

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

In the Matter of the Accusation Against:

SAADA EMILE ABOUD,
dba NORMANDIE TEST ONLY CENTER,
Automotive Repair Dealer Registration No. ARD 227899;
Smog Check Test Only Station License No. TC 227899,

and

EMILE YOUSSEF ABOUD,
Advanced Emission Specialist Technician
License No. EA 136420,

Respondents.

Case No.: 79/11-41

OAH No.: 2011030143

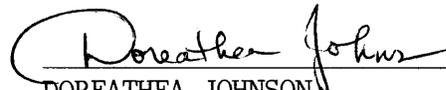
DECISION

The attached Proposed Decision of the Administrative Law Judge 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 12/19/11.

IT IS SO ORDERED November 14, 2011.

ref



DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

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PROPOSED DECISION

Jennifer M. Russell, Administrative Law Judge, Office of Administrative Hearings, heard this matter in Los Angeles, California on August 18, 2011.

Michael Brown, Deputy Attorney General, represented complainant Sherry Mehl, Chief of the Bureau of Automotive Repair (Bureau).

William D. Ayers, Attorney at Law, represented respondent Saada Emile Abboud and her spouse respondent Emile Youssef Abboud, both of whom appeared.

Testimonial and documentary evidence was received, the case argued, and the matter submitted for decision on August 18, 2011. The Administrative Law Judge makes the following Findings, Legal Conclusions, and Order.

FACTUAL FINDINGS

1. Complainant made the Accusation while acting in her official capacity.
2. In 1997, on a date not specifically established, the Bureau licensed Emile Youssef Abboud (Respondent Youssef) to act as an Advanced Emission Specialist

Technician. Respondent Youssef holds license number EA 136420, which expires February 29, 2012, unless it is revoked or suspended as provided by law.

3. In 2003, on a date not specifically established, the Bureau issued Automotive Repair Dealer Registration number ARD 227899 to Saada Emile Abboud (Respondent Saada), doing business as Normandie Test Only Center. On August 5, 2003 the Bureau also issued to Respondent Saada Smog Check Test Only License number TC 227899. The registration and license expire May 31, 2012, unless they are revoked or suspended as provided by law.

4. The purpose and function of California's Smog Check program, as set forth in the Declaration of Mike Barbee,¹ whom the Bureau employs as a Program Representative I, is as follows:

California's Smog Check program requires the owners of most motor vehicles in the enhanced and basic areas to submit their vehicles for a Smog Check every two (2) years when renewing their registration and also whenever the vehicle's title is transferred. Licensed Smog Check technicians at licensed smog check stations perform these inspections. The Smog Check stations are Test Only or Test and Repair stations, which are licensed by the Bureau of Automotive Repair . . . [BAR].

California's Smog Check II program is comprised of three designated areas, enhanced, Basic, and Change of Ownership. There are two types of test that can be performed, an Acceleration Simulation Mode (ASM) or a Two-Speed Idle test (TSI). An ASM test involves the use of a Dynamometer, a device that simulates road load conditions, whereas the TSI test is a static test that measures tailpipe emissions at idle and at 2500 Revolutions Per Minute (RPM) engine speed.

The Smog Check inspection in the enhanced areas are performed using an Emission Inspection System (EIS) which is a computer based five (5) gas analyzer that measures Hydrocarbons (HC), Carbon Monoxide (CO), Oxides of Nitrogen (NOx), Carbon Dioxide (CO2) and Oxygen (O2). The test consists of three (3) parts: a loaded mode test of the vehicle's tail pipe emissions on a dynamometer, a visual inspection of the vehicle's emission control components, and a functional test of required components and systems.

Certificates of Compliance are transmitted electronically to the Vehicle Information Database . . . [VID]. These Certificates of Compliance are purchased in blocks of fifty through the EIS unit from the VID using a prearranged electronic bank account debit system or by check, via mail, from BAR Headquarters in Sacramento. Each Certificate of Compliance has a

¹ Exhibit 5.

unique control number so that it can be tracked to determine which Smog Check station purchased the Certificate of Compliance and to which vehicle it was issued.

The VID contains registration data from Department of Motor Vehicles . . . [DMV], plus emission control system data, Smog Check history, and vehicle profiling data, station and technician data and certificate data. The DMV receives the passing Smog Check results immediately following the inspection. The VID receives and sends vehicle information to and from the DMV, including information such as, if the vehicle is a gross polluter or if the vehicle was directed to a Test Only facility.

During the vehicle registration process, the DMV access the VID to verify that the vehicle has been tested and certified. The BAR can also access the VID to view test data on Smog Check inspections performed at any Smog Check station, or search for, retrieve, and print a test record for a particular vehicle which has been tested.

A Smog Check technician is issued a license and a personal access code, which are used to gain access to the EIS unit and TAS unit to perform Smog Check inspections. Disclosure of one's access code or unauthorized use of another technician's access code or license is prohibited. The EIS and TAS units make the determination whether or not the vehicle meets the pass standards according to the information entered into the EIS unit by the Smog Check technician regarding the visual and functional inspections and tailpipe emission sampling, as well as the information specific to the particular vehicle being tested such as year, make, model, license number, Vehicle Identification Number . . . [VIN], number of cylinders, etc. The EIS unit is connected by telephone modem to the VID, which is maintained by a state contractor. The EIS unit makes an initial call to the VID at the beginning of the Smog Check inspection and makes another call to the VID at the end of the Smog Check inspection to transmit the test results. If the vehicle meets standard, a Certificate of Compliance number is transmitted to the DMV.

After the initial VID contact, the Smog Check technician then conducts the inspection. When the test is completed, the EIS unit contacts the VID again and transmits the test results to the VID. The EIS unit also prints a Vehicle Inspection Report . . . [VIR], which is a physical record of the test results and shows the Certificate of Compliance number that was issued if the vehicle passed the smog inspection. The Smog Check technician must sign the VIR to indicate that the inspection was done within BAR guidelines. Smog Check stations are required by law to maintain a copy of the VIR along with a copy of the repair invoice for three (3) years. The consumer's VIR will serve as receipt and proof that the VID was updated and a Certificate of Compliance was issued.

5. Barbee testified at the hearing. He described the purpose and function of California's Smog Check program as set forth in his declaration. He credibly testified that he is experienced with the "clean piping" and "clean plugging" methods technicians use to issue fraudulent smog check certificates. As set forth in Barbee's declaration, "[c]lean piping is the act of using the emission sample of a known clean vehicle to substitute for the emissions of a vehicle that will not pass a smog inspection or is not present at the time of the test. Clean plugging is the act of connecting the on-board diagnostics (OBD) test cable to another vehicle that is known to pass the OBD functional test."

6. In April 2010, Barbee supervised a Bureau investigation of Normandie Test Only Center. Information obtained from the EIS and VID revealed six instances in which diagnostic trouble codes did not match up with the cars that were reportedly tested. The testing of a 1999 Chevrolet Tahoe registered P1738, a Honda diagnostic trouble code indicating "Automatic Transaxle Concerns." The testing of a 1999 Toyota Camry, 2000 Hyundai Elantra, 1999 Jeep Grand Cherokee, 2000 Volkswagen Jetta and Infiniti I30 all registered P1456, a Honda diagnostic trouble code indicating "EVAP Emission Control System Leak Detected (Fuel Tank System)." Clean plugging methods were used to test all six vehicles.

7. Normandie Test Only Center issued the following six fraudulent Certificates of Compliance:

DATE	VEHICLE CERTIFIED	CERTIFICATE NUMBER
9/17/2009	Chevrolet Tahoe	WD382947C
3/09/2010	Toyota Camry	WH738102C
3/10/2010	Hyundai Elantra	WH738110C
3/10/2010	Jeep Grand Cherokee	WH738121C
3/10/2010	Volkswagen Jetta	WH738116C
3/10/2010	Infiniti I30	WH738114C

8. Respondent Youssef admitted to conducting the inspection test on each of the six vehicles set forth in Factual Findings 6 and 7, but denies using clean plugging methods. The six vehicles are from a fleet of auction vehicles that were sent to Normandie Test Only Center daily for testing. Respondent Youssef suggests that before being transported for testing, unbeknownst to him the vehicles' computers were possibly replaced with Honda vehicle computers, which resulted in the Honda diagnostic trouble codes. The Bureau's Senior Quality Engineer and Manager of Hardware Certification David Lewis credibly

testified that a Honda vehicle computer is non-transferable to Chevrolet, Toyota, Hyundai, Jeep, Volkswagen, or Infiniti vehicles.

9. Neither respondent Saada nor respondent Youssef has a record of prior disciplinary action.

10. Complainant incurred Bureau investigative costs in the amount of \$2,936.15 and Department of Justice prosecution costs in the amount of \$9,605. Respondents raised no objections to these costs, which are deemed reasonable pursuant to Business and Professions Code section 125.3

LEGAL CONCLUSIONS

1. Business and Professions Code section 9884.7, authorizes the Director of the Department of Consumer Affairs (Director) to suspend, revoke, or place on probation the registration of an automotive repair dealer for, among other things, making untrue or misleading statements (§ 9884.7, subd. (a)(1)) or engaging in conduct constituting fraud (§ 9884.7, subd. (a)(4)).

2. Business and Professions Code section 9884.7 further authorizes the Director to invalidate the registration for all places of business operated by an automotive repair dealer “upon a finding that the automotive repair dealer has, or is, engaged in a course of repeated and willful violations of the [Automotive Repair Act] or regulations adopted pursuant to it.” ((§ 9884.7, subd. (c)).

3. Health and Safety Code section 44072.2, subdivisions (a) and (c), authorizes the Director to suspend, revoke, or take other disciplinary action against a license if the license holder violates provisions of the Motor Vehicle Inspection Program establishing inspections standards and test procedures—sections 44012, 44015 and 44059 in this instance—and regulations relating to the licensed activities, including California Code of Regulations, title 16, sections 3340.24, subdivision (c) (prohibiting false or fraudulent issuance of certificate of compliance), 3340.30, subdivision (a) (mandating inspections and tests in accordance with the Motor Vehicle Inspection Program), 3340.35, subdivision (c) (mandating issuance of certificate of compliance for inspected vehicle in accordance with Motor Vehicle Inspection Program), and 3340.42 (establishing applicable emissions test methods and standards).

4. Cause exists to discipline Automotive Repair Dealer Registration number ARD 227899 issued to respondent Saada Emile Abboud, doing business as Normandie Test Only Center, pursuant to Health and Safety Code sections 44012 and 44072.2, subdivisions (a) and (c), for violation of the Motor Vehicle Inspection Program standards and procedures and pursuant to Business and Professions Code section 9884.7, subdivision (a)(1) and (4) for fraud.

5. Cause exists to discipline Smog Check Test Only License number TC 227899 issued to respondent Saada Emile Abboud, doing business as Normandie Test Only Center, pursuant to Health and Safety Code sections 44012, 44015, 44059, and 44072.2, subdivisions (a) and (c), and California Code of Regulations, title 16, sections 3340.24, subdivision (c), 3340.30, subdivision (a), 3340.35, subdivision (c), and 3340.42, for violations of the Motor Vehicle Inspection Program and promulgated regulations.

6. Cause exists to discipline Advanced Emission Specialist Technician License number EA 136420 issued to respondent Emile Youssef Abboud pursuant to Health and Safety Code sections 44012, 44059, and 44072.2, subdivisions (a) and (c), and California Code of Regulations, title 16, sections 3340.24, subdivision (c), 3340.30, subdivision (a), and 3340.42, for violations of the Motor Vehicle Inspection Program and promulgated regulations.

7. As set forth in Factual Findings 6, 7, and 8, respondent Youssef failed to perform smog tests on six vehicles in accordance with the Motor Vehicle Inspection Program. His contention that the vehicles' computers were tampered with belies the fact that vehicle computers are not interchangeable. Notwithstanding the false smog tests, Normandie Test Only Center, owned by respondent Saada, who is respondent Youssef's spouse, issued fraudulent certificates of compliance. Such dishonesty violates the Automotive Repair Act and the Motor Vehicle Inspection Program.

8. Pursuant to California Code of Regulations, title 16, section 3395.4, the Bureau has promulgated *Guidelines for Disciplinary Penalties and Terms of Probation* (May 1997), which requires consideration of specified factors in aggravation and mitigation when determining appropriate discipline. Neither respondent has a record of prior disciplinary action. Misconduct in this case is egregious in that it involves dishonesty and fraud which respondent Youssef attempted to mitigate with a factually unbelievable claim. Misconduct involved six different vehicles on at least three different days suggesting not a one-time occurrence, but rather a repeated and willful operation. The totality of the evidence mandates revocation of respondents' licenses and registration to protect the public.

9. Cause exists by reason of Factual Finding 10 for respondents to pay the Bureau its reasonable costs of investigation and prosecution in an amount totaling \$12,001.15.

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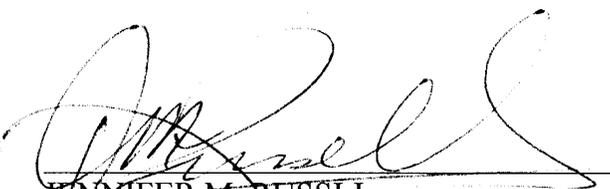
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ORDER

1. Automotive Repair Dealer Registration Number ARD 227899 issued to Saada Emile Abboud, doing business as Normandie Test Only Center, is revoked.
2. Smog Check Station License Number TC 227899 issued to Saada Emile Abboud, doing business as Normandie Test Only Center, is revoked.
3. Advance Emission Specialist Technician License Number EA 136420 issued to Emile Youssef Abboud is revoked.
4. Respondents Saada Emile Abboud and Emile Youssef Abboud shall pay \$12,001.15 to the Bureau of Automotive Repair pursuant to a payment schedule to be determined by the Bureau.

DATE: October 25, 2011



JENNIFER M. RUSSELL
Administrative Law Judge
Office of Administrative Hearings

1 EDMUND G. BROWN JR.
Attorney General of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 GREGORY J. SALUTE
Supervising Deputy Attorney General
4 State Bar No. 164015
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2520
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

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

79/11-41

11 In the Matter of the Accusation Against:

Case No.

12 **SAADA EMILE ABOUD**
13 **dba NORMANDIE TEST ONLY CENTER**
14 22621 S. Normandie Avenue
Torrance, California 90501
15 **Automotive Repair Dealer Registration No. ARD 227899**
16 **Smog Check Test Only Station License No. TC 227899**

A C C U S A T I O N

SMOG CHECK

17 **EMILE YOUSSEF ABOUD**
18 22621 S. Normandie Avenue
Torrance, California 90501
19 **Advanced Emission Specialist Technician License No.**
EA 136420

20 Respondents.

21
22 Sherry Mehl ("Complainant") alleges:

23 **PARTIES**

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

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27 ///

1 (b) Except as provided for in subdivision (c), if an automotive repair dealer operates more
2 than one place of business in this state, the director pursuant to subdivision (a) shall only suspend,
3 revoke, or place on probation the registration of the specific place of business which has violated
4 any of the provisions of this chapter. This violation, or action by the director, shall not affect in
5 any manner the right of the automotive repair dealer to operate his or her other places of business.

6 (c) Notwithstanding subdivision (b), the director may suspend, revoke, or place on
7 probation the registration for all places of business operated in this state by an automotive repair
8 dealer upon a finding that the automotive repair dealer has, or is, engaged in a course of repeated
9 and willful violations of this chapter, or regulations adopted pursuant to it.

10 6. Section 9884.13 of the Code provides, in pertinent part, that the expiration of a
11 valid registration shall not deprive the Director of jurisdiction to proceed with a disciplinary
12 proceeding against an automotive repair dealer or to render a decision invalidating a registration
13 temporarily or permanently.

14 7. Section 44002 of the Health and Safety Code provides, in pertinent part, that the
15 Director has all the powers and authority granted under the Automotive Repair Act for enforcing
16 the Motor Vehicle Inspection Program.

17 8. Section 44072.2 of the Health and Safety Code states, in pertinent part:

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

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

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

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

26 9. Section 44072.6 of the Health and Safety Code provides, in pertinent part, that the
27 expiration or suspension of a license by operation of law, or by order or decision of the Director
28

1 of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive
2 the Director of jurisdiction to proceed with disciplinary action.

3 10. Section 44072.8 of the Health and Safety Code states:

4 "When a license has been revoked or suspended following a hearing under this article, any
5 additional license issued under this chapter in the name of the licensee may be likewise revoked
6 or suspended by the director."

7 COST RECOVERY

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

12 FACTUAL BACKGROUND

13 12. On or about April 26, 2010, the Bureau conducted a detailed review of the Vehicle
14 Information Database ("VID") for all smog inspections performed at Respondent's facility for the
15 period of October 1, 2008, through March 31, 2010. The VID showed a pattern of various
16 diagnostic trouble codes stored in the memory of the power train control module ("PCM") on
17 different vehicles. Vehicles 1 through 6, set forth in Table 1 below, were all certified with
18 various pending codes stored in the PCM memory while the original equipment manufacturer
19 ("OEM") service information shows these vehicles do not support the pending codes stored in the
20 PCM memory. The Bureau concluded the vehicles receiving smog certificates were not actually
21 tested during the OBD II¹ functional test and instead, another vehicle(s) was used, constituting
22 clean plugging². All of the following inspections were performed by Respondent Abboud.

23 ¹ The On Board Diagnostics (OBDII) functional test is an automated function of the
24 BAR-97 analyzer. During the OBD II functional test, the technician is required to connect an
25 interface cable from the BAR-97 analyzer to a Diagnostic Link Connector (DLC) which is
26 located inside the vehicle. Through the DLC, the BAR-97 analyzer automatically retrieves
information from the vehicle's on-board computer about the status of the readiness indicators,
trouble codes, and the MIL (malfunction indicator light). If the vehicle fails the OBD II
functional test, it will fail the overall inspection.

27 ² Clean plugging is the use of the OBD II readiness monitor status and stored fault code
28 (trouble code) status of a passing vehicle for the purposes of illegally issuing a smog certificate to
another vehicle that is not in compliance due to a failure to complete the minimum number of self
(continued...)

TABLE 1

Date and Time of Inspection	Vehicle Certified License No.	Certificate No.
1. 09/17/2009 1759 – 1807	1999 Chevrolet Tahoe License No. 4HHG766	WD382947C
2. 03/09/2010 1634 – 1642	1999 Toyota Camry Solara License No. 4XOP733	WH738102C
3. 03/10/2010 0718 – 0729	2000 Hyundai Elantra License No. 4MUC154	WH738110C
4. 03/10/2010 1220 – 1227	1999 Jeep Grand Cherokee License No. 4GEK627	WH738121C
5. 03/10/2010 1018 – 1027	2000 Volkswagen Jetta License No. 5NZC061	WH738116C
6. 03/10/2010 0948 – 0955	1998 Infiniti I30 License No. 5NRB164	WH738114C

FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

13. Respondent's registration is subject to discipline pursuant to Code section 9884.7(a)(1), in that between September 17, 2009, and March 10, 2010, Respondent made or authorized statements which he knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondent certified that vehicles 1 through 6, set forth above in Table 1, had passed inspection and were in compliance with applicable laws and regulations. In fact, Respondent conducted the inspections on the vehicles using the clean plugging method by substituting or using different vehicles during the OBD II functional tests in order to issue smog certificates of compliance for the 6 vehicles, and did not test or inspect the 6 vehicles as required by Health and Safety Code section 44012.

SECOND CAUSE FOR DISCIPLINE

(Fraud)

14. Respondent's registration is subject to discipline pursuant to Code section 9884.7(a)(4), in that between September 17, 2009, and March 10, 2010, Respondent committed acts which constitute fraud by issuing electronic certificates of compliance for vehicles 1 through test, known as monitors, or due to the presence of a stored fault code that indicates an emission control system or component failure.

1 6, set forth above in Table 1, without performing bona fide inspections of the emission control
2 devices and systems on those vehicles, thereby depriving the People of the State of California of
3 the protection afforded by the Motor Vehicle Inspection Program.

4 **THIRD CAUSE FOR DISCIPLINE**

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

6 15. Respondent's station license is subject to discipline pursuant to Health and Safety
7 Code section 44072.2(a), in that between September 17, 2009, and March 10, 2010, regarding
8 vehicles 1 through 6, set forth above in Table 1, Respondent failed to comply with the following
9 sections of that Code:

10 a. **Section 44012:** Respondent failed to ensure that the emission control tests were
11 performed on vehicles 1 through 6, in accordance with procedures prescribed by the department.

12 b. **Section 44015:** Respondent issued electronic certificates of compliance for vehicles 1
13 through 6, without ensuring that the vehicles were properly tested and inspected to determine if
14 they were in compliance with Health and Safety Code section 44012.

15 c. **Section 44059:** Respondent willfully made false entries for the electronic certificates of
16 compliance by certifying that those vehicles had been inspected as required when, in fact, they
17 had not.

18 **FOURTH CAUSE FOR DISCIPLINE**

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

21 16. Respondent's station license is subject to discipline pursuant to Health and Safety
22 Code section 44072.2(c), in that between September 17, 2009, and March 10, 2010, regarding
23 vehicles 1 through 6, set forth above in Table 1, Respondent failed to comply with provisions of
24 California Code of Regulations, title 16, as follows:

25 a. **Section 3340.24(c):** Respondent falsely or fraudulently issued electronic certificates of
26 compliance for those vehicles without performing bona fide inspections of the emission control
27 devices and systems on the vehicles as required by Health and Safety Code section 44012.

28 ///

1 a. **Section 3340.24(c)**: Respondent Abboud falsely or fraudulently issued electronic
2 certificates of compliance without performing bona fide inspections of the emission control
3 devices and systems on those vehicles as required by Health and Safety Code section 44012.

4 b. **Section 3340.30(a)**: Respondent Abboud failed to inspect and test those vehicles in
5 accordance with Health and Safety Code sections 44012.

6 c. **Section 3340.42**: Respondent Abboud failed to conduct the required smog tests and
7 inspections on those vehicles in accordance with the Bureau's specifications.

8 **EIGHTH CAUSE FOR DISCIPLINE**

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

10 20. Respondent Abboud's technician license is subject to discipline pursuant to Health
11 and Safety Code section 44072.2(d), in that between September 17, 2009, and March 10, 2010,
12 regarding vehicles 1 through 6, set forth above in Table 1, he committed acts involving
13 dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of
14 compliance without performing bona fide inspections of the emission control devices and systems
15 on those vehicles, thereby depriving the People of the State of California of the protection
16 afforded by the Motor Vehicle Inspection Program.

17 **OTHER MATTERS**

18 21. Pursuant to Code section 9884.7(c), the director may suspend, revoke, or place on
19 probation the registrations for all places of business operated in this state by Saada Abboud, doing
20 business as Normandie Test Only Center, upon a finding that he has, or is, engaged in a course of
21 repeated and willful violation of the laws and regulations pertaining to an automotive repair
22 dealer.

23 22. Pursuant to Health and Safety Code section 44072.8, if Smog Check Test Only
24 Station License Number TC 227899, issued to Saada Emile Abboud, doing business as
25 Normandie Test Only Center, is revoked or suspended, any additional license issued under this
26 chapter in the name of said licensee may be likewise revoked or suspended by the director.

27 23. Pursuant to Health and Safety Code section 44072.8, if Advanced Emission Specialist
28 Technician License Number EA 136420, issued to Emile Youssef Abboud, is revoked or

1 suspended, any additional license issued under this chapter in the name of said licensee may be
2 likewise revoked or suspended by the director.

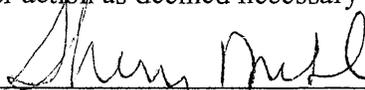
3 **PRAYER**

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

- 6 1. Revoking or suspending Automotive Repair Dealer Registration No. ARD
7 227899, issued to Saada Emile Abboud, doing business as Normandie Test Only Center;
- 8 2. Revoking or suspending any other automotive repair dealer registration issued to
9 Saada Emile Abboud;
- 10 3. Revoking or suspending Smog Check, Test Only, Station License Number TC
11 227899, issued to Saada Emile Abboud, doing business as Normandie Test Only Center;
- 12 4. Revoking or suspending Advanced Emission Specialist Technician License
13 Number EA 136420, issued to Emile Youssef Abboud;
- 14 5. Revoking or suspending any additional license issued under Chapter 5 of the
15 Health and Safety Code in the name of Emile Youssef Abboud;
- 16 6. Ordering Saada Emile Abboud and Emile Youssef Abboud to pay the Director of
17 Consumer Affairs the reasonable costs of the investigation and enforcement of this case, pursuant
18 to Code section 125.3; and,
- 19 7. Taking such other and further action as deemed necessary and proper.

20 DATED: _____

11/22/10



21 SHERRY MEHL

Chief

Bureau of Automotive Repair I/M Smog

Department of Consumer Affairs

State of California

Complainant

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