In fact, that service was unnecessary,
16 nor had it been performed as invoiced.

17 g. Respondent EZ #52 falsely represented on Invoice No. 1853252 that the
18 differential fluid had been checked. In fact, that service was not performed as invoiced.

19 h. Respondent EZ #52 falsely represented on Invoice No. 1853252 that the
20 oil drain plug washer had been replaced. In fact, that service had not been performed as
21 invoiced.

22 i. Respondent EZ #52's Invoice No. 1853252 was misleading in that it
23 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$99.43.

24 TWENTY-THIRD CAUSE FOR DISCIPLINE

25 (Fraudulent Acts)

26 86. Respondent EZ #52 is subject to discipline under Code section 9884.7,
27 subdivision (a)(4), in that on or about April 25, 2005, it committed acts which constitute fraud, as
28 follows:

1 a. Respondent EZ #52 charged the operator for a fuel filter by indicating that
2 the fuel filter had low pressure and was clogged. In fact, replacement of that part was
3 unnecessary.

4 b. Respondent EZ #52 charged the operator for a fuel system cleaning by
5 indicating that the fuel filter had low pressure and was clogged. In fact, that service was
6 unnecessary.

7 c. Respondent EZ #52 failed to perform a power steering fluid flush
8 exchange as invoiced.

9 d. Respondent EZ #52 failed to check the differential fluid as invoiced.

10 e. Respondent EZ #52 failed to replace the oil drain plug washer as invoiced.

11 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

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

13 87. Respondent EZ #52 is subject to discipline under Code section 9884.7,
14 subdivision (a)(6), in that on or about April 25, 2005, it failed to comply with California Code of
15 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
16 Invoice No. 1853252.

17 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

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

19 88. Respondent EZ #52 is subject to discipline under Code section 9884.7,
20 subdivision (a)(6), in that on or about April 25, 2005, it failed to materially comply with the
21 following Code sections:

22 a. **Section 9884.8:** On Invoice No. 1853252, Respondent EZ #52 failed to
23 describe all services performed and parts in the repair of the operator's vehicle.

24 b. **Section 9884.9, subdivision (a):** On Invoice No. 1853252, Respondent
25 EZ #52 failed to document the operator's consent for additional repairs.

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1 b. Section 9884.9, subdivision (a):

2 i. Respondent EZ #34 failed to document the repairs requested by
3 consumer Licata on the estimate.

4 ii. Respondent EZ #34 failed to obtain the consumer Licata's
5 authorization for additional repairs.

6 **UNDERCOVER OPERATION NO. 1 - 1997 GMC SIERRA 1500 TRUCK**

7 95. On or about March 25, 2005, a Bureau undercover operator using the alias
8 George Uribe ("operator") drove a Bureau-documented 1997 GMC Sierra 1500 truck, California
9 License Plate No. 5V51532, to Respondent EZ #34's facility located at 13401 Whittier
10 Boulevard, Whittier, California. The only service needed was an oil change.

11 96. The operator spoke with a male employee named Chris. The operator told
12 Chris he wanted an oil change. Chris told the operator that he would receive a 14-point
13 inspection as part of the oil change service, which included checking all the fluids, windshield
14 wiper blades, tire pressure, cleaning the windows, and vacuuming the interior. The operator
15 provided his information and signed and received an estimate for \$31.66. A short time later, a
16 male employee named Beto asked the operator to follow him to the shop area. Beto told the
17 operator that the air filter was fine and that he had topped off the windshield washer reservoir.
18 Beto asked the operator if he had recently serviced the cooling system. The operator told Beto
19 that he had only recently purchased the vehicle and had no idea what services had been
20 performed prior to his buying the vehicle. Beto stated that the major problems with the truck
21 were the transmission and the rear differential. Beto told the operator that there were metal
22 shavings in the transmission fluid. The operator asked Beto how serious the problem was, to
23 which Beto replied that the transmission gears meshed and were dispensing lots of metal through
24 the transmission. Beto stated that this was caused because the transmission fluid was breaking
25 down. Beto told the operator that further transmission fluid breakdown would cause the
26 transmission to slip. Beto stated that the transmission service normally costs \$99; however, he
27 would only charge the operator \$59.99, with an additional \$10 discount. The operator then asked
28 what was wrong with the rear differential. Beto told him it did not look good and needed to be

1 serviced. Beto told the operator that with the \$10 discount the cost of the services would be
2 \$141. The operator authorized the services. Beto asked the operator to sign the original
3 estimate, which was blank, a second time; however, the operator was not provided a copy of the
4 document. After the services were completed, the operator paid another employee \$147.64 and
5 received Invoice No. 1822959.

6 97. On April 4, 2005, the Bureau re-inspected the vehicle using Invoice No.
7 1822959 as a reference. The inspection revealed the following:

8 a. The invoice indicated that the chassis had not been lubricated because the
9 grease fittings were sealed. In fact, the chassis lubrication fittings on the front suspension and
10 axle yoke, which are not sealed and require periodic lubrication.

11 b. The invoice indicated that a transmission fluid drain and fill was
12 performed; however, that service was unnecessary.

13 c. The invoice indicated that the rear differential service was performed;
14 however, that service was unnecessary

15 d. The oil drain plug washer was not replaced as invoiced.

16 **THIRTY-FIRST CAUSE FOR DISCIPLINE**

17 **(Untrue or Misleading Statements)**

18 98. Respondent EZ #34 is subject to discipline under Code section 9884.7,
19 subdivision (a)(1), in that on or about March 25, 2005, it made statements which it knew or
20 which by exercise of reasonable care it should have known were untrue or misleading, as
21 follows:

22 a. Respondent EZ #34 falsely represented to the operator that he found
23 "metal shavings inside the transmission and the transmission is in need of a fluid flush." In fact,
24 that statement is untrue and service of the transmission was unnecessary.

25 b. Respondent EZ #34 falsely represented to the operator that the rear
26 differential "did not look good and needed to be serviced." In fact, that statement is untrue and
27 service of the differential was unnecessary.

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1 c. Respondent EZ #34 falsely represented on Invoice No. 1822959 that the
2 chassis was sealed. In fact, that statement is untrue. This vehicle has lubrication fittings on the
3 front suspension and axle yoke that require periodic lubrication and that service had not been
4 performed.

5 d. Respondent EZ #34 falsely represented on Invoice No. 1822959 that the
6 oil drain plug washer had been replaced. In fact, that part had not been replaced.

7 e. Respondent EZ #34's Invoice No. 1822959 was misleading in that it
8 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$70.66.

9 **THIRTY-SECOND CAUSE FOR DISCIPLINE**

10 **(Estimate Requirements)**

11 99. Respondent EZ #34 is subject to discipline under Code section 9884.7,
12 subdivision (a)(2), in that on or about March 25, 2005, it provided the operator with an estimate
13 that did not document the specific work to be performed.

14 **THIRTY-THIRD CAUSE FOR DISCIPLINE**

15 **(Failure to Provide Document as Soon as the Document is Signed)**

16 100. Respondent EZ #34 is subject to discipline under Code section 9884.7,
17 subdivision (a)(3), in that on or about March 25, 2005, it failed to provide the operator with a
18 copy of the estimate authorizing additional services as soon as the operator signed the document.

19 **THIRTY-FOURTH CAUSE FOR DISCIPLINE**

20 **(Fraudulent Acts)**

21 101. Respondent EZ #34 is subject to discipline under Code section 9884.7,
22 subdivision (a)(4), in that on or about March 25, 2005, it committed acts which constitute fraud,
23 as follows:

24 a. Respondent EZ #34 charged the operator for a transmission drain and fill
25 by indicating that there were metal shavings inside the transmission. In fact, those services were
26 unnecessary.

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1 the throttle body and showed the operator the residue on his fingers. Joey told the operator that it
2 was wax buildup and recommended the fuel injector cleaning. Joey also recommended a
3 transmission service; however, the operator declined that service. Joey continued by showing the
4 operator the condition of the power steering fluid by removing the cap and letting the fluid drip
5 back into the pump. Joey informed the operator that the fluid needed to be replaced because it
6 was too runny and had broken down. Joey also told the operator that the differential fluid was
7 dirty and recommended replacing the fluid. The operator authorized the services. After the
8 services were completed, the operator was told by another employee that they could not service
9 the rear differential because the plug had been previously stripped. An offer of discounts was
10 made to the operator if he purchased a VIP card for \$8. The operator agreed, paid the employee
11 \$236.03 for the services, and received Invoice No. 1824720.

12 113. On March 24, 2005, the Bureau re-inspected the vehicle using Invoice No.
13 1824720 as a reference. The inspection revealed the following:

14 a. The engine oil was not drained completely and the crank case was
15 substantially over-filled.

16 b. The invoice indicated that the chassis had not been lubricated because the
17 zerk fittings were sealed. In fact, this vehicle has five fittings that require periodic lubrication.

18 c. The invoice indicated that the cooling system had been serviced; however,
19 this service was unnecessary and the coolant had been degraded with a weaker mixture of
20 coolant.

21 d. The invoice indicated that the fuel system cleaning had been performed,
22 however, that service was unnecessary.

23 e. The invoice indicated that the power steering system had been flushed,
24 however, that service was unnecessary.

25 **FORTY-FIRST CAUSE FOR DISCIPLINE**

26 **(Untrue or Misleading Statements)**

27 114. Respondent EZ #28 is subject to discipline under Code section 9884.7,
28 subdivision (a)(1), in that on or about March 24, 2005, it made statements which it knew or

1 which by exercise of reasonable care it should have known were untrue or misleading, as
2 follows:

3 a. Respondent EZ #28 falsely represented to the operator that the radiator
4 fluid was dirty and needed to be replaced. In fact, that statement is untrue, nor was that service
5 necessary.

6 b. Respondent EZ #28 falsely represented to the operator that the power
7 steering fluid was runny and broken down and in need of replacement. In fact, that statement is
8 untrue, nor was that service necessary.

9 c. Respondent EZ #28 falsely represented to the operator that there was a
10 wax buildup on the throttle body, suggesting the need for a fuel injection service. In fact, that
11 statement is untrue, nor was that service necessary.

12 d. Respondent EZ #28 falsely represented to the operator that the rear
13 differential fluid was dirty and in need of replacement. In fact, that statement is untrue, nor was
14 that service necessary.

15 e. Respondent EZ #28 falsely represented on Invoice No. 1824720 that the
16 chassis had not been lubricated because the zerk fittings were sealed. In fact, this vehicle has
17 five zerk fittings that require periodic lubrication.

18 f. Respondent EZ #28 falsely represented on Invoice No. 1824720 that it was
19 unable to perform the rear differential service because the rear differential plug was stripped. In
20 fact, Respondent EZ #28 had previously recommended the service based on the inspection of the
21 fluid, which requires removal of the plug.

22 g. Respondent EZ #28's Invoice No. 1824720 was misleading in that it
23 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$77.63.

24 **FORTY-SECOND CAUSE FOR DISCIPLINE**

25 (Fraudulent Acts)

26 115. Respondent EZ #28 is subject to discipline under Code section 9884.7,
27 subdivision (a)(4), in that on or about March 24, 2005, it committed acts which constitute fraud,
28 as follows:

1 a. Respondent EZ #28 charged the operator for a radiator service. In fact,
2 that service was unnecessary.

3 b. Respondent EZ #28 falsely represented to the operator that the power
4 steering fluid was runny and broken down and in need of replacement. In fact, that service was
5 unnecessary.

6 c. Respondent EZ #28 falsely represented to the operator that there was a
7 wax buildup on the throttle body, suggesting the need for a fuel injection service. In fact, that
8 service was unnecessary.

9 **FORTY-THIRD CAUSE FOR DISCIPLINE**

10 **(Disregard for Trade Standards)**

11 116. Respondent EZ #28 is subject to discipline under Code section 9884.7,
12 subdivision (a)(7), in that on or about March 24, 2005, it willfully departed from or disregarded
13 accepted trade standards for good and workmanlike repair in the following material respects:

14 a. Respondent EZ #28 degraded the condition of the cooling system with a
15 weaker mixture of coolant.

16 b. Respondent EZ #28 failed to drain all of the oil from the engine, resulting
17 in the engine crankcase becoming overfilled when it added the new oil during the oil change.

18 **FORTY-FOURTH CAUSE FOR DISCIPLINE**

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

20 117. Respondent EZ #28 is subject to discipline under Code section 9884.7,
21 subdivision (a)(6), in that on or about March 24, 2005, it failed to comply with California Code
22 of Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
23 Invoice No. 1824720.

24 **FORTY-FIFTH CAUSE FOR DISCIPLINE**

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

26 118. Respondent EZ #28 is subject to discipline under Code section 9884.7,
27 subdivision (a)(6), in that on or about March 24, 2005, it failed to materially comply with the
28 following Code sections:

1 a. Section 9884.8:

2 i. On Invoice No. 1824720, Respondent EZ #28 failed to record
3 whether parts were new, used, reconditioned or rebuilt.

4 ii. On Invoice No. 1824720, Respondent EZ #28 failed to separately
5 state the subtotal price for service work performed and parts supplied.

6 b. Section 9884.9, subdivision (a): On Invoice No. 1824720, Respondent
7 EZ #28 failed to document the operator's authorization for additional repairs.

8 RESPONDENT EZ #37

9 UNDERCOVER OPERATION NO. 1 - 2000 FORD CONTOUR

10 119. On or about May 6, 2004, a Bureau undercover operator using the alias
11 Ramon Sigua ("operator") drove a Bureau-documented 2000 Ford Contour, California License
12 Plate No. 5BLN358, to Respondent EZ #37's facility located at 5380 Sepulveda Boulevard,
13 Culver City, California. The only service needed was an oil change.

14 120. The operator spoke with a male employee named George and told him he
15 wanted an oil change. George told the operator that they offered three types of oil change. The
16 operator told George to use regular oil. The operator provided his information, signed a work
17 order, and was provided a copy of the document. A short time later, George called the operator
18 over to the vehicle. George told the operator that the air and cabin filters needed to be replaced;
19 the power steering fluid needed to be replaced; and, the transmission needed to be serviced and
20 flushed. George also told the operator that the vehicle needed a fuel injection service, which
21 included replacing the fuel filter. The operator asked George what the cost of the services would
22 be. George told him he would give him a discount and not charge him for the oil change.
23 George quoted the operator \$340. After the services were completed, the operator paid another
24 employee \$352.42 and received Invoice No. 1033371.

25 121. On May 11, 2004, the Bureau began its re-inspection of the vehicle using
26 Invoice No. 1033371 as a reference. The inspection revealed the following:

27 a. The invoice indicated that the transmission flush and exchange service had
28 been performed; however, that service was unnecessary.

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a. Section 9884.8:

- i. On Invoice No. 1033371, Respondent EZ #37 failed to record whether parts were new, used, reconditioned or rebuilt.
- ii. On Invoice No. 1033371, Respondent EZ #37 failed to separately state the subtotal price for service work performed and parts supplied.
- iii. On Invoice No. 1033371, Respondent EZ #37 failed to itemize the toxic waste fee.

b. Section 9884.9, subdivision (a): On Invoice No. 1033371, Respondent EZ #37 failed to document the operator's authorization for additional repairs.

UNDERCOVER OPERATION NO. 2 - 1994 HONDA ACCORD

126. On or about December 22, 2004, a Bureau undercover operator using the alias Jack Collins ("operator") drove a Bureau-documented 1994 Honda Accord, California License Plate No. 4LPX196, to Respondent EZ #37's facility located at 5380 Sepulveda Boulevard, Culver City, California. The only service needed was an oil change.

127. The operator spoke with a male employee and told him he wanted an oil change. The male employee recommended that the operator use a synthetic blend oil. The operator provided his information, signed a work order, and was provided a copy of the document. A short time later, another employee named Jose called the operator over to the vehicle. Jose told the operator that the radiator fluid was bad and that the radiator needed to be flushed and the fluid replaced. Jose quoted the operator \$69.99 for the service. The operator authorized the services. After the services were completed, the operator paid another employee named Kim \$121.08 and received Invoice No. 1590369.

128. On December 23, 2004, the Bureau began its re-inspection of the vehicle using Invoice No. 1590369 as a reference. The inspection revealed the following:

- a. The invoice indicated that the radiator flush and exchange service had been performed; however, that service was unnecessary.
- b. The engine crankcase was overfilled with oil.
- c. The oil drain plug washer had not been replaced as invoiced.

1 FIFTIETH CAUSE FOR DISCIPLINE

2 (Untrue or Misleading Statements)

3 129. Respondent EZ #37 is subject to discipline under Code section 9884.7,
4 subdivision (a)(1), in that on or about December 22, 2004, it made statements which it knew or
5 which by exercise of reasonable care it should have known were untrue or misleading, as
6 follows:

7 a. Respondent EZ #37 falsely represented to the operator that the radiator
8 needed to be flushed and the coolant replaced. In fact, that service was unnecessary.

9 b. Respondent EZ #37 falsely represented on Invoice No. 1590369 that the
10 oil drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.

11 c. Respondent EZ #37's Invoice No. 1590369 was misleading in that it
12 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$29.49.

13 FIFTY-FIRST CAUSE FOR DISCIPLINE

14 (Fraudulent Acts)

15 130. Respondent EZ #37 is subject to discipline under Code section 9884.7,
16 subdivision (a)(4), in that on or about December 22, 2004, it committed acts which constitute
17 fraud, as follows:

18 a. Respondent EZ #37 charged the operator for a radiator flush and coolant
19 replacement when. In fact, those services were unnecessary.

20 b. Respondent EZ #37 failed to replace the oil drain plug washer as invoiced.

21 FIFTY-SECOND CAUSE FOR DISCIPLINE

22 (Disregard for Trade Standards)

23 131. Respondent EZ #37 is subject to discipline under Code section 9884.7,
24 subdivision (a)(7), in that on or about December 22, 2004, it willfully departed from or
25 disregarded accepted trade standards for good and workmanlike repair by overfilling the engine
26 crankcase when it added the new oil during the oil change.

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1 FIFTY-THIRD CAUSE FOR DISCIPLINE

2 (Failure to Comply with the Automotive Repair Act)

3 132. Respondent EZ #37 is subject to discipline under Code section 9884.7,
4 subdivision (a)(6), in that on or about December 22, 2004, it failed to materially comply with the
5 following Code sections:

6 a. Section 9884.8:

7 i. On Invoice No. 1590369, Respondent EZ #37 failed to record
8 whether parts were new, used, reconditioned or rebuilt.

9 ii. On Invoice No. 1590369, Respondent EZ #37 failed to separately
10 state the subtotal price for service work performed and parts supplied.

11 b. Section 9884.9, subdivision (a): On Invoice No. 1590369, Respondent
12 EZ #37 failed to document the operator's authorization for additional repairs.

13 RESPONDENT EZ #10

14 UNDERCOVER OPERATION NO. 1 - 1994 HONDA ACCORD

15 133. On or about July 26, 2004, a Bureau undercover operator using the alias
16 Joe Marchal ("operator") drove a Bureau-documented 1994 Honda Accord, California License
17 Plate No. 3JZZ631, to Respondent EZ #10's facility located at 24043 Hawthorne Boulevard,
18 Torrance, California. The only service needed was an oil change.

19 134. The operator spoke with a male employee and told him he wanted an oil
20 change. The male employee recommended using a semi-synthetic oil due to the vehicle's high
21 mileage and quoted the operator a price of \$49.95. The male employee printed a work order and
22 asked the operator to sign the document. The operator was provided a copy of the document.
23 Shortly thereafter, the male employee told the operator that the power steering fluid was old and
24 needed to be replaced and that the transmission fluid did not look good, and he recommended
25 flushing the transmission. Further, the employee recommended a fuel filter replacement and fuel
26 injection service. The employee quoted the operator \$336.33 for all of the services. The
27 operator authorized the services. The operator signed the work order again; however, he did not

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1 receive a copy of the document. After the services were completed, the operator paid another
2 employee \$336.33 and received Invoice No.1321222.

3 135. On July 28, 2004, the Bureau re-inspected the vehicle using Invoice No.
4 1321222 as a reference. The inspection revealed the following:

- 5 a. The fuel filter had not been replaced as invoiced.
- 6 b. The transmission had not been flushed as invoiced.
- 7 c. The invoice indicated that the fuel system cleaning service had been
8 performed; however, that service was unnecessary.
- 9 d. The invoice indicated that the power steering fluid had been replaced as
10 invoiced; however, that service was unnecessary.

11 FIFTY-FOURTH CAUSE FOR DISCIPLINE

12 (Untrue or Misleading Statements)

13 136. Respondent EZ #10 is subject to discipline under Code section 9884.7,
14 subdivision (a)(1), in that on or about July 26, 2004, it made statements which it knew or which
15 by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 16 a. Respondent EZ #10 falsely represented to the operator that the vehicle's
17 power steering fluid was old and that the transmission fluid did not look good. In fact, the power
18 steering fluid and transmission fluid were both new and not in need of service.
- 19 b. Respondent EZ #10 falsely represented to the operator that the vehicle's
20 fuel filter needed to be replaced. In fact, replacement of that part was unnecessary.
- 21 c. Respondent EZ #10 falsely represented on Invoice No. 1321222 that the
22 vehicle's fuel filter was replaced. In fact, the fuel filter was not replaced as invoiced.
- 23 d. Respondent EZ #10 falsely represented on Invoice No. 1321222 that the
24 transmission had been flushed. In fact, that service had not been performed as invoiced.
- 25 e. Respondent EZ #10 falsely represented to the operator that the vehicle's
26 fuel system needed cleaning. In fact, that service was unnecessary.
- 27 f. Respondent EZ #10's Invoice No. 1321222 was misleading in that it
28 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$117.68.

1 FIFTY-FIFTH CAUSE FOR DISCIPLINE

2 (Failure to Provide Copy of a Signed Document)

3 137. Respondent EZ #10 is subject to discipline under Code section 9884.7,
4 subdivision (a)(3), in that on or about July 26, 2004, it failed to provide the operator with a copy
5 of Work Order No. 1321222 as soon as he signed the document.

6 FIFTY-SIXTH CAUSE FOR DISCIPLINE

7 (Fraudulent Acts)

8 138. Respondent EZ #10 is subject to discipline under Code section 9884.7,
9 subdivision (a)(4), in that on or about July 26, 2004, it committed acts which constitute fraud, as
10 follows:

11 a. Respondent EZ #10 charged the operator for a fuel system cleaning. In
12 fact, that service was unnecessary.

13 b. Respondent EZ #10 charged the operator for a power steering fluid flush.
14 In fact, that service was unnecessary.

15 c. Respondent EZ #10 failed to replace the fuel filter as invoiced.

16 d. Respondent EZ #10 failed to flush the transmission as invoiced.

17 FIFTY-SEVENTH CAUSE FOR DISCIPLINE

18 (Failure to Comply with Regulations)

19 139. Respondent EZ #10 is subject to discipline under Code section 9884.7,
20 subdivision (a)(6), in that on or about July 26, 2004, it failed to comply with California Code of
21 Regulations, title 16, section 3356.1, by failing to show its EPA identification number on Invoice
22 No. 1321222.

23 FIFTY-EIGHTH CAUSE FOR DISCIPLINE

24 (Failure to Comply with the Automotive Repair Act)

25 140. Respondent EZ #10 is subject to discipline under Code section 9884.7,
26 subdivision (a)(6), in that on or about July 26, 2004, it failed to materially comply with the
27 following Code sections:

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1 a. Section 9884.8:

2 i. On Invoice No.1321222, Respondent EZ #10 failed to show parts
3 as new, used, reconditioned or rebuilt.

4 ii. On Invoice No. 1321222, Respondent EZ #10 failed to separately
5 state the subtotal price for service work performed and parts supplied.

6 b. Section 9884.9, subdivision (a): On Invoice No. 1321222, Respondent
7 EZ #10 failed to document the operator's authorization for additional repairs.

8 **UNDERCOVER OPERATION NO. 2 - 1989 DODGE DYNASTY**

9 141. On or about December 14, 2004, a Bureau undercover operator using the
10 alias Alfred Santos ("operator") drove a Bureau-documented 1989 Dodge Dynasty, California
11 License Plate No. 2RUP357, to Respondent EZ #10's facility located at 24043 Hawthorne
12 Boulevard, Torrance, California. The only service needed was an oil change.

13 142. The operator spoke with a female employee named "Aimee" and told her
14 he wanted an oil change. Aimee recommended using a semi-synthetic oil due to the vehicle's
15 high mileage and quoted the operator a price of \$46.99, plus a waste disposal fee. The operator
16 signed and received a copy of a work order dated December 14, 2004. Shortly thereafter, a male
17 employee told the operator that based on the vehicle's mileage, the transmission fluid, radiator
18 coolant, and fuel filter needed to be replaced. The operator asked the male employee what was
19 wrong with the fluids and the fuel filter. The male employee told the operator that the amount of
20 coolant was less than the amount of water, which could cause the vehicle to overheat. He also
21 told the operator that the fuel filter was rusty and needed to be replaced. The operator declined
22 the transmission service but authorized the coolant service and replacement of the fuel filter.
23 When asked what was included in the coolant service, the male employee told the operator that
24 the cooling system would be flushed and the coolant would be replaced. The operator signed the
25 work order again; however, he did not receive a copy of the document. After the services were
26 completed, the operator paid Aimee \$184.31 and received Invoice No.1578055.

27 143. On December 16, 2004, the Bureau re-inspected the vehicle using Invoice
28 No. 1578055 as a reference. The inspection revealed the following:

- 1 a. The fuel filter had not been replaced as invoiced.
- 2 b. The invoice indicated that the radiator coolant was exchanged; however,
- 3 that service was unnecessary and the coolant mixture concentration was degraded from a 50%
- 4 coolant to water ratio to a 23% coolant to water ratio.

5 **FIFTY-NINTH CAUSE FOR DISCIPLINE**

6 **(Untrue or Misleading Statements)**

7 144. Respondent EZ #10 is subject to discipline under Code section 9884.7,

8 subdivision (a)(1), in that on or about December 14, 2004, it made statements which it knew or

9 which by exercise of reasonable care it should have known were untrue or misleading, as

10 follows:

- 11 a. Respondent EZ #10 falsely represented to the operator that the coolant
- 12 system needed to be serviced because coolant to water ratio was less than 50%, which could
- 13 cause the vehicle to overheat. In fact, that statement was untrue. The coolant to water ratio was
- 14 at 50% when the vehicle was taken to Respondent EZ #10's facility.
- 15 b. Respondent EZ #10 falsely represented to the operator that the vehicle's
- 16 fuel filter was rusty and needed to be replaced. In fact, replacement of that part was unnecessary.
- 17 c. Respondent EZ #10 falsely represented on Invoice No. 1578055 that it had
- 18 replaced the fuel filter. In fact, it had not replaced that part as invoiced.
- 19 d. Respondent EZ #10 falsely represented to the operator that the vehicle's
- 20 transmission fluid needed to be replaced. In fact, that service was unnecessary.
- 21 e. Respondent EZ #10's Invoice No. 1578055 was misleading in that it
- 22 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$68.73.

23 **SIXTIETH CAUSE FOR DISCIPLINE**

24 **(Failure to Provide Copy of a Signed Document)**

25 145. Respondent EZ #10 is subject to discipline under Code section 9884.7,

26 subdivision (a)(3), in that on or about December 14, 2004, it failed to provide the operator with a

27 copy of Work Order No. 1578055 as soon as he signed the document.

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1 SIXTY-SIXTH CAUSE FOR DISCIPLINE

2 (Estimate Requirements)

3 154. Respondent EZ #16 is subject to discipline under Code section 9884.7,
4 subdivision (a)(2), in that on or about March 4, 2005, it allowed the operator to sign the estimate
5 dated March 4, 2005, which did not state the repairs requested by the operator.

6 SIXTY-SEVENTH CAUSE FOR DISCIPLINE

7 (Failure to Provide Copy of a Signed Document)

8 155. Respondent EZ #16 is subject to discipline under Code section 9884.7,
9 subdivision (a)(3), in that on or about March 4, 2005, it failed to provide the operator with a copy
10 of the estimate dated March 4, 2005, as soon as he signed the document.

11 SIXTY-EIGHTH CAUSE FOR DISCIPLINE

12 (Fraudulent Acts)

13 156. Respondent EZ #16 is subject to discipline under Code section 9884.7,
14 subdivision (a)(4), in that on or about March 4, 2005, it committed acts which constitute fraud, as
15 follows:

16 a. Respondent EZ #16 failed perform a complete fuel system service as
17 invoiced, by failing to add the fuel system cleaner to the fuel tank.

18 b. Respondent EZ #16 charged the operator for a fuel filter replacement. In
19 fact, replacement of that part was unnecessary.

20 c. Respondent EZ #16 charged the operator for a power steering flush. In
21 fact, that service was unnecessary.

22 d. Respondent EZ #16 failed to replace the oil drain plug washer as invoiced.

23 SIXTY-NINTH CAUSE FOR DISCIPLINE

24 (Failure to Comply with Regulations)

25 157. Respondent EZ #16 is subject to discipline under Code section 9884.7,
26 subdivision (a)(6), in that on or about March 4, 2005, it failed to comply with California Code of
27 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
28 Invoice No. 1744489.

1 replacement, and the fuel injection service. The operator signed the estimate dated June 3, 2005,
2 a second time. The estimate reflected a cost of \$207.52. The operator did not receive a copy of
3 the estimate. After the services were completed, the operator paid a female employee \$207.52
4 and signed and received a copy of Invoice No. 1899075.

5 161. On or about June 6, 2005, the Bureau re-inspected the vehicle using
6 Invoice No. 1899075 as a reference. The inspection revealed the following:

7 a. The fuel filter had been replaced; however, replacement of that part was
8 unnecessary.

9 b. The invoice indicated that the radiator coolant had been exchanged;
10 however, that service was unnecessary.

11 c. The invoice indicated that the fuel system was cleaned; however, that
12 service was unnecessary.

13 d. The oil drain plug washer had not been replaced as invoiced.

14 **SEVENTY-FIRST CAUSE FOR DISCIPLINE**

15 **(Untrue or Misleading Statements)**

16 162. Respondent EZ #16 is subject to discipline under Code section 9884.7,
17 subdivision (a)(1), in that on or about June 3, 2005, it made statements which it knew or which
18 by exercise of reasonable care it should have known were untrue or misleading, as follows:

19 a. Respondent EZ #16 falsely represented to the operator that the coolant was
20 bad based on four floating discs in the hydrometer. In fact, the coolant had only 4 miles of
21 service and did not need to be changed.

22 b. Respondent EZ #16 falsely represented to the operator that the fuel system
23 needed cleaning. In fact, that service was unnecessary.

24 c. Respondent EZ #16 falsely represented to the operator that the fuel filter
25 needed to be replaced. In fact, replacement of that part was unnecessary.

26 d. Respondent EZ #16 falsely represented on Invoice No. 1899075 that a full
27 service oil change had been performed. In fact, that service had not been performed.

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1 e. Respondent EZ #16 falsely represented on Invoice No. 1899075 that the
2 chassis was lubricated. In fact, that service was not performed.

3 f. Respondent EZ #16 falsely represented on Invoice No. 1899075 that the
4 oil drain plug washer had been replaced.

5 g. Respondent EZ #16's Invoice No. 1576138 was misleading in that it
6 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$84.77.

7 **SEVENTY-SECOND CAUSE FOR DISCIPLINE**

8 **(Estimate Requirements)**

9 163. Respondent EZ #16 is subject to discipline under Code section 9884.7,
10 subdivision (a)(2), in that on or about June 3, 2005, it allowed the operator to sign the estimate
11 dated June 3, 2005, which did not state the repairs requested by the operator.

12 **SEVENTY-THIRD CAUSE FOR DISCIPLINE**

13 **(Fraudulent Acts)**

14 164. Respondent EZ #16 is subject to discipline under Code section 9884.7,
15 subdivision (a)(4), in that on or about June 3, 2005, it committed acts which constitute fraud, as
16 follows:

17 a. Respondent EZ #16 charged the operator for a radiator coolant exchange.
18 In fact, that service was unnecessary.

19 b. Respondent EZ #16 charged the operator for a fuel system cleaning. In
20 fact, that service was unnecessary.

21 c. Respondent EZ #16 charged the operator for a fuel filter replacement. In
22 fact, replacement of that part was unnecessary.

23 d. Respondent EZ #16 failed to lubricated the chassis as invoiced.

24 e. Respondent EZ #16 failed to replace the oil drain plug washer as invoiced.

25 **SEVENTY-FOURTH CAUSE FOR DISCIPLINE**

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

27 165. Respondent EZ #16 is subject to discipline under Code section 9884.7,
28 subdivision (a)(6), in that on or about June 3, 2005, it failed to comply with California Code of

1 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
2 Invoice No. 1899075.

3 SEVENTY-FIFTH CAUSE FOR DISCIPLINE

4 (Failure to Comply with the Automotive Repair Act)

5 166. Respondent EZ #16 is subject to discipline under Code section 9884.7,
6 subdivision (a)(6), in that on or about June 3, 2005, it failed to materially comply with the
7 following Code sections:

8 a. Section 9884.8: Regarding Invoice No. 1899075, Respondent EZ #16
9 failed to separately state the subtotal price for service work performed and parts supplied.

10 b. Section 9884.9, subdivision (a):

11 i. Respondent EZ #16 failed to provide the operator with a written
12 estimated price for parts and labor for a specific job.

13 ii. On Invoice No. 1899075, Respondent EZ #16 failed to obtain the
14 operator's consent to exceed the original estimate.

15 iii. On Invoice No. 1899075, Respondent EZ #16 failed to document
16 the operator's authorization for additional repairs.

17 RESPONDENT EZ #27

18 UNDERCOVER OPERATION NO 1 - 1990 CHEVROLET C1500 TRUCK

19 167. On or about February 24, 2005, a Bureau undercover operator using the
20 alias Jose Ramos ("operator") drove a Bureau-documented 1990 Chevrolet C1500 truck,
21 California License Plate No. 4D83840, to Respondent EZ #27's facility located at 13421
22 Washington Boulevard, Culver City, California. The only service needed was an oil change.

23 168. The operator spoke with a male employee and told him he wanted to have
24 his oil changed. The male employee asked the operator if he wanted to use synthetic oil, which
25 he said was better. Further, the employee told the operator that the manufacturer recommended it
26 for vehicles with over 75,000 miles. The operator authorized the service. The same employee
27 pulled the transmission dipstick and showed the operator the color of the fluid. The employee
28 stated that the transmission fluid color looked good and re-installed the dipstick. The employee

1 removed the power steering fluid cap and showed the operator the fluid color by letting the fluid
2 drip from the cap on a white colored document. The employee stated that the power steering
3 fluid looked good and replaced the cap. The employee then glanced at the coolant recovery tank
4 and said that the coolant looked good. A short time later, the same male employee informed the
5 operator that the differential fluid needed to be replaced because the fluid was dark and dirty.
6 The employee also told the operator that the fuel filter was old and rusted and in need of
7 replacement. The employee went on to say that the operator needed to have a fuel injection
8 cleaning. The operator authorized the additional services. The operator signed a document
9 authorizing the additional services; however, he was not provided with a copy of the document.
10 After the services were completed, the operator paid another employee \$230.61 and signed and
11 received a copy of Invoice No. 1807752.

12 169. On or about February 25, 2005, the Bureau re-inspected the vehicle using
13 Invoice No. 1807752 as a reference. The inspection revealed the following:

14 a. The invoice indicated that the fuel injection service was performed;
15 however, that service was unnecessary.

16 b. The fuel filter was replaced; however, replacement of that part was
17 unnecessary.

18 c. The invoice indicated that the chassis was sealed and could not be
19 lubricated; however, this vehicle was equipped with 12 accessible chassis grease fittings that
20 require periodic lubrication.

21 SEVENTY-SIXTH CAUSE FOR DISCIPLINE

22 (Untrue or Misleading Statements)

23 170. Respondent EZ #27 is subject to discipline under Code section 9884.7,
24 subdivision (a)(1), in that on or about February 24, 2005, it made statements which it knew or
25 which by exercise of reasonable care it should have known were untrue or misleading, as
26 follows:

27 a. Respondent EZ #27 falsely represented to the operator that the fuel filter
28 needed to be replaced as it was old and rusted. In fact, replacement of that part was unnecessary.

1 b. On Invoice No. 1807752, Respondent EZ #27 failed to record parts as
2 new, used, reconditioned or rebuilt.

3 **UNDERCOVER OPERATION NO. 2 - 1992 BUICK SKYLARK**

4 174. On or about March 25, 2005, a Bureau undercover operator using the alias
5 Robert Lopez ("operator") drove a Bureau-documented 1992 Buick Skylark, California License
6 Plate No. 2YOS043, to Respondent EZ #27's facility located at 13421 Washington Boulevard,
7 Culver City, California. The only service needed was an oil change.

8 175. The operator spoke with a male employee and told him he wanted to have
9 his oil changed. The employee examined the air filter, brake fluid and power steering fluid and
10 told the operator they were fine. The employee recommended using a high-mileage oil change.
11 The operator authorized the service. The operator signed an estimate dated March 25, 2005, and
12 was provided with a copy of the document. A short time later, the employee recommended
13 having the fuel injectors cleaned. Another employee told the operator that he had checked the
14 fuel filter and that it was old and in need of replacement. The employee also recommended
15 having the windshield wiper blades replaced because they were cracked. The operator authorized
16 the additional service. After the services were completed, the operator paid a female employee
17 \$236.63 and signed and received a copy of Invoice No. 1774447.

18 176. On or about May 3, 2005, the Bureau re-inspected the vehicle using
19 Invoice No. 1774447 as a reference. The inspection revealed the following:

- 20 a. The vehicle had not been vacuumed as invoiced.
- 21 b. The fuel filter had been replaced; however, replacement of that part was
22 unnecessary.
- 23 c. The invoice indicated that the fuel filter service had been performed;
24 however, this service was unnecessary.
- 25 d. The invoice indicated that the chassis was sealed; however, this vehicle
26 has 12 grease fittings which require periodic lubrication. This service had not been performed.

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1 EIGHTIETH CAUSE FOR DISCIPLINE

2 (Untrue or Misleading Statements)

3 177. Respondent EZ #27 is subject to discipline under Code section 9884.7,
4 subdivision (a)(1), in that on or about March 25, 2005, it made statements which it knew or
5 which by exercise of reasonable care it should have known were untrue or misleading, as
6 follows:

7 a. Respondent EZ #27 falsely represented to the operator that the fuel filter
8 was old and needed to be replaced. In fact, replacement of that part was unnecessary.

9 b. Respondent EZ #27 falsely represented on Invoice No. 1774447 that the
10 chassis was sealed. In fact, this vehicle is equipped with grease fittings that require periodic
11 lubrication.

12 c. Respondent EZ #27 falsely represented on Invoice No. 1774447 that the
13 vehicle had been vacuumed. In fact, that service had not been provided as invoiced.

14 d. Respondent EZ #27's Invoice No. 1774447 was misleading in that it
15 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$68.47.

16 EIGHTY-FIRST CAUSE FOR DISCIPLINE

17 (Fraudulent Acts)

18 178. Respondent EZ #27 is subject to discipline under Code section 9884.7,
19 subdivision (a)(4), in that on or about March 25, 2005, it committed acts which constitute fraud.
20 EZ #27 sold the operator, and received payment for a fuel filter service and fuel filter after
21 indicating to the operator that the fuel filter was old and needed to be replaced, inducing the
22 operator to purchase unnecessary services.

23 EIGHTY-SECOND CAUSE FOR DISCIPLINE

24 (Failure to Comply with Regulations)

25 179. Respondent EZ #27 is subject to discipline under Code section 9884.7,
26 subdivision (a)(6), in that on or about March 25, 2005, it failed to comply with California Code
27 of Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
28 Invoice No. 1774447.

1 EIGHTY-THIRD CAUSE FOR DISCIPLINE

2 (Failure to Comply with the Automotive Repair Act)

3 180. Respondent EZ #27 is subject to discipline under Code section 9884.7,
4 subdivision (a)(6), in that on or about March 25, 2005, it failed to materially comply with Code
5 section 9884.8, as follows

6 a. Regarding Invoice No. 1774447, Respondent EZ #27 failed to separately
7 state the subtotal price for service work performed and parts supplied.

8 b. Regarding Invoice No. 1774447, Respondent EZ #27 failed to record parts
9 as new, used, reconditioned or rebuilt.

10 RESPONDENT EZ #19

11 UNDERCOVER OPERATION NO. 1 - 1989 DODGE DYNASTY

12 181. On or about May 10, 2005, a Bureau undercover operator using the alias
13 Edwin Caldera ("operator") drove a Bureau-documented 1989 Dodge Dynasty, California
14 License Plate No. 2ZSS151, to Respondent EZ #19's facility located at 1700 Artesia Boulevard,
15 Redondo Beach, California. The only service needed was an oil change.

16 182. The operator spoke with a male employee and told him he wanted to have
17 his oil changed. The male employee asked the operator for his information for the work order.
18 The operator signed the work order but was not provided a copy of the document. The employee
19 suggested that the operator use a synthetic oil. The operator authorized the upgraded oil. After
20 the service was completed, the operator paid another employee \$50.43 and signed and received a
21 copy of Invoice No. 1565987.

22 183. On or about May 11, 2005, the Bureau re-inspected the vehicle using
23 Invoice No. 1565987 as a reference. The inspection revealed the following:

- 24 a. The oil drain plug washer had not been replaced as invoiced.
25 b. The power steering fluid and air filter had not been checked as invoiced.
26 c. The invoice indicated that the chassis was sealed; however, this vehicle is
27 equipped with zerk fittings which require periodic lubrication. This service had not been
28 performed.

- 1 a. Respondent EZ #19 failed to replace the oil drain plug washer as invoiced.
2 b. Respondent EZ #19 charged the operator for a full service oil change
3 which included checking the power steering fluid level and air filter. In fact, those services were
4 not provided.

5 **EIGHTY-SEVENTH CAUSE FOR DISCIPLINE**

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

7 187. Respondent EZ #19 is subject to discipline under Code section 9884.7,
8 subdivision (a)(6), in that on or about May 10, 2005, it failed to comply with California Code of
9 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
10 Invoice No. 1565987.

11 **EIGHTY-EIGHTH CAUSE FOR DISCIPLINE**

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

13 188. Respondent EZ #19 is subject to discipline under Code section 9884.7,
14 subdivision (a)(6), in that on or about May 10, 2005, it failed to materially comply with the
15 following Code sections:

16 a. **Section 9884.8:**

17 i. On Invoice No. 1565987, Respondent EZ #19 failed to separately
18 state the subtotal price for service work performed and parts supplied.

19 ii. On Invoice No. 1565987, Respondent EZ #19 failed to record parts
20 as new, used, reconditioned or rebuilt.

21 b. **Section 9884.9, subdivision (a):** Respondent EZ #19 failed to provide
22 the operator with a written estimated price for parts and service for a specific job.

23 **UNDERCOVER OPERATION NO. 2 - 1998 TOYOTA CAMRY**

24 189. On or about May 17, 2005, a Bureau undercover operator using the alias
25 Joseph Gomez ("operator") drove a Bureau-documented 1998 Toyota Camry, California License
26 Plate No. 4ARE088, to Respondent EZ #19's facility located at 1700 Artesia Boulevard,
27 Redondo Beach, California. The only service needed was an oil change.

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1 NINETIETH CAUSE FOR DISCIPLINE

2 (Fraudulent Acts)

3 193. Respondent EZ #19 is subject to discipline under Code section 9884.7,
4 subdivision (a)(4), in that on or about May 17, 2005, it committed acts which constitute fraud, as
5 follows:

6 a. Respondent EZ #19 sold the operator a power steering service by
7 indicating to the operator that the power steering fluid was low and dirty and needed to be
8 replaced, inducing the operator to purchase unnecessary services.

9 b. Respondent EZ #19 failed to replace the oil drain plug washer as invoiced.

10 NINETY-FIRST CAUSE FOR DISCIPLINE

11 (Failure to Comply with Regulations)

12 194. Respondent EZ #19 is subject to discipline under Code section 9884.7,
13 subdivision (a)(6), in that on or about May 17, 2005, it failed to comply with California Code of
14 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
15 Invoice No. 1906511.

16 NINETY-SECOND CAUSE FOR DISCIPLINE

17 (Failure to Comply with the Automotive Repair Act)

18 195. Respondent EZ #19 is subject to discipline under Code section 9884.7,
19 subdivision (a)(6), in that on or about May 17, 2005, it failed to materially comply with the
20 following Code sections:

21 a. Section 9884.8:

22 i. On Invoice No. 1906511, Respondent EZ #19 failed to separately
23 state the subtotal price for service work performed and parts supplied.

24 ii. On Invoice No. 1906511, Respondent EZ #19 failed to record parts
25 as new, used, reconditioned or rebuilt.

26 b. Section 9884.9, subdivision (a):

27 i. Respondent EZ #19 failed to provide the operator with a written
28 estimated price for parts and labor for a specific job.

1 ii. On Invoice No. 1906511, Respondent EZ #19 failed to document
2 the operator's authorization for additional repairs.

3 RESPONDENT EZ #03

4 UNDERCOVER OPERATION NO. 1 - 1995 CHRYSLER LEBARON

5 196. On or about April 27, 2005, a Bureau undercover operator using the alias
6 Elva Medrano ("operator") drove a Bureau-documented 1995 Chrysler LeBaron, Oregon License
7 Plate No. ZMR041, to Respondent EZ #03's facility located at 27125 N. Sierra Highway,
8 Canyon Country, California. The only service needed was an oil change.

9 197. The operator spoke with a male employee who later identified himself as
10 Hector. The operator told Hector she wanted an oil change. The operator signed an estimate;
11 however, she was not provided a copy of the document. The operator was escorted to a waiting
12 room. A short time later, Hector came to the waiting room and asked the operator to follow him
13 to the shop area. Hector pointed at different parts on the vehicle and told the operator they were
14 good. Hector told the operator that she needed a fuel injection service and transmission flush.
15 He told the operator that those services should be done every 15,000 miles. The operator
16 authorized the services. After the services were completed, the operator paid Hector \$195.78 and
17 received Invoice No. 1576138.

18 198. On May 24, 2005, the Bureau re-inspected the vehicle using Invoice No.
19 1576138 as a reference. The inspection revealed the following:

20 a. The invoice indicated that the chassis had not been lubricated because the
21 grease fittings were sealed. In fact, both lower ball joints and both outer tie rod end joints are not
22 sealed and require periodic lubrication.

23 b. The invoice indicated that a fuel system cleaning service had been
24 performed. In fact, that service was unnecessary, nor had that service been performed as
25 invoiced.

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1 NINETY-THIRD CAUSE FOR DISCIPLINE

2 (Untrue or Misleading Statements)

3 199. Respondent EZ #03 is subject to discipline under Code section 9884.7,
4 subdivision (a)(1), in that on or about April 27, 2005, it made statements which it knew or which
5 by exercise of reasonable care it should have known were untrue or misleading, as follows:

6 a. Respondent EZ #03 falsely represented to the operator that a fuel injection
7 service needed to be performed. In fact, that service was unnecessary.

8 b. Respondent EZ #03 falsely represented on Invoice No. 1576138 that the
9 chassis had not been lubricated because the grease fittings were sealed. In fact, both lower ball
10 joints and both outer tie rod end joints are not sealed and require periodic lubrication.

11 c. Respondent EZ #03 falsely represented on Invoice No. 1576138 that a fuel
12 system cleaning service had been performed. In fact, that service was unnecessary and
13 Respondent EZ #03 had not performed that service as invoiced.

14 d. Respondent EZ #03's Invoice No. 1576138 was misleading in that it
15 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$50.23.

16 NINETY-FOURTH CAUSE FOR DISCIPLINE

17 (Failure to Provide Copy of a Signed Document)

18 200. Respondent EZ #03 is subject to discipline under Code section 9884.7,
19 subdivision (a)(3), in that on or about April 27, 2005, it failed to provide the operator with a copy
20 of the estimate dated April 27, 2005, as soon as she signed the document.

21 NINETY-FIFTH CAUSE FOR DISCIPLINE

22 (Fraudulent Acts)

23 201. Respondent EZ #03 is subject to discipline under Code section 9884.7,
24 subdivision (a)(4), in that on or about April 27, 2005, it committed acts which constitute fraud by
25 charging for and receiving payment for a fuel system cleaning service. In fact, that service had
26 not been performed as invoiced.

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1 NINETY-SIXTH CAUSE FOR DISCIPLINE

2 (Failure to Comply with Regulations)

3 202. Respondent EZ #03 is subject to discipline under Code section 9884.7,
4 subdivision (a)(6), in that on or about April 27, 2005, it failed to comply with California Code of
5 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
6 Invoice No. 1576138.

7 NINETY-SEVENTH CAUSE FOR DISCIPLINE

8 (Failure to Comply with the Automotive Repair Act)

9 203. Respondent EZ #03 is subject to discipline under Code section 9884.7,
10 subdivision (a)(6), in that on or about April 27, 2005, it failed to materially comply with the
11 following Code sections:

12 a. Section 9884.8:

13 i. On Invoice No. 1576138, Respondent EZ #03 failed to record
14 whether parts were new, used, reconditioned or rebuilt.

15 ii. On Invoice No. 1576138, Respondent EZ #03 failed to separately
16 state the subtotal price for service work performed and parts supplied.

17 b. Section 9884.9, subdivision (a): On Invoice No. 1576138, Respondent
18 EZ #03 failed to document the operator's authorization for additional repairs.

19 **UNDERCOVER OPERATION NO. 2 - 1994 FORD MUSTANG**

20 204. On or about May 19, 2005, a Bureau undercover operator using the alias
21 Ronda Kavanaugh ("operator") drove a Bureau-documented 1994 Ford Mustang, California
22 License Plate No. 3HPU545, to Respondent EZ #03's facility located at 27125 N. Sierra
23 Highway, Canyon Country, California. The only service needed was an oil change.

24 205. The operator spoke with a male employee named Alex. The operator told
25 Alex that she wanted an oil change. The operator provided her information, signed the estimate,
26 and was provided a copy of the document. The operator was escorted to a waiting room. A short
27 time later, Alex came to the waiting room and asked the operator to follow him to the shop area.
28 Alex told the operator that the air filter and fuel filter were dirty and recommended replacing

1 a. Respondent EZ #03 falsely represented to the operator that the air filter
2 and fuel filter were dirty and needed to be replaced. In fact, replacement of those parts was
3 unnecessary.

4 b. Respondent EZ #03 falsely represented to the operator that the differential
5 and coolant fluids were dirty. In fact, those fluids were not in need of replacement.

6 c. Respondent EZ #03 falsely represented on Invoice No. 1991307 that the
7 oil drain plug washers had been replaced. In fact, those parts had not been replaced as invoiced.

8 d. Respondent EZ #03 falsely represented to the operator that a fuel system
9 cleaning needed to be performed. In fact, that service was unnecessary.

10 e. Respondent EZ #03's Invoice No. 1991307 was misleading in that it
11 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$127.21.

12 **NINETY-NINTH CAUSE FOR DISCIPLINE**

13 **(Fraudulent Acts)**

14 208. Respondent EZ #03 is subject to discipline under Code section 9884.7,
15 subdivision (a)(4), in that on or about May 19, 2005, it committed acts which constitute fraud, as
16 follows:

17 a. Respondent EZ #03 charged the operator replace the fuel filter. In fact,
18 replacement of that part was unnecessary.

19 b. Respondent EZ #03 charged the operator for a radiator fluid exchange. In
20 fact, that service was unnecessary.

21 c. Respondent EZ #03 charged the operator for a differential service. In fact,
22 that service was unnecessary.

23 d. Respondent EZ #03 charged the operator for a fuel cleaning service. In
24 fact, that service was unnecessary.

25 e. Respondent EZ #03 charged the operator to replace the oil drain plug
26 washer. In fact, that part had not been replaced as invoiced.

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1 David left and returned with what he said was the fuel filter from consumer Siewert's car. David
2 pointed to a big dent in the side of the filter and said that it was "bad, dirty, and so dirty he had to
3 bang on it to get the dirt out." David said he could replace the dirty filter and do the oil change
4 for a total estimated cost of \$119.47. No other services were recommended. Consumer Siewert
5 authorized the services but asked David to give her the dirty filter so she could take it back to
6 Power Ford and receive a refund. After the services were completed, consumer Siewert paid
7 \$116.22 for the services performed by Respondent EZ #03, signed and received Invoice No.
8 2944358, and received the used fuel filter from David. Later that day, consumer Siewert
9 telephoned EZ #03 and spoke with David. She asked how long a fuel filter was supposed to last
10 and David replied about 10,000 miles. Consumer Siewert said she was angry that Power Ford
11 had taken advantage of her and David said the best thing she could do was not to do business
12 with Power Ford again. On or about April 19, 2006, consumer Siewert took the used fuel filter
13 to her regular mechanic at Big John's Performance Tire Wheel. Consumer Siewert's mechanic
14 examined the fuel filter and said it was fine.

15 **ONE HUNDRED SECOND CAUSE FOR DISCIPLINE**

16 (Untrue or Misleading Statements)

17 212. Respondent EZ #03 is subject to discipline under Code section 9884.7,
18 subdivision (a)(1), in that on or about April 17, 2006, it made statements which it knew or which
19 by exercise of reasonable care it should have known were untrue or misleading, as follows:

20 a. Respondent EZ #03 falsely represented to consumer Siewert that her fuel
21 filter was dirty and needed to be replaced. In fact, replacement of that part was unnecessary.

22 b. Respondent EZ #03's Invoice No. 2944358 was misleading in that it
23 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$65.98.

24 **ONE HUNDRED THIRD CAUSE FOR DISCIPLINE**

25 (Fraudulent Acts)

26 213. Respondent EZ #03 is subject to discipline under Code section 9884.7,
27 subdivision (a)(4), in that on or about April 17, 2006, it committed acts which constitute fraud by

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1 charging for and receiving payment for a new fuel filter for consumer Siewert's vehicle. In fact,
2 replacement of that part was unnecessary.

3 **ONE HUNDRED FOURTH CAUSE FOR DISCIPLINE**

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

5 214. Respondent EZ #03 is subject to discipline under Code section 9884.7,
6 subdivision (a)(6), in that on or about April 17, 2006, it failed to comply with California Code of
7 Regulations, title 16, section 3356.1, by failing to show its EPA identification number on Invoice
8 No. 2944358.

9 **ONE HUNDRED FIFTH CAUSE FOR DISCIPLINE**

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

11 215. Respondent EZ #03 is subject to discipline under Code section 9884.7,
12 subdivision (a)(6), in that on or about April 17, 2006, it failed to materially comply with the
13 following Code sections:

14 a. **Section 9884.8:**

15 i. On Invoice No. 2944358, Respondent EZ #03 failed to show parts
16 as new, used, reconditioned or rebuilt.

17 ii. On Invoice No. 2944358, Respondent EZ #03 failed to separately
18 state the subtotal price for service work performed and parts supplied.

19 b. **Section 9884.9, subdivision (a):**

20 i. Respondent EZ #03 failed to provide consumer Siewert with a
21 written estimated price for parts and labor for a specific job.

22 ii. On the estimate form, Respondent EZ #03 failed to specify the
23 additional repairs, parts and labor authorized by consumer Siewert.

24 **RESPONDENT EZ #14**

25 **CONSUMER COMPLAINT (JOSVAI) - 2002 HYUNDAI ELANTRA**

26 216. On or about November 10, 2004, the Bureau received a consumer
27 complaint from Suzanne Josvai on behalf of her mother, Mary Anne Josvai ("consumer Josvai").
28 The complaint alleges that Respondent EZ #14 performed excessive repairs on consumer

1 Josvai's vehicle, a 2002 Hyundai Elantra, without a prior written estimate. The only service
2 requested by consumer Josvai was an oil change. Consumer Josvai paid \$759.83 for the services
3 performed by Respondent EZ #14. Consumer Josvai was provided the Bureau with Invoice Nos.
4 1091437 and 1091438. The Bureau reviewed the invoices and the Vehicle Maintenance
5 Requirements for a 2002 Hyundai Elantra. Respondent charged consumer Josvai \$441.75, for
6 unnecessary services, which included an \$8 fee for the EZ Lube and Oil VIP card. The Vehicle
7 Maintenance Requirements do not recommend any of the following services sold to consumer
8 Josvai by Respondent EZ #14, at a cost of \$340.36:

- 9 a. Power steering flush exchange \$59
- 10 b. Mobil 1 Synthetic ATF \$21.40
- 11 c. Mobil 1 Synthetic ATF charge \$20
- 12 d. Fuel system cleaning service \$59.99
- 13 e. Fuel filter service \$59.99
- 14 f. Air conditioning enhancer \$119.98

15 217. Consumer Josvai's vehicle does not have a front differential; however, she
16 was charged \$93.39 for the following differential services:

- 17 a. Front differential service \$39.99
- 18 b. Mobil 1 Synthetic ATF \$21.40
- 19 c. Mobil 1 Synthetic ATF charge \$20
- 20 d. ATF Supplement/7161 \$12

21 ONE HUNDRED SIXTH CAUSE FOR DISCIPLINE

22 (Untrue or Misleading Statements)

23 218. Respondent EZ #14 is subject to discipline under Code section 9884.7,
24 subdivision (a)(1), in that on or about May 12, 2004, it made statements which it knew or which
25 by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 26 a. Respondent EZ #14 falsely represented to consumer Josvai on Invoice
27 Nos. 1091437 and 1091438 that a front differential service, including fluids, was performed. In
28 fact, consumer Josvai's vehicle does not have a front differential.

1 b. Respondent EZ #14's Invoice No. 11091437 was misleading in that it
2 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$470.07.

3 **ONE HUNDRED SEVENTH CAUSE FOR DISCIPLINE**

4 **(Fraudulent Acts)**

5 219. Respondent EZ #14 is subject to discipline under Code section 9884.7,
6 subdivision (a)(4), in that on or about May 12, 2004, it committed acts which constitute fraud by
7 charging for and receiving payment for a front differential service, including fluids. In fact, the
8 consumer's vehicle does not have a front differential.

9 **ONE HUNDRED EIGHTH CAUSE FOR DISCIPLINE**

10 **(Disregard for Trade Standards)**

11 220. Respondent EZ #14 is subject to discipline under Code section 9884.7,
12 subdivision (a)(7), in that on or about May 12, 2004, it willfully departed from or disregarded
13 accepted trade standards for good and workmanlike repair in a material respect by failing to
14 comply with the following sections of California Code of Regulations, title 16:

15 a. **Section 3366, subdivision (a)(15):** Respondent EZ #14 failed to record
16 the high and low side system operating pressures on Invoice Nos. 1091437 and 1091438.

17 b. **Section 3366, subdivision (a)(16):** Respondent EZ #14 failed to record
18 the center air distribution outlet temperature on Invoice Nos. 1091437 and 1091438.

19 **ONE HUNDRED NINTH CAUSE FOR DISCIPLINE**

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

21 221. Respondent EZ #14 is subject to discipline under Code section 9884.7,
22 subdivision (a)(6), in that on or about May 12, 2004, regarding Invoice Nos. 1091437 and
23 1091438, it failed to materially comply with Code section 9884.8 by failing to describe all
24 service work performed and parts supplied in a way that the consumer could understand the
25 services provided.

26 **UNDERCOVER OPERATION NO. 1 - 1989 DODGE DYNASTY**

27 222. On or about February 23, 2005, a Bureau undercover operator using the
28 alias Edna Swanson ("operator") drove a Bureau-documented 1989 Dodge Dynasty, California

1 License Plate No. 3DIP382, to Respondent EZ #14's facility located at 24281 Moulton Parkway,
2 Laguna Hills, California. The only service needed was an oil change.

3 223. The operator spoke with a male employee identified as "Julio." The
4 operator told Julio she wanted an oil change. Julio told the operator they could replace the oil
5 with standard oil or a better oil. Julio told the operator that David Williams would be servicing
6 her vehicle. A short time later, David took the operator into the service area and told her she
7 should use the better oil. David showed the operator two wires on the front of the engine and
8 said "look at the oil on them. Look at these injectors here, if you don't take care of them they
9 will end up with sludge, which will damage the engine." David then told the operator that her
10 vehicle needed an injector flush and an engine flush. David pointed to a whitish colored
11 container in the left front corner of the engine compartment [coolant reservoir]. David asked if
12 the operator could see this fluid and said it should be dark green and that it was low. David said
13 the operator needed it [a radiator fluid exchange]. The operator authorized the services. After
14 the services were completed, the operator paid David \$250.40 and signed and received a copy of
15 Invoice No. 1496158.

16 224. On February 24, 2005, the Bureau re-inspected the vehicle using Invoice
17 No. 1496158 as a reference. The inspection revealed the following:

- 18 a. The oil drain plug washer had not been replaced as invoiced.
- 19 b. The windshield washer fluid reservoir had not been filled as invoiced.
- 20 c. The fuel system had not been cleaned as invoiced.
- 21 d. The air filter had not been checked as invoiced.
- 22 e. The interior of the vehicle had not been vacuumed as invoiced.
- 23 f. The vehicle does not have a rear differential and could not have been
24 found "full" as invoiced.
- 25 g. The invoice indicated that the coolant was exchanged; however, that
26 service was unnecessary.

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1 b. Respondent EZ #14 charged the operator for a coolant exchange. In fact,
2 that service was unnecessary.

3 c. Respondent EZ #14 charged the operator for a full oil service which
4 included filling the windshield washer fluid reservoir, checking the air filter, vacuuming the
5 interior of the vehicle, and checking the rear differential. In fact, this service was not provided.

6 d. Respondent EZ #14 failed to clean the fuel system as invoiced.

7 e. Respondent EZ #14 failed to replace the oil drain plug washer as invoiced.

8 **ONE HUNDRED TWELFTH CAUSE FOR DISCIPLINE**

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

10 227. Respondent EZ #14 is subject to discipline under Code section 9884.7,
11 subdivision (a)(6), in that on or about February 23, 2005, it failed to comply with California
12 Code of Regulations, title 16, section 3356.1, by failing to record its EPA identification number
13 on Invoice No. 1496158.

14 **ONE HUNDRED THIRTEENTH CAUSE FOR DISCIPLINE**

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

16 228. Respondent EZ #14 is subject to discipline under Code section 9884.7,
17 subdivision (a)(6), in that on or about February 23, 2005, it failed to materially comply with
18 Code section 9884.9, subdivision (a), by providing the operator with an estimate dated
19 February 23, 2005, which did not state the services requested by the operator.

20 **UNDERCOVER OPERATION NO. 2 - 1997 TOYOTA CAMRY**

21 229. On or about March 9, 2005, a Bureau undercover operator using the alias
22 Debbie Adams ("operator") drove a Bureau-documented 1997 Toyota Camry, California License
23 Plate No. 3WCL150, to Respondent EZ #14's facility located at 24281 Moulton Parkway,
24 Laguna Hills, California. The only service needed was an oil change.

25 230. The operator spoke with a male employee identified as "James." The
26 operator told James she wanted an oil change and provided James with a coupon. James told the
27 operator that the cost of the oil change with the coupon would be \$19.99. The operator filled out,
28 signed, and was provided with a copy of an estimate dated March 9, 2005. The operator was

1 taken to the waiting room. A short time later, a male employee named Douglas took the operator
2 to the service area. Douglas told the operator that the air filter was fine, but recommended a
3 radiator flush, coolant replacement, transmission fluid replacement, and a power steering fluid
4 replacement. The operator told Douglas she could not remember when the services were last
5 performed and asked if there was a way to tell if the services were needed. Douglas removed the
6 transmission dip stick and said "it's fifty-fifty." The operator asked Douglas if he could check
7 the radiator. Douglas then had the operator return to the customer waiting area so she would not
8 get "burned" during the check. A few minutes later, Douglas returned to the operator and told
9 her she needed the radiator coolant serviced. The operator asked Douglas if he thought she
10 needed the services he recommended, to which he replied "I think so." Douglas told the operator
11 that if she did not get the services done, the car might overheat, the automatic transmission may
12 not run as smooth, and the power steering would not steer as smoothly. The operator authorized
13 the services. After the services were completed, the operator paid another employee identified as
14 "James" \$246.98, and signed and received a copy of Invoice No. 1754517.

15 231. On March 11, 2005, the Bureau re-inspected the vehicle using Invoice No.
16 1754517 as a reference. The inspection revealed the following:

17 a. The invoice indicated that the transmission fluid was exchanged; however,
18 that service was unnecessary.

19 b. The invoice indicated that the coolant was exchanged; however, that
20 service was unnecessary.

21 c. The invoice indicated that the power steering fluid was exchanged;
22 however, that service was unnecessary.

23 d. The oil drain plug washer had not been replaced as invoiced.

24 **ONE HUNDRED FOURTEENTH CAUSE FOR DISCIPLINE**

25 **(Untrue or Misleading Statements)**

26 232. Respondent EZ #14 is subject to discipline under Code section 9884.7,
27 subdivision (a)(1), in that on or about March 9, 2005, it made statements which it knew or which
28 by exercise of reasonable care it should have known were untrue or misleading, as follows:

1 a. Respondent EZ #14 falsely represented to the operator that the
2 transmission fluid needed exchanging. In fact, that service was unnecessary.

3 b. Respondent EZ #14 falsely represented to the operator that the radiator
4 coolant fluid needed exchanging. In fact, that service was unnecessary.

5 c. Respondent EZ #14 falsely represented to the operator that the power
6 steering fluid needed exchanging. In fact, that service was unnecessary.

7 d. Respondent EZ #14 falsely represented on Invoice No. 1754517 that the
8 oil drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.

9 e. Respondent EZ #14's Invoice No. 1754517 was misleading in that it
10 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$69.02.

11 **ONE HUNDRED FIFTEENTH CAUSE FOR DISCIPLINE**

12 **(Fraudulent Acts)**

13 233. Respondent EZ #14 is subject to discipline under Code section 9884.7,
14 subdivision (a)(4), in that on or about March 9, 2005, it committed acts which constitute fraud, as
15 follows:

16 a. Respondent EZ #14 charged the operator for a transmission fluid
17 exchange. In fact, that service was unnecessary.

18 b. Respondent EZ #14 charged the operator for a coolant exchange. In fact,
19 that service was unnecessary.

20 c. Respondent EZ #14 charged the operator for a power steering fluid
21 exchange. In fact, that service was unnecessary.

22 d. Respondent EZ #14 failed to replace the oil drain plug washer as invoiced.

23 **ONE HUNDRED SIXTEENTH CAUSE FOR DISCIPLINE**

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

25 234. Respondent EZ #14 is subject to discipline under Code section 9884.7,
26 subdivision (a)(6), in that on or about March 9, 2005, it failed to comply with California Code of
27 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
28 No. 1754517.

1 a. Respondent EZ #49 charged the operator for a fuel system cleaning service.
2 In fact, that service was unnecessary, nor had that service been performed as invoiced.

3 b. Respondent EZ #49 charged the operator for an engine flush. In fact, that
4 service was unnecessary.

5 c. Respondent EZ #49 charged the operator for an oil change. In fact, that
6 service had not been performed as invoiced.

7 **ONE HUNDRED TWENTY-FOURTH CAUSE FOR DISCIPLINE**

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

9 248. Respondent EZ #49 is subject to discipline under Code section 9884.7,
10 subdivision (a)(6), in that on or about April 26, 2005, it failed to comply with the following
11 sections of California Code of Regulations, title 16:

12 a. **Section 3356.1:** Respondent EZ #49 failed to record its EPA
13 identification number on Invoice No. 1889985.

14 b. **Section 3372.1:** Respondent EZ #49's advertisement is false and
15 misleading in that it does not intend to sell just the advertised 14-point inspection and oil change
16 for \$19.99 but, rather, it is intended to entice the operator into a more costly transaction.

17 **ONE HUNDRED TWENTY-FIFTH CAUSE FOR DISCIPLINE**

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

19 249. Respondent EZ #49 is subject to discipline under Code section 9884.7,
20 subdivision (a)(6), in that on or about April 26, 2005, it failed to materially comply with the
21 following Code sections:

22 a. **Section 9884.8:** On Invoice No. 1889985, Respondent EZ #49 failed to
23 describe all service work performed and parts supplied.

24 b. **Section 9884.9, subdivision (a):** Respondent EZ #49 failed to provide the
25 operator with a written estimated price for parts and labor for a specific job.

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1 RESPONDENT EZ #91

2 UNDERCOVER OPERATION - 1990 CHEVROLET C1500 TRUCK

3 250. On or about April 28, 2005, a Bureau undercover operator using the alias
4 William Newton ("operator") drove a Bureau-documented 1990 Chevrolet C1500 truck,
5 California License Plate No. 4D83840, to Respondent EZ #91's facility located at 12120 Carmel
6 Mountain Drive, San Diego, California. The only service needed was an oil change.

7 251. The operator provided a male employee named Edward. The operator
8 provided Edward with an internet advertisement and requested a full-service oil change. The
9 operator signed an estimate and was provided a copy of the document. A short time later, Edward
10 escorted the operator to the service area. Edward told the operator that it appeared that the engine
11 valve cover on the passenger side of the vehicle was starting to seep oil. Edward suggested
12 adding a bottle of "oil stop leak." Edward said the product was guaranteed to stop oil leaks. The
13 operator authorized the additional service. After the service was completed, the operator paid
14 Dori \$52.92, which included a \$3 VIP card. The operator signed and received a copy of Invoice
15 No. 1866395.

16 252. On May 9, 2005, the Bureau re-inspected the vehicle using Invoice No.
17 1866395 as a reference. The inspection revealed the following:

- 18 a. The chassis had not been lubricated as invoiced.
19 b. The oil drain plug washer had not been replaced as invoiced.

20 ONE HUNDRED TWENTY-SIXTH CAUSE FOR DISCIPLINE

21 (Untrue or Misleading Statements)

22 253. Respondent EZ #91 is subject to discipline under Code section 9884.7,
23 subdivision (a)(1), in that on or about April 28, 2005, it made statements which it knew or which
24 by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 25 a. Respondent EZ #91 falsely represented on Invoice No. 1866395 that the oil
26 drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.
27 b. Respondent EZ #91 falsely represented on Invoice No. 1866395 that the
28 chassis had been lubricated. In fact, that service had not been performed as invoiced.

1 c. Respondent EZ #91's Invoice No. 1866395 was misleading in that it
2 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$29.23.

3 **ONE HUNDRED TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

4 **(Fraudulent Acts)**

5 254. Respondent EZ #91 is subject to discipline under Code section 9884.7,
6 subdivision (a)(4), in that on or about April 28, 2005, it committed acts which constitute fraud by
7 charging for and receiving payment to replace the oil drain plug washer and lubricate the chassis.
8 In fact, those services had not been performed as invoiced.

9 **ONE HUNDRED TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

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

11 255. Respondent EZ #91 is subject to discipline under Code section 9884.7,
12 subdivision (a)(6), in that on or about April 28, 2005, it failed to comply with California Code of
13 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
14 No. 1866395.

15 **ONE HUNDRED TWENTY-NINTH CAUSE FOR DISCIPLINE**

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

17 256. Respondent EZ #91 is subject to discipline under Code section 9884.7,
18 subdivision (a)(6), in that on or about April 28, 2005, it failed to materially comply with the
19 following Code sections:

20 a. **Section 9884.8:**

21 i. On Invoice No. 1866395, Respondent EZ #91 failed to show parts
22 as new, used, reconditioned, or rebuilt.

23 ii. On Invoice No. 1866395, Respondent EZ #91 failed to separately
24 state the subtotal price for service work performed and parts supplied.

25 b. **Section 9884.9, subdivision (a):** Respondent EZ #91 provided the
26 operator with an estimate dated April 28, 2005, which did not state the services requested by the
27 operator.

1 e. The windshield wiper blades had been replaced; however, that service was
2 unnecessary.

3 f. The invoice indicated that the radiator fluid flush had been performed;
4 however, that service was unnecessary.

5 g. The oil drain plug washer had not been replaced as invoiced.

6 h. The invoice indicated that the chassis was sealed. In fact, this vehicle is
7 equipped with zerk fittings that require periodic lubrication and that service had not been
8 performed.

9 i. The invoice indicated that the brake fluid had been checked, the windshield
10 washer reservoir had been filled, and the tire pressures had been checked. In fact, those services
11 had not been performed as invoiced.

12 **ONE HUNDRED THIRTIETH CAUSE FOR DISCIPLINE**

13 **(Untrue or Misleading Statements)**

14 260. Respondent EZ #25 is subject to discipline under Code section 9884.7,
15 subdivision (a)(1), in that on or about February 17, 2005, it made statements which it knew or
16 which by exercise of reasonable care it should have known were untrue or misleading, as follows:

17 a. Respondent EZ #25 falsely represented to the operator that a fuel injection
18 cleaning service needed to be performed. In fact, that statement was untrue and that service was
19 unnecessary.

20 b. Respondent EZ #25 falsely represented to the operator that the engine
21 needed to be flushed because the oil was "dirty and watery." In fact, that statement was untrue and
22 that service was unnecessary.

23 c. Respondent EZ #25 falsely represented to the operator that the wiper blades
24 needed to be replaced because the existing blades were "old." In fact, that statement was untrue.
25 The wiper blades were in good serviceable condition and not in need of replacement.

26 d. Respondent EZ #25 falsely represented to the operator that the air filter
27 needed to be replaced because it was "dirty." In fact, that statement was untrue. The air filter was
28 new and not in need of replacement.

1 e. Respondent EZ #25 falsely represented to the operator that the coolant was
2 "old" and "dirty" and needed to be replaced. In fact, the fluid was new and not in need of
3 replacement.

4 f. Respondent EZ #25 falsely represented on Invoice No. 1676117 that the
5 fuel filter had been replaced. In fact, that part had not replaced as invoiced.

6 g. Respondent EZ #25 falsely represented on Invoice No. 1676117 that the oil
7 drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.

8 h. Respondent EZ #25 falsely represented on Invoice No. 1676117 that the
9 chassis was sealed. In fact, this vehicle has zerk fittings, which require periodic lubrication.

10 i. Respondent EZ #25 falsely represented on Invoice No. 1676117 that the
11 brake fluid, window washing fluid, and tire pressures had been checked. In fact, those services
12 had not been performed as invoiced.

13 j. Respondent EZ #25's Invoice No. 1676117 was misleading in that it
14 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$151.26.

15 **ONE HUNDRED THIRTY-FIRST CAUSE FOR DISCIPLINE**

16 **(Fraudulent Acts)**

17 261. Respondent EZ #25 is subject to discipline under Code section 9884.7,
18 subdivision (a)(4), in that on or about February 17, 2005, it committed acts which constitute fraud,
19 as follows:

20 a. Respondent EZ #25 failed to replace the fuel filter as invoiced.

21 b. Respondent EZ #25 failed to replace the oil drain plug washer as invoiced.

22 c. Respondent EZ #25 charged the operator for an engine flush. In fact, that
23 service was unnecessary.

24 d. Respondent EZ #25 charged the operator that a fuel system cleaning
25 service. In fact, that service was unnecessary.

26 e. Respondent EZ #25 charged the operator for a radiator flush. In fact, that
27 service was unnecessary.

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1 f. Respondent EZ #25 charged the operator for the replacement of the wiper
2 blades. In fact, replacement of these parts was unnecessary.

3 g. Respondent EZ #25 charged the operator for a full service oil change which
4 including checking the brake fluid, window washing fluid and tire pressures. In fact, this service
5 was not performed as invoiced.

6 **ONE HUNDRED THIRTY-SECOND CAUSE FOR DISCIPLINE**

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

8 262. Respondent EZ #25 is subject to discipline under Code section 9884.7,
9 subdivision (a)(6), in that on or about February 17, 2005, it failed to comply with California Code
10 of Regulations, title 16, section 3356.1, by failing to record its EPA identification number on
11 Invoice No. 1676117.

12 **ONE HUNDRED THIRTY-THIRD CAUSE FOR DISCIPLINE**

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

14 263. Respondent EZ #25 is subject to discipline under Code section 9884.7,
15 subdivision (a)(6), in that on or about February 17, 2005, it failed to materially comply with the
16 following Code sections:

17 a. **Section 9884.8:**

18 i. On Invoice No. 1676117, Respondent EZ #25 failed to show parts
19 as new, used, reconditioned, or rebuilt.

20 ii. On Invoice No. 1676117 Respondent EZ #25 failed to separately
21 state the subtotal price for service work performed and parts supplied.

22 b. **Section 9884.9, subdivision (a):**

23 i. Respondent EZ #25 provided the operator with an estimate dated
24 February 17, 2005, which did not state the services requested by the operator.

25 ii. On Invoice No. 1676117, Respondent EZ #25 failed to document
26 the operator's authorization for additional repairs.

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1 e. The invoice indicated that the power steering flush was performed;
2 however, that service was unnecessary, nor was it recommended by the manufacturer at 30,000
3 miles.

4 f. The front differential was not checked as invoiced.

5 g. The invoice indicated that the automatic transmission service flush had
6 been performed; however, that service was unnecessary, nor was it recommended by the
7 manufacturer at 30,000 miles for this vehicle.

8 ONE HUNDRED THIRTY-FOURTH CAUSE FOR DISCIPLINE

9 (Untrue or Misleading Statements)

10 267. Respondent EZ #25 is subject to discipline under Code section 9884.7,
11 subdivision (a)(1), in that on or about May 24, 2005, it made statements which it knew or which
12 by exercise of reasonable care it should have known were untrue or misleading, as follows:

13 a. Respondent EZ #25 falsely represented to the operator that Toyota
14 recommended numerous services at 30,000 miles. In fact, Toyota does not recommend services at
15 30,000 miles.

16 b. Respondent EZ #25 falsely represented to the operator that a power steering
17 flush service needed to be performed. In fact, that service was unnecessary.

18 c. Respondent EZ #25 falsely represented to the operator that the fuel
19 injection needed to be serviced. In fact, that service was unnecessary.

20 d. Respondent EZ #25 falsely represented to the operator that the fuel filter
21 needed to be serviced. In fact, that service was unnecessary.

22 e. Respondent EZ #25 falsely represented to the operator that the transmission
23 needed to be flushed. In fact, that service was unnecessary.

24 f. Respondent EZ #25 falsely represented on Invoice No. 1900228 that the
25 fuel filter and oil drain plug washer had been replaced. In fact, those parts had not been replaced
26 as invoiced.

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1 g. Respondent EZ #25 falsely represented on Invoice No. 1900228 that the
2 rear differential fluid had been checked. In fact, this vehicle is front wheel drive and as such, has
3 a separate front differential, which had not been checked as invoiced.

4 h. Respondent EZ #25's Invoice No. 1900228 was misleading in that it
5 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$129.00.

6 **ONE HUNDRED THIRTY-FIFTH CAUSE FOR DISCIPLINE**

7 **(Fraudulent Acts)**

8 268. Respondent EZ #25 is subject to discipline under Code section 9884.7,
9 subdivision (a)(4), in that on or about May 24, 2005, it committed acts which constitute fraud, as
10 follows:

- 11 a. Respondent EZ #25 failed to replace the fuel filter as invoiced.
- 12 b. Respondent EZ #25 failed to replace the oil drain plug washer as invoiced.
- 13 c. Respondent EZ #25 charged the operator for a power steering flush service
14 when, in fact, that service were unnecessary, nor is it required on the Toyota 30,000 mile
15 maintenance.
- 16 d. Respondent EZ #25 charged the operator for a fuel system cleaning service
17 when, in fact, that service was unnecessary, nor is it required on the Toyota 30,000 mile
18 maintenance.
- 19 e. Respondent EZ #25 charged the operator for a transmission service flush
20 when, in fact, that service was unnecessary, nor is it required on the Toyota 30,000 mile
21 maintenance except under special operating conditions such as towing a trailer or using a camper,
22 which was not the case with this vehicle.

23 **ONE HUNDRED THIRTY-SIXTH CAUSE FOR DISCIPLINE**

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

25 269. Respondent EZ #25 is subject to discipline under Code section 9884.7,
26 subdivision (a)(6), in that on or about May 24, 2005, it failed to comply with California Code of
27 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
28 No. 1900228.

1 might be dirty." The operator authorized the additional services; however, he was not provided
2 with a revised estimate. After the services were completed, the operator paid the employee
3 \$164.41 and signed and received a copy of Invoice No. 1698726.

4 273. On March 1, 2005, the Bureau re-inspected the vehicle using Invoice No.
5 1698726 as a reference. The inspection revealed the following:

- 6 a. The fuel filter had not been replaced as invoiced.
- 7 b. The fuel system cleaning service had not been performed as invoiced.
- 8 c. The invoice indicated that the chassis was sealed. In fact, the chassis has
9 two grease fittings that require periodic lubrication.

10 **ONE HUNDRED THIRTY-EIGHTH CAUSE FOR DISCIPLINE**

11 **(Untrue or Misleading Statements)**

12 274. Respondent EZ #38 is subject to discipline under Code section 9884.7,
13 subdivision (a)(1), in that on or about February 25, 2005, it made statements which it knew or
14 which by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 15 a. Respondent EZ #38 falsely represented to the operator that the fuel filter
16 needed to be replaced. In fact, replacement of that part was unnecessary.
- 17 b. Respondent EZ #38 falsely represented on Invoice No. 1698726 that the
18 fuel filter had been replaced. In fact, that part had not been replaced as invoiced.
- 19 c. Respondent EZ #38 falsely represented on Invoice No. 1698726 that a fuel
20 system cleaning had been performed. In fact, that service had not been performed as invoiced.
- 21 d. Respondent EZ #38 falsely represented on Invoice No. 1698726 that the
22 chassis was sealed. In fact, this vehicle is equipped with two grease fittings that require periodic
23 lubrication and that service had not been performed.
- 24 e. Respondent EZ #38's Invoice No. 1698726 was misleading in that it
25 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$74.47.

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1 c. Section 9884.17: Respondent EZ #38 failed to have an official automotive
2 repair dealer sign posted in a conspicuous place.

3 **UNDERCOVER OPERATION NO. 2 - 1999 TOYOTA CAMRY**

4 278. On or about March 28, 2005, a Bureau undercover operator using the alias
5 William New ("operator") drove a Bureau-documented 1999 Toyota Camry, California License
6 Plate No. 4LIF344, to Respondent EZ #38's facility located at 12055 Scripps Summit Drive, San
7 Diego, California. The only service needed was an oil change.

8 279. The operator spoke with an employee and requested a full-service oil
9 change and presented an internet coupon. The operator signed and received a copy of the
10 estimate. The operator noticed that the facility did not have an official automotive repair dealer
11 sign posted. A short time later, an employee approached the operator and recommended a radiator
12 flush service and an automatic transmission flush service based on mileage. The employee also
13 told the operator that the vehicle needed an engine oil flush because he said the manufacturer
14 recommends that service once per year. The operator authorized the additional services. After the
15 services were completed, the operator paid the employee \$256.90 and signed and received a copy
16 of Invoice No. 1843808.

17 280. On March 29, 2005, the Bureau re-inspected the vehicle using Invoice No.
18 1843808 as a reference. The inspection was unable to confirm if an engine oil flush had been
19 performed; however, that service was unnecessary.

20 **ONE HUNDRED FORTY-SECOND CAUSE FOR DISCIPLINE**

21 **(Untrue or Misleading Statements)**

22 281. Respondent EZ #38 is subject to discipline under Code section 9884.7,
23 subdivision (a)(1), in that on or about March 28, 2005, it made statements which it knew or which
24 by exercise of reasonable care it should have known were untrue or misleading, as follows:

25 a. Respondent EZ #38 falsely represented to the operator that an engine oil
26 flush needed to be performed because the manufacturer recommended such service once per year.
27 In fact, that statement is untrue. The manufacturer does not recommend this service and this
28 service was unnecessary.

1 b. Respondent EZ #38's Invoice No. 1843808 was misleading in that it
2 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$81.01.

3 **ONE HUNDRED FORTY-THIRD CAUSE FOR DISCIPLINE**

4 **(Fraudulent Acts)**

5 282. Respondent EZ #38 is subject to discipline under Code section 9884.7,
6 subdivision (a)(4), in that on or about March 28, 2005, it committed acts which constitute fraud by
7 charging for and receiving payment to perform an engine oil flush by indicating to the operator
8 that the manufacturer recommended such service, inducing the operator to purchase this service.
9 In fact, that service was unnecessary.

10 **ONE HUNDRED FORTY-FOURTH CAUSE FOR DISCIPLINE**

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

12 283. Respondent EZ #38 is subject to discipline under Code section 9884.7,
13 subdivision (a)(6), in that on or about March 28, 2005, it failed to comply with California Code of
14 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
15 No. 1843808.

16 **ONE HUNDRED FORTY-FIFTH CAUSE FOR DISCIPLINE**

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

18 284. Respondent EZ #38 is subject to discipline under Code section 9884.7,
19 subdivision (a)(6), in that on or about March 28, 2005, it failed to materially comply with the
20 following Code sections:

21 a. **Section 9884.8:**

22 i. On Invoice No. 1843808, Respondent EZ #38 failed to show parts
23 as new, used, reconditioned, or rebuilt.

24 ii. On Invoice No.1843808, Respondent EZ #38 failed to separately
25 state the subtotal price for service work performed and parts supplied.

26 b. **Section 9884.9, subdivision (a):**

27 i. Respondent EZ #38 provided the operator with an estimate dated
28 March 28, 2005, which did not state the services requested by the operator.

1 e. The invoice indicated that the radiator fluid exchange had been performed;
2 however, this service was unnecessary. The service resulted in degrading the coolant in that the
3 antifreeze/coolant to water ratio was 38% coolant and 62% water.

4 **ONE HUNDRED FORTY-SIXTH CAUSE FOR DISCIPLINE**

5 (Untrue or Misleading Statements)

6 288. Respondent EZ #71 is subject to discipline under Code section 9884.7,
7 subdivision (a)(1), in that on or about March 30, 2005, it made statements which it knew or which
8 by exercise of reasonable care it should have known were untrue or misleading, as follows:

9 a. Respondent EZ #71 recommended to the operator that a fuel filter service
10 needed to be performed. In fact, that service was unnecessary.

11 b. Respondent EZ #71 falsely represented on Invoice No. 1860138 that the oil
12 drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.

13 c. Respondent EZ #71 falsely represented on Invoice No. 1860138 that the
14 chassis was sealed. In fact, this vehicle is equipped with 11 grease fittings that require periodic
15 lubrication and that service had not been performed.

16 d. Respondent EZ #71 falsely represented on Invoice No. 1860138 that a "Full
17 Service Oil Change" had been performed. In fact, filling the windshield washer fluid and
18 lubricating the chassis is included in the full service oil change and those services had not been
19 performed.

20 e. Respondent EZ #71's Invoice No. 1860138 was misleading in that it
21 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$86.98.

22 **ONE HUNDRED FORTY-SEVENTH CAUSE FOR DISCIPLINE**

23 (Fraudulent Acts)

24 289. Respondent EZ #71 is subject to discipline under Code section 9884.7,
25 subdivision (a)(4), in that on or about March 30, 2005, it committed acts which constitute fraud,
26 as follows:

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1 a. Respondent EZ #71 sold the operator a radiator fluid exchange by
2 indicating to the operator that if the fluid was not exchanged, it could overheat the engine or even
3 damage the water pump, inducing the operator to purchase a service that was unnecessary.

4 b. Respondent EZ #71 sold the operator a fuel filter service. In fact, that
5 service was unnecessary.

6 c. Respondent EZ #71 failed to replace the oil drain plug washer as invoiced.

7 **ONE HUNDRED FORTY-EIGHTH CAUSE FOR DISCIPLINE**

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

9 290. Respondent EZ #71 is subject to discipline under Code section 9884.7,
10 subdivision (a)(6), in that on or about March 30, 2005, it failed to comply with California Code of
11 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
12 No. 1860138.

13 **ONE HUNDRED FORTY-NINTH CAUSE FOR DISCIPLINE**

14 **(Departure from Trade Standards)**

15 291. Respondent EZ #71 is subject to discipline under Code section 9884.7,
16 subdivision (a)(7), in that on or about March 30, 2005, it willfully departed from or disregarded
17 accepted trade standards for good and workmanlike repair in a material respect by degrading the
18 antifreeze/coolant protection level.

19 **ONE HUNDRED FIFTIETH CAUSE FOR DISCIPLINE**

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

21 292. Respondent EZ #71 is subject to discipline under Code section 9884.7,
22 subdivision (a)(6), in that on or about March 30, 2005, it failed to materially comply with the
23 following Code sections:

24 a. **Section 9884.8:**

25 i. On Invoice No. 1860138, Respondent EZ #71 failed to show parts
26 as new, used, reconditioned, or rebuilt.

27 ii. On Invoice No. 1860138 Respondent EZ #71 failed to separately
28 state the subtotal price for service work performed and parts supplied.

1 b. Section 9884.9, subdivision (a):

2 i. On Invoice No. 1860138, Respondent EZ #71 failed to document
3 the operator's authorization for additional repairs.

4 ii. Respondent EZ #71 failed to document the hazardous waste costs
5 on the estimate dated March 30, 2005.

6 **UNDERCOVER OPERATION NO. 2 - 1991 FORD CROWN VICTORIA**

7 293. On or about April 19, 2005, a Bureau undercover operator using the alias
8 Rose Rudh ("operator") drove a Bureau-documented 1991 Ford Crown Victoria, California
9 License Plate No. 2UDE848, to Respondent EZ #71's facility located at 3504 Central Avenue,
10 Riverside, California. The only service needed was an oil change.

11 294. The operator spoke with a female employee named Krystal and requested a
12 full-service oil change. An employee started checking the vehicle's fluids and told the operator
13 that the oil level was low. Krystal showed the operator a bottle and told her that it was an internal
14 engine cleaner and then said, "you do want to keep your car running good." The operator stated
15 she did. Krystal made some handwritten notes on the estimate and asked the operator to sign the
16 document. The operator signed and received a copy of the estimate. A short time later, a male
17 employee approached the operator and told her she needed to upgrade to the synthetic blend of oil
18 because of the age and mileage of the car. He told her the synthetic oil would keep the vehicle
19 running good. The operator authorized the upgrade. After the services were completed, the
20 operator paid the female employee \$67.55 and signed and received a copy of Invoice No.
21 1861275.

22 295. On April 19, 2005, the Bureau re-inspected the vehicle using Invoice No.
23 1861275 as a reference. The inspection revealed the following:

24 a. Only a partial oil change had been performed, in that only approximately 4
25 quarts of oil had been installed, and the front oil drain plug washer had not been removed as
26 necessary for a full oil change.

27 b. The chassis had not been lubricated as invoiced.

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1 c. The rear differential fluid level, battery fluid level and tire pressures had not
2 been checked as invoiced.

3 ONE HUNDRED FIFTY-FIRST CAUSE FOR DISCIPLINE

4 (Untrue or Misleading Statements)

5 296. Respondent EZ #71 is subject to discipline under Code section 9884.7,
6 subdivision (a)(1), in that on or about April 19, 2005, it made statements which it knew or which
7 by exercise of reasonable care it should have known were untrue or misleading, as follows:

8 a. Respondent EZ #71 falsely represented on Invoice No. 1861275 that the
9 chassis had 4 fittings that were lubricated. In fact, this vehicle is equipped with 5 zerk fittings and
10 none of the fittings had been lubricated as invoiced.

11 b. Respondent EZ #71 falsely represented on Invoice No. 1861275 that the
12 rear differential fluid was full. In fact, the rear differential fluid level had not been checked as
13 invoiced.

14 c. Respondent EZ #71 falsely represented on Invoice No. 1861275 that the
15 battery fluid was full. In fact, the battery is sealed and cannot be checked.

16 d. Respondent EZ #71 falsely represented on Invoice No. 1861275 that the
17 upper radiator hose needed replacing. In fact, that statement was untrue.

18 e. Respondent EZ #71 falsely represented on Invoice No. 1861275 that a full
19 service oil change had been performed when, in fact, both oil drain plugs had not been removed,
20 all of the oil had not been drained, the rear differential fluid had not been checked, and the tire
21 pressures had not been checked and inflated.

22 f. Respondent EZ #71's Invoice No. 1861275 was misleading in that it
23 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$37.48.

24 ONE HUNDRED FIFTY-SECOND CAUSE FOR DISCIPLINE

25 (Fraudulent Acts)

26 297. Respondent EZ #71 is subject to discipline under Code section 9884.7,
27 subdivision (a)(4), in that on or about April 19, 2005, it committed acts which constitute fraud, as
28 follows:

1 a. Respondent EZ #71 charged the operator for lubrication of the chassis. In
2 fact, that service had not been performed.

3 b. Respondent EZ #71 charged the operator for a full service oil change,
4 which included removing all the oil, checking the differential fluid, and checking and inflating the
5 tire pressures. In fact, those services were not provided.

6 **ONE HUNDRED FIFTY-THIRD CAUSE FOR DISCIPLINE**

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

8 298. Respondent EZ #71 is subject to discipline under Code section 9884.7,
9 subdivision (a)(6), in that on or about April 19, 2005, it failed to comply with California Code of
10 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
11 No. 1861275.

12 **ONE HUNDRED FIFTY-FOURTH CAUSE FOR DISCIPLINE**

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

14 299. Respondent EZ #71 is subject to discipline under Code section 9884.7,
15 subdivision (a)(6), in that on or about April 19, 2005, it failed to materially comply with the
16 following Code sections:

17 a. **Section 9884.8:**

18 i. On Invoice No. 1861275, Respondent EZ #71 failed to show parts
19 as new, used, reconditioned, or rebuilt.

20 ii. On Invoice No. 1861275 Respondent EZ #71 failed to separately
21 state the subtotal price for service work performed and parts supplied.

22 b. **Section 9884.9, subdivision (a):**

23 i. On the estimate dated April 19, 2005, Respondent EZ #71 failed to
24 document the operator's authorization for additional repairs.

25 ii. On the estimate dated April 19, 2005, Respondent EZ #71 failed to
26 document the hazardous waste costs.

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1 e. The invoice indicated that a fuel system cleaning had been performed;
2 however, that service was unnecessary.

3 ONE HUNDRED FIFTY-FIFTH CAUSE FOR DISCIPLINE

4 (Untrue or Misleading Statements)

5 303. Respondent EZ #67 is subject to discipline under Code section 9884.7,
6 subdivision (a)(1), in that on or about June 10, 2005, it made statements which it knew or which
7 by exercise of reasonable care it should have known were untrue or misleading, as follows:

8 a. Respondent EZ #67 falsely represented to the operator that the fuel system
9 needed to be serviced. In fact, that service was unnecessary.

10 b. Respondent EZ #67 falsely represented to the operator that the fuel filter
11 needed to be replaced. In fact, replacement of this part was unnecessary.

12 c. Respondent EZ #67 falsely represented on Invoice No. 1987041 that the
13 chassis was sealed. In fact, this vehicle is equipped with zerk grease fittings that require periodic
14 lubrication and that service had not been performed.

15 d. Respondent EZ #67 falsely represented on Invoice No. 1987041 that the
16 rear differential fluid was full. In fact, this vehicle does not have a rear differential. Therefore,
17 the rear differential fluid could not have been checked as invoiced.

18 e. Respondent EZ #67 falsely represented on Invoice No. 1987041 that the
19 power steering fluid had been checked. In fact, the power steering had not been checked as
20 invoiced.

21 f. Respondent EZ #67's Invoice No. 1987041 was misleading in that it
22 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$165.41.

23 ONE HUNDRED FIFTY-SIXTH CAUSE FOR DISCIPLINE

24 (Fraudulent Acts)

25 304. Respondent EZ #67 is subject to discipline under Code section 9884.7,
26 subdivision (a)(4), in that on or about June 10, 2005, it committed acts which constitute fraud, as
27 follows:

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1 a. Respondent EZ #67 charged the operator for a fuel system cleaning. In
2 fact, that service was unnecessary.

3 b. Respondent EZ #67 charged the operator for a fuel filter replacement. In
4 fact, replacement of that part was unnecessary.

5 c. Respondent EZ #67 charged the operator for a full service oil change,
6 which included checking the power steering fluid, and rear differential fluid. In fact, those
7 services were not provided.

8 **ONE HUNDRED FIFTY-SEVENTH CAUSE FOR DISCIPLINE**

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

10 305. Respondent EZ #67 is subject to discipline under Code section 9884.7,
11 subdivision (a)(6), in that on or about June 10, 2005, it failed to comply with California Code of
12 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
13 No. 1987041.

14 **ONE HUNDRED FIFTY-EIGHTH CAUSE FOR DISCIPLINE**

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

16 306. Respondent EZ #67 is subject to discipline under Code section 9884.7,
17 subdivision (a)(6), in that on or about June 10, 2005, it failed to materially comply with the
18 following Code sections:

19 a. **Section 9884.8:** On Invoice No. 1987041, Respondent EZ #67 failed to
20 show parts as new, used, reconditioned, or rebuilt.

21 b. **Section 9884.9, subdivision (a):**

22 i. On Invoice No. 1987041, Respondent EZ #67 failed to document
23 the operator's authorization for additional repairs.

24 ii. Respondent EZ #67 failed to document the hazardous waste costs
25 on the estimate dated June 10, 2005.

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1 a. The fuel system cleaning had not been performed as invoiced, nor was it
2 necessary.

3 b. The invoice indicated that the coolant had been exchanged; however, that
4 service was unnecessary.

5 c. The oil drain plug washer had not been replaced as invoiced.

6 **ONE HUNDRED SIXTY-THIRD CAUSE FOR DISCIPLINE**

7 **(Untrue or Misleading Statements)**

8 317. Respondent EZ #17 is subject to discipline under Code section 9884.7,
9 subdivision (a)(1), in that on or about March 29, 2005, it made statements which it knew or which
10 by exercise of reasonable care it should have known were untrue or misleading, as follows:

11 a. Respondent EZ #17 falsely represented to the operator that the
12 manufacturer recommended that the fuel injectors be cleaned at 90,000. In fact, the Honda
13 Service Manual Maintenance Schedule for the 1994 Honda Accord makes no mention of the fuel
14 injector service.

15 b. Respondent EZ #17 falsely represented to the operator that the coolant
16 needed to be replaced. In fact, that service was unnecessary.

17 c. Respondent EZ #17 falsely represented on Invoice No. 1795191 that a fuel
18 system cleaning was performed. In fact, that service had not been performed as invoiced.

19 d. Respondent EZ #17 falsely represented on Invoice No. 1795191 that the oil
20 drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.

21 e. Respondent EZ #17's Invoice No. 1795191 was misleading in that it
22 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$70.98.

23 **ONE HUNDRED SIXTY-FOURTH CAUSE FOR DISCIPLINE**

24 **(Estimate Requirements)**

25 318. Respondent EZ #17 is subject to discipline under Code section 9884.7,
26 subdivision (a)(2), in that on or about March 29, 2005, it allowed the operator to sign the estimate
27 dated March 29, 2005, which did not state the repairs requested by the operator.

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1 a. Section 9884.8: On Invoice No. 1795191, Respondent EZ #17 failed to
2 separately state the subtotal price for service work performed and parts supplied.

3 b. Section 9884.9, subdivision (a):

4 i. Respondent EZ #17 failed to provide the operator with a written
5 estimated price for parts and labor for a specific job.

6 ii. On Invoice No. 1795191, Respondent EZ #17 failed to obtain the
7 operator's consent to exceed the original estimate.

8 iii. On Invoice No. 1795191, Respondent EZ #17 failed to document
9 the operator's authorization for additional repairs.

10 ONE HUNDRED SIXTY-NINTH CAUSE FOR DISCIPLINE

11 (Departure from Trade Standards)

12 323. Respondent EZ #17 is subject to discipline under Code section 9884.7,
13 subdivision (a)(7), in that on or about March 29, 2005, it willfully departed from or disregarded
14 accepted trade standards for good and workmanlike repair in a material respect by degrading the
15 antifreeze/coolant protection.

16 UNDERCOVER OPERATION NO. 2 - 1998 TOYOTA AVALON

17 324. On or about May 17, 2005, a Bureau undercover operator using the alias
18 B. Zelenka ("operator") drove a Bureau-documented 1998 Toyota Avalon, California License
19 Plate No. 2MPB213, to Respondent EZ #17's facility located at 4002 N. Harbor Boulevard,
20 Fullerton, California. The only services needed were an oil change and refill of the windshield
21 washer reservoir.

22 325. The operator spoke with a male employee and told him he wanted to have
23 his car serviced. The employee told the operator that the cost of the oil change would be \$31.66.
24 The employee asked the operator if he wanted to upgrade the oil to synthetic oil. The operator
25 declined the synthetic oil. The operator provided the employee with his information, signed the
26 estimate dated May 17, 2005, and was provided a copy of the document. A short time later,
27 another male employee named Andre took the operator to the service area. Andre told the
28 operator that power steering fluid is often neglected and that the manufacturer recommended

1 replacement of the fluid at 15,000 miles. Andre stated that this service normally runs \$80.00, but
2 he could provide a \$20.00 discount. However, the operator later observed that EZ #17 had a wall
3 menu that advertised the power steering fluid replacement at a cost of \$59.99. Andre also
4 recommended to the operator that the windshield wiper blades be replaced and said the
5 manufacturer recommends changing the transmission fluid at 30,000 miles. The operator
6 authorized the additional services. The operator signed the estimate dated May 17, 2005, a second
7 time. The operator was never given a total quote for the additional services. The operator did not
8 receive a copy of the revised estimate. After the services were completed, the operator paid a
9 female employee \$219.46 and signed and received a copy of Invoice No. 1954280.

10 326. On or about June 1 and 2, 2005, the Bureau re-inspected the vehicle using
11 Invoice No. 1954280 as a reference. The inspection revealed the following:

- 12 a. The oil drain plug washer had not been replaced as invoiced.
13 b. The invoice indicated that the power steering fluid was flushed; however,
14 that service was unnecessary.

15 **ONE HUNDRED SEVENTIETH CAUSE FOR DISCIPLINE**

16 **(Untrue or Misleading Statements)**

17 327. Respondent EZ #17 is subject to discipline under Code section 9884.7,
18 subdivision (a)(1), in that on or about May 17, 2005, it made statements which it knew or which
19 by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 20 a. Respondent EZ #17 falsely represented to the operator that the
21 manufacturer recommended that the power steering fluid be flushed at 15,000. In fact, the
22 manufacturer does not recommend flushing the power steering fluid as required maintenance.
23 b. Respondent EZ #17 falsely represented to the operator that a power steering
24 flush was normally \$80 but he would give that service to the operator for \$60. In fact, the menu
25 of services posted at the facility lists a power steering flush at \$59.99.
26 c. Respondent EZ #17 falsely represented on Invoice No. 1954280 that the oil
27 drain plug washer has been replaced. In fact, that part had not been replaced.

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1 d. Respondent EZ #17's Invoice No. 1954280 was misleading in that it
2 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$101.22.

3 ONE HUNDRED SEVENTY-FIRST CAUSE FOR DISCIPLINE

4 (Estimate Requirements)

5 328. Respondent EZ #17 is subject to discipline under Code section 9884.7,
6 subdivision (a)(3), in that on or about May 17, 2005, it failed to provide the operator with a copy
7 of the revised estimate dated May 17, 2005, as soon as he signed the document.

8 ONE HUNDRED SEVENTY-SECOND CAUSE FOR DISCIPLINE

9 (Fraudulent Acts)

10 329. Respondent EZ #17 is subject to discipline under Code section 9884.7,
11 subdivision (a)(4), in that on or about May 17, 2005, it committed acts which constitute fraud, as
12 follows:

13 a. EZ #17 charged the operator for a power steering flush. In fact, that service
14 was unnecessary.

15 b. EZ #17 charged the operator for a full oil change service which includes
16 replacement of the oil drain plug washer. In fact, that part was not replaced as invoiced.

17 ONE HUNDRED SEVENTY-THIRD CAUSE FOR DISCIPLINE

18 (Failure to Comply with Regulations)

19 330. Respondent EZ #17 is subject to discipline under Code section 9884.7,
20 subdivision (a)(6), in that on or about May 17, 2005, it failed to comply with California Code of
21 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
22 No. 1954280.

23 ONE HUNDRED SEVENTY-FOURTH CAUSE FOR DISCIPLINE

24 (Failure to Comply with the Automotive Repair Act)

25 331. Respondent EZ #17 is subject to discipline under Code section 9884.7,
26 subdivision (a)(6), in that on or about May 17, 2005, it failed to materially comply with the
27 following Code sections:

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1 a. Section 9884.8: Regarding Invoice No. 1954280, Respondent EZ #17
2 failed to separately state the subtotal price for service work performed and parts supplied.

3 b. Section 9884.9, subdivision (a):

4 i. Respondent EZ #17 failed to provide the operator with a written
5 estimated price for parts and labor for a specific job.

6 ii. On Invoice No. 1954280, Respondent EZ #17 failed to obtain the
7 operator's consent to exceed the original estimate.

8 iii. On Invoice No. 1954280, Respondent EZ #17 failed to document
9 the operator's authorization for additional repairs.

10 RESPONDENT EZ #79

11 UNDERCOVER OPERATION NO. 1 - 1993 CHEVROLET 1500 TRUCK

12 332. On or about March 4, 2005, a Bureau undercover operator using the alias
13 Bill Gray ("operator") drove a Bureau-documented 1993 Chevrolet C1500 truck, California
14 License Plate No. 4U40375, to Respondent EZ #79's facility located at 9862 Adams Avenue,
15 Huntington Beach, California. The only service needed was an oil change.

16 333. The operator spoke with a male employee. The operator told the employee
17 that he wanted to have his vehicle's oil changed. The employee told the operator that the full
18 service oil change included a 14-point inspection. The operator signed and was provided a copy
19 of an estimate dated March 4, 2005. A short time later, another employee told the operator that
20 the vehicle's fuel filter was rusty and needed to be replaced and the differential was low on fluid
21 and the fluid was foaming. The employee said this was bad and the differential fluid needed to be
22 replaced. The operator authorized the services and signed the estimate form again; however, there
23 was no other writing on the estimate and the operator was not provided a copy of the document.
24 After the services were completed, the operator paid a female employee \$137.92 and signed and
25 received a copy of Invoice No. 1715038.

26 334. On or about March 14, 2005, the Bureau re-inspected the vehicle using
27 Invoice No. 1715038 as a reference. The inspection revealed the following:

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- 1 a. The chassis had not been lubricated as invoiced.
- 2 b. The invoice indicated that the transmission fluid level was full; however,
3 the fluid had not been checked as invoiced.
- 4 c. The fuel filter had not been replaced as invoiced.
- 5 d. The invoice indicated that the power steering fluid was full; however, the
6 fluid had not been checked as invoiced.
- 7 e. The invoice indicated that the differential fluid was changed; however, this
8 service was unnecessary.

9 **ONE HUNDRED SEVENTY-FIFTH CAUSE FOR DISCIPLINE**

10 **(Untrue or Misleading Statements)**

11 335. Respondent EZ #79 is subject to discipline under Code section 9884.7,
12 subdivision (a)(1), in that on or about March 4, 2005, it made statements which it knew or which
13 by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 14 a. Respondent EZ #79 falsely represented to the operator that the fuel filter
15 was rusty and needed to be replaced. In fact, the fuel filter was new and not in need of
16 replacement, nor had the fuel filter been replaced as invoiced.
- 17 b. Respondent EZ #79 falsely represented to the operator that the differential
18 fluid was low and foaming, requiring it to be replaced. In fact, this statement was untrue. The
19 differential fluid was not in need of replacement.
- 20 c. Respondent EZ #79 falsely represented on Invoice No. 1715038 that a full
21 service oil change had been performed, which included lubrication of the chassis, checking the
22 power steering fluid and transmission fluid; however, these services were not provided as
23 invoiced.
- 24 d. Respondent EZ #79 falsely represented on Invoice No. 1715038 that the
25 fuel filter service had been performed. In fact, that service was not performed as invoiced.
- 26 e. Respondent EZ #79's Invoice No. 1715038 was misleading in that it
27 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$55.23.

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ONE HUNDRED SEVENTY-SIXTH CAUSE FOR DISCIPLINE

(Provided a Work Order Which Does Not State Repairs Requested)

336. Respondent EZ #79 is subject to discipline under Code section 9884.7, subdivision (a)(2), in that on or about March 4, 2005, it provided the operator with a work order dated March 4, 2005, which did not state the repairs requested by the operator.

ONE HUNDRED SEVENTY-SEVENTH CAUSE FOR DISCIPLINE

(Failed to Provided a Copy of a Signed Document)

337. Respondent EZ #79's is subject to discipline under Code section 9884.7, subdivision (a)(3), in that on or about March 4, 2005, Respondent EZ #79 failed to provide the operator with a copy of the revised estimate dated March 4, 2005, as soon as he signed the document.

ONE HUNDRED SEVENTY-EIGHTH CAUSE FOR DISCIPLINE

(Fraudulent Acts)

338. Respondent EZ #79 is subject to discipline under Code section 9884.7, subdivision (a)(4), in that on or about March 4, 2005, it committed acts which constitute fraud, as follows:

- a. Respondent EZ #79 failed to replace the fuel filter as invoiced.
- b. Respondent EZ #79 charged the operator for a fuel filter service. In fact, this service was unnecessary, nor had it been performed as invoiced.
- c. Respondent EZ #79 charged the operator for a differential fluid replacement. In fact, this service was unnecessary.
- d. Respondent EZ #79 charged the operator for a full service oil change, which included lubricating the chassis, and checking the transmission fluid and power steering fluid. In fact, those services were not provided.

ONE HUNDRED SEVENTY-NINTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations)

339. Respondent EZ #79 is subject to discipline under Code section 9884.7, subdivision (a)(6), in that on or about March 4, 2005, it failed to comply with California Code of

1 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
2 No. 1715038.

3 **ONE HUNDRED EIGHTIETH CAUSE FOR DISCIPLINE**

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

5 340. Respondent EZ #79 is subject to discipline under Code section 9884.7,
6 subdivision (a)(6), in that on or about March 4, 2005, it failed to materially comply with the
7 following Code sections:

8 a. **Section 9884.8:** On Invoice No. 1715038, Respondent EZ #79 failed to
9 separately state the subtotal price for service work performed and parts supplied.

10 b. **Section 9884.9, subdivision (a):**

11 i. Respondent EZ #79 failed to provide the operator with a written
12 estimated price for parts and labor for a specific job.

13 ii. On Invoice No. 1715038, Respondent EZ #79 failed to obtain the
14 operator's consent to exceed the original estimate.

15 iii. On Invoice No. 1715038, Respondent EZ #79 failed to document to
16 operator's authorization for additional repairs.

17 **UNDERCOVER OPERATION NO. 2 - 1993 CHEVROLET 3500 PICKUP TRUCK**

18 341. On or about June 21, 2005, a Bureau undercover operator using the alias
19 Scott Willins ("operator") drove a Bureau-documented 1993 Chevrolet 3500 pickup truck,
20 California License Plate No. 4S34526, to Respondent EZ #79's facility located at 9862 Adams
21 Avenue, Huntington Beach, California. The only services needed were an oil change and a refill
22 of the windshield washer fluid.

23 342. The operator spoke with a male employee and told him he wanted his
24 vehicle serviced. The employee told the operator that Mobil 1 oil filter and Mobil 1 synthetic oil
25 would be better for the vehicle. The operator authorized the services. The operator provided the
26 employee with his information, signed the estimate dated June 21, 2005, and was provided a copy
27 of the document. A short time later, another male employee took the operator to the service area.
28 The employee told the operator that the fuel filter needed to be serviced because it appeared that it

1 had not been serviced for a long time and recommended to the operator that the vehicle's rear end
2 by serviced. The employee told the operator that the manufacturer recommended servicing the
3 rear end once per year or every 15,000 miles. The employee went on to say that the "rear end
4 gears grind together and cause metal shavings." The operator authorized the additional service.
5 The operator signed the estimate dated June 21, 2005, a second time; however, he did not receive
6 a copy of the document. The operator was never given a total quote for the additional services.
7 After the services were completed, the operator paid a female employee \$176.64 and signed and
8 received a copy of Invoice No. 2036711.

9 343. On or about July 8, 2005, the Bureau re-inspected the vehicle using Invoice
10 No. 2036711 as a reference. The inspection revealed the following:

- 11 a. The oil drain plug washer had not been replaced as invoiced.
- 12 b. The invoice indicated that the chassis was sealed. In fact, this vehicle has
13 12 zerk fittings that require periodic lubrication, and 8 of those fittings had not been lubricated.
- 14 c. The power steering fluid had not been checked as invoiced.
- 15 d. The tire pressures were not checked as invoiced.

16 **ONE HUNDRED EIGHTY-FIRST CAUSE FOR DISCIPLINE**

17 **(Untrue or Misleading Statements)**

18 344. Respondent EZ #79 is subject to discipline under Code section 9884.7,
19 subdivision (a)(1), in that on or about June 21, 2005, it made statements which it knew or which
20 by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 21 a. Respondent EZ #79 falsely represented on Invoice No. 2036711 that the oil
22 drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.
- 23 b. Respondent EZ #79 falsely represented on Invoice No. 2036711 that the
24 chassis was sealed when, in fact, this vehicle has 12 zerk fittings that require periodic lubrication,
25 and 8 of those fittings had not been lubricated.
- 26 c. Respondent EZ #79 falsely represented on Invoice No. 2036711 that the
27 power steering fluid had been checked by indicating the fluid level as full. In fact, the fluid had
28 not been checked as invoiced.

1 d. Respondent EZ #79 falsely represented on Invoice No. 2036711 that the
2 tire pressures had been checked. In fact, the tire pressures had not been checked as invoiced.

3 e. Respondent EZ #79's Invoice No. 2036711 was misleading in that it
4 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$81.48.

5 **ONE HUNDRED EIGHTY-SECOND CAUSE FOR DISCIPLINE**

6 **(Fraudulent Acts)**

7 345. Respondent EZ #79 is subject to discipline under Code section 9884.7,
8 subdivision (a)(4), in that on or about June 21, 2005, it committed acts which constitute fraud, as
9 follows:

10 a. Respondent EZ #48 failed to replace the oil drain plug washer as invoiced.

11 b. Respondent EZ #48 charged the operator for a full service oil change,
12 which included lubricating the chassis, checking the power steering fluid, and checking and
13 inflating the tire pressures. In fact, those services were not provided.

14 **ONE HUNDRED EIGHTY-THIRD CAUSE FOR DISCIPLINE**

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

16 346. Respondent EZ #79 is subject to discipline under Code section 9884.7,
17 subdivision (a)(6), in that on or about June 21, 2005, it failed to comply with California Code of
18 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
19 No. 2036711.

20 **ONE HUNDRED EIGHTY-FOURTH CAUSE FOR DISCIPLINE**

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

22 347. Respondent EZ #79 is subject to discipline under Code section 9884.7,
23 subdivision (a)(6), in that on or about June 21, 2005, it failed to materially comply with the
24 following Code sections:

25 a. Section 9884.8: Regarding Invoice No. 2036711, Respondent EZ #79
26 failed to separately state the subtotal price for service work performed and parts supplied.

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1 document. After the services were completed, the operator paid a female employee \$187.06 and
2 signed and received a copy of Invoice No. 1742161.

3 350. On or about February 25, 2005, the Bureau re-inspected the vehicle using
4 Invoice No. 1742161 as a reference. The inspection revealed the following:

- 5 a. The fuel filter had not been replaced as invoiced.
- 6 b. The invoice indicated that the radiator coolant had been drained and
7 refilled; however, that service was unnecessary and the coolant was degraded.
- 8 c. The oil drain plug washer had not been replaced as invoiced.
- 9 d. The windshield washer fluid had not been filled as invoiced.
- 10 e. The engine crankcase was overfilled by approximately ½ quart of oil.

11 **ONE HUNDRED EIGHTY-FIFTH CAUSE FOR DISCIPLINE**

12 **(Untrue or Misleading Statements)**

13 351. Respondent EZ #74 is subject to discipline under Code section 9884.7,
14 subdivision (a)(1), in that on or about February 25, 2005, it made statements which it knew or
15 which by exercise of reasonable care it should have known were untrue or misleading, as follows:

- 16 a. Respondent EZ #74 falsely represented to the operator that the fuel filter
17 needed to be serviced. In fact, replacement of that part was unnecessary and it had not been
18 replaced as invoiced.
- 19 b. Respondent EZ #74 falsely represented to the operator that the radiator
20 fluid was bad. In fact, that statement was untrue.
- 21 c. Respondent EZ #74 falsely represented to the operator that the power
22 steering fluid was dirty. In fact, the power steering fluid was not dirty.
- 23 d. Respondent EZ #74 falsely represented to the operator that the fuel
24 injectors needed to be serviced. In fact, that service was unnecessary, nor does the Honda Service
25 Manual Maintenance Schedule require such service. Further, that service had not been performed.
- 26 e. Respondent EZ #74 falsely represented on Invoice No. 1742161 that the oil
27 drain plug washer had been replaced. In fact, that part was not replaced as invoiced.

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1 f. Respondent EZ #74 falsely represented on Invoice No. 1742161 that the
2 radiator fluid had been exchanged. In fact, that service was unnecessary.

3 g. Respondent EZ #74's Invoice No. 1742161 was misleading in that it
4 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$44.30.

5 **ONE HUNDRED EIGHTY-SIXTH CAUSE FOR DISCIPLINE**

6 **(Provided a Work Order Which Does Not State Repairs Requested)**

7 352. Respondent EZ #74 is subject to discipline under Code section 9884.7,
8 subdivision (a)(2), in that on or about February 25, 2005, it provided the operator with a work
9 order dated February 25, 2005, which did not state the repairs requested by the operator.

10 **ONE HUNDRED EIGHTY-SEVENTH CAUSE FOR DISCIPLINE**

11 **(Failed to Provided a Copy of a Signed Document)**

12 353. Respondent EZ #74 is subject to discipline under Code section 9884.7,
13 subdivision (a)(3), in that on or about February 25, 2005, it failed to provide the operator with a
14 copy of the revised estimate dated February 25, 2005, as soon as he signed the document.

15 **ONE HUNDRED EIGHTY-EIGHTH CAUSE FOR DISCIPLINE**

16 **(Fraudulent Acts)**

17 354. Respondent EZ #74 is subject to discipline under Code section 9884.7,
18 subdivision (a)(4), in that on or about February 25, 2005, it committed acts which constitute fraud,
19 as follows:

20 a. Respondent EZ #74 enticed the operator to purchase a fuel filter
21 replacement by offering a free fuel injector service; however, Respondent failed to provide the
22 fuel injector service.

23 b. Respondent EZ #74 failed to replace the fuel filter as invoiced.

24 c. Respondent EZ #74 charged the operator for a fuel filter service. In fact,
25 that service was unnecessary.

26 d. Respondent EZ #74 failed to replace the oil drain plug washer as invoiced.

27 e. Respondent EZ #74 charged the operator for a radiator fluid exchange
28 service. In fact, that service was unnecessary.

1 California License Plate No. 3JOP769, to Respondent EZ #74's facility located at 3232 E.

2 Chapman Avenue, Suite E, Orange, California. The only service needed was an oil change.

3 359. The operator spoke with a male employee named John and told him he
4 wanted his daughter's vehicle serviced. The operator provided the employee with his information,
5 signed the estimate dated May 16, 2005, and was provided a copy of the document. A short time
6 later, another male employee came to the waiting area. The employee stated that everything
7 looked great, all the fluids were clean and topped off, and the air filter was clean. The employee
8 told the operator that the fuel filter needed to be serviced because it had been on a long time. The
9 employee also recommended a fuel injection service. The operator asked the employee if the
10 manufacturer recommended this service, to which the employee replied "yes." The operator
11 authorized the additional services; however, the operator was not given an estimate for these
12 additional services. After the services were completed, the operator paid a female employee
13 \$159.70 and signed and received a copy of Invoice No. 1984128.

14 360. On or about May 25, 2005, the Bureau began re-inspecting the vehicle
15 using Invoice No. 1984128 as a reference. The inspection revealed the following:

16 a. The fuel filter was replaced; however, replacement of that part was
17 unnecessary.

18 b. The invoice indicated that the fuel system cleaning had been performed;
19 however, that service was unnecessary.

20 c. The oil drain plug washer had not been replaced as invoiced.

21 d. The oil filter had not been replaced as invoiced.

22 e. The invoice indicated that the chassis was sealed. In fact, this vehicle has
23 grease fittings that require periodic lubrication, and none of those fittings had been lubricated.

24 **ONE HUNDRED NINETY-SECOND CAUSE FOR DISCIPLINE**

25 (Untrue or Misleading Statements)

26 361. Respondent EZ #74 is subject to discipline under Code section 9884.7,
27 subdivision (a)(1), in that on or about May 16, 2005, it made statements which it knew or which
28 by exercise of reasonable care it should have known were untrue or misleading, as follows:

1 a. Respondent EZ #74 falsely represented to the operator that the fuel filter
2 needed to be replaced without establishing the maintenance history of the vehicle. In fact,
3 replacement of that part was unnecessary.

4 b. Respondent EZ #74 falsely represented to the operator that a fuel system
5 cleaning service needed to be performed without establishing the maintenance history of the
6 vehicle. In fact, that service was unnecessary.

7 c. Respondent EZ #74 falsely represented on Invoice No. 1984128 that the oil
8 drain plug washer has been replaced. In fact, that part had not been replaced as invoiced.

9 d. Respondent EZ #74 falsely represented on Invoice No. 1984128 that the
10 chassis was sealed when, in fact, this vehicle has grease fittings that require periodic lubrication,
11 and none of those fittings had not been lubricated.

12 e. Respondent EZ #74 charged the operator for a full service oil change,
13 which included replacement of the oil filter. In fact, that part was not provided.

14 f. Respondent EZ #74's Invoice No. 1984128 was misleading in that it
15 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$52.52.

16 **ONE HUNDRED NINETY-THIRD CAUSE FOR DISCIPLINE**

17 **(Provided a Work Order Which Does Not State Repairs Requested)**

18 362. Respondent EZ #74 is subject to discipline under Code section 9884.7,
19 subdivision (a)(2), in that on or about May 16, 2005, it provided the operator with a work order
20 dated May 16, 2005, which did not state the repairs requested by the operator.

21 **ONE HUNDRED NINETY-FOURTH CAUSE FOR DISCIPLINE**

22 **(Failed to Provided a Copy of a Signed Document)**

23 363. Respondent EZ #74 is subject to discipline under Code section 9884.7,
24 subdivision (a)(3), in that on or about May 16, 2005, it failed to provide the operator with a copy
25 of the revised estimate dated May 16, 2005, as soon as he signed the document.

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1 ONE HUNDRED NINETY-FIFTH CAUSE FOR DISCIPLINE

2 (Fraudulent Acts)

3 364. Respondent EZ #74 is subject to discipline under Code section 9884.7,
4 subdivision (a)(4), in that on or about May 16, 2005, it committed acts which constitute fraud, as
5 follows:

- 6 a. Respondent EZ #74 charged the operator to replace the fuel filter. In fact,
7 replacement of that part was unnecessary.
- 8 b. Respondent EZ #74 charged the operator for a fuel system cleaning service.
9 In fact, that service was unnecessary.
- 10 c. Respondent EZ #74 failed to replace the oil drain plug washer as invoiced.
- 11 d. Respondent EZ #48 failed to replace the oil filter as invoiced.

12 ONE HUNDRED NINETY-SIXTH CAUSE FOR DISCIPLINE

13 (Failure to Comply with Regulations)

14 365. Respondent EZ #74 is subject to discipline under Code section 9884.7,
15 subdivision (a)(6), in that on or about May 16, 2005, it failed to comply with California Code of
16 Regulations, title 16, section 3356.1, by failing to record its EPA identification number on Invoice
17 No. 1984128.

18 ONE HUNDRED NINETY-SEVENTH CAUSE FOR DISCIPLINE

19 (Failure to Comply with the Automotive Repair Act)

20 366. Respondent EZ #74 is subject to discipline under Code section 9884.7,
21 subdivision (a)(6), in that on or about May 16, 2005, it failed to materially comply with the
22 following Code sections:

- 23 a. Section 9884.8: Regarding Invoice No. 1984128, Respondent EZ #74
24 failed to separately state the subtotal price for service work performed and parts supplied.
- 25 b. Section 9884.9, subdivision (a):
- 26 i. Respondent EZ #74 failed to provide the operator with a written
27 estimated price for parts and labor for a specific job.

1 Plate No. 3ARK484, to Respondent EZ #13's facility located at 10800 Riverside Drive, North
2 Hollywood, California. The only service needed was an oil change.

3 376. The operator spoke with a male employee and told him she wanted an oil
4 change. The male employee quoted the operator \$31.66 for the oil change. The operator signed
5 an estimate dated June 15, 2005, and received a copy of the document. After the services were
6 completed, the operator paid the employee \$31.66 and signed and received a copy of Invoice
7 No. 2023917.

8 377. On June 28, 2005, the Bureau re-inspected the vehicle using Invoice No.
9 2023917 as a reference. The inspection revealed that the services had been performed as
10 invoiced.

11 TWO HUNDRED THIRD CAUSE FOR DISCIPLINE

12 (Untrue or Misleading Statements)

13 378. Respondent EZ #13 is subject to discipline under Code section 9884.7,
14 subdivision (a)(1), in that on or about June 15, 2005, it made statements which it knew or which
15 by exercise of reasonable care it should have known were untrue or misleading, in that Invoice
16 No. 2023917 was misleading in that it itemized the costs for the parts as \$0.00, then listed the
17 total charge for parts/taxable parts as \$10.46.

18 TWO HUNDRED FOURTH CAUSE FOR DISCIPLINE

19 (Failure to Comply with Regulations)

20 379. Respondent EZ #13 is subject to discipline under Code section 9884.7,
21 subdivision (a)(6), in that on or about June 15, 2005, it failed to comply with California Code of
22 Regulations, title 16, section 3356.1, by failing to show its EPA identification number on Invoice
23 No. 2023917.

24 TWO HUNDRED FIFTH CAUSE FOR DISCIPLINE

25 (Failure to Comply with the Automotive Repair Act)

26 380. Respondent EZ #13 is subject to discipline under Code section 9884.7,
27 subdivision (a)(6), in that on or about June 15, 2005, it failed to materially comply with Code
28 section 9884.8, as follows:

1 a. On Invoice No. 2023917, Respondent EZ #13 failed to show parts as new,
2 used, reconditioned or rebuilt.

3 b. On Invoice No. 2023917, Respondent EZ #13 failed to separately state the
4 subtotal price for service work and parts.

5 **RESPONDENT EZ #92**

6 **UNDERCOVER OPERATION NO. 1 - 1996 TOYOTA CAMRY LE**

7 381. On or about February 25, 2005, a Bureau undercover operator using the
8 alias Gene Williams ("operator") drove a Bureau-documented 1996 Toyota Camry LE, California
9 License Plate No. 3RXF332, to Respondent EZ #92's facility located at 4365 Genessee Avenue,
10 San Diego, California. The only service needed was an oil change.

11 382. The operator spoke with an employee and told him he wanted a 14-point oil
12 change." The employee quoted the operator \$29.99 for the oil change. The operator signed an
13 estimate dated February 25, 2005. Shortly thereafter, the operator was approached by another
14 employee who told him that the vehicle should have had a major service at 60,000 miles. The
15 employee also told the operator that the transmission "final drive looks bad." The employee
16 stated that it looked like the transmission had never been serviced. The employee recommended
17 servicing the final drive, which included a fluid change and transmission service, because he said
18 "the two are connected." The employee also recommended a fuel filter because he thought the
19 filter had never been changed as it had a "Toyota" sticker on it, as well as a fuel system service.
20 The employee also suggested exchanging the radiator fluid. The employee stated that the radiator
21 still had a pink colored "Toyota Coolant," and that it should be changed to a green colored coolant
22 for California. The employee incorrectly wrote on the work order that the odometer reading was
23 68,130 miles, instead of the correct reading of 78,130 miles. The employee inquired about the
24 maintenance history of the vehicle but only after all services were recommended. The operator
25 authorized the additional services and signed the work order; however, he was not provided with a
26 copy of the document. When the car was done, the first assistant manger named Steve Clear
27 approached the operator and stated that the "coolant looked dirty and watered-down," and that is
28 why they changed the fluid. The employee who sold the operator the services overhead this

1 statement and said, "no, we recommended it based on time and milage." After the services were
2 completed, the operator paid \$381.39 and received a copy of Invoice No. 1720238.

3 383. On March 2, 2005, the Bureau re-inspected the vehicle using Invoice No.
4 1720238 as a reference. The inspection revealed the following:

5 a. The invoice indicated that the fuel filter service was performed; however,
6 this service was unnecessary.

7 b. The invoice indicated that the final drive service was performed; however,
8 this service was unnecessary.

9 c. The invoice indicated that the automatic transmission service flush had
10 been performed; however, this service was unnecessary.

11 d. The invoice indicated that the radiator fluid exchange had been performed;
12 however, this service was unnecessary.

13 **TWO HUNDRED SIXTH CAUSE FOR DISCIPLINE**

14 **(Untrue or Misleading Statements)**

15 384. Respondent EZ #92 is subject to discipline under Code section 9884.7,
16 subdivision (a)(1), in that on or about February 25, 2005, it made statements which it knew or
17 which by exercise of reasonable care it should have known were untrue or misleading, as follows:

18 a. Respondent EZ #92 falsely represented to the operator that the transmission
19 "final drive looks bad." In fact, that statement was not true, the transmission final drive was not
20 in need of service.

21 b. Respondent EZ #92 falsely represented to the operator that the transmission
22 needed to be serviced because "the two are connected" (final drive and transmission). In fact, that
23 statement was not true.

24 c. Respondent EZ #92 falsely represented to the operator that the radiator
25 needed to be flushed, and the coolant changed from a pink Toyota color to a green color for
26 California. In fact, that statement is not true.

27 d. Respondent EZ #92 falsely represented to the operator that the fuel filter
28 needed to be replaced. In fact, replacement of that part was unnecessary.

1 e. Respondent EZ #92 falsely represented on Invoice No. 1720238 that the
2 vehicle's odometer reading was 68,130. In fact, the vehicle's odometer reading was 78,130.

3 f. Respondent EZ #92's Invoice No. 1720238 was misleading in that it
4 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$126.22.

5 **TWO HUNDRED SEVENTH CAUSE FOR DISCIPLINE**

6 **(Failure to Provide Copy of a Signed Document)**

7 385. Respondent EZ #92 is subject to discipline under Code section 9884.7,
8 subdivision (a)(3), in that on or about February 25, 2005, it failed to provide the operator with a
9 copy of the revised estimate dated February 25, 2005, as soon as he signed the document.

10 **TWO HUNDRED EIGHTH CAUSE FOR DISCIPLINE**

11 **(Fraudulent Acts)**

12 386. Respondent EZ #92 is subject to discipline under Code section 9884.7,
13 subdivision (a)(4), in that on or about February 25, 2005, it committed acts which constitute fraud,
14 as follows:

15 a. Respondent EZ #92 charged the operator for a fuel filter service. In fact,
16 that service was unnecessary.

17 b. Respondent EZ #92 charged the operator for a fuel filter. In fact,
18 replacement of that part was unnecessary.

19 c. Respondent EZ #92 charged the operator for a radiator flush and
20 replacement of coolant. In fact, that service was unnecessary.

21 d. Respondent EZ #92 charged the operator for a final drive service. In fact,
22 that service was unnecessary.

23 e. Respondent EZ #92 charged the operator for a transmission flush service.
24 In fact, that service was unnecessary.

25 **TWO HUNDRED NINTH CAUSE FOR DISCIPLINE**

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

27 387. Respondent EZ #92 is subject to discipline under Code section 9884.7,
28 subdivision (a)(6), in that on or about February 25, 2005, it failed to comply with California Code

1 of Regulations, title 16, section 3356.1, by failing to show its EPA identification number on
2 Invoice No. 1720238.

3 **TWO HUNDRED TENTH CAUSE FOR DISCIPLINE**

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

5 388. Respondent EZ #92 is subject to discipline under Code section 9884.7,
6 subdivision (a)(6), in that on or about February 25, 2005, it failed to materially comply with the
7 following Code sections:

8 a. **Section 9884.8:**

9 i. On Invoice No: 1720238, Respondent EZ #92 failed to show parts
10 as new, used, reconditioned or rebuilt.

11 ii. On Invoice No. 1720238, Respondent EZ #92 failed to state the
12 subtotal price for service work and parts.

13 b. **Section 9884.9, subdivision (a):** On Invoice No. 1920238, Respondent
14 EZ #92 failed to document the operator's authorization for additional repairs.

15 **UNDERCOVER OPERATION NO. 2 - 1990 CHEVROLET 1500 SILVERADO**

16 389. On or about June 21, 2005, a Bureau undercover operator using the alias
17 David Willis ("operator") drove a Bureau-documented 1990 Chevrolet 1500 Silverado, California
18 License Plate No. 4D83840, to Respondent EZ #92's facility located at 4365 Genessee Avenue,
19 San Diego, California. The only service needed was an oil change.

20 390. The operator spoke with an employee and told him he wanted an oil change
21 and all the fluids checked. The employee quoted the operator \$31.66 for the oil change. The
22 operator signed an estimate dated June 21, 2005, and received a copy of the document. After the
23 services were completed, the operator paid the employee \$31.66 and signed and received a copy
24 of Invoice No. 2074444.

25 391. On June 27, 2005, the Bureau re-inspected the vehicle using Invoice No.
26 2074444 as a reference. The inspection revealed that the vehicle had been serviced as invoiced;
27 however, the invoice indicated that the chassis was sealed. In fact, this vehicle has 11 fittings that
28 require periodic lubrication, and none of those fittings had been lubricated.

1 **TWO HUNDRED ELEVENTH CAUSE FOR DISCIPLINE**

2 **(Untrue or Misleading Statements)**

3 392. Respondent EZ #92 is subject to discipline under Code section 9884.7,
4 subdivision (a)(1), in that on or about June 21, 2005, it made statements which it knew or which
5 by exercise of reasonable care it should have known were untrue or misleading, as follows:

6 a. Respondent EZ #92 falsely represented on Invoice No. 2074444 that the
7 chassis was sealed. In fact, this vehicle has 11 fittings that require periodic lubrication.

8 b. Respondent EZ #92's Invoice No. 2074444 was misleading in that it
9 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$18.42.

10 **TWO HUNDRED TWELFTH CAUSE FOR DISCIPLINE**

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

12 393. Respondent EZ #92 is subject to discipline under Code section 9884.7,
13 subdivision (a)(6), in that on or about June 21, 2005, it failed to comply with California Code of
14 Regulations, title 16, section 3356.1, by failing to show its EPA identification number on Invoice
15 No. 2074444.

16 **TWO HUNDRED THIRTEENTH CAUSE FOR DISCIPLINE**

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

18 394. Respondent EZ #92 is subject to discipline under Code section 9884.7,
19 subdivision (a)(6), in that on or about June 21, 2005, it failed to materially comply with Code
20 section 9884.8, as follows:

21 a. On Invoice No. 207444, Respondent EZ #92 failed to show parts as new,
22 used, reconditioned or rebuilt.

23 b. On Invoice No. 2074444, Respondent EZ #92 failed to separately state the
24 subtotal price for service work and parts.

25 **RESPONDENT EZ #26**

26 **UNDERCOVER OPERATION NO. 1 - 1996 TOYOTA CAMRY**

27 395. On or about March 29, 2005, a Bureau undercover operator using the alias
28 Philip Burns ("operator") drove a Bureau-documented 1996 Toyota Camry, California License

1 Plate No. 5BUM328, to Respondent EZ #26's facility located at 5658 Rosemead Boulevard,
2 Temple City, California. The only service needed was an oil change.

3 396. The operator spoke with a male employee named Johnny and told him he
4 wanted an oil change. Johnny told the operator that he had an oil change special for \$19.99,
5 which included a 14-point inspection. After the service was completed, the operator paid \$32.67,
6 which was not the special price, and received a copy of Invoice No. 1756583.

7 397. On April 19 and 20, 2005, the Bureau re-inspected the vehicle using
8 Invoice No. 1756583 as a reference. The inspection revealed that the vehicle's oil had been
9 drained in preparation for an oil change; however, the oil was not refilled.

10 **TWO HUNDRED FOURTEENTH CAUSE FOR DISCIPLINE**

11 **(Untrue or Misleading Statements)**

12 398. Respondent EZ #26 is subject to discipline under Code section 9884.7,
13 subdivision (a)(1), in that on or about March 29, 2005, it made statements which it knew or which
14 by exercise of reasonable care it should have known were untrue or misleading, as follows:

15 a. Respondent EZ #26 falsely represented to the operator that he would
16 receive an oil change for the special price of \$19.99. In fact, the operator was charged \$29.99 for
17 the service.

18 b. Respondent EZ #26 falsely represented on Invoice No. 1756583 that the
19 vehicle's oil had been replaced with 5 quarts of Mobil 5/30 motor oil. In fact, the oil had not been
20 replaced as invoiced.

21 c. Respondent EZ #26's Invoice No. 1756583 was misleading in that it
22 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$12.24.

23 **TWO HUNDRED FIFTEENTH CAUSE FOR DISCIPLINE**

24 **(Gross Negligence)**

25 399. Respondent EZ #26 is subject to discipline under Code section 9884.7,
26 subdivision (a)(5), in that on or about March 29, 2005, it committed acts constituting gross
27 negligence by returning the vehicle to the operator with no oil in the engine.

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1 404. On May 16, 2005, the Bureau re-inspected the vehicle using Invoice No.
2 1934728 as a reference. The inspection revealed the following:

- 3 a. The oil drain plug washer had not been replaced as invoiced.
- 4 b. The chassis had not been lubricated as invoiced.
- 5 c. The power steering fluid had not been checked as invoiced.

6 **TWO HUNDRED EIGHTEENTH CAUSE FOR DISCIPLINE**

7 **(Untrue or Misleading Statements)**

8 405. Respondent EZ #26 is subject to discipline under Code section 9884.7,
9 subdivision (a)(1), in that on or about May 5, 2005, it made statements which it knew or which by
10 exercise of reasonable care it should have known were untrue or misleading, as follows:

- 11 a. Respondent EZ #26 falsely represented on Invoice No. 1934728 that the oil
12 drain plug washer had been replaced. In fact, that part had not been replaced as invoiced.
- 13 b. Respondent EZ #26 falsely represented on Invoice No. 1934728 that the
14 chassis had been lubricated. In fact, that service had not been performed as invoiced.
- 15 c. Respondent EZ #26 falsely represented on Invoice No. 1934728 that the
16 power steering fluid had been checked. In fact, that fluid had not been checked as invoiced.
- 17 d. Respondent EZ #26's Invoice No. 1934728 was misleading in that it
18 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$13.24.

19 **TWO HUNDRED NINETEENTH CAUSE FOR DISCIPLINE**

20 **(Fraudulent Acts)**

21 406. Respondent EZ #26 is subject to discipline under Code section 9884.7,
22 subdivision (a)(4), in that on or about May 5, 2005, it committed acts which constitute fraud, as
23 follows:

- 24 a. Respondent EZ #26 failed to replace the oil drain plug washer as invoiced.
- 25 b. Respondent EZ #26 failed to lubricate the chassis as invoiced.
- 26 c. Respondent EZ #26 charged the operator for a full service oil change which
27 included checking the power steering fluid. In fact, that service had not been performed.

1 411. On April 21, 2005, the Bureau re-inspected the vehicle using Invoice No.
2 1847826 as a reference. The inspection revealed the following:

3 a. The invoice indicated the chassis as sealed; however, this vehicle is
4 equipped with zerk fittings that require periodic lubrication, and that service had not been
5 performed.

6 b. The fuel system service cleaning had not been performed as invoiced.

7 c. The power steering fluid had not been checked as invoiced.

8 d. The invoice indicated that the tire pressure could not be checked; however,
9 this vehicle is equipped with conventional rubber valve stems and plastic screw on caps and can
10 be checked or adjusted as needed.

11 **TWO HUNDRED TWENTY-SECOND CAUSE FOR DISCIPLINE**

12 **(Untrue or Misleading Statements)**

13 412. Respondent EZ #65 is subject to discipline under Code section 9884.7,
14 subdivision (a)(1), in that on or about March 28, 2005, it made statements which it knew or which
15 by exercise of reasonable care it should have known were untrue or misleading, as follows:

16 a. Respondent EZ #65 falsely represented to the operator that the fuel
17 injectors needed to be serviced. In fact, that service was unnecessary, nor was it performed as
18 invoiced.

19 b. Respondent EZ #65 falsely represented on Invoice No. 1847826 that the
20 power steering fluid had been checked. In fact, that fluid had not been checked as invoiced.

21 c. Respondent EZ #65 falsely represented on Invoice No. 1847826 that the
22 tire pressure could not be checked. In fact, this vehicle is equipped with conventional rubber
23 valve stems and plastic screw on caps and can be checked or adjusted as needed.

24 d. Respondent EZ #65 falsely represented on Invoice No. 1847826 that the
25 chassis was sealed. In fact, this vehicle is equipped with zerk fittings that require periodic
26 lubrication, and that service had not performed.

27 e. Respondent EZ #65's Invoice No. 1847826 was misleading in that it
28 itemized costs for the parts \$0.00, then listed the total charge for parts/taxable parts as \$41.48.

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TWO HUNDRED TWENTY-THIRD CAUSE FOR DISCIPLINE

(Fraudulent Acts)

413. Respondent EZ #65 is subject to discipline under Code section 9884.7, subdivision (a)(4), in that on or about March 28, 2005, it committed acts which constitute fraud, as follows:

a. Respondent EZ #65 charged the operator for a fuel cleaning service by indicating that such service was recommended at 30,000. In fact, General Motors does not endorse, support, or acknowledge the need for fuel injector cleaning. Further, that service had not been performed as invoiced.

b. Respondent EZ #65 charged the operator for a full service oil change which included checking the power steering fluid and tire pressures. In fact, those services had not been performed.

TWO HUNDRED TWENTY-FOURTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations)

414. Respondent EZ #65 is subject to discipline under Code section 9884.7, subdivision (a)(6), in that on or about March 28, 2005, it failed to comply with California Code of Regulations, title 16, section 3356.1, by failing to show its EPA identification number on Invoice No. 1847826.

TWO HUNDRED TWENTY-FIFTH CAUSE FOR DISCIPLINE

(Failure to Comply with the Automotive Repair Act)

415. Respondent EZ #65 is subject to discipline under Code section 9884.7, subdivision (a)(6), in that on or about March 28, 2005, it failed to materially comply with Code section 9884.8 by failing to state the subtotal price for service work and parts on Invoice No. 1847826.

UNDERCOVER OPERATION NO. 2 - 1998 TOYOTA AVALON

416. On or about March 28, 2005, a Bureau undercover operator using the alias Robert Miller ("operator") drove a Bureau-documented 1998 Toyota Avalon, California License

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1 Plate No. 3XME327, to Respondent EZ #65's facility located at 305 N. Citrus Street, West
2 Covina, California. The only service needed was an oil change.

3 417. The operator spoke with an employee named Eddie and told him he wanted
4 an oil change. The operator signed an estimate dated March 28, 2005, in the amount of \$32.67
5 and received a copy of the document. After the service was completed, the operator paid the
6 employee \$22.67 and signed and received a copy of Invoice No. 1847828.

7 418. On April 21, 2005, the Bureau re-inspected the vehicle using Invoice No.
8 1847828 as a reference. The inspection revealed that the vehicle had been serviced as invoiced.

9 **TWO HUNDRED TWENTY-SIXTH CAUSE FOR DISCIPLINE**

10 **(Untrue or Misleading Statements)**

11 419. Respondent EZ #65 is subject to discipline under Code section 9884.7,
12 subdivision (a)(1), in that on or about March 28, 2005, it made statements which it knew or which
13 by exercise of reasonable care it should have known were untrue or misleading. Respondent EZ
14 #65's Invoice No. 1847828 was misleading in that it itemized the costs for the parts as \$0.00, then
15 listed the total charge for parts/taxable parts as \$12.24.

16 **TWO HUNDRED TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

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

18 420. Respondent EZ #65 is subject to discipline under Code section 9884.7,
19 subdivision (a)(6), in that on or about March 28, 2005, it failed to comply with California Code of
20 Regulations, title 16, section 3356.1, by failing to show its EPA identification number on Invoice
21 No. 1847828.

22 **TWO HUNDRED TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

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

24 421. Respondent EZ #65 is subject to discipline under Code section 9884.7,
25 subdivision (a)(6), in that on or about March 28, 2005, it failed to materially comply with Code
26 section 9884.8. In fact, on Invoice No. 1847828, Respondent EZ #65 failed to separately state the
27 subtotal price for service work and parts.

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1 Regulations, title 16, section 3356.1, by failing to show its EPA identification number on Invoice
2 No. 1864776.

3 **TWO HUNDRED THIRTY-FIRST CAUSE FOR DISCIPLINE**

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

5 427. Respondent EZ #24 is subject to discipline under Code section 9884.7,
6 subdivision (a)(6), in that on or about April 28, 2005, it failed to materially comply with the
7 following Code sections:

8 a. **Section 9884.8:** On Invoice No. 1864776, Respondent EZ #24 failed to
9 state the subtotal price for service work and parts.

10 b. **Section 9884.9, subdivision (a):** Respondent EZ #24 failed to document
11 Invoice No. 1864776 to show the operator's authorization for additional repairs.

12 **RESPONDENT EZ #60**

13 **UNDERCOVER OPERATION - 2000 TOYOTA TACOMA**

14 428. On or about February 15, 2005, a Bureau undercover operator using the
15 alias Bob Michael ("operator") drove a Bureau-documented 2000 Toyota Tacoma, California
16 License Plate No. 6D47157, to Respondent EZ #60's facility located at 8122 Masi Drive, Rancho
17 Cucamonga, California. The only service needed was an oil change.

18 429. The operator spoke with an employee and told him he wanted an oil
19 change. The operator signed an estimate dated February 15, 2005, and was provided with a copy
20 of the document. After the service was completed, the operator paid an employee \$33.68, and
21 received a copy of Invoice No. 1788663.

22 430. On February 22, 2005, the Bureau re-inspected the vehicle using Invoice
23 No. 1788663 as a reference. The inspection revealed that the services had been performed as
24 invoiced.

25 **ONE HUNDRED THIRTY-SECOND CAUSE FOR DISCIPLINE**

26 **(Untrue or Misleading Statements)**

27 431. Respondent EZ #60 is subject to discipline under Code section 9884.7,
28 subdivision (a)(1), in that on or about February 15, 2005, it made statements which it knew or

1 which by exercise of reasonable care it should have known were untrue or misleading, in that
2 Invoice No. 1788663 was misleading in that it itemized the costs for the parts as \$0.00, then listed
3 the total charge for parts/taxable parts as \$14.16.

4 **TWO HUNDRED THIRTY-THIRD CAUSE FOR DISCIPLINE**

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

6 432. Respondent EZ #60 is subject to discipline under Code section 9884.7,
7 subdivision (a)(6), in that on or about February 15, 2005, it failed to materially comply with Code
8 section 9884.8 by failing to state the subtotal price for service work and parts on Invoice No.
9 1788663.

10 **RESPONDENT EZ #97**

11 **UNDERCOVER OPERATION - 2000 TOYOTA TACOMA**

12 433. On or about March 25, 2005, a Bureau undercover operator using the alias
13 Ione Logan ("operator") drove a Bureau-documented 2000 Toyota Tacoma, California License
14 Plate No. 6D47157, to Respondent EZ #97's facility located at 7450 Mission Grove Parkway,
15 Riverside, California. The only service needed was an oil change.

16 434. The operator spoke with an employee and told him she wanted an oil
17 change. The operator signed an estimate dated March 25, 2005, and was provided with a copy of
18 the document. The operator informed the employee that she had seen a coupon for a \$17.99 oil
19 change. The employee told the operator the coupon would be reflected on the final invoice. A
20 short time later, an employee told the operator that the vehicle appeared fine, with the exception
21 of the windshield wiper blades. The operator authorized the blade replacement. After the
22 services were completed, the operator paid a female employee \$45.17, and received a copy of
23 Invoice No. 1849193.

24 435. On April 8, 2005, the Bureau re-inspected the vehicle using Invoice No.
25 1849193 as a reference. The inspection revealed that the services had been performed as
26 invoiced.

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1 9884.13, and Title 16, California Code of Regulations sections 3356, 3366, and 3372.1), and
2 9884.7(a)(7) (departure from trade standards), as more fully set forth in paragraphs 46 through
3 443, above.

4 **SECOND CAUSE FOR DENIAL OF APPLICATIONS**

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

6 445. Respondent EZ #03 through EZ #123s' applications are subject to denial
7 under Code sections 480(a)(2) and (3) in that it committed acts involving dishonesty, fraud, or
8 deceit with the intent to substantially benefit itself or another, or substantially injure another, as
9 more fully set forth in paragraphs 46 through 443, above.

10 **OTHER MATTERS**

11 446. Under Code section 9884.7, subdivision (c), the director may invalidate
12 temporarily or permanently or refuse to validate, the registrations for all places of business
13 operated in this state by EZ Lube, Inc. (with Michael J. Dobson as President and Richard D.
14 Teasta as Chief Executive Officer) including, but not limited to EZ Lube, Inc., Store Nos. 03
15 (ARD Registration No. AG 217322), 4 (ARD Registration No. AD 210164), 10 (ARD
16 Registration No. AC 210008), 13 (ARD Registration No. AK 218416), 14 (ARD Registration No.
17 AG 217300), 16 (ARD Registration No. AG 217302), 17 (ARD Registration No. AD 210163), 19
18 (ARD Registration No. AC 210009), 24 (ARD Registration No. AG 217306), 25 (ARD
19 Registration No. AG 217307), 26 (ARD Registration No. AD 210162), 27 (ARD Registration No.
20 AG 217308), 28 (ARD Registration No. AJ 218096), 34 (ARD Registration No. AD 210161), 37
21 (ARD Registration No. AL 213693), 38 (ARD Registration No. AG 217310), 41 (ARD
22 Registration No. AG 217321), 48 (ARD Registration No. AF 222289), 49 (ARD Registration No.
23 AG 217313), 52 (ARD Registration No. AG 217318), 60 (ARD Registration No. AG 217320), 65
24 (ARD Registration No. AM 225492), 67 (ARD Registration No. AG 234863), 71 (ARD
25 Registration No. AM 237097), 74 (ARD Registration No. AD 233342), 79 (ARD Registration
26 No. AB 232022), 91 (ARD Registration No. AB 232023), 92 (ARD Registration No. AB
27 232024), 97 (ARD Registration No. AF 234389), 102 (ARD Registration No. AD 23886) and EZ
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1 Lube, Inc. Store Nos. 6 through 118⁵, upon a finding that EZ Lube, Inc., has or is engaged in a
2 course of repeated and willful violations of the laws and regulations pertaining to an automotive
3 repair dealer.

4 PRAYER

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

- 7 1. Temporarily or permanently invalidating Automotive Repair Dealer
8 Registration Number AG 217322, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #03;
- 9 2. Temporarily or permanently invalidating Automotive Repair Dealer
10 Registration Number AD 210164, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #4;
- 11 3. Temporarily or permanently invalidating Automotive Repair Dealer
12 Registration Number AC 210008, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #10;
- 13 4. Temporarily or permanently invalidating Automotive Repair Dealer
14 Registration Number AK 218416, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #13;
- 15 5. Temporarily or permanently invalidating Automotive Repair Dealer
16 Registration Number AG 217300, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #14;
- 17 6. Temporarily or permanently invalidating Automotive Repair Dealer
18 Registration Number AG 217302, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #16;
- 19 7. Temporarily or permanently invalidating Automotive Repair Dealer
20 Registration Number AD 210163, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #17;
- 21 8. Temporarily or permanently invalidating Automotive Repair Dealer
22 Registration Number AC 210009, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #19;
- 23 9. Temporarily or permanently invalidating Automotive Repair Dealer
24 Registration Number AG 217306, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #24;

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28 5. EZ Lube, Inc., Store Nos 6 through 118 are identified and set forth in Appendix A
attached hereto and incorporated herein.

- 1 10. Temporarily or permanently invalidating Automotive Repair Dealer
2 Registration Number AG 217307, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #25;
- 3 11. Temporarily or permanently invalidating Automotive Repair Dealer
4 Registration Number AD 210162, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #26;
- 5 12. Temporarily or permanently invalidating Automotive Repair Dealer
6 Registration Number AG 217308, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #27;
- 7 13. Temporarily or permanently invalidating Automotive Repair Dealer
8 Registration Number AJ 218096, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #28;
- 9 14. Temporarily or permanently invalidating Automotive Repair Dealer
10 Registration Number AD 210161, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #34;
- 11 15. Temporarily or permanently invalidating Automotive Repair Dealer
12 Registration Number AL 213693, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #37;
- 13 16. Temporarily or permanently invalidating Automotive Repair Dealer
14 Registration Number AG 217310, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #38;
- 15 17. Temporarily or permanently invalidating Automotive Repair Dealer
16 Registration Number AG 217321, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #41;
- 17 18. Temporarily or permanently invalidating Automotive Repair Dealer
18 Registration Number AF 222289, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #48;
- 19 19. Temporarily or permanently invalidating Automotive Repair Dealer
20 Registration Number AG 217313, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #49;
- 21 20. Temporarily or permanently invalidating Automotive Repair Dealer
22 Registration Number AG 217318, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #52;
- 23 21. Temporarily or permanently invalidating Automotive Repair Dealer
24 Registration Number AG 217320, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #60;
- 25 22. Temporarily or permanently invalidating Automotive Repair Dealer
26 Registration Number AM 225492, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #65;
- 27 23. Temporarily or permanently invalidating Automotive Repair Dealer
28 Registration Number AG 234863, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #67;

- 1 24. Temporarily or permanently invalidating Automotive Repair Dealer
2 Registration Number AM 237097, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #71;
- 3 25. Temporarily or permanently invalidating Automotive Repair Dealer
4 Registration Number AD 233342, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #74;
- 5 26. Temporarily or permanently invalidating Automotive Repair Dealer
6 Registration Number AB 232022, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #79;
- 7 27. Temporarily or permanently invalidating Automotive Repair Dealer
8 Registration Number AB 232023, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #91;
- 9 28. Temporarily or permanently invalidating Automotive Repair Dealer
10 Registration Number AB 232024, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #92;
- 11 29. Temporarily or permanently invalidating Automotive Repair Dealer
12 Registration Number AF 234389, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #97;
- 13 30. Temporarily or permanently invalidating Automotive Repair Dealer
14 Registration Number AD 238886, issued to EZ Lube, Inc., doing business as EZ Lube, Inc., #102;
- 15 31. Temporarily or permanently invalidating the automotive repair dealer
16 registrations issued to EZ Lube, Inc. Store Nos. 6 through 118⁶;
- 17 32. Temporarily or permanently invalidating any other automotive repair dealer
18 registration issued to EZ Lube, Inc., doing business as EZ Lube, Inc.;
- 19 33. Denying the applications of EZ Lube, L.L.C., Store Nos. 3 through 123, for
20 automotive repair dealer registration.
- 21 34. Ordering EZ Lube, Inc., and EZ Lube L.L.C., Store Nos. 03 (ARD
22 Registration No. AG 217322), 4 (ARD Registration No. AD 210164), 10 (ARD Registration No.
23 AC 210008), 13 (ARD Registration No. AK 218416), 14 (ARD Registration No. AG 217300), 16
24 (ARD Registration No. AG 217302), 17 (ARD Registration No. AD 210163), 19 (ARD
25 Registration No. AC 210009), 24 (ARD Registration No. AG 217306),

26

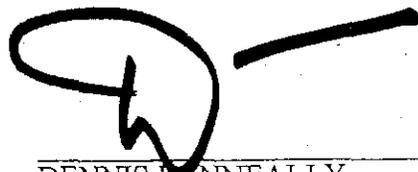
27

28 6. EZ Lube, Inc., Store Nos 6 through 118 are identified and set forth in Appendix A
attached hereto and incorporated herein.

1 25 (ARD Registration No. AG 217307), 26 (ARD Registration No. AD 210162), 27 (ARD
2 Registration No. AG 217308), 28 (ARD Registration No. AJ 218096), 34 (ARD Registration No.
3 AD 210161), 37 (ARD Registration No. AL 213693), 38 (ARD Registration No. AG 217310), 41
4 (ARD Registration No. AG 217321), 48 (ARD Registration No. AF 222289), 49 (ARD
5 Registration No. AG 217313), 52 (ARD Registration No. AG 217318), 60 (ARD Registration No.
6 AG 217320), 65 (ARD Registration No. AM 225492), 67 (ARD Registration No. AG 234863), 71
7 (ARD Registration No. AM 237097), 74 (ARD Registration No. AD 233342), 79 (ARD
8 Registration No. AB 232022), 91 (ARD Registration No. AB 232023), 92 (ARD Registration No.
9 AB 232024), 97 (ARD Registration No. AF 234389), and 102 (ARD Registration No. AD
10 238886) jointly or severably, to pay the Bureau of Automotive Repair the reasonable costs of the
11 investigation and enforcement of this case, pursuant to Code section 125.3; and,

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

13 DATED: 8-30-06

14 

15
16 _____
17 DENNIS KENNEALLY
18 Assistant Chief
19 Bureau of Automotive Repair
20 Department of Consumer Affairs
21 State of California
22 Complainant
23
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APPENDIX A

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EZ LUBE, INC., dba
EZ LUBE, INC., #6
114 N. Sepulveda Boulevard, Suite A
Manhattan Beach, California 90266 and/or
3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration No. AL 213694
Issued: November 15, 2000 - Expires: November 30, 2006

MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

EZ LUBE, INC., dba
EZ LUBE, INC., #15
3599 Harbor Boulevard
Costa Mesa, California 92626 and/or
3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration No. AG 217301
Issued: August 1, 2001 - Expires: July 31, 2007

MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

EZ LUBE, INC., dba
EZ LUBE, INC., #18
1645 Crenshaw Boulevard
Torrance, California 90501 and/or
3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration No. AG 217303
Issued: On a date uncertain in 2001 - Expires: July 31, 2007

MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

EZ LUBE, INC., dba
EZ LUBE, INC., #20
9014 National Boulevard
Los Angeles, California 90034 and/or
3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration No. AJ 218097
Issued: September 12, 2001 - Expires: September 30, 2006

MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

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1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #21**
3 1757 Lincoln Boulevard
4 Santa Monica, California 90404 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration No. AG 217304
8 Issued: August 1, 2001 - Expires: July 31, 2007
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**
11
12 **EZ LUBE, INC., dba**
13 **EZ LUBE, INC., #22**
14 24242 Doheny Park Road
15 Dana Point, California 92624 and/or
16 3506 W. Lake Center Drive, Suite B
17 Santa Ana, California 92704
18 Automotive Repair Dealer Registration No. AG 217305
19 Issued: September 7, 2001 - Expires: July 31, 2007
20 **MICHAEL J. DOBSON, PR**
21 **RICHARD D. TEASTA, CEO**
22
23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #35**
25 525 Avenida Pico
26 San Clemente, California 92672 and/or
27 3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AG 217309
Issued: August 16, 2001 - Expires: July 31, 2006
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

17 **EZ LUBE, INC., dba**
18 **EZ LUBE, INC., #42**
19 12972 Newport Avenue
20 Tustin, California 92780 and/or
21 3506 W. Lake Center Drive, Suite B
22 Santa Ana, California 92704
23 Automotive Repair Dealer Registration No. AG 217311
24 Issued: August 1, 2001 - Expires: July 31, 2007
25 **MICHAEL J. DOBSON, PR**
26 **RICHARD D. TEASTA, CEO**
27
28 **EZ LUBE, INC., dba**
29 **EZ LUBE, INC., #43**
30 985 N. Weir Canyon Road
31 Anaheim, California 92807 and/or
32 3506 W. Lake Center Drive, Suite B
33 Santa Ana, California 92704
34 Automotive Repair Dealer Registration No. AF 222291
35 Issued: August 7, 2002 - Expires: June 30, 2007
36 **MICHAEL J. DOBSON, PR**
37 **RICHARD D. TEASTA, CEO**
38 ///

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #44**
2248 Harbor Boulevard
Costa Mesa, California 92627 and/or
3 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
4 Automotive Repair Dealer Registration No. AG 217312
Issued: August 1, 2001 - Expires: July 31, 2007
5 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
6
7 **EZ LUBE, INC., dba**
7 **EZ LUBE, INC., #45**
26921 Moulton Parkway
8 Laguna Hills, California 92656 and/or
3506 W. Lake Center Drive, Suite B
9 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AF 222290
10 Issued: August 7, 2002 - Expires: June 30, 2007
MICHAEL J. DOBSON, PR
11 **RICHARD D. TEASTA, CEO**
12
12 **EZ LUBE, INC., dba**
EZ LUBE, INC., #46
13 400 East 17th Street
Costa Mesa, California 92627 and/or
14 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
15 Automotive Repair Dealer Registration No. AJ 218098
Issued: September 12, 2001 - Expires: September 30, 2006
16 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
17
18 **EZ LUBE, INC., dba**
18 **EZ LUBE, INC., #47**
1140 East Colorado Street
19 Glendale, California 91205 and/or
3506 W. Lake Center Drive, Suite B
20 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AF 222229
21 Issued: July 15, 2002 - Expires: June 30, 2007
MICHAEL J. DOBSON, PR
22 **RICHARD D. TEASTA, CEO**
23
23 **EZ LUBE, INC., dba**
EZ LUBE, INC., #50
24 525 N. Glendale Avenue
Glendale, California 91206 and/or
25 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
26 Automotive Repair Dealer Registration No. AG 217314
Issued: August 1, 2001 - Expires: July 31, 2007
27 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
28 ///

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #51**
3 21000 Ventura Boulevard
4 Woodland Hills, California 91364 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration No. AG 217315
8 Issued: August 1, 2001 - Expires: July 31, 2007
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**
11
12 **EZ LUBE, INC., dba**
13 **EZ LUBE, INC., #53**
14 11827 Santa Monica Boulevard
15 West Los Angeles, California 90025 and/or
16 3506 W. Lake Center Drive, Suite B
17 Santa Ana, California 92704
18 Automotive Repair Dealer Registration No. AG 217317
19 Issued: August 1, 2001 - Expires July 31, 2007
20 **MICHAEL J. DOBSON, PR**
21 **RICHARD D. TEASTA, CEO**
22
23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #54**
25 201 S. La Brea Avenue
26 Los Angeles, California 90036 and/or
27 3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AG 217316
Issued: September 7, 2001 - Expires: July 31, 2007
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

18 **EZ LUBE, INC., dba**
19 **EZ LUBE, INC., #58**
20 18548 Ventura Boulevard
21 Tarzana, California 91356 and/or
22 3506 W. Lake Center Drive, Suite B
23 Santa Ana, California 92704
24 Automotive Repair Dealer Registration No. AJ 229531
25 Issued: December 5, 2003 - Expires: September 30, 2006
26 **MICHAEL J. DOBSON, PR**
27 **RICHARD D. TEASTA, CEO**
28
23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #59**
25 6761 Reseda Boulevard
26 Reseda, California 91335 and/or
27 3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AJ 229532
Issued: December 5, 2003 - Expires: September 30, 2006
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO
///

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #61**
3 4359 Suaset Boulevard
4 Los Angeles, California 90027 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration No. AM 231152
8 Issued: October 16, 2005 - Expires: December 31, 2006
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**

11 **EZ LUBE, INC., dba**
12 **EZ LUBE, INC., #62**
13 7685 Carson Boulevard, Suite B
14 Long Beach, California 90808 and/or
15 3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
17 Automotive Repair Dealer Registration No. AJ 223854
18 Issued: October 7, 2002 - Expires: September 30, 2006
19 **MICHAEL J. DOBSON, PR**
20 **RICHARD D. TEASTA, CEO**

21 **EZ LUBE, INC., dba**
22 **EZ LUBE, INC., #63**
23 6536 W. Melrose
24 Los Angeles, California 90038 and/or
25 3506 W. Lake Center Drive, Suite B
26 Santa Ana, California 92704
27 Automotive Repair Dealer Registration No. AC 238381
28 Issued: March 16, 2005 - Expires: March 31, 2007
29 **MICHAEL J. DOBSON, PR**
30 **RICHARD D. TEASTA, CEO**

31 **EZ LUBE, INC., dba**
32 **EZ LUBE, INC., #64**
33 5317 Sunset Boulevard
34 Hollywood, California 90027 and/or
35 3506 W. Lake Center Drive, Suite B
36 Santa Ana, California 92704
37 Automotive Repair Dealer Registration No. AM 225491
38 Issued: January 14, 2003 - Expires: December 31, 2006
39 **MICHAEL J. DOBSON, PR**
40 **RICHARD D. TEASTA, CEO**

41 **EZ LUBE, INC., dba**
42 **EZ LUBE, INC., #68**
43 1701 Pacific Coast Highway
44 Lomita, California 90717 and/or
45 3506 W. Lake Center Drive, Suite B
46 Santa Ana, California 92704
47 Automotive Repair Dealer Registration No. AM 231153
48 Issued: January 21, 2004 - Expires December 31, 2006
49 **MICHAEL J. DOBSON, PR**
50 **RICHARD D. TEASTA, CEO**

51 ///

1 **EZ LUBE, L.L.C. #72**
9457 Reseda Blvd.
2 Northridge, California 91324 and/or
3506 W. Lake Center Drive, Suite B
3 Santa Ana, California 92704
Automotive Repair Dealer Registration No. (Pending)
4 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
5 **DANIEL F. PRENDERGAST, CFO**
ALLEN F. BRAUN, COO
6
7 **EZ LUBE, INC., dba**
EZ LUBE, INC., #75
3800 Foothill Boulevard
8 Pasadena, California 91107 and/or
3506 W. Lake Center Drive, Suite B
9 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AK 241922
10 Issued: October 13, 2005 - Expires: October 31, 2006
MICHAEL J. DOBSON, PR
11 **RICHARD D. TEASTA, CEO**
12
13 **EZ LUBE, INC., dba**
EZ LUBE, INC., #82
2995 Huntington Drive
14 San Marino, California 91108 and/or
3506 W. Lake Center Drive, Suite B
15 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AL 236692
16 Issued: December 16, 2005 - Expires: November 30, 2006
MICHAEL J. DOBSON, PR
17 **RICHARD D. TEASTA, CEO**
18
19 **EZ LUBE, INC., dba**
EZ LUBE, INC., #88
786 E. Vista Way
20 Vista, California 92804 and/or
3506 W. Lake Center Drive, Suite B
21 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AJ 229533
22 Issued: September 6, 2005 - Expires: September 30, 2006
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO
23
24 **EZ LUBE, INC., dba**
EZ LUBE, INC., #89
3402 Atlantic Boulevard
25 Long Beach, California 90802 and/or
3506 W. Lake Center Drive, Suite B
26 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AL 242349
27 Issued: November 8, 2005 - Expires: November 30, 2006
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO
28 ///

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #93**
3 3464 Midway Drive
4 San Diego, California 92110 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration No. AB 232025
8 Issued: April 14, 2004 - Expires: February 28, 2007
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**
11
12 **EZ LUBE, L.L.C. #96**
13 29285 Central Ave.
14 Lake Elsinore, California 92507 and/or
15 3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
17 Automotive Repair Dealer Registration No. (Pending)
18 **MICHAEL J. DOBSON, PR**
19 **RICHARD D. TEASTA, CEO**
20 **DANIEL F. PRENDERGAST, CFO**
21 **ALLEN F. BRAUN, COO**
22
23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #104**
25 2029 Sepulveda Boulevard
26 West Los Angeles, California 90025 and/or
27 3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AF 240243
Issued: August 1, 2005 - Expires: June 30, 2007
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

17 **EZ LUBE, INC., dba**
18 **EZ LUBE, INC., #105**
19 28500 Jeronimo Road, Suite 300
20 Mission Viejo, California 92691 and/or
21 3506 W. Lake Center Drive, Suite B
22 Santa Ana, California 92704
23 Automotive Repair Dealer Registration No. AK 241924
24 Issued: October 13, 2005 - Expires: October 31, 2006
25 **MICHAEL J. DOBSON, PR**
26 **RICHARD D. TEASTA, CEO**
27
28 **EZ LUBE, L.L.C. #107**
10115 Rosedale Hwy.
Bakersfield, California 93312 and/or
3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration No. (Pending)
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO
DANIEL F. PRENDERGAST, CFO
ALLEN F. BRAUN, COO
///

1 **EZ LUBE, L.L.C. #108**
3901 Wible Rd.
2 Bakersfield, California 93309 and/or
3506 W. Lake Center Drive, Suite B
3 Santa Ana, California 92704
Automotive Repair Dealer Registration No. (Pending)
4 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
5 **DANIEL F. PRENDERGAST, CFO**
ALLEN F. BRAUN, COO
6

7 **EZ LUBE, L.L.C. #109**
6501 White Lane
Bakersfield, California 93309 and/or
8 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
9 Automotive Repair Dealer Registration No. (Pending)
MICHAEL J. DOBSON, PR
10 **RICHARD D. TEASTA, CEO**
DANIEL F. PRENDERGAST, CFO
11 **ALLEN F. BRAUN, COO**

12 **EZ LUBE, INC., dba**
EZ LUBE, INC., #110
13 35800 Date Palm Drive
Cathedral City, California 92234 and/or
14 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
15 Automotive Repair Dealer Registration No. AF 240244
Issued: August 1, 2005 - Expires: June 30, 2007
16 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
17

18 **EZ LUBE, INC., dba**
EZ LUBE, INC., #111
1270 E. Grand Boulevard
19 Corona, California 91720 and/or
3506 W. Lake Center Drive, Suite B
20 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AF 240245
21 Issued: August 1, 2005 - Expires: June 30, 2007
MICHAEL J. DOBSON, PR
22 **RICHARD D. TEASTA, CEO**

23 **EZ LUBE, INC., dba**
EZ LUBE, INC., #112
24 532 W. Florida Avenue
Hemet, California 92343 and/or
25 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
26 Automotive Repair Dealer Registration No. AF 240246
Issued: August 1, 2005 - Expires: June 30, 2007
27 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
28 ///

1 **EZ LUBE, INC., dba**
EZ LUBE, INC., #113
2 8949 Monte Vista Avenue
Montclair, California 91763 and/or
3 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
4 Automotive Repair Dealer Registration No. AF 240247
Issued: August 22, 2005 - Expires: June 30, 2007
5 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
6
7 **EZ LUBE, INC., dba**
EZ LUBE, INC., #114
23165 Hemlock Avenue
8 Moreno Valley, California 92557 and/or
3506 W. Lake Center Drive, Suite B
9 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AF 240248
10 Issued: August 22, 2005 - Expires: June 30, 2007
MICHAEL J. DOBSON, PR
11 **RICHARD D. TEASTA, CEO**
12 **EZ LUBE, INC., dba**
EZ LUBE, INC., #115
13 40430 California Oaks Road
Murrieta, California 90274 and/or
14 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
15 Automotive Repair Dealer Registration No. AF 240249
Issued: August 16, 2005 - Expires: June 30, 2007
16 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
17
18 **EZ LUBE, INC., dba**
EZ LUBE, INC., #116
7437 Arlington Avenue
19 Riverside, California 92503 and/or
3506 W. Lake Center Drive, Suite B
20 Santa Ana, California 92704
Automotive Repair Dealer Registration No. AF 240250
21 Issued: August 16, 2005 - Expires: June 30, 2007
MICHAEL J. DOBSON, PR
22 **RICHARD D. TEASTA, CEO**
23 **EZ LUBE, INC., dba**
EZ LUBE, INC., #117
24 3417 Arlington Avenue
Riverside, California 92506 and/or
25 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
26 Automotive Repair Dealer Registration No. AF 240251
Issued: August 16, 2005 - Expires: June 30, 2007
27 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO
28 ///

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #118**
3 18681 Van Buren Boulevard
4 Riverside, California 92508 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration No. AF 240252
8 Issued: August 16, 2005 - Expires: June 30, 2007
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**

11 **EZ LUBE, L.L.C. #123**
12 14949 Bear Valley Road
13 Hesperia, California 92345
14 Bakersfield, California 93312 and/or
15 3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
17 Automotive Repair Dealer Registration No. (Pending)
18 **MICHAEL J. DOBSON, PR**
19 **RICHARD D. TEASTA, CEO**
20 **DANIEL F. PRENDERGAST, CFO**
21 **ALLEN F. BRAUN, COO**

22 ///

23 ///

24 ///

25 03548110-LA2006600521
26 EZ Lube Inc final draft.wpd

27

28

Exhibit B

Stipulated Settlement and Disciplinary Order No. 77/06-68

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 BARRY G. THORPE, State Bar No. 126422
Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-5845
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

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

11 In the Matter of the Accusation and Statement of
Issues Against:

Case No. 77/06-68

12 **EZ LUBE, INC., dba**
EZ LUBE, INC., #03
13 27125 N. Sierra Highway
Canyon Country, California 91351 and/or
14 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
15 Automotive Repair Dealer Registration
No. AG 217322
16 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO

STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER

17 **EZ LUBE, INC., dba**
18 **EZ LUBE, INC., #4**
1460 E. Foothill Boulevard
19 Upland, California 91786 and/or
3506 W. Lake Center Drive, Suite B
20 Santa Ana, California 92704
Automotive Repair Dealer Registration
21 No. AD 210164
MICHAEL J. DOBSON, PR
22 **RICHARD D. TEASTA, CEO**

23 **EZ LUBE, INC., dba**
EZ LUBE, INC., #10
24 24043 Hawthorne Boulevard
Torrance, California 90505 and/or
25 3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
26 Automotive Repair Dealer Registration
No. AC 210008
27 **MICHAEL J. DOBSON, PR**
RICHARD D. TEASTA, CEO

28

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #13**
3 10800 Riverside Drive
4 North Hollywood, California 91602 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration
8 No. AK 218416
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**
11
12 **EZ LUBE, INC., dba**
13 **EZ LUBE, INC., #14**
14 24281 Moulton Parkway
15 Laguna Hills, California 92653 and/or
16 3506 W. Lake Center Drive, Suite B
17 Santa Ana, California 92704
18 Automotive Repair Dealer Registration
19 No. AG 217300
20 **MICHAEL J. DOBSON, PR**
21 **RICHARD D. TEASTA, CEO**
22
23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #16**
25 7361 Edinger Avenue
26 Huntington Beach, California 92647 and/or
27 3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AG 217302
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

29 **EZ LUBE, INC., dba**
30 **EZ LUBE, INC., #17**
31 4002 N. Harbor Boulevard
32 Fullerton, California 92835 and/or
33 3506 W. Lake Center Drive, Suite B
34 Santa Ana, California 92704
35 Automotive Repair Dealer Registration
36 No. AD 210163
37 **MICHAEL J. DOBSON, PR**
38 **RICHARD D. TEASTA, CEO**

39 **EZ LUBE, INC., dba**
40 **EZ LUBE, INC., #19**
41 1700 Artesia Boulevard
42 Redondo Beach, California 90278 and/or
43 3506 W. Lake Center Drive, Suite B
44 Santa Ana, California 92704
45 Automotive Repair Dealer Registration
46 No. AC 210009
47 **MICHAEL J. DOBSON, PR**
48 **RICHARD D. TEASTA, CEO**

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #24**
2658 Jamacha Road
3 El Cajon, California 92019 and/or
3506 W. Lake Center Drive, Suite B
4 Santa Ana, California 92704
Automotive Repair Dealer Registration
5 No. AG 217306
MICHAEL J. DOBSON, PR
6 **RICHARD D. TEASTA, CEO**

7 **EZ LUBE, INC., dba**
8 **EZ LUBE, INC., #25**
2585 Clairmont Drive
9 San Diego, California 92117 and/or
3506 W. Lake Center Drive, Suite B
10 Santa Ana, California 92704
Automotive Repair Dealer Registration
11 No. AG 217307
MICHAEL J. DOBSON, PR
12 **RICHARD D. TEASTA, CEO**

13 **EZ LUBE, INC., dba**
14 **EZ LUBE, INC., #26**
5658 Rosemead Boulevard
15 Temple City, California 91780 and/or
3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
Automotive Repair Dealer Registration
17 No. AD 210162
MICHAEL J. DOBSON, PR
18 **RICHARD D. TEASTA, CEO**

19 **EZ LUBE, INC., dba**
20 **EZ LUBE, INC., #27**
13421 Washington Boulevard
21 Culver City, California 90232 and/or
3506 W. Lake Center Drive, Suite B
22 Santa Ana, California 92704
Automotive Repair Dealer Registration
23 No. AG 217308
MICHAEL J. DOBSON, PR
24 **RICHARD D. TEASTA, CEO**

25 **EZ LUBE, INC., dba**
26 **EZ LUBE, INC., #28**
6819 La Tijera
27 Los Angeles, California 90045 and/or
3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AJ 218096
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #34**
3 13401 Whittier Boulevard
4 Whittier, California 90602 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration
8 No. AD 210161
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**
11
12 **EZ LUBE, INC., dba**
13 **EZ LUBE, INC., #37**
14 5380 Sepulveda Boulevard
15 Culver City, California 90230 and/or
16 3506 W. Lake Center Drive, Suite B
17 Santa Ana, California 92704
18 Automotive Repair Dealer Registration
19 No. AL 213693
20 **MICHAEL J. DOBSON, PR**
21 **RICHARD D. TEASTA, CEO**
22
23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #38**
25 12055 Scripps Summit Drive
26 San Diego, California 92131 and/or
27 3506 W. Lake Center Drive, Suite B
28 Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AG 217310
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

29 **EZ LUBE, INC., dba**
30 **EZ LUBE, INC., #41**
31 17511 Yorba Linda Boulevard
32 Yorba Linda, California 92886 and/or
33 3506 W. Lake Center Drive, Suite B
34 Santa Ana, California 92704
35 Automotive Repair Dealer Registration
36 No. AG 217321
37 **MICHAEL J. DOBSON, PR**
38 **RICHARD D. TEASTA, CEO**
39
40 **EZ LUBE, INC., dba**
41 **EZ LUBE, INC., #48**
42 20860 Sherman Way
43 Canoga Park, California 91303 and/or
44 3506 W. Lake Center Drive, Suite B
45 Santa Ana, California 92704
46 Automotive Repair Dealer Registration
47 No. AF 222289
48 **MICHAEL J. DOBSON, PR**
49 **RICHARD D. TEASTA, CEO**

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #49**
26731 Rancho Parkway
3 Lake Forest, California 92630 and/or
3506 W. Lake Center Drive, Suite B
4 Santa Ana, California 92704
Automotive Repair Dealer Registration
5 No. AG 217313
MICHAEL J. DOBSON, PR
6 **RICHARD D. TEASTA, CEO**

7 **EZ LUBE, INC., dba**
8 **EZ LUBE, INC., #52**
2420 W. Olive Avenue
9 Burbank, California 91506 and/or
3506 W. Lake Center Drive, Suite B
10 Santa Ana, California 92704
Automotive Repair Dealer Registration
11 No. AG 217318
MICHAEL J. DOBSON, PR
12 **RICHARD D. TEASTA, CEO**

13 **EZ LUBE, INC., dba**
14 **EZ LUBE, INC., #60**
8122 Masi Drive
15 Rancho Cucamonga, California 91730 and/or
3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
Automotive Repair Dealer Registration
17 No. AG 217320
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

18 **EZ LUBE, INC., dba**
19 **EZ LUBE, INC., #65**
305 N. Citrus Street
20 West Covina, California 91790 and/or
3506 W. Lake Center Drive, Suite B
21 Santa Ana, California 92704
Automotive Repair Dealer Registration
22 No. AM 225492
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

23 **EZ LUBE, INC., dba**
24 **EZ LUBE, INC., #67**
4059 University Parkway
25 San Bernardino, California 92407 and/or
3506 W. Lake Center Drive, Suite B
26 Santa Ana, California 92704
Automotive Repair Dealer Registration
27 No. AG 234863
MICHAEL J. DOBSON, PR
28 **RICHARD D. TEASTA, CEO**

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #71**
3 3504 Central Avenue
4 Riverside, California 92506 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
7 Automotive Repair Dealer Registration
8 No. AM 237097
9 **MICHAEL J. DOBSON, PR**
10 **RICHARD D. TEASTA, CEO**

11 **EZ LUBE, INC., dba**
12 **EZ LUBE, INC., #74**
13 3232 E. Chapman Avenue, Suite E
14 Orange, California 92869 and/or
15 3506 W. Lake Center Drive, Suite B
16 Santa Ana, California 92704
17 Automotive Repair Dealer Registration
18 No. AD-233342
19 **MICHAEL J. DOBSON, PR**
20 **RICHARD D. TEASTA, CEO**

21 **EZ LUBE, INC., dba**
22 **EZ LUBE, INC., #79**
23 9862 Adams Avenue
24 Huntington Beach, California 92646 and/or
25 3506 W. Lake Center Drive, Suite B
26 Santa Ana, California 92704
27 Automotive Repair Dealer Registration
28 No. AB 232022
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

EZ LUBE, INC., dba
EZ LUBE, INC., #91
12120 Carmel Mountain Road
San Diego, California 92128 and/or
3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AB 232023
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

EZ LUBE, INC., dba
EZ LUBE, INC., #92
4365 Genesee Avenue
San Diego, California 92117 and/or
3506 W. Lake Center Drive, Suite B
Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AB 232024
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

1 **EZ LUBE, INC., dba**
2 **EZ LUBE, INC., #97**
3 7450 Mission Grove Parkway
4 Riverside, California 92508 and/or
5 3506 W. Lake Center Drive, Suite B
6 Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AF 234389
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

7 **EZ LUBE, INC., dba**
8 **EZ LUBE, INC., #102**
9 2613 E. Palmdale Blvd.
10 Palmdale, California 93550 and/or
11 3506 W. Lake Center Drive, Suite B
12 Santa Ana, California 92704
Automotive Repair Dealer Registration
No. AD 238886
MICHAEL J. DOBSON, PR
RICHARD D. TEASTA, CEO

13 **EZ LUBE, INC., dba**
14 **EZ LUBE, INC., Nos. 6 through 118**
15 **MICHAEL J. DOBSON, PR**
16 **RICHARD D. TEASTA, CEO**

17 **EZ LUBE, L.L.C., Nos. 3 through 123**
18 **MICHAEL J. DOBSON, PR**
19 **RICHARD D. TEASTA, CEO**
20 **DANIEL F. PRENDERGAST, CFO**
21 **ALLEN F. BRAUN, COO**

22 Respondents.

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

25 PARTIES

26 1. Sherry Mehl (Complainant) is the Chief of the Bureau of of Automotive
27 Repair (Bureau), Department of Consumer Affairs. Former Complaint Dennis Kenneally
28 brought this action solely in his official capacity as the Assistant Chief of the Bureau.
Complainant is represented in this matter by Edmund G. Brown Jr., Attorney General of the State
of California, by Barry G. Thorpe, Deputy Attorney General.

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1 2. Respondents are represented in this proceeding by attorney Louis R.
2 Miller, whose address is MILLER BARONDESS, LLP, 1999 Avenue of the Stars, Suite 1000,
3 Los Angeles, CA 90067, Los Angeles, CA 90067.

4 3. On the dates indicated, the Bureau issued to EZ Lube Inc., dba EZ Lube
5 Inc, with Michael J. Dobson, Pr and Richard D. Teasta, CEO, the following Automotive Repair
6 Dealer Registration Nos: AG 217322 (8/1/01); AD 210164 (10/26/00); AC 210008 (In or about
7 2000); AK 218416 (10/22/01); AG 217300 (8-1-01); AG 217302 (8-1-01); AD 210163 (10-26-
8 00); AC 210009 (10-26-00); AG 217306 (10-1-01); AG 217307 (8-1-01); AD 210162 (10-26-
9 00); AG 217308 (8-1-01); AJ 218096 (12-12-01); AD 210161 (10-26-00); AL 213693 (11-27-
10 00); AG 217310 (8-1-01); AG 217321 (8-1-01); AF 222289 (8-7-02); AG 217313 (8-1-01); AG
11 217318 (8-1-01); AG 217320 (8-1-01); AM 225492 (In or about 2003); AG 234863 (8-9-04);
12 AM 237097 (1-6-05); AD 233342 (5-14-04); AB 232022 (4-14-05); AB 232023 (14-4-04); AB
13 232024 (4-14-04); AF 234389 (7-20-04); AD 238886 (7-21-05).

14 4. The EZ Inc. Automotive Repair Dealer Registrations listed in paragraph 3,
15 above, are hereby designated as "EZ Lube Group One." Each of the EZ Lube locations had
16 specific allegations of misconduct in Accusation and Statement of Issues No. 77/06-68.

17 5. On the dates indicated, the Bureau issued to EZ Lube Inc., dba EZ Lube
18 Inc, with Michael J. Dobson, Pr and Richard D. Teasta, CEO, or had Automobile Repair Dealer
19 Registration applications pending, for the following Automotive Repair Dealer Registration Nos
20 or pending applications: AL 213694 (11-15-00); AG 217301 (8-1-01); AG 217303 (In or about
21 2001); AJ 218097 (12-12-01); AG 217304 (8-1-01); AG 217305 (9-7-01); AG 217309 (8-16-01);
22 AG 217311 (8-1-01); AF 222291 (7-7-02); AG 217312 (8-1-01); AF 22290 (8-7-02); AJ 218098
23 (12-12-01); AF 222229 (7-15-02); AG 217314 (8-1-01); AG 217315 (8-1-01); AG 217317 (8-1-
24 01); AG 217316 (7-7-01); AJ 229531 (12-5-03); AJ 229532 (12-5-03); AM 231152 (10-16-05);
25 AJ 223854 (10-7-02); AC 238381 (3-16-05); AM 225491 (1-14-03); AM 231153 (1-21-04); EZ
26 Lube L.L.C. #72 (Application pending); AK 241922 (10-13-05); AL 236692 (12-16-05); AJ
27 229533 (9-6-05); AL 242349 (11-9-05); AB 232025 (4-14-04); EZ. Lube L.L.C. #96 (Application
28 pending); AF 240243 (8-1-05); AK 241924 (10-13-05); EZ Lube L.L.C. #107 (Application

1 Pending); EZ Lube L.L.C. #108 (Application Pending); EZ Lube #109 (Application Pending); AF
2 240244 (8-1-05); AF 240245 (8-1-05); AF 240246 (8-1-05); AF 240247 (8-22-05); AF 240248
3 (8-22-05); AF 240249 (8-16-05); AF 240250 (8-16-05); AF 240251 (8-16-05); AF 240252 (8-16-
4 05); and EZ Lube L.L.C. #123 (Application pending).

5 6. The EZ Inc. Automotive Repair Dealer Registrations and applications listed
6 in paragraph 5, above, are hereby designated as "EZ Lube Group Two."

7 7. On or about October 19, 2005, Michael J. Dobson as manager, filed a
8 Limited Liability Company Application for Registration with the California Secretary of State, on
9 behalf of EZ Lube, L.L.C. The application listed the date of organization of EZ Lube L.L.C. as
10 October 17, 2005. On or about November 17, 2005, Michael J. Dobson, PR., and Richard D.
11 Teasta, Secretary, entered into an Agreement and Plan of Merger in order to merge EZ Lube, Inc.,
12 into EZ Lube, L.L.C., a limited liability company organized and existing under the laws of
13 Delaware. EZ Lube L.L.C. was designated as the surviving entity. On or about November 23,
14 2005, Michael J. Dobson, PR., and Richard D. Teasta, Secretary, filed an Other Business Entity
15 Certificate of Merger with the California Secretary of State.

16 8. On and between January 23, 2006 and April 13, 2006, Michael J. Dobson,
17 PR., Richard D. Teasta, C.E.O., Daniel F. PRENDERGAST, C.F.O., and Allen F. Braun, C.O.O.,
18 submitted Limited Liability Company Applications for Automotive Repair Dealer Registrations to
19 the Bureau, on behalf of Respondents EZ Lube #03 through EZ Lube #123.

20 JURISDICTION

21 9. Accusation and Statement of Issues No. 77/06-68 was filed before the
22 Director of Consumer Affairs (Director), and is currently pending against Respondents. The
23 Accusation and Statement of Issues and all other statutorily required documents were properly
24 served on Respondents on September 1, 2006. Respondents timely filed their Notice of Defense
25 contesting the Accusation and Statement of Issues. A copy of Accusation and Statement of Issues
26 No. 77/06-68 is attached as exhibit A and incorporated herein by reference.

27 ///

28 ///

1 ADVISEMENT AND WAJVERS

2 10. Respondents have carefully read, discussed with counsel, and fully
3 understand the charges and allegations in Accusation and Statement of Issues No. 77/06-68.
4 Respondents have also carefully read, discussed with counsel, and fully understand the effects of
5 this Stipulated Settlement and Disciplinary Order.

6 11. Respondents are fully aware of their legal rights in this matter, including
7 the right to a hearing on the charges and allegations in the Accusation and Statement of Issues No.
8 77/06-68; the right to be represented by counsel at their own expense; the right to confront and
9 cross-examine the witnesses against them; the right to present evidence and to testify on their
10 own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the
11 production of documents; the right to reconsideration and court review of an adverse decision; and
12 all other rights accorded by the California Administrative Procedure Act and other applicable
13 laws.

14 12. Respondents voluntarily, knowingly, and intelligently waive and give up
15 each and every right set forth above.

16 CULPABILITY

17 13. Respondents agree that, at a hearing, complainant could establish a factual
18 basis for the charges in the Accusation and Statement of Issues No. 77/06-68. Respondents
19 hereby give up the right to contest those charges.

20 14. Respondents agree that their Automotive Repair Dealer Registrations and
21 applications for Automotive Repair Dealer Registrations are subject to discipline and agree to be
22 bound by the Director's imposition of discipline as set forth in the Disciplinary Order below.

23 RESERVATION

24 15. The admissions made by Respondents herein are only for the purposes of
25 this proceeding, or any other proceedings in which the Bureau or other professional licensing
26 agency is involved, and shall not be admissible in any other criminal or civil proceeding.

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1 IT IS HEREBY ORDERED that the Automotive Repair Dealer Registrations in EZ
2 Lube Group One and Two, issued to Respondents EZ Lube Inc., dba EZ Lube Inc., issued to
3 Respondents are invalidated.¹

4 IT IS FURTHER ORDERED that the Bureau will issue Automotive Repair Dealer
5 Registrations for EZ Lube Group One and Two, as EZ Lube L.L.C.. These Automotive Repair
6 Dealer Registrations for Group One and Two will be invalidated upon issuance. However, the
7 invalidation is stayed and all Automotive Repair Dealer Registrations will be placed on probation
8 for five (5) years on the following terms and conditions.

9 **PROBATIONARY TERMS AND CONDITIONS**

10 1. **Actual Suspension EZ Lube Group One.** All Automotive Repair Dealer
11 Registrations issued to facilities listed in EZ Group One will be actually suspended for a period of
12 five (5) days from the effective date of the Decision and Order. During this period of actual
13 suspension, EZ Lube Group One locations will be allowed to remain open to conduct engine oil
14 and engine oil filter changes, and chassis lubrication jobs, only. No other services are to be
15 conducted by any EZ Lube Group One location during the period of actual suspension.²

16 2. **Obey All Laws.** Comply with all statutes, regulations and rules governing
17 automotive inspections, estimates and repairs.

18 3. **Post Signs.** Post a prominent sign, provided by the Bureau, indicating the
19 beginning and ending dates of the EZ Lube L.L.C. locations which are subjected to the five (5)
20 suspension and indicating the reason for the suspension, and will indicate that EZ Lube L.L.C.
21 locations which are subjected to the five (5) suspension will be limited to doing engine oil and
22 engine oil filter changes, and chassis lubrication jobs, only. The sign shall be conspicuously
23

24 1. EZ Lube Inc., dba EZ Lube Inc. Nos. 3 through Nos. 123 merged into EZ Lube L.L.C.,
25 dba as EZ Lube Nos. 3 through Nos. 123, as of November 23, 2005, when Respondents filed
26 an Other Business Entity Certificate of Merger with the California Secretary of State. EZ Lube
L.L.C. was designated as the only surviving entity.

27 2. Probationary Terms and Conditions, paragraphs 2 through 11, are applicable to EZ Lube
28 Groups One and Two, which hereinafter, will be collectively referred to as "EZ Lube L.L.C." or
"Respondents."

1 displayed in a location open to and frequented by customers and shall remain posted during the
2 entire period of actual suspension.

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

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

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

14 7. **Jurisdiction.** If an Accusation and/or Petition to Revoke Probation is filed
15 against Respondents during the term of probation, or the Office of the Attorney General is
16 requested to prepare an Accusation and/or Petition to Revoke Probation during the term of
17 probation, the Director of Consumer Affairs shall have continuing jurisdiction over this matter
18 until the effective date of the decision on the Accusation and or Petition to Revoke Probation, and
19 the period of probation specified in this stipulation shall be extended until such decision.

20 8. **Cost Recovery.** Respondent shall pay to the Bureau it's full costs of
21 investigation and prosecution in the amount of \$671,944.52, within 180 days of the effective date
22 of the Decision and Order in this matter, or in accordance with the terms and condition of any
23 Final Judgement Pursuant to Stipulation obtained against EZ Lube L.L.C. by the Orange County
24 District Attorney's Office, whichever date is sooner. Failure to complete payment of cost
25 recovery within this time frame shall constitute a violation of probation, however, the Director or
26 the Director's Bureau of Automotive Repair designee may elect to continue probation until such
27 time as reimbursement of the entire cost recovery amount has been made to the Bureau.

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1 9. Violation of Probation. Should the Director of Consumer Affairs
2 determine that Respondents have failed to comply with the terms and conditions of probation, the
3 Department may, after giving notice and opportunity to be heard, vacate the stay(s) and
4 permanently invalidate all Respondents' the registration(s).

5 10. Violation of Injunction. Should Respondents violate the terms of the
6 Final Judgment Pursuant to Stipulation, obtained by the Orange County District Attorney's
7 Office in the Superior Court, County of Orange County, in the matter entitled *People v. EZ Lube*
8 *Inc., EZ Lube, LLC*, as further identified as Orange County District Attorney's Case No. 06-014,
9 the Director may, after giving notice and opportunity to be heard, vacate the stay(s) and
10 permanently invalidate all Respondents' registration(s).

11 11. Automotive Repair Dealer Registrations Issued After the Effective
12 Date of this Decision and Order. Any new issuance of a Automotive Repair Dealer registration
13 to an EZ Lube L.L.C. facility, or to a facility owned or controlled by Respondents under any other
14 type of business organization, not included in the Decision and Order in this matter, shall be
15 issued on a probationary basis and shall be subject to the same probation terms and conditions
16 listed herein, for the remaining period of probation, with the exception of an actual suspension or
17 limitations of services that may provided.

18 ACCEPTANCE

19 I have carefully read the above Stipulated Settlement and Disciplinary Order and
20 have fully discussed it with my attorney, Louis R. Miller. I understand the stipulation and the
21 effect it will have on my Automotive Repair Dealer Registrations. I enter into this Stipulated
22 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
23 bound by the Decision and Order of the Director.

24 DATED: December 26, 2007

25
26 
27 EZ LUBE, INC AND EZ LUBE L.L.C.
Michael J. Dobson, President

28 ///

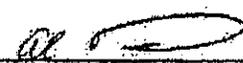
1.
2. DATED: December 26, 2007

3.
4. 
EZ LUBE, INC AND EZ LUBE L.L.C.
Richard D. Teasta, CEO

5.
6. DATED: December 26, 2007

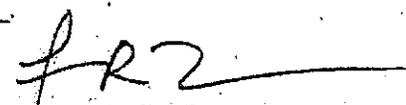
7.
8. 
EZ LUBE, INC AND EZ LUBE L.L.C.
Daniel F. Prondy, CEO

9.
10. DATED: December 26, 2007

11.
12. 
EZ LUBE, INC AND EZ LUBE L.L.C.
Allen F. Braun, COO

13.
14. I have read and fully discussed with Respondents the terms and conditions and
15. other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its
16. form and content.

17.
18. DATED: 12/26/07

19.
20. 
LOUIS R. MILLER
Attorney for Respondents

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ENDORSEMENT

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

DATED: 12-26-07

EDMUND G. BROWN JR., Attorney General
of the State of California

GLORIA A. BARRIOS
Supervising Deputy Attorney General



BARRY G. THORPE
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2006600521

DECISION

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

This Decision shall become effective January 28, 2008.

DATED: December 28, 2007

P. J. Harris
PATRICIA HARRIS
Deputy Director, Bureau Relations
Department of Consumer Affairs

Exhibit C

**May 5, 2010, Update to Respondent's Automotive Repair Dealer Registration Applications
And
Respondent's May 24, 2010 Correspondence Agreeing To Enter Into A Stipulated
Settlement and Disciplinary Order**



May 5th, 2010

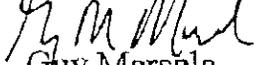
Bureau of Automotive Repair Licensing Unit,

This letter is to advise you that as of April 28th, 2010 Mark Goodman, President/CEO is no longer with EZ Lube, LLC.

On April 29th, 2010, I took over as the new President/CEO of EZ Lube LLC. I look forward to working with the Bureau of Automotive Repair to ensure that we are in full compliance with all of the applicable rules and regulations.

If you have any questions, concerns and or need any additional information feel free to call me anytime.

Respectfully,


Guy Marsala

President and Chief Executive Officer

EZ Lube LLC

guym@ezlube.com

(714) 556-1312 Office

(714) 556-1362 Fax



May 24th, 2010

Mr. Curtis Worden
Program Manager I
Department of Consumer Affairs
Bureau of Automotive Repair – Enforcement Headquarters
10240 Systems Parkway
Sacramento, CA 95827

Dear Mr. Worden:

I am writing to confirm my receipt of your letter, which was faxed to me on May 24th, 2010 and attachment regarding the “STIPULATED SETTLEMENT AND DISCIPLINARY ORDER Case NO. 77/06-68”. Furthermore, I am affirming on behalf of EZ Lube LLC my formal agreement with the STIPULATED AND DISCIPLINARY ORDER Case No. 77/06-68 and immediate willingness to stipulate such.

Please provide the necessary documents for my review and execution. If you have any questions, please do not hesitate to contact me directly.

I look forward to resolving this in an expeditious manner.

Respectfully,

A handwritten signature in black ink, appearing to read 'Guy Marsala', is written over a horizontal line.

Guy Marsala
President and Chief Executive Officer
EZ Lube LLC
guym@ezlube.com
(714) 556-1312 Office
(714) 556-1362 Fax