

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

In the Matter of Accusation Against:

JOHN ROOD SMOG & REPAIRS
JOHN DUNCAN ROOD, Partner
GAIL ANN ROOD, Partner
1050 17th Avenue, Unit A
Santa Cruz, CA 95062
Automotive Repair Dealer Registration No.
ARD 127470
Smog Check Station License No. RC 127470

JOHN DUNCAN ROOD
1050 17th Avenue, Unit A
Santa Cruz, CA 95062
Advanced Emission Specialist Technician
License No. EA 039705

Case No. 79/12-147

OAH No. 2012110606

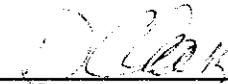
Respondents

DECISION

The attached Stipulated Settlement and Disciplinary Order 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 2/11/13.

DATED: January 18, 2013



DONALD CHANG
Assistant Chief Counsel
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JONATHAN D. COOPER
Deputy Attorney General
4 State Bar No. 141461
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Attorneys for Complainant

7
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 **JOHN ROOD SMOG & REPAIRS**
13 **JOHN DUNCAN ROOD, Partner**
14 **GAIL ANN ROOD, Partner**
15 **1050 17th Avenue, Unit A**
16 **Santa Cruz, CA 95062**
17 **Automotive Repair Dealer Registration No.**
18 **ARD 127470**
19 **Smog Check Station License No. RC 127470**

17 **JOHN DUNCAN ROOD**
18 **1050 17th Avenue, Unit A**
19 **Santa Cruz, CA 95062**
20 **Advanced Emission Specialist Technician**
21 **License No. EA 039705**

21 Respondents.

Case No. 79/12-147

OAH No. 2012110606

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

22
23 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
24 entitled proceedings that the following matters are true:

25 **PARTIES**

26 1. John Wallauch (Complainant) is the Chief of the Bureau of Automotive Repair. He
27 brought this action solely in his official capacity and is represented in this matter by Kamala D.
28 Harris, Attorney General of the State of California, by Jonathan D. Cooper, Deputy Attorney

1 General.

2 2. Respondent John Duncan Rood (Respondent) is representing himself in this
3 proceeding and has chosen not to exercise his right to be represented by counsel.

4 3. In 1986, the Bureau issued Automotive Repair Dealer Registration Number ARD
5 127470 ("registration") to John Rood Smog & Repairs ("Respondent"), with John Duncan Rood
6 and Gail Ann Rood as Partners. The registration was in full force and effect at all times relevant
7 to the charges brought herein and will expire on September 30, 2013, unless renewed.

8 4. On or about August 11, 1992, the Bureau issued Smog Check Station License
9 Number RC 127470 ("station license") to Respondent. The station license was in full force and
10 effect at all times relevant to the charges brought herein and will expire on September 30, 2013,
11 unless renewed.

12 5. In 2003, the Bureau issued Advanced Emission Specialist Technician License
13 Number EA 039705 ("technician license") to John Duncan Rood ("Respondent John Rood"). The
14 technician license was in full force and effect at all times relevant to the charges brought herein
15 and will expire on June 30, 2013, unless renewed.

16 **JURISDICTION**

17 6. Accusation No. 79/12-147 was filed before the Director of Consumer Affairs
18 (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against
19 Respondents. The Accusation and all other statutorily required documents were properly served
20 on Respondents on June 5, 2012. Respondents timely filed their Notice of Defense contesting the
21 Accusation.

22 7. A copy of Accusation No. 79/12-147 is attached as exhibit A and incorporated herein
23 by reference.

24 **ADVISEMENT AND WAIVERS**

25 8. Respondent John Rood, acting on his own behalf and on behalf of John Rood Smog
26 & Repairs, has carefully read, and understands the charges and allegations in Accusation No.
27 79/12-147. Respondent John Rood has also carefully read, and understands the effects of this
28 Stipulated Settlement and Disciplinary Order.

1 Director shall not be disqualified from further action by having considered this matter.

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

5 15. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
6 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
7 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
8 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
9 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
10 writing executed by an authorized representative of each of the parties.

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

14 **DISCIPLINARY ORDER**

15 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 127470
16 and Smog Check Station License No. RC 127470, both issued to John Rood Smog & Repairs,
17 and Advanced Emission Specialist Technician License No. EA 039705, issued to Respondent
18 John Duncan Rood, are revoked. However, the revocation is stayed and Respondents are placed
19 on probation for three (3) years on the following terms and conditions.

20 1. **Actual Suspension.** Automotive Repair Dealer Registration No. ARD 127470,
21 Smog Check Station License No. RC 127470 and Advanced Emission Specialist Technician
22 License No. EA 039705 are suspended for a period of ten consecutive days beginning on the
23 effective date of this Decision and Order.

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

26 3. **Post Sign.** John Rood Smog & Repairs shall Post a prominent sign, provided by the
27 Bureau, indicating the beginning and ending dates of the suspension and indicating the reason for
28 the suspension. The sign shall be conspicuously displayed in a location open to and frequented

1 by customers and shall remain posted during the entire period of actual suspension.

2 4. **Reporting.** Respondents or Respondents' authorized representative must report in
3 person or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the
4 Bureau, but no more frequently than each quarter, on the methods used and success achieved in
5 maintaining compliance with the terms and conditions of probation.

6 5. **Report Financial Interest.** Within 30 days of the effective date of this action,
7 Respondent John Rood Smog & Repairs shall report any financial interest which any partners,
8 officers, or owners of the Respondent facility may have in any other business required to be
9 registered pursuant to Section 9884.6 of the Business and Professions Code.

10 6. **Random Inspections.** Respondents shall provide Bureau representatives unrestricted
11 access to inspect all vehicles (including parts) undergoing repairs, up to and including the point of
12 completion.

13 7. **Jurisdiction.** If an accusation is filed against Respondents during the term of
14 probation, the Director of Consumer Affairs shall have continuing jurisdiction over this matter
15 until the final decision on the accusation, and the period of probation shall be extended until such
16 decision is issued.

17 8. **Violation of Probation.** Should the Director of Consumer Affairs determine that
18 Respondent has failed to comply with the terms and conditions of probation, the Department may,
19 after giving notice and opportunity to be heard, suspend or revoke Respondents' Registration
20 and/or licenses.

21 9. **Continuing Education Courses.** During the period of probation, Respondent John
22 Rood shall attend and successfully complete a Bureau certified Licensed Inspector Training
23 Course (68 hours). Said course shall be completed and proof of completion submitted to the
24 Bureau within 180 days of the effective date of this decision and order. If proof of completion of
25 the course is not furnished to the Bureau within the 60-day period, Respondents' license shall be
26 immediately suspended until such proof is received.

27 10. **Restrictions.** During the period of probation, Respondent John Rood Smog &
28 Repairs shall not perform any form of smog inspection, or emission system diagnosis or repair,

1 until Respondent John Rood Smog & Repairs has purchased, installed, and maintained the
2 diagnostic and repair equipment prescribed by BAR necessary to properly perform such work,
3 and BAR has been given 10 days notice of the availability of the equipment for inspection by a
4 BAR representative.

5 11. **Cost Recovery.** Respondents shall make payment to the Bureau of the full amount of
6 cost recovery in the amount of \$4,469.50. Respondents shall make twenty-four equal monthly
7 payments, with the final payment to be received no later than 12 months before probation
8 terminates. Failure to complete payment of cost recovery within this time frame shall constitute a
9 violation of probation which may subject Respondents' Registration and Licenses to outright
10 revocation; however, the Director or the Director's Bureau of Automotive Repair designee may
11 elect to continue probation until such time as reimbursement of the entire cost recovery amount
12 has been made to the Bureau.

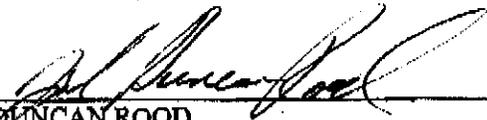
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21 **ACCEPTANCE**

22 I am authorized to sign this document on behalf of John Rood Smog & Repairs and on my
23 own behalf. On my own behalf and on behalf of John Rood Smog & Repair, I have carefully read
24 the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it
25 will have on my Automotive Repair Dealer Registration, and my Smog Check Station License,
26 and my Advanced Emission Specialist Technician License. On my own behalf and on behalf of
27 John Rood Smog & Repair, I enter into this Stipulated Settlement and Disciplinary Order
28

1 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
2 Director of Consumer Affairs.

3 DATED: 11-28-2012


JOHN DUNCAN ROOD
Respondent

3 **ENDORSEMENT**

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

8 Dated:

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General

JONATHAN D. COOPER
Deputy Attorney General
Attorneys for Complainant

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voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

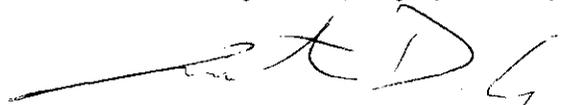
DATED: _____
JOHN DUNCAN ROOD
Respondent

ENDORSEMENT

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

Dated: 12/17/12

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General


JONATHAN D. COOPER
Deputy Attorney General
Attorneys for Complainant

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
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Attorneys for Complainant

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14 **JOHN DUNCAN ROOD, Partner**
15 **GAIL ANN ROOD, Partner**
16 **1050 17th Avenue, Unit A**
17 **Santa Cruz, CA 95062**
18 **Automotive Repair Dealer Registration No. ARD**
19 **127470**
20 **Smog Check Station License No. RC 127470**

A C C U S A T I O N
S M O G C H E C K

21 **JOHN DUNCAN ROOD**
22 **1050 17th Avenue, Unit A**
23 **Santa Cruz, CA 95062**
24 **Advanced Emission Specialist Technician License**
25 **No. EA 039705**

Respondents.

26 John Wallauch ("Complainant") alleges:

27 **PARTIES**

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

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

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

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

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

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

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

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

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

23 9. Section 44072.8 of the Health and Safety Code states:

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

27 COST RECOVERY

28 10. Code section 125.3 provides, in pertinent part, that a Board may request the
administrative law judge to direct a licensee 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.

1 **UNDERCOVER OPERATION - JULY 19, 2011**

2 11. On or about July 19, 2011, a Bureau undercover operator ("operator") drove a 1996
3 Ford Explorer to Respondent's facility and requested a smog inspection. As part of the Bureau's
4 documentation of the vehicle, the vehicle's positive crankcase ventilation ("PCV") system was
5 missing, rendering the vehicle incapable of passing the visual portion of the smog inspection.
6 Jason Rood, a licensed technician, performed the smog inspection on the vehicle and issued
7 electronic Certificate of Compliance Number OE673817, certifying that he had tested and
8 inspected the vehicle and that it was in compliance with applicable laws and regulations. In fact,
9 the vehicle could not have passed the visual portion of the smog inspection because the vehicle's
10 PCV system was missing.

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Untrue or Misleading Statements)**

13 12. Respondent's registration is subject to discipline under Code section 9884.7(a)(1), in
14 that on or about July 19, 2011, it made or authorized statements which it knew or in the exercise
15 of reasonable care should have known to be untrue or misleading by issuing electronic Certificate
16 of Compliance Number OE673817 for the 1996 Ford Explorer, certifying that the vehicle was in
17 compliance with applicable laws and regulations, when, in fact, the vehicle could not have passed
18 the visual portion of the smog inspection because the vehicle's PCV system was missing.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Fraud)**

21 13. Respondent's registration is subject to discipline under Code section 9884.7(a)(4), in
22 that on or about July 19, 2011, it committed acts which constitute fraud by issuing electronic
23 Certificate of Compliance Number OE673817 for the 1996 Ford Explorer without performing a
24 bona fide inspection of the emission control devices and systems on the vehicle, thereby
25 depriving the People of the State of California of the protection afforded by the Motor Vehicle
26 Inspection Program.

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THIRD CAUSE FOR DISCIPLINE

(Failure to Comply with Health and Safety Codes)

14. Respondent's station license is subject to discipline under Health & Safety Code section 44072.2(a), in that on or about July 19, 2011, regarding the 1996 Ford Explorer, it failed to comply with the following sections of that Code:

a. **Section 44012(f):** Respondent failed to perform emission control tests on the vehicle in accordance with procedures prescribed by the department.

b. **Section 44015(b):** Respondent issued electronic Certificate of Compliance Number OE673817 for the vehicle without properly testing and inspecting the vehicle to determine if it was in compliance with Health & Safety Code section 44012.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations)

15. Respondent's station license is subject to discipline under Health & Safety Code section 44072.2(c), in that on or about July 19, 2011, regarding the 1996 Ford Explorer, it failed to comply with provisions of California Code of Regulations, title 16, as follows:

a. **Section 3340.35(c):** Respondent issued electronic Certificate of Compliance Number OE673817 for the vehicle even though the vehicle had not been inspected in accordance with section 3340.42.

b. **Section 3340.42:** Respondent failed to conduct the required smog tests on the vehicle in accordance with the Bureau's specifications.

FIFTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

16. Respondent's station license is subject to discipline under Health & Safety Code section 44072.2(d), in that on or about July 19, 2011, it committed dishonest, fraudulent or deceitful acts whereby another WAS injured by issuing electronic Certificate of Compliance Number OE673817 for the 1996 Ford Explorer without performing a bona fide inspection of the emission control devices and systems on the vehicle, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

PRIOR DISCIPLINE

17. To determine the degree of discipline, if any, Complaint alleges the following:

Automotive Repair Dealer Registration No. ARD 127470
Smog Check Station License No. RC 127470

Citation No. C2011-1160, April 12, 2011

a. On or about April 12, 2011, the Bureau issued Citation No. C2011-1160 against Respondent's registration and station license for violations of Health and Safety Code section 44012(f) (failure to determine that emission control devices and systems required by State and Federal law were installed and functioning correctly in accordance with test procedures), and California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau vehicle with a missing Positive Crankcase Ventilation Valve. The Bureau assessed civil penalties totaling \$2,500 against Respondent for the violations. On or about June 1, 2011, the citation was appealed. A hearing date has been set for December 4, 2012.

Citation No. C2011-0366, October 1, 2010

b. On or about October 1, 2010, the Bureau issued Citation No. C2011-0366 against Respondent's registration and station license for violations of Health and Safety Code section 44012(f) (failure to determine that emission control devices and systems required by State and Federal law were installed and functioning correctly in accordance with test procedures), and California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau vehicle with a missing Pulse Secondary Air Injection System. The Bureau assessed civil penalties totaling \$1,500 against Respondent for the violations. On or about December 2, 2010, the citation was appealed. The appeal was withdrawn on August 8, 2011, and Respondent complied with this citation on August 12, 2011.

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1 **Citation No. C09-1438, June 29, 2009**

2 c. On or about June 29, 2009, the Bureau issued Citation No. C09-1438 against
3 Respondent's registration and station license for violations of Health and Safety Code section
4 44012(f) (failure to determine that emission control devices and systems required by State and
5 Federal law were installed and functioning correctly in accordance with test procedures), and
6 California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to
7 a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau
8 vehicle with the ignition timing adjusted beyond specifications. The Bureau assessed civil
9 penalties totaling \$500 against Respondent for the violations. Respondent complied with this
10 citation on August 12, 2009.

11 **Citation No. C08-0683, February 14, 2008**

12 d. On or about February 14, 2008, the Bureau issued Citation No. C08-0683 against
13 Respondent's registration and station license for violations of Health and Safety Code section
14 44012(f) (failure to determine that emission control devices and systems required by State and
15 Federal law were installed and functioning correctly in accordance with test procedures), and
16 California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to
17 a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau
18 vehicle with the ignition timing adjusted beyond specifications. The Bureau assessed civil
19 penalties totaling \$500 against Respondent for the violations. Respondent complied with this
20 citation on April 7, 2008.

21 **Citation No. C06-0460, February 3, 2006**

22 e. On or about February 3, 2006, the Bureau issued Citation No. C06-0460 against
23 Respondent's registration and station license for violations of Health and Safety Code section
24 44012(f) (failure to determine that emission control devices and systems required by State and
25 Federal law were installed and functioning correctly in accordance with test procedures), and
26 California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to
27 a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau
28 vehicle with the ignition timing adjusted beyond specifications. The Bureau assessed civil

1 penalties totaling \$500 against Respondent for the violations. Respondent complied with this
2 citation on March 25, 2006.

3 **Citation No. C03-0789, January 30, 2003**

4 f. On or about January 30, 2003, the Bureau issued Citation No. C03-0789 against
5 Respondent's registration and station license for violations of Health and Safety Code section
6 44012(f) (failure to determine that emission control devices and systems required by State and
7 Federal law were installed and functioning correctly in accordance with test procedures), and
8 California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to
9 a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau
10 vehicle with a non-functional Exhaust Gas Recirculation system. The Bureau assessed civil
11 penalties totaling \$2,000 against Respondent for the violations. Respondent complied with this
12 citation on March 25, 2003.

13 **Citation No. C03-0518, October 28, 2002**

14 g. On or about October 28, 2002, the Bureau issued Citation No. C03-0518 against
15 Respondent's registration and station license for violations of Health and Safety Code section
16 44012(f) (failure to determine that emission control devices and systems required by State and
17 Federal law were installed and functioning correctly in accordance with test procedures), and
18 California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to
19 a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau
20 vehicle with a non-functional Exhaust Gas Recirculation system. The Bureau assessed civil
21 penalties totaling \$1,000 against Respondent for the violations. Respondent complied with this
22 citation on December 12, 2002.

23 **Citation No. C03-0086, July 12, 2002**

24 h. On or about July 12, 2002, the Bureau issued Citation No. C03-0086 against
25 Respondent's registration and station license for violations of Health and Safety Code section
26 44012(f) (failure to determine that emission control devices and systems required by State and
27 Federal law were installed and functioning correctly in accordance with test procedures), and
28 California Code of Regulations, title 16, section 3340.35(c) (issuing a certificate of compliance to

1 a vehicle that was improperly tested). Respondent issued a certificate of compliance to a Bureau
2 vehicle with incorrect ignition timing. The Bureau assessed civil penalties totaling \$500 against
3 Respondent for the violations. Respondent complied with this citation on August 27, 2002.

4 **OTHER MATTERS**

5 18. Pursuant to Code section 9884.7(c), the director may suspend, revoke, or place on
6 probation the registrations for all places of business operated in this state by John Duncan Rood
7 and Gail Ann Rood, Partners, upon a finding that it has, or is, engaged in a course of repeated and
8 willful violation of the laws and regulations pertaining to an automotive repair dealer.

9 19. Pursuant to Health and Safety Code section 44072.8, if Smog Check Station
10 License Number RC 127470, issued to John Duncan Rood and Gail Ann Rood, Partners, is
11 revoked or suspended, any additional license issued under this chapter in the name of said
12 licensees may be likewise revoked or suspended by the director.

13 20. Pursuant to Health and Safety Code section 44072.8, if Advanced Emission
14 Specialist Technician License Number EA 039705, issued to John Duncan Rood, is revoked or
15 suspended, any additional license issued under this chapter in the name of said licensee may be
16 likewise revoked or suspended by the director.

17 **PRAYER**

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

20 1. Revoking, suspending, or placing on probation Automotive Repair Dealer
21 Registration No. ARD 127470, issued to John Duncan Rood and Gail Ann Rood, Partners, doing
22 business as John Rood Smog & Repairs;

23 2. Revoking, suspending, or placing on probation any other automotive repair dealer
24 registration issued to John Duncan Rood and/or Gail Ann Rood;

25 3. Revoking, suspending, or placing on probation Smog Check Station License
26 Number RC 127470, issued to John Duncan Rood and Gail Ann Rood, Partners, doing business
27 as John Rood Smog & Repairs;

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4. Revoking, suspending, or placing on probation Advanced Emission Specialist Technician License Number EA 039705, issued to John Duncan Rood;

5. Revoking, suspending, or placing on probation any additional license issued under chapter 5, of the Health and Safety Code in the name of John Duncan Rood and/or Gail Ann Rood;

6. Ordering John Duncan Rood and Gail Ann Rood to pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,

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

DATED: May 24, 2012


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

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