

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

In the Matter of the Accusation Against:

**AMIGOS TEST ONLY;  
CHRISTOPHER KYLE LADD, OWNER**  
9712 Jurupa Road, Unit A  
Riverside, CA 92509

Automotive Repair Dealer Registration  
No. ARD 259225  
Smog Check, Test Only, Station License  
No. TC259225

and

**GEORGE DAVID THOMPSON**  
12655 2nd Street, Spc-1  
Yucaipa, CA 92399

Advanced Emission Specialist Technician  
License No. EA 152894

Respondents.

Case No. 79/11-100

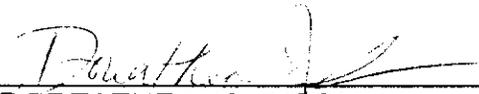
OAH No. 2011081112

**DECISION**

The attached Stipulated Settlement and Disciplinary Order as to Respondent George David Thompson 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 George David Thompson, Advanced Emission Specialist Technician License No. EA 152894.

This Decision shall become effective 9/24/12.

DATED: September 4, 2012

  
\_\_\_\_\_  
**DOREATHEA JOHNSON**  
Deputy Director, Legal Affairs  
Department of Consumer Affairs

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
3 G. MICHAEL GERMAN  
Deputy Attorney General  
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*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:

12 **AMIGOS TEST ONLY; CHRISTOPHER**  
13 **KYLE LADD, OWNER**  
14 **9712 Jurupa Road, Unit A**  
15 **Riverside, CA 92509**

16 **Automotive Repair Dealer Registration No.**  
17 **ARD 259225**

18 **Smog Check, Test Only, Station License No.**  
19 **TC 259225**

and

20 **GEORGE DAVID THOMPSON**  
21 **12655 2nd Street, Spc-1**  
22 **Yucaipa, CA 92399**

23 **Advanced Emission Specialist Technician**  
24 **License No. EA 152894**

**Respondents.**

Case No. 79/11-100

OAH No. 2011081112

**STIPULATED SETTLEMENT**  
**AND DISCIPLINARY ORDER AS TO**  
**RESPONDENT GEORGE DAVID**  
**THOMPSON ONLY**

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

27 PARTIES

28 1. Complainant John Wallauch is the Chief of the Bureau of Automotive Repair  
(Bureau). He brought this action solely in his official capacity and is represented in this matter by

1 Kamala D. Harris, Attorney General of the State of California, by G. Michael German, Deputy  
2 Attorney General.

3 2. Respondent George David Thompson, whose current address is 34976 Beech  
4 Avenue, Yucaipa, CA 92399-2856 representing himself in this proceeding.

5 3. In 2006, the Bureau of Automotive Repair issued Advanced Emission Specialist  
6 Technician License No. EA 152894 to Respondent. The license was in full force and effect at all  
7 times relevant to the charges brought in Accusation No. 79/11-100 and expired on March 31,  
8 2012.

#### 9 JURISDICTION

10 4. Accusation No. 79/11-100 was filed before the Director of Consumer Affairs  
11 (Director), for the Bureau, and is currently pending against Respondent. The Accusation and all  
12 other statutorily required documents were properly served on Respondent on July 27, 2011.  
13 Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation  
14 No. 79/11-100 is attached as exhibit A.

#### 15 ADVISEMENT AND WAIVERS

16 5. Respondent has carefully read and understands the charges and allegations in  
17 Accusation No. 79/11-100. Respondent has also carefully read, fully discussed with counsel, and  
18 understands the effects of this Stipulated Settlement and Disciplinary Order.

19 6. Respondent is fully aware of his legal rights in this matter, including the right to a  
20 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
21 his own expense, the right to confront and cross-examine the witnesses against him; the right to  
22 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
23 the attendance of witnesses and the production of documents; the right to reconsideration and  
24 court review of an adverse decision; and all other rights accorded by the California  
25 Administrative Procedure Act and other applicable laws.

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

28

1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 79/11-100.

4 9. Respondent agrees that his Advanced Emission Specialist Technician License No. EA  
5 152894 is subject to discipline and he agrees to be bound by the Director's probationary terms as  
6 set forth in the Disciplinary Order below.

7 RESERVATION

8 10. The admissions made by Respondent herein are only for the purposes of this  
9 proceeding, or any other proceedings in which the Director, Bureau, or other professional  
10 licensing agency is involved, and shall not be admissible in any other criminal or civil  
11 proceeding.

12 CONTINGENCY

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

23 12. The parties understand and agree that facsimile copies of this Stipulated Settlement  
24 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
25 effect as the originals.

26 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
27 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
28 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,

1 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
2 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
3 writing executed by an authorized representative of each of the parties.

4 14. In consideration of the foregoing admissions and stipulations, the parties agree that  
5 the Director may, without further notice or formal proceeding, issue and enter the following  
6 Disciplinary Order:

7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Advanced Emission Specialist Technician License No. EA  
9 152894 issued to Respondent George David Thompson is revoked.

10 1. The revocation of Respondent's license shall constitute the imposition of discipline  
11 against Respondent. This stipulation constitutes a record of the discipline and shall become a part  
12 of Respondent's license history with the Bureau.

13 2. Respondent shall lose all rights and privileges as an Advanced Emission Specialist  
14 Technician Licensee in California as of the effective date of the Director's Decision and Order.

15 3. Respondent shall deliver to the Bureau his license wall and pocket certificates on or  
16 before the effective date of the Decision and Order.

17 4. Respondent shall not petition for reinstatement or apply for reissuance of his license,  
18 or any other license held by or relating to himself for a period of one year. If Respondent ever  
19 applies for licensure or petitions for reinstatement in the State of California, the Bureau shall treat  
20 it as a new application for licensure. Should Respondent ever apply or reapply for a new license  
21 or certification, or petition for reinstatement of a license, all of the charges and allegations  
22 contained in Accusation, No. 79/11-100 shall be deemed to be true, correct, and admitted by  
23 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or  
24 restrict licensure. Respondent must comply with all the laws, regulations and procedures for  
25 licensure in effect at the time his application or petition is filed, and all of the charges and  
26 allegations contained in Accusation No. 79/11-100 shall be deemed to be true, correct and  
27 admitted by Respondent when the Bureau determines whether to grant or deny the application or  
28 petition.



**Exhibit A**

**Accusation No. 79/11-100**

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
3 G. MICHAEL GERMAN  
Deputy Attorney General  
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6 San Diego, CA 92186-5266  
Telephone: (619) 645-2617  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

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12 In the Matter of the Accusation Against:

Case No. 79/11-100

13 **AMIGOS TEST ONLY**  
14 **9712 Jurupa Road, Unit A**  
**Riverside, CA 92509**  
15 **CHRISTOPHER KYLE LADD, OWNER**  
**Automotive Repair Dealer Registration No.**  
**ARD 259225**  
16 **Smog Check Test Only Station License No.**  
**TC 259225,**

**A C C U S A T I O N**  
SMOG CHECK

17  
18 and

19 **GEORGE DAVID THOMPSON**  
**12655 2nd Street, Spc-1**  
**Yucaipa, CA 92399**  
20 **Advanced Emission Specialist Technician**  
**License No. EA 152894**

21 Respondents.  
22

23  
24 Complainant alleges:

25 **PARTIES**

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

1           **Automotive Repair Dealer Registration**

2           2.     On or about August 26, 2009, the Bureau issued Automotive Repair Dealer  
3 Registration Number ARD 259225 (“registration”) to Christopher Kyle Ladd doing business as  
4 Amigos Test Only (“Respondent Amigos”). The registration was in full force and effect at all  
5 times relevant to the charges brought herein and will expire on July 31, 2012, unless renewed.

6           **Smog Check Test Only Station License**

7           3.     On or about October 1, 2009, the Bureau issued Smog Check Test Only Station  
8 License Number TC 259225 (“station license”) to Respondent Amigos. The station license was  
9 in full force and effect at all times relevant to the charges brought herein and will expire on July  
10 31, 2012, unless renewed.

11           **Advanced Emission Specialist Technician License**

12           4.     On a date uncertain in 2006, the Bureau issued Advanced Emission Specialist  
13 Technician License Number EA 152894 (“technician license”) George David Thompson  
14 (“Respondent Thompson”). The technician license was in full force and effect at all times  
15 relevant to the charges brought herein and will expire on March 31, 2012, unless renewed.

16                                   **STATUTORY PROVISIONS**

17           5.     Section 9884.7 of the Business and Professions Code (“Code”) states, in pertinent  
18 part:

19                   (a) The director, where the automotive repair dealer cannot show there  
20 was a bona fide error, may refuse to validate, or may invalidate temporarily or  
21 permanently, the registration of an automotive repair dealer for any of the following  
22 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.

23                   (1) Making or authorizing in any manner or by any means whatever any  
24 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.

25                   (4) Any other conduct which constitutes fraud.

26                   (b) Except as provided for in subdivision (c), if an automotive repair  
27 dealer operates more than one place of business in this state, the director pursuant to  
28 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.

1 (c) Notwithstanding subdivision (b), the director may invalidate  
2 temporarily or permanently, the registration for all places of business operated in this  
3 state by an automotive repair dealer upon a finding that the automotive repair dealer  
4 has, or is, engaged in a course of repeated and willful violations of this chapter, or  
5 regulations adopted pursuant to it."

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

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

14 8. 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 9. Section 44072.2 of the Health and Safety Code states, in pertinent part:

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

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

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

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

28 10. Section 44072.6 of the Health and 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.

///

///

1 11. Section 44072.8 of the Health and Safety Code states:

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

5 **COST RECOVERY**

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

10 **UNDERCOVER OPERATION – AUGUST 25, 2010**

11 13. On or about August 25, 2010, a Bureau undercover operator ("operator") drove a  
12 Bureau-documented 1992 Buick Skylark to Respondent Amigos' facility and requested a smog  
13 inspection. The vehicle could not pass the emissions portion of a smog inspection because the  
14 vehicle had a defective oxygen sensor circuit. The operator spoke with an unidentified male  
15 employee ("male #1") and provided him with an "Amigos Smog Check" business card, a failed  
16 Vehicle Inspection Report ("VIR") and an invoice dated July 20, 2010. At that time, another  
17 male ("male #2") approached the operator explaining that the vehicle may fail again and if it did,  
18 they would not be able to test it again for several days. Male #2 went on to say, "we can test it  
19 now and it will pass." The operator asked how much it would cost and was told by male #2 that  
20 the cost would be \$150. The operator authorized the inspection and provided male #2 with the  
21 vehicle's registration. Male #1 then brought the operator an invoice that was filled in with the  
22 exception of the operator's name and address. The operator provided that information but was  
23 not provided with a copy of the document. Respondent Thompson performed the smog  
24 inspection and issued Certificate of Compliance Number WN404270 for the 1992 Buick Skylark.  
25 After the inspection was performed, the operator paid male #1 \$150 and was provided with a  
26 current VIR and the registration; however, the operator was not provided with an invoice.

27 ///

28 ///



1 c. **Section 44015, subdivision (b):** Respondent Amigos issued electronic Certificate of  
2 Compliance No. WN404270 without properly testing and inspecting the vehicle to determine if it  
3 was in compliance with section 44012 of that Code.

4 d. **Section 44059:** Respondent Amigos willfully made false entries for the electronic  
5 Certificate of Compliance No. WN404270, certifying that the vehicle had been inspected as  
6 required when, in fact, it had not.

7 **FOURTH CAUSE FOR DISCIPLINE**

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

9 17. Respondent Amigos has subjected his station license to discipline under Health and  
10 Safety Code section 44072.2, subdivision (c), in that on or about August 25, 2010, regarding the  
11 1992 Buick Skylark, he violated sections of the California Code of Regulations, title 16, as  
12 follows:

13 a. **Section 3340.24, subdivision (c):** Respondent Amigos falsely or fraudulently issued  
14 electronic Certificate of Compliance No. WN404270 without performing a bona fide inspection  
15 of the emission control devices and systems on that vehicle as required by Health and Safety  
16 Code section 44012.

17 b. **Section 3340.35, subdivision (c):** Respondent Amigos issued electronic Certificate  
18 of Compliance No. WN404270 even though that vehicle had not been inspected in accordance  
19 with section 3340.42 of that Code.

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

22 **FIFTH CAUSE FOR DISCIPLINE**

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

24 18. Respondent Thompson has subjected his technician license to discipline under Health  
25 and Safety Code section 44072.2, subdivision (d), in that on or about August 25, 2010, regarding  
26 the 1992 Buick Skylark, he committed acts involving dishonesty, fraud or deceit whereby another  
27 was injured by issuing electronic Certificate of Compliance No. WN404270 without performing a  
28 bona fide inspection of the emission control devices and system on that vehicle, thereby depriving

1 the People of the State of California of the protection afforded by the Motor Vehicle Inspection  
2 Program.

3 **SIXTH CAUSE FOR DISCIPLINE**

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

5 19. Respondent Thompson has subjected his technician license to discipline under Health  
6 and Safety Code section 44072.2, subdivision (a), in that on or about August 25, 2010, regarding  
7 the 1992 Buick Skylark, he violated sections of that Code, as follows:

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

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

13 c. **Section 44032:** Respondent Thompson failed to perform tests of the emission control  
14 devices and systems on that vehicle in accordance with section 44012 of that Code.

15 d. **Section 44059:** Respondent Thompson willfully made false entries for electronic  
16 Certificate of Compliance No. WN404270, certifying that the vehicle had been inspected as  
17 required when, in fact, it had not.

18 **SEVENTH CAUSE FOR DISCIPLINE**

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

20 20. Respondent Thompson has subjected his technician license to discipline under Health  
21 and Safety Code section 44072.2, subdivision (c), in that on or about August 25, 2010, regarding  
22 the 1992 Buick Skylark, he violated sections of the California Code of Regulations, title 16, as  
23 follows:

24 a. **Section 3340.24, subdivision (c):** Respondent Thompson falsely or fraudulently  
25 issued electronic Certificate of Compliance No. WN404270 without performing a bona fide  
26 inspection of the emission control devices and systems on that vehicle as required by Health and  
27 Safety Code section 44012.  
28



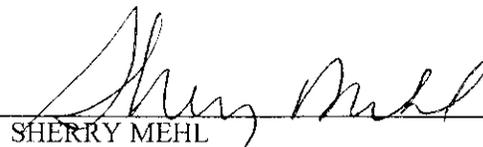
**PRAYER**

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. Revoking, suspending, or placing on probation Automotive Repair Dealer Registration Number ARD 259225, issued to Christopher Kyle Ladd doing business as Amigos Test Only;
2. Revoking, suspending, or placing on probation any other automotive repair dealer registration issued in the name of Christopher Kyle Ladd;
3. Revoking or suspending Smog Check Test Only Station License Number TC 259225, issued to Christopher Kyle Ladd doing business as Amigos Test Only;
4. Revoking or suspending any additional license issued under Chapter 5 of the Health & Safety Code in the name of Christopher Kyle Ladd;
5. Revoking or suspending Advanced Emission Specialist Technician License Number EA 152894, issued to George David Thompson;
6. Revoking or suspending any additional license issued under Chapter 5 of the Health & Safety Code in the name of George David Thompson;
7. Ordering Christopher Kyle Ladd and George David Thompson to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
8. Taking such other and further action as deemed necessary and proper.

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

2/17/11

  
SHERRY MEHL  
Chief  
Bureau of Automotive Repair  
Department of Consumer Affairs  
State of California  
*Complainant*

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