

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

In the Matter of the Accusation Against: )

HIGH TECH AUTO GROUP; MI YOUNG RYU, )  
OWNER )  
1989 W. Washington Blvd. )  
Los Angeles, CA 90018 )

No. 77/06-78

Automotive Repair Dealer Registration No. )  
AM 219347 )

And )

JUNG SOO HONG )  
1989 W. Washington Blvd. )  
Los Angeles, CA 90018 )  
JC144361C / RY144361A )

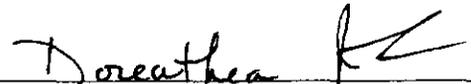
Respondents. )

DECISION

The attached Stipulated Settlement 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 April 19, 2007.

DATED: March 13, 2007

  
DOREATHEA JOHNSON  
Deputy Director, Legal Affairs  
Department of Consumer Affairs

1 BILL LOCKYER, Attorney General  
of the State of California  
2 JENNIFER S. CADY  
Deputy Attorney General  
3 THOMAS L. RINALDI, State Bar No. 206911  
Deputy Attorney General  
4 California Department of Justice  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2541  
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**

11 In the Matter of the Accusation Against:

Case No. 77/06-78

12 HI TECH AUTO GROUP; MI YOUNG RYU,  
OWNER

OAH No.

13 1989 W. Washington Blvd.  
14 Los Angeles, CA 90018

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

15 Automotive Repair Dealer Registration No.  
AM 219347  
16 Lamp Station License No. LM 219347  
Brake Station License No. BM 219347

17 and

18 JUNG SOO HONG  
19 1989 W. Washington Blvd.  
Los Angeles, CA 90018

20 Brake Adjuster License No. JC 144361C  
21 Lamp Adjuster License No. RY 144361A

22 Respondents.

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

26 PARTIES

27 1. Dennis Kenneally (Complainant) was the Assistant Chief of the Bureau of  
28 Automotive Repair. He brought this action solely in his official capacity and is represented in

1 this matter by Bill Lockyer, Attorney General of the State of California, by Thomas L. Rinaldi,  
2 Deputy Attorney General.

3           2.       Respondent Hi Tech Auto Group; Mi Young Ryu, Owner (Respondent  
4 Ryu) and Respondent Jung Soo Hong (Respondent Hong) are representing themselves in this  
5 proceeding and have chosen not to exercise their right to be represented by counsel.

6           3.       On or about January 25, 2002, the Bureau of Automotive Repair issued  
7 Automotive Repair Dealer Registration No. AM 219347 to Respondent Ryu. The Registration  
8 was in full force and effect at all times relevant to the charges brought in Accusation No. 77/06-  
9 78 and will expire on December 31, 2006, unless renewed.

10          4.       On or about April 5, 2006, the Bureau of Automotive Repair issued Lamp  
11 Station License No. LM 219347 to Respondent Ryu. The License was in full force and effect at  
12 all times relevant to the charges brought in Accusation No. 77/06-78 and will expire on  
13 December 31, 2007, unless renewed.

14          5.       On or about April 5, 2006, the Bureau of Automotive Repair issued Brake  
15 Station License No. BM 219347 to Respondent Ryu. The License was in full force and effect at  
16 all times relevant to the charges brought in Accusation No. 77/06/78 and will expire on  
17 December 31, 2007, unless renewed.

18          6.       On or about November 12, 2003, the Director issued Brake Adjuster  
19 License Number JC 144361C to Respondent Jung Soo Hong (Respondent Hong). Respondent  
20 Hong's license was in full force and effect at all times relevant to the charges brought herein and  
21 will expire on July 31, 2007, unless renewed.

22          7.       On or about September 25, 2003, the Director issued Lamp Adjuster  
23 License Number RY 144361A to Respondent Jung Soo Hong (Respondent Hong). Respondent  
24 Hong's license was in full force and effect at all times relevant to the charges brought herein and  
25 will expire on July 31, 2007, unless renewed.

26 ///

27 ///

28 ///



1 forth in the Disciplinary Order below.

2 CONTINGENCY

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

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

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

19 DISCIPLINARY ORDER

20 IT IS HEREBY ORDERED that Brake Adjuster License Number JC 144361C  
21 and Lamp Adjuster License Number RY 144361A issued to Respondent Jung Soo Hong are  
22 revoked. In addition, Automotive Repair Dealer Registration No. AM 219347, Lamp Station  
23 License No. LM 219347, and Brake Station License No. BM 219347, issued to Mi Young Ryu  
24 are revoked. However, the revocations as to Mi Young Ryu are stayed and her ARD registration  
25 and station licenses placed on probation for three (3) years on the following terms and  
26 conditions.

27 1. **Actual Suspension.** Lamp Station License No. LM 219347 and Brake  
28 Station License No. BM 219347 are suspended for fifteen (15) days.

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

3                   3.       **Post Sign.** Post a prominent sign, provided by the Bureau, indicating the  
4 beginning and ending dates of the suspension and indicating the reason for the suspension. The  
5 sign shall be conspicuously displayed in a location open to and frequented by customers and shall  
6 remain posted during the entire period of actual suspension.

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

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

16                  6.       **Random Inspections.** Provide Bureau representatives unrestricted access  
17 to inspect all vehicles (including parts) undergoing repairs, up to and including the point of  
18 completion.

19                  7.       **Jurisdiction.** If an accusation is filed against Respondent Ryu during the  
20 term of probation, the Director of Consumer Affairs shall have continuing jurisdiction over this  
21 matter until the final decision on the accusation, and the period of probation shall be extended  
22 until such decision.

23                  8.       **Violation of Probation.** Should the Director of Consumer Affairs  
24 determine that Respondent Ryu has failed to comply with the terms and conditions of probation,  
25 the Department may, after giving notice and opportunity to be heard temporarily or permanently  
26 invalidate the registration and/or suspend or revoke her licenses.

27                  9.       **False and Misleading Advertising.** If the accusation involves false and  
28 misleading advertising, during the period of probation, Respondent Ryu shall submit any

1 proposed advertising copy, whether revised or new, to the Bureau at least thirty (30) days prior to  
2 its use.

3 10. **Restrictions.** During the period of probation, Respondent Ryu shall not  
4 perform any form of brake or lamp inspections or repair until she has purchased, installed, and  
5 maintained the inspection and certification equipment prescribed by BAR necessary to properly  
6 perform such work, and BAR has been given 10 days notice of the availability of the equipment  
7 for inspection by a BAR representative.

8 11. **Cost Recovery.** Respondent Ryu shall make payment to the Bureau of  
9 cost recovery in the amount of eleven thousand three hundred and seventy-two dollars (\$11,372)  
10 which shall be received no later than 6 months before probation terminates. Failure to complete  
11 payment of cost recovery within this time frame shall constitute a violation of probation which  
12 may subject Respondent Ryu's ARD registration and Lamp and Brake station licenses to outright  
13 revocation; however, the Director or the Director's Bureau of Automotive Repair designee may  
14 elect to continue probation until such time as reimbursement of the entire cost recovery amount  
15 has been made to the Bureau.

16 ACCEPTANCE

17 I have carefully read the Stipulated Settlement and Disciplinary Order. I  
18 understand the stipulation and the effect it will have on my Automotive Repair Dealer  
19 Registration, Lamp Station License, and Brake Station License. I enter into this Stipulated  
20 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
21 bound by the Decision and Order of the Director of Consumer Affairs.

22 DATED: 12-18-06

23 

24 HI TECH AUTO GROUP; MI YOUNG RYU, OWNER

25 ///  
26 ///  
27 ///  
28 ///



1 I have carefully read the Stipulated Settlement and Disciplinary Order. I  
2 understand the stipulation and the effect it will have on my Automotive Repair Dealer  
3 Registration, and Lamp Station License, and Brake Station License. I enter into this Stipulated  
4 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
5 bound by the Decision and Order of the Director of Consumer Affairs.

6 DATED: \_\_\_\_\_

7  
8 JUNG SOO HONG

9 ENDORSEMENT

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

12  
13 DATED: 1/19/07

14 BILL LOCKYER, Attorney General  
15 of the State of California

16 JENNIFER S. CADY  
17 Deputy Attorney General

18 

19 THOMAS L. RINALDI  
20 Deputy Attorney General

21 Attorneys for Complainant

22 DOJ Matter ID: LA2006601144  
23 50132545.wpd

24  
25  
26  
27  
28

**Exhibit A**  
**Accusation No. 77/06-78**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 THOMAS L. RINALDI, State Bar No. 206911  
Deputy Attorney General  
3 California Department of Justice  
300 So. Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 897-2541  
5 Facsimile: (213) 897-2804

6 Attorneys for Complainant

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

10 In the Matter of the Accusation Against:

11 HI TECH AUTO GROUP; MI YOUNG RYU  
1989 W. Washington Blvd. #B  
12 Los Angeles, CA 90018

13 Automotive Repair Dealer Registration No. AM  
14 219347  
Lamp Station License No. LM 219347  
15 Brake Station License No. BM 219347

16 and

17 JUNG SOO HONG  
1989 W. Washington Blvd.  
18 Los Angeles, CA 90018

19 Brake Adjuster License No. JC 144361C  
Lamp Adjuster License No. RY 144361A

20 Respondents.

22 Complainant alleges:

23 PARTIES

24 1. Dennis Kenneally, (Complainant) brings this Accusation solely in his  
25 official capacity as the Assistant Chief of the Bureau of Automotive Repair, Department of  
26 Consumer Affairs.

27 2. On or about January 25, 2002 the Bureau of Automotive Repair issued  
28 Automotive Repair Dealer Registration Number AM 219347 to Hi Tech Auto Group, Mi Young

1 Ryu, Owner (Respondent Ryu). The Automotive Repair Dealer Registration will expire on  
2 December 31, 2006, unless renewed.

3 3. On or about January 26, 2004, the Director issued Official Brake Station  
4 License Number BM 219347 to Respondent Ryu. Respondent Ryu's license was in full force  
5 and effect at all times relevant to the charges brought herein and will expire on December 31,  
6 2007, unless renewed.

7 4. On or about January 26, 2004, the Director issued Official Lamp Station  
8 License Number LM 219347 to Respondent Ryu. Respondent Ryu's license was in full force  
9 and effect at all times relevant to the charges brought herein and will expire on December 31,  
10 2007, unless renewed.

11 5. On or about November 12, 2003, the Director issued Brake Adjuster  
12 License Number JC 144361C to Respondent Jung Soo Hong (Respondent Hong). Respondent  
13 Hong's license was in full force and effect at all times relevant to the charges brought herein and  
14 will expire on July 31, 2007, unless renewed.

15 6. On or about September 25, 2003, the Director issued Lamp Adjuster  
16 License Number RY 144361A to Respondent Jung Soo Hong (Respondent Hong). Respondent  
17 Hong's license was in full force and effect at all times relevant to the charges brought herein and  
18 will expire on July 31, 2007, unless renewed.

19 **JURISDICTION**

20 7. Business and Professions Code section 9884.7 provides that the Director  
21 may invalidate an automotive repair dealer registration.<sup>1</sup>

22 8. Section 9884.13 provides, in pertinent part, that the expiration of a valid  
23 registration shall not deprive the Director of jurisdiction to proceed with a disciplinary  
24 proceeding against an automotive repair dealer or to render a decision invalidating a registration  
25 temporarily or permanently.

26 9. Section 9889.1 provides, in pertinent part, that the Director may suspend  
27

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28 1. All further references are to the Business and Professions Code unless otherwise noted.

1 or revoke any license issued under Articles 5 and 6 (commencing with section 9887.1) of the  
2 Automotive Repair Act.

3 10. Section 9889.7 provides, in pertinent part, that the expiration or  
4 suspension of a license by operation of law or by order or decision of the Director or a court of  
5 law, or the voluntary surrender of a license shall not deprive the Director of jurisdiction to  
6 proceed with any disciplinary proceedings.

7 **STATUTORY PROVISIONS**

8 11. Section 9884.7 states, in pertinent part:

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

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

20 . . . .

21 (4) Any other conduct which constitutes fraud.

22 . . . .

23 (6) Failure in any material respect to comply with the provisions of this  
24 chapter or regulations adopted pursuant to it . . .

25 12. Section 9884.7(c), states, in pertinent part, that the Director may invalidate  
26 temporarily or permanently, the registration for all places of business operated in this state by an  
27 automotive repair dealer upon a finding that the automotive repair dealer has, or is, engaged in a  
28 course of repeated and willful violations of the laws and regulations pertaining to an automotive  
repair dealer.

13. Section 9884.8 states:

All work done by an automotive repair dealer, including all warranty work, shall be recorded on an invoice and shall describe all service work done and 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,

1 if any, applicable to each. If any used, rebuilt, or reconditioned parts are  
2 supplied, the invoice shall clearly state that fact. If a part of a component  
3 system is composed of new and used, rebuilt or reconditioned parts, such  
4 invoice shall clearly state that fact. One copy shall be given to the customer  
5 and one copy shall be retained by the automotive repair dealer.

6 14. Section 9884.9(a), states, in pertinent part, as follows:

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

22 15. Section 9889.3 states, in pertinent part:

23 The director may suspend, revoke, or take other disciplinary action  
24 against a license as provided in this article [Article 7 (commencing with  
25 section 9889.1) of the Automotive Repair Act] if the licensee or any partner,  
26 officer, or director thereof:

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

.....

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

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

.....

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

16. Section 9889.9 states that “[w]hen any license has been revoked or  
suspended following a hearing under the provisions of this article [Article 7 (commencing with  
section 9889.1) of the Automotive Repair Act], any additional license issued under Articles 5 and  
6 of this chapter in the name of the licensee may be likewise revoked or suspended by the

1 director.”

2 17. Section 9889.16 states:

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

11 18. Section 9889.22 states:

12 The willful making of any false statement or entry with regard to a  
13 material matter in any oath, affidavit, certificate of compliance or  
14 noncompliance, or application form which is required by this chapter [the  
15 Automotive Repair Act] or Chapter 5 (commencing with Section 44000)  
16 of Part 5 of Division 26 of the Health and Safety Code constitutes perjury  
17 and is punishable as provided in the Penal Code.

18 19. Section 477 provides, in pertinent part, that “Board” includes “bureau,”  
19 “commission,” “committee,” “department,” “division,” “examining committee,” “program,” and  
20 “agency.” “License” includes certificate, registration or other means to engage in a business or  
21 profession regulated by the Bus. & Prof. Code.

### 22 Cost Recovery

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

### 27 UNDERCOVER OPERATION #1: 1991 BUICK CENTURY

28 21. On November 8, 2005, an undercover operator with the Bureau  
(hereinafter “operator”) took the Bureau's 1991 Buick Century to Respondent Ryu’s facility. At  
the time of the visit, the rear brake drums on the Bureau-documented vehicle exceeded the  
manufacturer's specifications, its left headlight was out of adjustment, and the vehicle’s back-up  
lights were defective. Upon arrival, the operator told Respondent Hong that he had a salvage  
vehicle and requested a brake and lamp inspection. Respondent Hong gave the operator a written

1 estimate of \$50 to perform the inspection which was paid in cash by the operator. Respondent  
2 Hong asked the operator to get in the vehicle, start it, and turn on the headlights while he was in  
3 front of the vehicle. The operator was then asked to turn off the engine and exit the vehicle.  
4 Another employee removed the vehicle's right rear wheel and drum. Respondent Hong and the  
5 employee looked at the brake and the employee then reinstalled the drum and wheel. Respondent  
6 Hong advised the operator that all brakes looked good but the headlights were out of alignment  
7 and that an adjustment would cost \$30. The operator paid the \$30 and received a copy of an  
8 invoice and business card. The operator also received Brake Certificate of Compliance Number  
9 BC-146692 and Lamp Certificate of Compliance Number LC-174402 from Respondent Hong.  
10 At no time was the vehicle ever road tested.

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Untrue or Misleading Statements)**

13 22. Respondent Ryu's ARD registration is subject to disciplinary action  
14 pursuant to section 9884.7(a)(1), in that on or about November 8, 2005, Respondent Ryu made or  
15 authorized statements which she knew, or in the exercise of reasonable care should have known  
16 to be untrue or misleading, as follows:

17 a. Respondent Ryu through Respondent Hong certified on Brake Certificate  
18 of Compliance Number BC-146692 that the rear brake drums on the Bureau's 1991 Buick  
19 Century were inspected when, in fact, Respondent Ryu failed to inspect them.

20 b. Respondent Ryu through Respondent Hong certified on Brake Certificate  
21 of Compliance Number BC-146692 that the Bureau's 1991 Buick Century had a stopping  
22 distance of 20 feet from a speed of 20 miles per hour as a result of a road-test when, in fact, the  
23 vehicle was never road tested.

24 c. Respondent Ryu through Respondent Hong certified on Lamp Certificate  
25 of Compliance Number LC-174402 that she had performed the applicable inspection,  
26 adjustment, or repair of the back-up lights on the Bureau's 1991 Buick Century as specified by  
27 the Bureau and the vehicle manufacturer when, in fact, the back-up lights were defective.

28 d. Respondent Ryu through Respondent Hong recorded \$80.00 as the amount

1 of the original estimate, when, in fact, the original estimate was \$50.00.

2 **SECOND CAUSE FOR DISCIPLINE**

3 **(Fraud)**

4 23. Respondent Ryu's ARD registration is subject to disciplinary action  
5 pursuant to section 9884.7(a)(4), in that on or about November 8, 2005, she committed acts  
6 constituting fraud. Respondent Ryu charged and accepted payment from the operator for  
7 performing the applicable inspections, adjustments, or repairs of the brake and lighting systems  
8 on the Bureau's 1991 Buick Century as specified by the Bureau and in accordance with the  
9 Vehicle Code. In fact, Respondent Ryu failed to conduct the inspections and perform the  
10 necessary adjustments and repairs in compliance with Bureau Regulations and the Vehicle Code.

11 **THIRD CAUSE FOR DISCIPLINE**

12 **(Failure to Comply with the Code)**

13 24. Respondent Ryu's ARD registration is subject to disciplinary action  
14 pursuant to section 9884.7(a)(6), in that on or about November 8, 2005, she failed to comply with  
15 the following Code provisions:

- 16 a. **Section 9884.7(a)(2)**: Respondent Ryu failed to record the vehicle's  
17 odometer reading on the work order signed by the operator.
- 18 b. **Section 9884.9(a)**: Respondent Ryu failed to provide the operator with a  
19 written estimate which documented the authorization to adjust the  
20 vehicle's headlights.
- 21 c. **Section 9889.22**
- 22 1. Respondent Ryu willfully made false statements or entries on  
23 Brake Certificate of Compliance Number BC-146692 as set forth  
24 in paragraph 22-a and 22-b.
- 25 2. Respondent Ryu willfully made false statements or entries on  
26 Lamp Certificate of Compliance Number LC-174402 as set forth in  
27 paragraph 22-c.
- 28

1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Violations of Regulations)**

3 25. Respondent Ryu's ARD registration is subject to disciplinary action  
4 pursuant to section 9884.7(a)(6), in that on or about November 8, 2005, she failed to comply with  
5 the following sections of California's Code of Regulations, title 16, as follows:

- 6 a. **Section 3305(a)**: Respondent Ryu failed to perform the  
7 inspection of the brake system and inspection and adjustment of the lamp  
8 system on the Bureau's 1991 Buick Century in accordance with the  
9 specifications, instructions, and directives issued by the Bureau and the  
10 vehicle manufacturer.
- 11 b. **Section 3353(c)(1)**: Respondent Ryu failed to document the additional  
12 authorization on the invoice.
- 13 c. **Section 3373**:
- 14 i. Respondent Ryu made false or misleading statements by recording  
15 \$80.00 as the amount of the original estimate, when, in fact, it was  
16 \$50.00
- 17 ii. Respondent Ryu made false and misleading statements by entering  
18 false information on the certificates of compliance as set forth in  
19 paragraph 22.

20 **FIFTH CAUSE FOR DISCIPLINE**

21 **(Failure to Comply with the Code)**

22 26. Respondent Ryu's official brake and lamp licenses are subject to  
23 disciplinary action pursuant to sections 9889.3(a) and 9889.3(h), in that on or about November 8,  
24 2005, she violated sections 9884.7(a)(1), (a)(2), (a)(4), and (a)(6), 9884.9(a), and 9889.22  
25 relating to her licensed activities as set forth in paragraphs 22-25.

26 **SIXTH CAUSE FOR DISCIPLINE**

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

28 27. Respondent Ryu's official brake and lamp licenses are subject to

1 disciplinary action pursuant to section 9889.3(c), in that on or about November 8, 2005, she  
2 failed to comply with California Code of Regulations, title 16, sections 3305(a) 3353(c)(1), and  
3 3373 as set forth in paragraph 25 above.

4 **SEVENTH CAUSE FOR DISCIPLINE**

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

6 28. Respondent Ryu's official brake and lamp licenses are subject to  
7 disciplinary action pursuant to section 9889.3(d), in that on or about November 8, 2005, she  
8 committed acts involving dishonesty, fraud, or deceit whereby another was injured, as set forth in  
9 paragraph 23 above.

10 **EIGHTH CAUSE FOR DISCIPLINE**

11 **(Failure to Comply with the Code)**

12 29. Respondent Hong's brake and lamp adjuster licenses are subject to  
13 disciplinary action pursuant to sections 9889.3(a) and 9889.3(h), in that on or about November 8,  
14 2005, he violated the following provisions of the Code:

15 a. **Section 9884.7(a)(1)**: Respondent Hong made untrue or misleading  
16 statements as further described in paragraph 22.

17 b. **Section 9889.22**

18 1. Respondent Hong willfully made false statements or entries on  
19 Brake Certificate of Compliance Number BC-146692 as set forth  
20 in paragraph 22-a and 22-b.

21 2. Respondent Hong willfully made false statements or entries on  
22 Lamp Certificate of Compliance Number LC-174402 as set forth in  
23 paragraph 22-c.

24 **NINTH CAUSE FOR DISCIPLINE**

25 **(Violations of Regulations)**

26 30. Respondent Hong's brake and lamp adjuster licenses are subject to  
27 disciplinary action pursuant to section 9889.3(c), in that on or about November 8, 2005, he failed  
28 to comply with California Code of Regulations, title 16 section 3373 as follows:

- 1 a. Respondent Hong made false or misleading statements by recording  
2 \$80.00 as the amount of the original estimate, when, in fact, it was \$50.00.  
3 b. Respondent Hong made false and misleading statements by entering false  
4 information on the certificates of compliance as set forth in paragraph 22.

5 **UNDERCOVER OPERATION #2: 1987 OLDSMOBILE DELTA 88**

6 31. On November 16, 2005, an undercover operator with the Bureau took the  
7 Bureau's 1987 Oldsmobile Delta 88 to Respondent Ryu's facility. At the time of the visit, the  
8 rear brake drums on the Bureau-documented vehicle exceeded the manufacturer's specifications  
9 and its back-up lights were defective. Upon arrival, the operator told Respondent Hong that he  
10 had a salvage vehicle and requested a brake and lamp inspection. Respondent Hong gave the  
11 operator a written estimate of \$50 to perform the inspection. Respondent Hong drove the vehicle  
12 into a stall and asked the operator to turn on its headlights. Respondent Hong then circled the  
13 vehicle and looked at the lights. Respondent Hong invited the operator into his office where he  
14 provided the operator with Brake Certificate of Compliance Number BC-176053 and Lamp  
15 Certificate of Compliance Number LC-174415. Respondent Hong asked for and received the  
16 \$50 inspection fee from the operator. At no time did the operator observe anybody from the  
17 subject facility remove the wheels to inspect the brakes, open the hood, utilize any equipment to  
18 check the alignment of the headlights or road test the vehicle.

19 **TENTH CAUSE FOR DISCIPLINE**

20 **(Untrue or Misleading Statements)**

21 32. Respondent Ryu's ARD registration is subject to disciplinary action  
22 pursuant to section 9884.7(a)(1), in that on or about November 16, 2005, Respondent Ryu made  
23 or authorized statements which she knew, or in the exercise of reasonable care should have  
24 known to be untrue or misleading, as follows:

25 a. Respondent Ryu through Respondent Hong certified on Brake Certificate  
26 of Compliance Number BC-176053 that the rear brake drums on the Bureau's 1987 Oldsmobile  
27 Delta 88 were inspected when, in fact, Respondent Ryu failed to inspect any of the brakes.

28 b. Respondent Ryu through Respondent Hong certified on Brake Certificate

1 of Compliance Number BC-176053 that the Bureau's 1987 Oldsmobile Delta 88 had a stopping  
2 distance of 20 feet from a speed of 20 miles per hour as a result of a road-test when, in fact, the  
3 vehicle was never road tested.

4 c. Respondent Ryu through Respondent Hong certified on Lamp Certificate  
5 of Compliance Number LC-174415 that she had performed the applicable inspection,  
6 adjustment, or repair of the headlights and back-up lights on the Bureau's 1987 Oldsmobile Delta  
7 88 as specified by the Bureau and the vehicle manufacturer when, in fact, the vehicle's back-up  
8 lights were defective.

9 **ELEVENTH CAUSE FOR DISCIPLINE**

10 **(Fraud)**

11 33. Respondent Ryu's ARD registration is subject to disciplinary action  
12 pursuant to section 9884.7(a)(4), in that on or about November 16, 2005, she committed acts  
13 constituting fraud. Respondent Ryu charged and accepted payment from the operator for  
14 performing the applicable inspections, adjustments, or repairs of the brake and lighting systems  
15 on the Bureau's 1987 Oldsmobile Delta 88 as specified by the Bureau and in accordance with the  
16 Vehicle Code. In fact, Respondent failed to conduct the inspections and perform the necessary  
17 adjustments and repairs in compliance with Bureau Regulations or the Vehicle Code.

18 **TWELFTH CAUSE FOR DISCIPLINE**

19 **(Failure to Comply with the Code)**

20 34. Respondent Ryu's registration is subject to disciplinary action pursuant to  
21 section 9884.7(a)(6), in that on or about November 16, 2005, she failed to comply with section  
22 9889.22 as follows:

23 a. Respondent Ryu willfully made false statements or entries on  
24 Brake Certificate of Compliance Number BC-176053 as set forth  
25 in paragraph 32-a and 32-b.

26 b. Respondent Ryu willfully made false statements or entries on  
27 Lamp Certificate of Compliance Number LC-174415 as set forth in  
28 paragraph 32-c.

1 **THIRTEENTH CAUSE FOR DISCIPLINE**

2 **(Violations of Regulations)**

3 35. Respondent Ryu's ARD registration is subject to disciplinary action  
4 pursuant to section 9884.7(a)(6), in that on or about November 16, 2005, she failed to comply  
5 with the following sections of California's Code of Regulations, title 16, as follows:

- 6 a. **Section 3305(a)**: Respondent Ryu failed to perform the inspection of the  
7 brake system and inspection and adjustment of the lamp system on the  
8 Bureau's 1987 Oldsmobile Delta 88 in accordance with the specifications,  
9 instructions, and directives issued by the Bureau and the vehicle  
10 manufacturer.
- 11 b. **Section 3373**: Respondent Ryu made false and misleading statements by  
12 entering false information on the certificates of compliance as further  
13 described in paragraph 32.

14 **FOURTEENTH CAUSE FOR DISCIPLINE**

15 **(Failure to Comply with the Code)**

16 36. Respondent Ryu's official brake and lamp licenses are subject to  
17 disciplinary action pursuant to sections 9889.3(a) and 9889.3(h), in that on or about November  
18 16, 2005, she violated sections 9884.7(a)(1), (a)(4), and (a)(6), and 9889.22 relating to her  
19 licensed activities as set forth in paragraph 32-35.

20 **FIFTEENTH CAUSE FOR DISCIPLINE**

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

22 37. Respondent Ryu's official brake and lamp licenses are subject to  
23 disciplinary action pursuant to section 9889.3(c), in that on or about November 16, 2005, she  
24 failed to comply with California Code of Regulations, title 16, sections 3305(a) and 3373 as set  
25 forth in paragraph 35 above.

26 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

28 38. Respondent Ryu's official brake and lamp licenses are subject to

1 disciplinary action pursuant to section 9889.3(d), in that on or about November 16, 2005, she  
2 committed acts involving dishonesty, fraud, or deceit whereby another was injured, as set forth in  
3 paragraph 33 above.

4 **SEVENTEENTH CAUSE FOR DISCIPLINE**

5 **(Failure to Comply with the Code)**

6 39. Respondent Hong's brake and lamp adjuster licenses are subject to  
7 disciplinary action pursuant to sections 9889.3(a) and 9889.3(h), in that on or about November  
8 16, 2005, he violated the following provisions of the Business and Professions Code:

9 a. **Section 9884.7(a)(1)**: Respondent Hong made untrue or misleading

10 statements as further described in paragraph 32.

11 b. **Section 9889.22**

12 1. Respondent Hong willfully made false statements or entries on  
13 Brake Certificate of Compliance Number BC-176053 as set forth  
14 in paragraph 32-a and 32-b.

15 2. Respondent Hong willfully made false statements or entries on  
16 Lamp Certificate of Compliance Number LC-174415 as set forth in  
17 paragraph 32-c.

18 **EIGHTEENTH CAUSE FOR DISCIPLINE**

19 **(Violations of Regulations)**

20 40. Respondent Hong's brake and lamp adjuster licenses are subject to  
21 disciplinary action pursuant to section 9889.3(c), in that on or about November 16, 2005, he  
22 failed to comply with California Code of Regulations, title 16 section 3373 by entering false  
23 information on the certificates of compliance as set forth in paragraph 32.

24 **UNDERCOVER OPERATION #3: 1998 CHEVROLET CAMARO**

25 41. On December 1, 2005, an undercover operator with the Bureau took the  
26 Bureau's 1998 Chevrolet Camaro to Respondent Ryu's facility. The front brake rotors on the  
27 Bureau-documented vehicle were undersized and beyond the manufacturer's discard  
28 specifications, its back-up lights and license plate lights were defective, and its left headlamp

1 aim misadjusted. Respondent Hong circled the vehicle and stated that everything looked good.  
2 Respondent Hong invited the operator into his office where he provided the operator with a  
3 repair estimate on which he asked the operator to write out his personal information. Respondent  
4 Hong then provided the operator with Brake Certificate of Compliance Number BC-176080 and  
5 Lamp Certificate of Compliance Number LC-174443 in exchange for \$50. At no time did the  
6 operator observe anybody from the subject facility inspect or road test the vehicle.

7 **NINETEENTH CAUSE FOR DISCIPLINE**

8 **(Untrue or Misleading Statements)**

9 42. Respondent Ryu's ARD registration is subject to disciplinary action  
10 pursuant to section 9884.7(a)(1), in that on or about December 1, 2005, Respondent Ryu made or  
11 authorized statements which she knew, or in the exercise of reasonable care should have known  
12 to be untrue or misleading, as follows:

13 a. Respondent Ryu through Respondent Hong certified on Brake Certificate  
14 of Compliance Number BC-176080 that the front brake rotors on the Bureau's 1998 Chevrolet  
15 Camaro were inspected when, in fact, Respondent Ryu failed to inspect any of the brakes.

16 b. Respondent Ryu through Respondent Hong certified on Brake Certificate  
17 of Compliance Number BC-176080 that the Bureau's 1998 Chevrolet Camaro had a stopping  
18 distance of 20 feet from a speed of 20 miles per hour as a result of a road-test when, in fact, the  
19 vehicle was never road tested.

20 c. Respondent Ryu through Respondent Hong certified on Lamp Certificate  
21 of Compliance Number LC-174443 that she had performed the applicable inspection,  
22 adjustment, or repair of the back-up lights, license plate lights, and headlamps on the Bureau's  
23 1998 Chevrolet Camaro as specified by the Bureau and the vehicle manufacturer when, in fact,  
24 the lights in all three systems were either defective or misadjusted.

25 **TWENTIETH CAUSE FOR DISCIPLINE**

26 **(Fraud)**

27 43. Respondent Ryu's ARD registration is subject to disciplinary action  
28 pursuant to section 9884.7(a)(4), in that on or about December 1, 2005, she committed acts

1 constituting fraud. Respondent Ryu charged and accepted payment from the operator for  
2 performing the applicable inspections, adjustments, or repairs of the brake and lighting systems  
3 on the Bureau's 1998 Chevrolet Camaro as specified by the Bureau and in accordance with the  
4 Vehicle Code. In fact, Respondent Ryu failed to conduct the inspections and perform the  
5 necessary adjustments and repairs in compliance with Bureau Regulations or the Vehicle Code.

6 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

7 **(Failure to Comply with the Code)**

8 44. Respondent Ryu's ARD registration is subject to disciplinary action  
9 pursuant to section 9884.7(a)(6), in that on or about December 1, 2005, she failed to comply with  
10 the following Code provisions:

- 11 a. **Section 9884.7(a)(2)**: Respondent Ryu failed to record the vehicle's  
12 odometer reading on the work order signed by the operator.
- 13 b. **Section 9884.9(a)**: Respondent Ryu failed to provide the operator with a  
14 written estimated price for labor and parts necessary for a specific job.
- 15 c. **Section 9889.22**
- 16 1. Respondent Ryu willfully made false statements or entries on  
17 Brake Certificate of Compliance Number BC-176080 as set forth  
18 in paragraph 42-a and 42-b.
- 19 2. Respondent willfully made false statements or entries on Lamp  
20 Certificate of Compliance Number LC-174443 as set forth in  
21 paragraph 42-c.

22 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

23 **(Violations of Regulations)**

24 45. Respondent Ryu's ARD registration is subject to disciplinary action  
25 pursuant to section 9884.7(a)(6), in that on or about December 1, 2005, she failed to comply with  
26 the following sections of California's Code of Regulations, title 16, as follows:

- 27 a. **Section 3305(a)**: Respondent Ryu failed to perform the inspection of the  
28 brake system and inspection and adjustment of the lamp system on the

1 Bureau's 1998 Chevrolet Camaro in accordance with the specifications,  
2 instructions, and directives issued by the Bureau and the vehicle  
3 manufacturer.

- 4 b. **Section 3373:** Respondent Ryu made false and misleading statements by  
5 entering false information on the certificates of compliance as further  
6 described in paragraph 42.

7 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

8 **(Failure to Comply with the Code)**

9 46. Respondent Ryu's official brake and lamp licenses are subject to  
10 disciplinary action pursuant to sections 9889.3(a) and 9889.3(h), in that on or about December 1,  
11 2005, she violated sections 9884.7(a)(1), (a)(2), (a)(4) and (a)(6), 9884.9(a), and 9889.22 relating  
12 to her licensed activities as set forth in paragraphs 42-45.

13 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

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

15 47. Respondent Ryu's official brake and lamp licenses are subject to  
16 disciplinary action pursuant to section 9889.3(c), in that on or about December 1, 2005, she  
17 failed to comply with California Code of Regulations, title 16, sections 3305(a) and 3373 as set  
18 forth in paragraph 45 above.

19 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

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

21 48. Respondent Ryu's official brake and lamp licenses are subject to  
22 disciplinary action pursuant to section 9889.3(d), in that on or about December 1, 2005, she  
23 committed acts involving dishonesty, fraud, or deceit whereby another was injured, as set forth in  
24 paragraph 43 above.

25 **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

26 **(Failure to Comply with the Code)**

27 49. Respondent Hong's brake and lamp adjuster licenses are subject to  
28 disciplinary action pursuant to sections 9889.3(a) and 9889.3(h), in that on or about December 1,

1 2005, he violated the following provisions of the Business and Professions Code:

2 a. Section 9884.7(a)(1): Respondent Hong made untrue or misleading  
3 statements as further described in paragraph 42.

4 b. Section 9889.22

5 1. Respondent Hong willfully made false statements or entries on  
6 Brake Certificate of Compliance Number BC-176080 as set forth  
7 in paragraph 42-a and 42-b.

8 2. Respondent Hong willfully made false statements or entries on  
9 Lamp Certificate of Compliance Number LC-174443 as set forth in  
10 paragraph 42-c.

11 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

12 **(Violations of Regulations)**

13 50. Respondent Hong's brake and lamp adjuster licenses are subject to  
14 disciplinary action pursuant to section 9889.3(c), in that on or about December 1, 2005, he failed  
15 to comply with California Code of Regulations, title 16, section 33772 by entering false  
16 information on the certificates of compliance.

17 **OTHER**

18 **Respondent Hi Tech Auto**

19 51. Pursuant to Bus. & Prof. Code section 9889.3(c), the  
20 Director may refuse to validate or may invalidate the respondent's registrations  
21 for all places of business operated in this state if the respondent, Hi Tech  
22 Auto Group, upon a finding that said Respondent Hong committed willful and  
23 willful violations of the laws and regulations.

24 52. Pursuant to Bus. & Prof. Code section 9889.9, if Official Brake Station  
25 License Number BM 219347 and/or Official Lamp Station License Number LM 219347, issued  
26 to Respondent Mi Young Ryu, owner of Hi Tech Auto Group, is revoked or suspended, any  
27 additional license issued under this chapter in the name of said licensee may be likewise revoked  
28 or suspended by the Director.

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**Respondent Jung Soo Hong:**

53. Pursuant to Bus. & Prof. Code section 9889.9, if Brake Adjuster License Number JC 144361C and/or Lamp Adjuster License Number RY 144361A, issued to Respondent Jung Soo Hong, are revoked or suspended, any additional license issued under this chapter in the name of said licensee may be likewise revoked or suspended by the Director.

**PRAYER**

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

1. Temporarily or permanently invalidating Automotive Repair Dealer Registration Number AM 219347, issued to Mi Young Ryu, owner of Hi Tech Auto Group;
2. Temporarily or permanently invalidating any other automotive repair dealer registration issued to Mi Young Ryu;
3. Revoking or suspending Official Brake Station License Number BM 219347, issued to Mi Young Ryu, owner of Hi Tech Auto Group;
4. Revoking or suspending Official Lamp Station License Number LM 219347, issued to Mi Young Ryu, owner of Hi Tech Auto Group;
5. Revoking or suspending any additional license issued under Articles 5 and 6 of the Business and Professions Code in the name of Mi Young Ryu;
6. Revoking or suspending Brake Adjuster License Number JC 144361C, issued to Jung Soo Hong;
7. Revoking or suspending Lamp Adjuster License Number RY 144361A, issued to Jung Soo Hong;
8. Revoking or suspending any additional license issued under Articles 5 and 6 of the Business and Professions Code in the name of Jung Soo Hong;

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9. Ordering Respondents Mi Young Ryu, owner of Hi Tech Auto Group, and Jung Soo Hong, to pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

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

DATED: 23 Oct 2006



DENNIS KENNEALLY  
Assistant Chief  
Bureau of Automotive Repair  
Department of Consumer Affairs  
State of California

Complainant

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