

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

In the Matter of the Accusation Against:

**DISCOUNT AUTO CENTER;**  
**MOHAMMAD MOSA, Owner**  
4811 Van Buren Boulevard, Suite D  
Riverside, CA 92503

Automotive Repair Dealer Registration  
No. ARD 215443  
Smog Check Station License No. RC 215443  
Lamp Station, Class A, No. LS 215443  
Brake Station, Class C, No. BS 215443

and

**MARTIN DANA ROTHSTEIN**  
4210 Pierce Street  
Riverside, CA 92505

Advanced Emission Specialist Technician  
License No. EA 142445

Respondents.

Case No. 79/09-79

OAH No. 2009090240

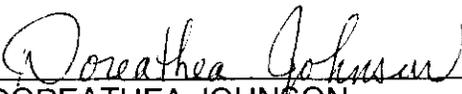
**DECISION**

The attached Stipulated Revocation and Disciplinary Order For Respondent, Martin Dana Rothstein, Only is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter only as to respondent Martin Dana Rothstein, Advanced Emission Specialist Technician License No. EA 142445.

The suspension of Advanced Emission Specialist Technician License No. EA 142445 shall commence on the effective date of this Decision.

This Decision shall become effective 2/24/09.

DATED: November 23, 2009

  
DOREATHEA JOHNSON  
Deputy Director, Legal Affairs  
Department of Consumer Affairs

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
3 RITA M. LANE  
Deputy Attorney General  
4 State Bar No. 171352  
110 West "A" Street, Suite 1100  
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6 San Diego, CA 92186-5266  
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*Attorneys for Complainant*

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

11  
12 In the Matter of the Accusation Against:

Case No. 79/09-79

13 **DISCOUNT AUTO CENTER;**  
14 **MOHAMMAD MOSA, OWNER**  
4811 Van Buren Boulevard, Suite D  
Riverside, CA 92503

OAH No. 2009090240  
**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER FOR**  
**RESPONDENT, MARTIN DANA**  
**ROTHSTEIN, ONLY**

15 Automotive Repair Dealer No. ARD 215443  
16 Smog Check Station No. RC 215443  
17 Lamp Station, Class A No. LS 215443,  
Brake Station, Class C No. BS 215443

18 and

19 **MARTIN DANA ROTHSTEIN**  
4210 Pierce Street  
20 Riverside, CA 92505

21 **Advanced Emission Specialist Technician**  
License No. EA 142445

22 Respondents.  
23

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

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1 PARTIES

2 1. Sherry Mehl (Complainant) is the Chief of the Bureau of Automotive Repair. She  
3 brought this action solely in her official capacity and is represented in this matter by Edmund G.  
4 Brown Jr., Attorney General of the State of California, by Rita M. Lane, Deputy Attorney  
5 General.

6 2. Respondent Martin Dana Rothstein (Respondent) is represented in this proceeding by  
7 attorney Michael B. Levin, whose address is 3727 Camino del Rio S., Suite 200, San Diego, CA  
8 92108.

9 3. On a date uncertain in 2002, the Bureau of Automotive Repair issued Advanced  
10 Emission Specialist Technician License No. EA 142445 to Martin Dana Rothstein (Respondent).  
11 The technician license was in full force and effect at all times relevant to the charges brought in  
12 Accusation No. 79/09-79 and will expire on September 30, 2010, unless renewed.

13 JURISDICTION

14 4. Accusation No. 79/09-79 was filed before the Director of Consumer Affairs  
15 (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against  
16 Respondent. The Accusation and all other statutorily required documents were properly served  
17 on Respondent on March 9, 2009. Respondent timely filed his Notice of Defense contesting the  
18 Accusation. A copy of Accusation No. 79/09-79 is attached as Exhibit A and incorporated herein  
19 by reference.

20 ADVISEMENT AND WAIVERS

21 5. Respondent has carefully read, fully discussed with counsel, and understands the  
22 charges and allegations in Accusation No. 79/09-79. Respondent has also carefully read, fully  
23 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
24 Order.

25 6. Respondent is fully aware of his legal rights in this matter, including the right to a  
26 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine  
27 the witnesses against him; the right to present evidence and to testify on his own behalf; the right  
28 to the issuance of subpoenas to compel the attendance of witnesses and the production of

1 documents; the right to reconsideration and court review of an adverse decision; and all other  
2 rights accorded by the California Administrative Procedure Act and other applicable laws.

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

5 CULPABILITY

6 8. Respondent understands and agrees that the charges and allegations in Accusation  
7 No. 79/09-79, if proven at a hearing, constitute cause for imposing discipline upon his Advanced  
8 Emission Specialist Technician License.

9 9. For the purpose of resolving the Accusation without the expense and uncertainty of  
10 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual  
11 basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest  
12 those charges.

13 10. Respondent agrees that his Advanced Emission Specialist Technician License is  
14 subject to discipline and he will be bound by the Director's imposition of discipline as set forth in  
15 the Disciplinary Order below.

16 CONTINGENCY

17 11. This stipulation shall be subject to approval by the Director of Consumer Affairs or  
18 his designee. Respondent understands and agrees that counsel for Complainant and the staff of  
19 the Bureau of Automotive Repair may communicate directly with the Director and staff of the  
20 Department of Consumer Affairs regarding this stipulation and settlement, without notice to or  
21 participation by Respondent or his counsel. By signing the stipulation, Respondent understands  
22 and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the  
23 time the Director considers and acts upon it. If the Director fails to adopt this stipulation as the  
24 Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or  
25 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,  
26 and the Director shall not be disqualified from further action by having considered this matter.

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I have read and fully discussed with Respondent Martin Dana Rothstein the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.

I approve its form and content.

DATED: 10/30/09



MICHAEL B. LEVIN  
Attorney for Respondent

ENDORSEMENT

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

Dated: 11-5-09

Respectfully Submitted,

EDMUND G. BROWN JR.  
Attorney General of California  
LINDA K. SCHNEIDER  
Supervising Deputy Attorney General



RITA M. LANE  
Deputy Attorney General  
Attorneys for Complainant

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**Exhibit A**

**Accusation No. 79/09-79**

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 LINDA K. SCHNEIDER, State Bar No. 101336  
Supervising Deputy Attorney General  
4 110 West "A" Street, Suite 1100  
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5  
6 P.O. Box 85266  
San Diego, CA 92186-5266  
Telephone: (619) 645-3037  
7 Facsimile: (619) 645-2061  
Attorneys for Complainant  
8

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10 **BEFORE THE**  
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**FOR THE BUREAU OF AUTOMOTIVE REPAIR**  
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13 **DISCOUNT AUTO CENTER**  
4811 Van Buren Boulevard, Suite D  
14 Riverside, California 92503  
**MOHAMMAD MOSA, OWNER**  
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16 Automotive Repair Dealer Registration  
No. ARD 215443  
Smog Check Station License No. RC 215443  
17 Lamp Station License No. LS 215443, Class A  
Brake Station License No. BS 215443, Class C  
18  
19 and  
20 **MARTIN DANA ROTHSTEIN**  
4210 Pierce Street  
Riverside, California 92505  
21  
22 Advanced Emission Specialist Technician  
License No. EA 142445

**ACCUSATION**  
**[SMOG CHECK]**

23 Respondents.

24  
25 Sherry Mehl ("Complainant") alleges:

26 **PARTIES**

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

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**Automotive Repair Dealer Registration**

2. On or about April 10, 2001, the Bureau issued Automotive Repair Dealer Registration Number ARD 215443 (“registration”) to Mohammad Mosa doing business as Discount Auto Center (“Respondent Mosa”). The registration will expire on March 31, 2009, unless renewed.

**Smog Check Station License**

3. On or about May 18, 2001, the Bureau issued Smog Check Station License Number RC 215443 (“station license”) to Respondent Mosa. The station license will expire on March 31, 2009, unless renewed.

**Lamp Station License**

4. On or about December 20, 2006, the Bureau issued Lamp Station License Number LS 215443, Class A, to Respondent Mosa. The lamp station license will expire on March 31, 2009, unless renewed.

**Brake Station License**

5. On or about December 20, 2006, the Bureau issued Brake Station License Number BS 215443, Class C, to Respondent Mosa. The brake station license will expire on March 31, 2009, unless renewed.

**Advanced Emission Specialist Technician License**

6. On a date uncertain in 2002, the Bureau issued Advanced Emission Specialist Technician License Number EA 142445 (“technician license”) to Martin Dana Rothstein (“Respondent Rothstein”). The technician license will expire on September 30, 2010, unless renewed.

**Lamp Adjuster License**

7. On a date uncertain in 2006, the Bureau issued Lamp Adjuster License Number LA 142445, Class A, to Respondent Rothstein. The lamp adjuster license will expire on September 30, 2010, unless renewed.

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**Brake Adjuster License**

8. On a date uncertain in 2006, the Bureau issued Brake Adjuster License Number BA 142445, Class C, to Respondent Rothstein. The brake adjuster license will expire on September 30, 2010, unless renewed.

**STATUTORY PROVISIONS**

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

(a) The director, where the automotive repair dealer cannot show there was a bona fide error, may refuse to validate, or may invalidate temporarily or permanently, the registration of an automotive repair dealer for any of the 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.

(1) Making or authorizing in any manner or by any means whatever any 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.

(4) Any other conduct which constitutes fraud.

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

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

(c) Notwithstanding subdivision (b), the director may invalidate temporarily or permanently, the registration for all places of business operated in this state 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 this chapter, or regulations adopted pursuant to it.

10. Code 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, if any, applicable to

1 each. If any used, rebuilt, or reconditioned parts are supplied, the invoice shall  
2 clearly state that fact. If a part of a component system is composed of new and  
3 used, rebuilt or reconditioned parts, that invoice shall clearly state that fact. The  
4 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.

5 11. Code section 9884.13 provides, in pertinent part, that the expiration of a  
6 valid registration shall not deprive the director or chief of jurisdiction to proceed with a  
7 disciplinary proceeding against an automotive repair dealer or to render a decision invalidating a  
8 registration temporarily or permanently.

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

13 13. Code section 9889.1 provides, in pertinent part, that the Director may  
14 suspend or revoke any license issued under Articles 5 and 6 (commencing with Code section  
15 9887.1) of the Automotive Repair Act.

16 14. Code section 9889.7 provides, in pertinent part, that the expiration or  
17 suspension of a license by operation of law or by order or decision of the Director or a court of  
18 law, or the voluntary surrender of a license shall not deprive the Director of jurisdiction to  
19 proceed with any disciplinary proceedings.

20 15. Code section 9889.3, states, in pertinent part:

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

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

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

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17. Section 44072.2 of the Health & Safety Code states:

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

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

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

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

18. Section 44072.6 of the Health & Safety Code provides, in pertinent part, that the expiration or suspension of a license by operation of law, or by order or decision of the Director of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director of jurisdiction to proceed with disciplinary action.

19. Section 44072.8 of the Health & Safety Code states:

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

**COST RECOVERY**

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

**INSPECTION OF RECORDS**

21. On or about April 7, 2008, a Bureau representative reviewed the smog test data for Respondent Mosa’s facility, using the Bureau’s Vehicle Information Database (“VID”). That review raised suspicion regarding a 2002 Lexus and a 2001 Chrysler Town and Country. Based upon those findings, the representative visited Respondent Mosa’s facility to perform a review of invoices and Vehicle Inspection Reports (“VIR”) regarding the 2002 Lexus and 2001 Chrysler Town and Country. The representative discovered that no invoice was generated for the

1 2002 Lexus and the representative was also unable to locate the VIR for either vehicle. When  
2 questioned about the discrepancies, Respondent Mosa and Respondent Rothstein admitted that  
3 Certificate of Compliance No. VP217542C was issued to the 2002 Lexus, using the clean piping<sup>1</sup>  
4 method by using the tail pipe emissions of the 2001 Chrysler Town and Country.

5 **FIRST CAUSE FOR DISCIPLINE**

6 **(Misleading Statements)**

7 22. Respondent Mosa has subjected his registration to discipline under Code  
8 section 9884.7, subdivision (a)(1), in that on or about April 2, 2008, he made statements which  
9 he knew or which by exercise of reasonable care he should have known were untrue or  
10 misleading when he issued electronic Certificate of Compliance No. VP217542C for the 2002  
11 Lexus, certifying that the vehicle was in compliance with applicable laws and regulations when,  
12 in fact, the vehicle had been clean piped.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Fraud)**

15 23. Respondent Mosa has subjected his registration to discipline under Code  
16 section 9884.7, subdivision (a)(4), in that on or about April 2, 2008, he committed acts which  
17 constitute fraud by issuing electronic Certificate of Compliance No. VP217542C for the 2002  
18 Lexus without performing a bona fide inspection of the emission control devices and systems on  
19 that vehicle, thereby depriving the People of the State of California of the protection afforded by  
20 the Motor Vehicle Inspection Program.

21 **THIRD CAUSE FOR DISCIPLINE**

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

23 24. Respondent Mosa has subjected his registration to discipline under Code  
24 section 9884.7, subdivision (a)(6), in that on or about April 2, 2008, Respondent failed to comply

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26 \_\_\_\_\_  
27 1. "Clean piping" is sampling the (clean) tailpipe emissions and/or the RPM readings of  
28 another vehicle for the purpose of illegally issuing smog certifications to vehicles that are not in  
compliance or are not present in the smog check area during the time of the certification.

1 with section 9884.8 of that Code by failing to prepare an invoice setting forth all service work  
2 performed and parts used regarding the smog inspection of the 2002 Lexus.

3 **FOURTH CAUSE FOR DISCIPLINE**

4 **(Violation of the Motor Vehicle Inspection Program)**

5 25. Respondent Mosa has subjected his station license to discipline under  
6 Health and Safety Code section 44072.2, subdivision (a), in that on or about April 2, 2008,  
7 regarding the 2002 Lexus, he violated sections of that Code, as follows:

8 a. **Section 44012, subdivision (a):** Respondent Mosa failed to determine  
9 that all emission control devices and systems required by law were installed and functioning  
10 correctly in accordance with test procedures.

11 b. **Section 44012, subdivision (f):** Respondent Mosa failed to perform  
12 emission control tests on those vehicles in accordance with procedures prescribed by the  
13 department.

14 c. **Section 44015, subdivision (b):** Respondent Mosa issued electronic  
15 Certificate of Compliance No. VP217542C for that vehicle without properly testing and  
16 inspecting the vehicle to determine if it was in compliance with section 44012 of that Code.

17 d. **Section 44059:** Respondent Mosa willfully made false entries for  
18 electronic Certificate of Compliance No. VP217542C by certifying that the vehicle had been  
19 inspected as required when, in fact, it had not.

20 **FIFTH CAUSE FOR DISCIPLINE**

21 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)**

22 26. Respondent Mosa has subjected his station license to discipline under  
23 Health and Safety Code section 44072.2, subdivision (c), in that on or about April 2, 2008,  
24 regarding the 2002 Lexus, he violated sections of the California Code of Regulations, title 16, as  
25 follows:

26 a. **Section 3340.24, subdivision (c):** Respondent Mosa falsely or  
27 fraudulently issued electronic Certificate of Compliance No. VP217542C for that vehicle without

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1 performing a bona fide inspection of the emission control devices and systems on the vehicle as  
2 required by Health and Safety Code section 44012.

3 b. **Section 3340.35, subdivision (c):** Respondent Mosa issued electronic  
4 Certificate of Compliance No. VP217542C for that vehicle even though the vehicle had not been  
5 inspected in accordance with section 3340.42 of that Code.

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

8 **SIXTH CAUSE FOR DISCIPLINE**

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

10 27. Respondent Mosa subjected his station license to discipline under Health  
11 and Safety Code section 44072.2, subdivision (d), in that on or about April 2, 2008, regarding the  
12 2002 Lexus, he committed acts involving dishonesty, fraud or deceit whereby another was  
13 injured by issuing electronic Certificate of Compliance No. VP217542C for that vehicle without  
14 performing a bona fide inspection of the emission control devices and systems on the vehicle,  
15 thereby depriving the People of the State of California of the protection afforded by the Motor  
16 Vehicle Inspection Program.

17 **SEVENTH CAUSE FOR DISCIPLINE**

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

19 28. Respondent Mosa has subjected his brake and lamp station licenses to  
20 discipline under Code section 9889.3, subdivision (d), in that Respondent committed acts  
21 involving dishonesty, fraud or deceit, as more particularly set forth in paragraphs 22, 23, and 27,  
22 above.

23 **EIGHTH CAUSE FOR DISCIPLINE**

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

25 29. Respondent Rothstein has subjected his technician license to discipline  
26 under Health and Safety Code section 44072.2, subdivision (a), in that on or about April 2, 2008,  
27 regarding the 2002 Lexus, he violated sections of that Code, as follows:

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1 a. **Section 44012, subdivision (a):** Respondent Rothstein failed to  
2 determine that all emission control devices and systems required by law were installed and  
3 functioning correctly in accordance with test procedures.

4 b. **Section 44012, subdivision (f):** Respondent Rothstein failed to perform  
5 emission control tests on those vehicles in accordance with procedures prescribed by the  
6 department.

7 c. **Section 44032:** Respondent Rothstein failed to perform tests of the  
8 emission control devices and systems on that vehicle in accordance with section 44012 of that  
9 Code, in that the vehicle had been clean piped.

10 d. **Section 44059:** Respondent Rothstein willfully made false entries for  
11 electronic Certificate of Compliance No. VP217542C by certifying that the vehicle had been  
12 inspected as required when, in fact, it had not.

### 13 **NINTH CAUSE FOR DISCIPLINE**

#### 14 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)**

15 30. Respondent Rothstein has subjected his technician license to discipline  
16 under Health and Safety Code section 44072.2, subdivision (c), in that on or about April 2, 2008,  
17 regarding the 2002 Lexus, he violated sections of the California Code of Regulations, title 16, as  
18 follows:

19 a. **Section 3340.24, subdivision (c):** Respondent Rothstein falsely or  
20 fraudulently issued electronic Certificate of Compliance No. VP217542C without performing a  
21 bona fide inspection of the emission control devices and systems on that vehicle as required by  
22 Health and Safety Code section 44012.

23 b. **Section 3340.30, subdivision (a):** Respondent Rothstein failed to  
24 inspect and test that vehicle in accordance with Health and Safety Code section 44012.

25 c. **Section 3340.41, subdivision (c):** Respondent Rothstein entered false  
26 information into the Emission Inspection System ("EIS") for electronic Certificate of  
27 Compliance No. VP217542C by entering vehicle identification information or emission control  
28 information for a vehicle other than the 2002 Lexus that was being certified.

1 d. **Section 3340.42:** Respondent Rothstein failed to conduct the required  
2 smog tests and inspections on that vehicle in accordance with the Bureau's specifications.

3 **TENTH CAUSE FOR DISCIPLINE**

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

5 31. Respondent Rothstein has subjected his technician license to discipline  
6 under Health and Safety Code section 44072.2, subdivision (d), in that on or about April 2, 2008,  
7 he committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing  
8 electronic Certificate of Compliance No. VP217542C for the 2002 Lexus without performing a  
9 bona fide inspection of the emission control devices and systems on that vehicle, thereby  
10 depriving the People of the State of California of the protection afforded by the Motor Vehicle  
11 Inspection Program.

12 **ELEVENTH CAUSE FOR DISCIPLINE**

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

14 32. Respondent Rothstein has subjected his brake and lamp adjuster licenses  
15 to discipline under Code section 9889.3, subdivision (d), in that Respondent committed acts  
16 involving dishonesty, fraud or deceit, as more particularly set forth in paragraph 31, above.

17 **OTHER MATTERS**

18 33. Pursuant to Code section 9884.7, subdivision (c), the Director may  
19 invalidate temporarily or permanently, the registrations for all places of business operated in this  
20 state by Mohammad Mosa doing business as Discount Auto Center, upon a finding that said he  
21 has, or is, engaged in a course of repeated and willful violations of the laws and regulations  
22 pertaining to an automotive repair dealer.

23 34. Pursuant to Health & Safety Code section 44072.8, if Smog Check Station  
24 License Number RC 215443, issued to Mohammad Mosa doing business as Discount Auto  
25 Center, is revoked or suspended, any additional license issued under this chapter in the name of  
26 said licensee may be likewise revoked or suspended by the director.

27 35. Under Code section 9889.9, if Lamp Station License Number LS 215443,  
28 Class A, issued to Mohammad Mosa doing business as Discount Auto Center, 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 including, but not limited to, Brake Station  
3 License Number BS 215443, Class C.

4 36. Pursuant to Health & Safety Code section 44072.8, if Advanced Emission  
5 Specialist Technician License Number EA 142445, issued to Martin Dana Rothstein, is revoked  
6 or suspended, any additional license issued under this chapter in the name of said licensee may  
7 be likewise revoked or suspended by the director.

8 37. Under Code section 9889.9, if Lamp Adjuster License Number  
9 LA 142445, Class A, issued to Martin Dana Rothstein, is revoked or suspended, any additional  
10 license issued under this chapter in the name of said licensee may be likewise revoked or  
11 suspended by the director including, but not limited to, Brake Adjuster License Number  
12 BA 142445, Class C.

13 **PRAYER**

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

16 1. Temporarily or permanently invalidating Automotive Repair Dealer  
17 Registration Number ARD 215443, issued to Mohammad Mosa doing business as Discount Auto  
18 Center;

19 2. Temporarily or permanently invalidating any other automotive repair  
20 dealer registration issued to Mohammad Mosa doing business as Discount Auto Center;

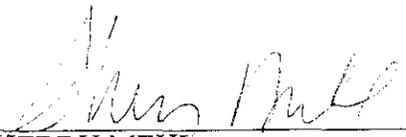
21 3. Revoking or suspending Smog Check Station License Number  
22 RC 215443, issued to Mohammad Mosa doing business as Discount Auto Center;

23 4. Revoking or suspending any additional license issued under Chapter 5 of  
24 the Health and Safety Code in the name of Mohammad Mosa doing business as Discount Auto  
25 Center;

26 5. Revoking or suspending Lamp Station License Number LS 215443, Class  
27 A, and Brake Station License Number BS 215443, Class C, issued to Mohammad Mosa doing  
28 business as Discount Auto Center;

- 1                   6.        Revoking or suspending any additional license issued under this chapter in  
2 the name of Mohammad Mosa doing business as Discount Auto Center;
- 3                   7.        Revoking or suspending Advanced Emission Specialist Technician  
4 License Number EA 142445, issued to Martin Dana Rothstein;
- 5                   8.        Revoking or suspending any additional license issued under Chapter 5 of  
6 the Health and Safety Code in the name of Martin Dana Rothstein;
- 7                   9.        Revoking or suspending Lamp Adjuster License Number LA 142445,  
8 Class A, and Brake Adjuster License Number BA 142445, Class C, issued to Martin Dana  
9 Rothstein;
- 10                  10.       Revoking or suspending any additional license issued under this chapter in  
11 the name of Martin Dana Rothstein;
- 12                  11.       Ordering Mohammad Mosa and Martin Dana Rothstein to pay the Director  
13 of Consumer Affairs the reasonable costs of the investigation and enforcement of this case,  
14 pursuant to Code section 125.3; and,
- 15                  12.       Taking such other and further action as deemed necessary and proper.

16  
17 DATED: 2.23.09

18  
19   
20 SHERRY MEHL  
21 Chief  
22 Bureau of Automotive Repair  
23 Department of Consumer Affairs  
24 State of California  
25 Complainant