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

In the Matter of the Accusation Against:
ARMEN POGOSIAN
6559 Olcott Street
Tujunga, CA 91042-2853
Advanced Emission Specialist Technician
License No. EA 145746

Respondents.

Case No. 79/13-35

**DEFAULT DECISION AND ORDER
ONLY AS TO RESPONDENT ARMEN
POGOSIAN**

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about December 10, 2012, Complainant John Wallauch, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/13-35 against Smog Boy Test Only; Robert Ayrapetyan and Armen Pogosian before the Director of Consumer Affairs. (Accusation attached as Exhibit A.)

Smog Boy Test Only; Robert Ayrapetyan, Owner

2. On or about January 1, 2003, the Bureau of Automotive Repair (Bureau) issued Automotive Repair Dealer Registration No. ARD 226429 to Robert Ayrapetyan (Respondent Ayrapetyan). The Automotive Repair Dealer Registration was in full force and effect at all times

1 relevant to the charges brought in Accusation No. 79/13-35 and will expire on February 28, 2013,
2 unless renewed.

3 3. On or about May 5, 2003, the Director issued Smog Check, Test Only, Station
4 License Number TC 226429 ("smog check station license") to Respondent Ayrapetyan.
5 Respondent's smog check station license was in full force and effect at all times relevant to the
6 charges brought herein and will expire on February 28, 2013, unless renewed.

7 **Robert Ayrapetyan**

8 4. In or about 1998, the Director issued Advanced Emission Specialist Technician
9 License Number EA 140053 ("technician license") to Respondent Ayrapetyan. Respondent's
10 technician license was in full force and effect at all times relevant to the charges brought herein
11 and expired on July 31, 2012, and has not been renewed.

12 **Armen Pogosian**

13 5. In or about 2002, the Director issued Advanced Emission Specialist Technician
14 License Number EA 145746 ("technician license") to Armen Pogosian ("Respondent Pogosian").
15 Respondent Pogosian's technician license was in full force and effect at all times relevant to the
16 charges brought herein and will expire on March 31, 2013, unless renewed.

17 6. On or about January 4, 2013, Respondent Pogosian was served by Certified and First
18 Class Mail copies of the Accusation No. 79/13-35, Statement to Respondent, Notice of Defense,
19 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,
20 and 11507.7) at Respondent Pogosian's address of record which, pursuant to Business and
21 Professions Code section 136, is required to be reported and maintained with the Bureau.
22 Respondent Pogosian's address of record was and is:

23 6559 Olcott Street
24 Tujunga, CA 91042

25 7. Service of the Accusation was effective as a matter of law under the provisions of
26 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
27 124.

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1 3. The Director of Consumer Affairs is authorized to revoke Respondent Pogosian's
2 Advanced Emission Specialist Technician License based upon the following violations alleged in
3 the Accusation which are supported by the evidence contained in the affidavit of Bureau
4 Representative Byron Yung in this case:

5 a. Respondent Pogosian's technician license is subject to disciplinary action pursuant to
6 Health & Safety Code section 44072.2, subdivision (a), in that Respondent Pogosian failed to
7 comply with section 44012, subdivision (f), of that Code, when he failed to perform the visual
8 inspection of the emission control components on the Bureau's 2001 Honda Prelude in
9 accordance with procedures prescribed by the Bureau. Respondent Pogosian's technician license
10 is also subject to disciplinary action pursuant to Health & Safety Code section 44072.2,
11 subdivision (c), in that he failed to comply with California Code of Regulations, title 16, section
12 3340.30, subdivision (a), when he failed to inspect and test the Bureau's 2001 Honda Prelude in
13 accordance with Health & Safety Code sections 44012 and 44035 and in that he failed to comply
14 with California Code of Regulations, title 16, section 3340.42 when he failed to conduct the
15 required smog tests on the Bureau's 2001 Honda Prelude in accordance with the Bureau's
16 specifications. Respondent Pogosian's technician license is also subject to disciplinary action
17 pursuant to Health & Safety Code section 44072.2, subdivision (d), in that he committed a
18 dishonest, fraudulent, or deceitful act whereby another is injured by issuing an electronic smog
19 certificate of compliance for the Bureau's 2001 Honda Prelude without performing a bona fide
20 inspection of the emission control devices and systems on the vehicle, thereby depriving the
21 People of the State of California of the protection afforded by the Motor Vehicle Inspection
22 Program.

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1 (1) The circumstances are as follows: On March 5, 2012, an undercover operator
2 with the Bureau ("operator") took the Bureau's 2001 Honda Prelude to Respondent Ayrapetyan's
3 facility and requested a smog inspection. The fuel evaporation (EVAP) canister had been
4 removed from the Bureau-documented vehicle. The operator signed and received a copy of a
5 written estimate for the inspection. After the inspection was completed, the operator paid the
6 facility \$60.00 and received copies of an invoice and a vehicle inspection report ("VIR"). The
7 VIR indicated that Respondent Pogosian had performed the smog inspection on the vehicle. That
8 same day, electronic smog Certificate of Compliance No. OK752741C was issued for the vehicle.
9 On March 13, 2012, the Bureau inspected the vehicle and found that the fuel evaporation canister
10 was still missing.

11 b. On or about February 28, 2008, the Bureau issued Citation No. M08-0725 against
12 Respondent Pogosian, while employed at Lincoln Auto Smog, for violations of Health & Safety
13 Code section 44032 (qualified technicians shall perform tests of emission control systems and
14 devices in accordance with Health & Safety Code section 44012); and California Code of
15 Regulations, title 16, section 3340.30, subdivision (a) (qualified technicians shall inspect, test and
16 repair vehicles in accordance with Health & Safety Code sections 44012 and 44035 and
17 California Code of Regulations, title 16, section 3340.42). On or about February 15, 2008,
18 Respondent Pogosian had issued a certificate of compliance to a Bureau undercover vehicle with
19 a missing Air Injection System. Respondent Pogosian was directed to complete a 16 hour
20 training course and to submit proof of completion to the Bureau within 30 days from receipt of
21 the citation. Respondent Pogosian completed the training on March 31, 2008.

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1 c. On or about January 27, 2009, the Bureau issued Citation No. M09-0872 against
2 Respondent Pogosian, while employed at Lincoln Auto Smog, for violations of Health & Safety
3 Code section 44032 (qualified technicians shall perform tests of emission control systems and
4 devices in accordance with Health & Safety Code section 44012); and California Code of
5 Regulations, title 16, section 3340.30, subdivision (a) (qualified technicians shall inspect, test and
6 repair vehicles in accordance with Health & Safety Code sections 44012 and 44035 and
7 California Code of Regulations, title 16, section 3340.42). On or about January 15, 2009,
8 Respondent Pogosian had issued a certificate of compliance to a Bureau undercover vehicle with
9 a missing PCV System. Respondent Pogosian was directed to complete a 16 hour training course
10 and to submit proof of completion to the Bureau within 30 days from receipt of the citation.
11 Respondent Pogosian completed the training on March 23, 2009.

12 d. On or about April 30, 2010, the Bureau issued Citation No. M2010-1141 against
13 Respondent Pogosian, while employed at Lincoln Auto Smog, for violations of Health & Safety
14 Code section 44032 (qualified technicians shall perform tests of emission control systems and
15 devices in accordance with Health & Safety Code section 44012); and California Code of
16 Regulations, title 16, section 3340.30, subdivision (a) (qualified technicians shall inspect, test and
17 repair vehicles in accordance with Health & Safety Code sections 44012 and 44035 and
18 California Code of Regulations, title 16, section 3340.42). On or about March 2, 2010,
19 Respondent Pogosian had issued a certificate of compliance to a Bureau undercover vehicle with
20 a missing PCV System. Respondent Pogosian was directed to complete the Basic Clean Air Car
21 Course. Respondent Posogian appealed the citation on June 7, 2010.

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7

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

12 In the Matter of the Accusation Against:

Case No. 79/13-35

13 **SMOG BOY TEST ONLY**
14 **ROBERT AYRAPETYAN, OWNER**
3601 Foothill Blvd
La Crescenta, CA 91214

ACCUSATION
(Smog Check)

15 **Automotive Repair Dealer Reg. No. ARD 226429**
16 **Smog Check, Test Only, Station License No.**
TC 226429,

17 **ROBERT AYRAPETYAN**
2101 Conchita St.
18 Glendale, CA 91208

19 **Advanced Emission Specialist Technician**
20 **License No. EA 140053,**

21 and

22 **ARMEN POGOSIAN**
6559 Olcott Street
23 Tujunga, CA 91042-2853

24 **Advanced Emission Specialist Technician**
License No. EA 145746

25 Respondents.
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1 Complainant alleges:

2 **PARTIES/LICENSE INFORMATION**

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

5 **Smog Boy Test Only; Robert Ayrapetyan, Owner**

6 2. In or about 2003, the Director of Consumer Affairs ("Director") issued Automotive
7 Repair Dealer Registration Number ARD 226429 ("registration") to Robert Ayrapetyan
8 ("Respondent Ayrapetyan"), owner of Smog Boy Test Only. Respondent's registration was in full
9 force and effect at all times relevant to the charges brought herein and will expire on February 28,
10 2013, unless renewed.

11 3. On or about May 5, 2003, the Director issued Smog Check, Test Only, Station
12 License Number TC 226429 ("smog check station license") to Respondent Ayrapetyan.
13 Respondent's smog check station license was in full force and effect at all times relevant to the
14 charges brought herein and will expire on February 28, 2013, unless renewed.

15 **Robert Ayrapetyan**

16 4. In or about 1998, the Director issued Advanced Emission Specialist Technician
17 License Number EA 140053 ("technician license") to Respondent Ayrapetyan. Respondent's
18 technician license expired on July 31, 2012.

19 **Armen Pogosian**

20 5. In or about 2002, the Director issued Advanced Emission Specialist Technician
21 License Number EA 145746 ("technician license") to Armen Pogosian ("Respondent Pogosian").
22 Respondent's technician license was in full force and effect at all times relevant to the charges
23 brought herein and will expire on March 31, 2013, unless renewed.

24 **JURISDICTION**

25 6. Business and Professions Code ("Bus. & Prof. Code") section 9884.7 provides that
26 the Director may revoke an automotive repair dealer registration.

27 7. Bus. & Prof. Code section 9884.13 provides, in pertinent part, that the expiration of a
28 valid registration shall not deprive the Director of jurisdiction to proceed with a disciplinary

1 proceeding against an automotive repair dealer or to render a decision temporarily or permanently
2 invalidating (suspending or revoking) a registration

3 8. Health and Safety Code ("Health & Saf. Code") section 44002 provides, in pertinent
4 part, that the Director has all the powers and authority granted under the Automotive Repair Act
5 for enforcing the Motor Vehicle Inspection Program.

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

10 **STATUTORY PROVISIONS**

11 10. Bus. & Prof. Code section 9884.7 states, in pertinent part:

12 (a) The director, where the automotive repair dealer cannot show there
13 was a bona fide error, may deny, suspend, revoke, or place on probation the
14 registration of an automotive repair dealer for any of the following acts or omissions
15 related to the conduct of the business of the automotive repair dealer, which are done
16 by the automotive repair dealer or any automotive technician, employee, partner,
17 officer, or member of the automotive repair dealer.

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

21
22 (4) Any other conduct that constitutes fraud.

23
24 (c) Notwithstanding subdivision (b), the director may suspend, revoke or
25 place on probation the registration for all places of business operated in this state by
26 an automotive repair dealer upon a finding that the automotive repair dealer has, or is,
27 engaged in a course of repeated and willful violations of this chapter, or regulations
28 adopted pursuant to it.

11. Bus. & Prof. Code section 22, subdivision (a), states:

"Board" as used in any provision of this Code, refers to the board in
which the administration of the provision is vested, and unless otherwise expressly
provided, shall include "bureau," "commission," "committee," "department,"
"division," "examining committee," "program," and "agency."

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1 12. Bus. & Prof. Code section 477, subdivision (b), states, in pertinent part, that a
2 "license" includes "registration" and "certificate."

3 13. Health & Saf. Code section 44072.2 states, in pertinent part:

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

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

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

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

14 14. Health & Saf. Code section 44072.8 states that when a license has been revoked or
15 suspended following a hearing under this article, any additional license issued under this chapter
16 in the name of the licensee may be likewise revoked or suspended by the director.

17 COST RECOVERY

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

22 UNDERCOVER OPERATION: 2001 HONDA PRELUDE

23 16. On March 5, 2012, an undercover operator with the Bureau ("operator") took the
24 Bureau's 2001 Honda Prelude to Respondent Ayrapetyan's facility and requested a smog
25 inspection. The fuel evaporation (EVAP) canister had been removed from the Bureau-
26 documented vehicle. The operator signed and received a copy of a written estimate for the
27 inspection. After the inspection was completed, the operator paid the facility \$60 and received
28 copies of an invoice and a vehicle inspection report ("VIR"). The VIR indicated that Respondent
Pogosian had performed the smog inspection on the vehicle. That same day, electronic smog
Certificate of Compliance No. OK752741C was issued for the vehicle.

1 **SIXTH CAUSE FOR DISCIPLINE**

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

3 23. Respondent Pogosian's technician license is subject to disciplinary action pursuant to
4 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with
5 section 44012, subdivision (f), of that Code, as follows: Respondent failed to perform the visual
6 inspection of the emission control components on the Bureau's 2001 Honda Prelude in
7 accordance with procedures prescribed by the department.

8 **SEVENTH CAUSE FOR DISCIPLINE**

9 **~~(Failure to Comply with Regulations Pursuant~~**

10 **to the Motor Vehicle Inspection Program)**

11 24. Respondent Pogosian's technician license is subject to disciplinary action pursuant to
12 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with
13 provisions of California Code of Regulations, title 16, as follows:

14 a. **Section 3340.30, subdivision (a)**: Respondent failed to inspect and test the Bureau's
15 2001 Honda Prelude in accordance with Health & Saf. Code sections 44012 and 44035, and
16 California Code of Regulations, title 16, section 3340.42.

17 b. **Section 3340.42**: Respondent failed to conduct the required smog tests on the
18 Bureau's 2001 Honda Prelude in accordance with the Bureau's specifications.

19 **EIGHTH CAUSE FOR DISCIPLINE**

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

21 25. Respondent Pogosian's technician license is subject to disciplinary action pursuant to
22 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed a dishonest,
23 fraudulent, or deceitful act whereby another is injured by issuing an electronic smog certificate of
24 compliance for the Bureau's 2001 Honda Prelude without performing a bona fide inspection of
25 the emission control devices and systems on the vehicle, thereby depriving the People of the State
26 of California of the protection afforded by the Motor Vehicle Inspection Program.

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1 MATTERS IN AGGRAVATION

2 26. To determine the degree of discipline, if any, to be imposed on Respondents,
3 Complainant alleges as follows:

4 **Respondent Ayrapetyan**

5 a. On or about February 14, 2008, the Bureau issued Citation No. C08-0681 against
6 Respondent, in his capacity as owner of Smog Boy Test Only, for violations of Health & Saf.
7 Code section 44012, subdivision (f) (failure to determine that emission control devices and
8 systems required by State and Federal law are installed and functioning correctly in accordance
9 with test procedures); and California Code of Regulations, title 16, section ("Regulation")
10 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle that was improperly
11 tested). On or about February 6, 2008, Respondent had issued a certificate of compliance to a
12 Bureau undercover vehicle with the ignition timing adjusted beyond specifications. The Bureau
13 assessed civil penalties totaling \$500 against Respondent for the violations. Respondent paid the
14 fine on April 10, 2008.

15 b. On or about January 29, 2010, the Bureau issued Citation No. C2010-0764 against
16 Respondent, in his capacity as owner of Smog Boy Test Only, for violations of Health & Saf.
17 Code section 44012, subdivision (f) (failure to perform a visual/functional check of emission
18 control devices according to procedures prescribed by the department); and Regulation 3340.35,
19 subdivision (c) (issuing a certificate of compliance to a vehicle that was improperly tested). On
20 or about January 6, 2010, Respondent had issued a certificate of compliance to a Bureau
21 undercover vehicle with a missing AIR System. The Bureau assessed civil penalties totaling
22 \$500 against Respondent for the violations. Respondent paid the fine on March 22, 2010.

23 c. On or about September 15, 2011, the Bureau issued Citation No. C2012-0228 against
24 Respondent, in his capacity as owner of Smog Boy Test Only, for violating Health & Saf. Code
25 section 44012, subdivision (f) (failure to determine that emission control devices and systems
26 required by State and Federal law are installed and functioning correctly in accordance with test
27 procedures). On or about August 4, 2011, Respondent had issued a certificate of compliance to a
28 Bureau undercover vehicle with the ignition timing adjusted beyond specifications. The Bureau

1 assessed a civil penalty of \$1,500 against Respondent for the violation. Respondent paid the fine
2 on February 6, 2012.

3 d. On or about February 14, 2008, the Bureau issued Citation No. M08-0682 against
4 Respondent's technician license for violations of Health & Saf. Code section 44032 (qualified
5 technicians shall perform tests of emission control systems and devices in accordance with Health
6 & Saf. Code section 44012); and Regulation 3340.30, subdivision (a) (qualified technicians shall
7 inspect, test and repair vehicles in accordance with Health & Saf. Code sections 44012 and 44035
8 and Regulation 3340.42). On or about February 6, 2008, Respondent had issued a certificate of
9 compliance to a Bureau undercover vehicle with the ignition timing adjusted beyond
10 specifications. Respondent was directed to complete an 8 hour training course and to submit
11 proof of completion to the Bureau within 30 days from receipt of the citation. Respondent
12 completed the training on April 8, 2008.

13 e. On or about January 29, 2010, the Bureau issued Citation No. M2010-0765 against
14 Respondent's technician license for violations of Health & Saf. Code section 44032 (qualified
15 technicians shall perform tests of emission control systems and devices in accordance with Health
16 & Saf. Code section 44012); and Regulation 3340.30, subdivision (a) (qualified technicians shall
17 inspect, test and repair vehicles in accordance with Health & Saf. Code sections 44012 and 44035
18 and Regulation 3340.42). On or about January 6, 2010, Respondent had issued a certificate of
19 compliance to a Bureau undercover vehicle with a missing AIR System. Respondent was
20 directed to complete an 8 hour training course and to submit proof of completion to the Bureau
21 within 30 days from receipt of the citation. Respondent completed the training on March 16,
22 2010.

23 f. On or about September 15, 2011, the Bureau issued Citation No. M2012-0229 against
24 Respondent's technician license for violating Health & Saf. Code section 44032 (qualified
25 technicians shall perform tests of emission control systems and devices in accordance with Health
26 & Saf. Code section 44012). On or about August 4, 2011, Respondent had issued a certificate of
27 compliance to a Bureau undercover vehicle with the ignition timing adjusted beyond
28 specifications. Respondent was directed to complete a 16 hour training course and to submit

1 proof of completion to the Bureau within 30 days from receipt of the citation. Respondent
2 completed the training on February 28, 2012.

3 **Respondent Pogolian:**

4 g. On or about February 28, 2008, the Bureau issued Citation No. M08-0725 against
5 Respondent, while employed at Lincoln Auto Smog, for violations of Health & Saf. Code section
6 44032 (qualified technicians shall perform tests of emission control systems and devices in
7 accordance with Health & Saf. Code section 44012); and Regulation 3340.30, subdivision (a)
8 (qualified technicians shall inspect, test and repair vehicles in accordance with Health & Saf.
9 Code sections 44012 and 44035 and Regulation 3340.42). On or about February 15, 2008,

10 Respondent had issued a certificate of compliance to a Bureau undercover vehicle with a missing
11 Air Injection System. Respondent was directed to complete a 16 hour training course and to
12 submit proof of completion to the Bureau within 30 days from receipt of the citation. Respondent
13 completed the training on March 31, 2008.

14 h. On or about January 27, 2009, the Bureau issued Citation No. M09-0872 against
15 Respondent, while employed at Lincoln Auto Smog, for violations of Health & Saf. Code section
16 44032 (qualified technicians shall perform tests of emission control systems and devices in
17 accordance with Health & Saf. Code section 44012); and Regulation 3340.30, subdivision (a)
18 (qualified technicians shall inspect, test and repair vehicles in accordance with Health & Saf.
19 Code sections 44012 and 44035 and Regulation 3340.42). On or about January 15, 2009,
20 Respondent had issued a certificate of compliance to a Bureau undercover vehicle with a missing
21 PCV System. Respondent was directed to complete a 16 hour training course and to submit proof
22 of completion to the Bureau within 30 days from receipt of the citation. Respondent completed
23 the training on March 23, 2009.

24 i. On or about April 30, 2010, the Bureau issued Citation No. M2010-1141 against
25 Respondent, while employed at Lincoln Auto Smog, for violations of Health & Saf. Code section
26 44032 (qualified technicians shall perform tests of emission control systems and devices in
27 accordance with Health & Saf. Code section 44012); and Regulation 3340.30, subdivision (a)
28 (qualified technicians shall inspect, test and repair vehicles in accordance with Health & Saf.

1 Code sections 44012 and 44035 and Regulation 3340.42). On or about March 2, 2010,
2 Respondent had issued a certificate of compliance to a Bureau undercover vehicle with a missing
3 PCV System. Respondent was directed to complete the Basic Clean Air Car Course. Respondent
4 appealed the citation on June 7, 2010.

5 **OTHER MATTERS**

6 27. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
7 suspend, revoke or place on probation the registration for all places of business operated in this
8 state by Respondent Robert Ayrapetyan, owner of Smog Boy Test Only, upon a finding that
9 Respondent has, or is, engaged in a course of repeated and willful violations of the laws and
10 regulations pertaining to an automotive repair dealer.

11 28. Pursuant to Health & Saf. Code section 44072.8, if Smog Check, Test Only, Station
12 License Number TC 226429, issued to Respondent Robert Ayrapetyan, owner of Smog Boy Test
13 Only, is revoked or suspended, any additional license issued under this chapter in the name of
14 said licensee, including, but not limited to, Advanced Emission Specialist Technician License
15 Number EA 140053, may be likewise revoked or suspended by the Director.

16 29. Pursuant to Health & Saf. Code section 44072.8, if Advanced Emission Specialist
17 Technician License Number EA 145746, issued to Armen Pogolian, is revoked or suspended, any
18 additional license issued under this chapter in the name of said licensee may be likewise revoked
19 or suspended by the Director.

20 **PRAYER**

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

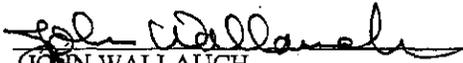
23 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
24 226429, issued to Robert Ayrapetyan, owner of Smog Boy Test Only;

25 2. Revoking or suspending any other automotive repair dealer registration issued to
26 Robert Ayrapetyan;

27 3. Revoking or suspending Smog Check, Test Only, Station License Number TC
28 226429, issued to Robert Ayrapetyan, owner of Smog Boy Test Only;

- 1 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
- 2 and Safety Code in the name of Robert Ayrapetyan, including, but not limited to, Advanced
- 3 Emission Specialist Technician License Number EA 140053;
- 4 5. Revoking or suspending Advanced Emission Specialist Technician License Number
- 5 EA 145746, issued to Armen Pogonian;
- 6 6. Revoking or suspending any additional license issued under Chapter 5 of the Health
- 7 and Safety Code in the name of Armen Pogonian;
- 8 7. Ordering Robert Ayrapetyan, owner of Smog Boy Test Only, and Armen Pogonian to
- 9 ~~pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement of~~
- 10 this case, pursuant to Business and Professions Code section 125.3;
- 11 8. Taking such other and further action as deemed necessary and proper.
- 12

13 DATED: Dec 10, 2012



JOHN WALLAUCH
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

28 LA2012506703