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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:
POOMPIBOON JIAMSAKUL BELCHER
1083 Ohio Street
Gridley, CA 95948

Advanced Emission Specialist Technician
License No. EA 631163

Respondent.

Case No. 79/12-176
OAH No. 2012080778
DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about June 27, 2012, Complainant John Wallauch, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/12-176 against Poompiboon Jiamsakul Belcher (Respondent) before the Director of Consumer Affairs. (Accusation attached as Exhibit A.)

2. On or about July 13, 2009, the Bureau of Automotive Repair (Bureau) issued Advanced Emission Specialist Technician License No. EA 631163 to Respondent. The Advanced Emission Specialist Technician License was in full force and effect at all times

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1 relevant to the charges brought in Accusation No. 79/12-176 and will expire on July 31, 2013,
2 unless renewed.

3 3. On or about August 9, 2012, Respondent was served by Certified and First Class Mail
4 copies of the Accusation No. 79/12-176, Statement to Respondent, Notice of Defense, Request
5 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
6 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
7 section 136, is required to be reported and maintained with the Bureau. Respondent's address of
8 record was and is:

9 1083 Ohio Street
10 Gridley, CA 95948.

11 4. Service of the Accusation was effective as a matter of law under the provisions of
12 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
13 124.

14 5. On or about August 23, 2012, Respondent signed and returned a letter requesting
15 settlement of this case which was deemed a Notice of Defense, preserving his right to a hearing in
16 this matter. A Notice of Hearing was served by mail at Respondent's address of record and it
17 informed him that an administrative hearing in this matter was scheduled for June 17, 2013.
18 Respondent failed to appear at that hearing.

19 6. Government Code section 11506 states, in pertinent part:

20 (c) The respondent shall be entitled to a hearing on the merits if the respondent
21 files a notice of defense, and the notice shall be deemed a specific denial of all parts
22 of the accusation not expressly admitted. Failure to file a notice of defense shall
23 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
24 may nevertheless grant a hearing.

25 7. California Government Code section 11520 states, in pertinent part:

26 (a) If the respondent either fails to file a notice of defense or to appear at the
27 hearing, the agency may take action based upon the respondent's express admissions
28 or upon other evidence and affidavits may be used as evidence without any notice to
respondent.

8. Pursuant to its authority under Government Code section 11520, the Director after
having reviewed the proof of service dated August 9, 2012, signed by Maria Conde, (and return

1 envelopes or USPS Track & Confirm Notice) finds Respondent is in default. The Director will
2 take action without further hearing and, based on Accusation, No. 79/12-176, proof of service and
3 on the Affidavit of Bureau Representative Kelly Renihan, finds that the allegations in Accusation
4 are true.

5 9. Taking official notice of its own internal records, pursuant to Business and
6 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
7 and Enforcement is \$1670.00 as of June 17, 2013.

8 DETERMINATION OF ISSUES

9 1. Based on the foregoing findings of fact, Respondent Poompiboon Jiamsakul Belcher
10 has subjected his Advanced Emission Specialist Technician License No. EA 631163 to discipline.

11 2. The agency has jurisdiction to adjudicate this case by default.

12 3. The Director of Consumer Affairs is authorized to revoke Respondent's Advanced
13 Emission Specialist Technician License based upon the following violations alleged in the
14 Accusation which are supported by the evidence contained in the affidavit of Bureau
15 Representative Kelly Renihan in this case. Respondent violated the following Business and
16 Professions code sections:

17 a. Code section 9884.7, subdivision (a)(1) was violated by issuing false and misleading
18 statements by issuing a certificate of compliance for a vehicle that had a missing smog control
19 device;

20 b. Code section 9884.7, subdivision (a)(4) was violated (fraud) by issuing electronic
21 Certificate of Compliance No. [REDACTED] for the 1997 Chevrolet Astro, without performing a
22 bona fide inspection of the emission control devices and systems on that vehicle;

23 c. Respondent violated Health and Safety Code section 44072.2, subdivision (a),
24 subdivision (c), and subdivision (d) by failing to perform the proper emission control tests and
25 issuing a certificate of compliance on a vehicle missing a smog control device and engaged in
26 acts involving dishonesty, fraud or deceit ;

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Exhibit A

Accusation

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 JEFFREY M. PHILLIPS
Deputy Attorney General
4 State Bar No. 154990
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-6292
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 79/12-176

12 **ABC NICKS AUTOMOTIVE**
13 **4280 Lincoln Boulevard**
Oroville, CA 95966-6765
14 **Mailing Address:**
P.O. Box 1128
15 **Oroville, CA 95965**
NIKKI LEE EVANS, OWNER
16 **Automotive Repair Dealer Registration No.**
ARD 162848
17 **Smog Check Station License No. RC 162848,**

A C C U S A T I O N

S M O G C H E C K

18 and

19 **POOMPIBOON JIAMSAKUL BELCHER**
20 **1083 Ohio Street**
Gridley, CA 95948
21 **Advanced Emission Specialist Technician**
License No. EA 631163

22 Respondents.

23
24 Complainant alleges:

25 **PARTIES**

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

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1 (4) Any other conduct which constitutes fraud.

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

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

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

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

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

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

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

28 (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.

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

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

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

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

7 COST RECOVERY

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

12 UNDERCOVER OPERATION – AUGUST 17, 2011

13 13. On August 17, 2011, a Bureau undercover operator (“operator”) drove a Bureau-
14 documented 1997 Chevrolet Astro to Respondent ABC’s facility and requested a smog
15 inspection. The vehicle could not pass the visual portion of a smog inspection because the
16 vehicle’s evaporation canister (“EVAP canister”) was missing. The operator signed a work order
17 and received a copy of Estimate No. [REDACTED] prior to the smog inspection. Respondent Belcher
18 performed the smog inspection and issued electronic Certificate of Compliance No. [REDACTED]
19 for that vehicle. The operator paid Respondent ABC \$40 for the smog inspection and received
20 Invoice No. [REDACTED] and a copy of the Vehicle Inspection Report (“VIR”).

21 FIRST CAUSE FOR DISCIPLINE

22 (Misleading Statements)

23 14. Respondent ABC has subjected his registration to discipline under Code section
24 9884.7, subdivision (a)(1), in that on or about August 17, 2011, he made statements which he
25 knew or which by exercise of reasonable care he should have known were untrue or misleading
26 when he issued electronic Certificate of Compliance No. [REDACTED] for the 1997 Chevrolet
27 Astro, certifying that the vehicle was in compliance with applicable laws and regulations when, in
28 fact, the vehicle’s EVAP canister was missing.

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1 a. **Section 3340.35, subdivision (c):** Respondent ABC issued electronic Certificate of
2 Compliance No. [REDACTED] even though that vehicle had not been inspected in accordance with
3 section 3340.42 of that Code.

4 b. **Section 3340.42:** Respondent ABC failed to conduct the required smog tests and
5 inspections on that vehicle in accordance with the Bureau's specifications.

6 **FIFTH CAUSE FOR DISCIPLINE**

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

8 18. Respondent ABC subjected his station license to discipline under Health and Safety
9 Code section 44072.2, subdivision (d), in that on or about August 17, 2011, regarding the 1997
10 Chevrolet Astro, he committed acts involving dishonesty, fraud or deceit whereby another was
11 injured by issuing electronic Certificate of Compliance No. [REDACTED] to that vehicle without
12 performing a bona fide inspection of the emission control devices and systems on the vehicle,
13 thereby depriving the People of the State of California of the protection afforded by the Motor
14 Vehicle Inspection Program.

15 **SIXTH CAUSE FOR DISCIPLINE**

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

17 19. Respondent Belcher has subjected his technician license to discipline under Health
18 and Safety Code section 44072.2, subdivision (a), in that on or about August 17, 2011, regarding
19 the 1997 Chevrolet Astro, he violated sections of that Code, as follows:

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

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

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

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1 SEVENTH CAUSE FOR DISCIPLINE

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

3 20. Respondent Belcher has subjected his technician license to discipline under Health
4 and Safety Code section 44072.2, subdivision (c), in that on or about August 17, 2011, regarding
5 the 1997 Chevrolet Astro, he violated sections of the California Code of Regulations, title 16, as
6 follows:

7 a. **Section 3340.30, subdivision (a):** Respondent Belcher failed to inspect and test that
8 vehicle in accordance with Health and Safety Code section 44012.

9 b. **Section 3340.41, subdivision (c):** Respondent Belcher entered false information into
10 the Emission Inspection System ("EIS") for electronic Certificate of Compliance No.

11 [REDACTED] by entering "Pass" for the visual inspection portion of the smog inspection when, in
12 fact, the vehicle could not pass the visual portion of the inspection because the vehicle's EVAP
13 canister was missing.

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

16 EIGHTH CAUSE FOR DISCIPLINE

17 (Dishonesty, Fraud or Deceit)

18 21. Respondent Belcher has subjected his technician license to discipline under Health
19 and Safety Code section 44072.2, subdivision (d), in that on or about August 17, 2011, regarding
20 the 1997 Chevrolet Astro, he committed acts involving dishonesty, fraud or deceit whereby
21 another was injured by issuing electronic Certificate of Compliance No. [REDACTED] without
22 performing a bona fide inspection of the emission control devices and systems on that vehicle,
23 thereby depriving the People of the State of California of the protection afforded by the Motor
24 Vehicle Inspection Program.

25 FACTUAL BACKGROUND

26 22. The Bureau conducted a detailed review of the Vehicle Information Database
27 ("VID") for all smog inspections performed at Respondent ABC's facility for the period June 6,
28 2011, through September 9, 2011. The Bureau found that Respondent Belcher performed all of

1 the smog inspections for this time period. Respondent Belcher had inspected and tested the 6
 2 vehicles set forth in Table 1, below, that failed or would have failed the smog inspection due to
 3 too many incomplete OBD-II monitors or the Malfunction Indicator Light ("MIL") had been
 4 commanded on by the Power Train Control Module ("PCM"), as more particularly set forth in
 5 Table 1, below. The Bureau discovered that Respondent Belcher had knowingly entered false
 6 information into the EIS regarding the functional testing of the OBD II for those vehicles.
 7 Vehicles 1 through 6 received smog certificates; however, they had not been tested during the
 8 OBD II functional test.

9 **TABLE 1**

Date & Time of Inspection	Vehicle Certified & License No.	Certificate No.	Details
1. 6/7/2011 0839 hours	1997 Acura Integra, License No. 6BUX239	OE027191C	Vehicle should have failed due to too many incomplete monitors.
1a. 6/9/2011 1514 hours	1997 Acura Integra, License No. 6BUX239	OE190306C	Vehicle should have failed due to too many incomplete monitors.
2. 6/22/2011 1107 hours	1998 Volkswagen Jetta, License No. 4TUD591	OE190332C	Vehicle should have failed due to too many incomplete monitors.
3. 6/28/2011 1057 hours	1998 Dodge Ram 2500 Diesel, License No. 7G16537	OE190347C	Vehicle should have failed due to the MIL being commanded on by the PCM
4. 8/1/2011 1124 hours	1999 Honda Accord, License No. 5CPS529	OE676578C	Vehicle should have failed due to too many incomplete monitors.
5. 8/25/2011 0859 hours	1997 Mercury Tracer, License No. 3UVH099	OG058546C	Vehicle should have failed due to the MIL being commanded on by the PCM
6. 6/17/2011 1053 hours	2000 Honda Civic, License No. 5BYF877	OE190321C	Vehicle should have failed all portions of the smog inspection due to an engine change, which would require that all monitors had to be completed before the vehicle could pass the inspection.

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1 **NINTH CAUSE FOR DISCIPLINE**

2 **(Misleading Statements)**

3 23. Respondent ABC has subjected his registration to discipline under Code section
4 9884.7, subdivision (a)(1), in that between June 7, 2011, through August 25, 2011, he made
5 statements which he knew or which by exercise of reasonable care he should have known were
6 untrue or misleading as follows: Respondent ABC certified that vehicles 1 through 6, identified
7 in Table 1, above, had passed inspection and were in compliance with applicable laws and
8 regulations. In fact, Respondent ABC issued certificates of compliance to those vehicles without
9 testing or inspecting those vehicles as required by Health and Safety Code section 44012.

10 **TENTH CAUSE FOR DISCIPLINE**

11 **(Fraud)**

12 24. Respondent ABC has subjected its registration to discipline under Code section
13 9884.7, subdivision (a)(4), in that between June 7, 2011, through August 25, 2011, he committed
14 acts which constitute fraud by issuing electronic certificates of compliance for vehicles 1 through
15 6, identified in Table 1, above, without performing bona fide inspections of the emission control
16 devices and systems on those vehicles, thereby depriving the People of the State of California of
17 the protection afforded by the Motor Vehicle Inspection Program.

18 **ELEVENTH CAUSE FOR DISCIPLINE**

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

20 25. Respondent ABC has subjected his station license to discipline under Health and
21 Safety Code section 44072.2, subdivision (a), in that between June 7, 2011, through August 25,
22 2011, regarding vehicles 1 through 6, identified in Table 1, above, he violated sections of that
23 Code, as follows:

24 a. **Section 44012:** Respondent ABC failed to ensure that the emission control tests were
25 performed on those vehicles in accordance with procedures prescribed by the department.

26 b. **Section 44015:** Respondent ABC issued electronic certificates of compliance for
27 those vehicles without ensuring that the vehicles were properly tested and inspected to determine
28 if they were in compliance with Health and Safety Code section 44012.

1 **TWELFTH CAUSE FOR DISCIPLINE**

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

3 26. Respondent ABC has subjected his station license to discipline under Health and
4 Safety Code section 44072.2, subdivision (c), in that between June 7, 2011, through August 25,
5 2011, regarding vehicles 1 through 6, identified in Table 1, above, he violated sections of the
6 California Code of Regulations, title 16, as follows:

7 a. **Section 3340.35, subdivision (c):** Respondent ABC issued electronic certificates of
8 compliance even though those vehicles had not been inspected in accordance with section
9 3340.42 of that Code.

10 b. **Section 3340.42:** Respondent ABC failed to conduct the required smog tests and
11 inspections on those vehicles in accordance with the Bureau's specifications.

12 **THIRTEENTH CAUSE FOR DISCIPLINE**

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

14 27. Respondent ABC has subjected his station license to discipline under Health and
15 Safety Code section 44072.2, subdivision (d), in that between June 7, 2011, through August 25,
16 2011, regarding vehicles 1 through 6, identified in Table 1, above, it committed acts involving
17 dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of
18 compliance for those vehicles without performing bona fide inspections of the emission control
19 devices and systems on the vehicles, thereby depriving the People of the State of California of the
20 protection afforded by the Motor Vehicle Inspection Program.

21 **FOURTEENTH CAUSE FOR DISCIPLINE**

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

23 28. Respondent Belcher has subjected his technician license to discipline under Health
24 and Safety Code section 44072.2, subdivision (a), in that between June 7, 2011, through August
25 25, 2011, regarding vehicles 1 through 6, identified in Table 1, above, Respondent Belcher failed
26 to comply with section 44012 of that Code in a material respect, as follows: Respondent Belcher
27 failed to perform the emission control tests on vehicles 1 through 6, in accordance with
28 procedures prescribed by the department.

1 **FIFTEENTH CAUSE FOR DISCIPLINE**

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

3 29. Respondent Belcher has subjected his technician license to discipline under Health
4 and Safety Code section 44072.2, subdivision (c), in that between June 7, 2011, through August
5 25, 2011, regarding vehicles 1 through 6, identified in Table 1, above, he violated sections of the
6 California Code of Regulations, title 16, as follows:

7 a. **Section 3340.30, subdivision (a):** Respondent Belcher failed to inspect and test
8 those vehicles in accordance with Health and Safety Code section 44012.

9 b. **Section 3340.42:** Respondent Belcher failed to conduct the required smog tests and
10 inspections on those vehicles in accordance with the Bureau's specifications.

11 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

13 30. Respondent Belcher has subjected his technician license to discipline under Health
14 and Safety Code section 44072.2, subdivision (d), in that between June 7, 2011, through August
15 25, 2011, regarding vehicles 1 through 6, identified in Table 1, above, he committed acts
16 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic
17 certificates of compliance without performing bona fide inspections of the emission control
18 devices and systems on those vehicles, thereby depriving the People of the State of California of
19 the protection afforded by the Motor Vehicle Inspection Program.

20 **PRIOR CITATIONS**

21 31. To determine the degree of penalty, if any, to be imposed upon Respondent ABC,
22 Complainant alleges, as follows:

23 a. On April 11, 2003, the Bureau issued Citation No. C03-1079 to Respondent ABC
24 against his station license for violations of Health and Safety Code section 44012, subdivision (f)
25 (failure to perform a visual/functional check of emission control devices) and California Code of
26 Regulations, title 16, ("Regulation"), section 3340.35, subdivision (c) (issuing a certificate of
27 compliance to a vehicle improperly tested). Respondent ABC issued a certificate of compliance
28 to a Bureau vehicle with the ignition timing adjusted beyond the manufacturer's specifications.

1 The Bureau assessed a civil penalty of \$500. Respondent ABC complied with this citation on
2 May 14, 2003.

3 b. On June 18, 2008, the Bureau issued Citation No. C08-1105 to Respondent ABC
4 against his station license for violations of Health and Safety Code section 44012, subdivision (f)
5 (failure to perform a visual/functional check of emission control devices) and Regulation, section
6 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle improperly tested).
7 Respondent ABC issued a certificate of compliance to a Bureau vehicle with a missing air
8 injection system. The Bureau assessed a civil penalty of \$500. Respondent ABC complied with
9 this citation on August 4, 2008.

10 c. On October 13, 2010, the Bureau issued Citation No. M2011-0411 to Respondent
11 Belcher against his technician license for violations of Health and Safety Code section 44032,
12 (qualified technicians shall perform tests of emission control systems and devices in accordance
13 with section 44012 of that Code) and California Code of Regulations, title 16, ("Regulation")
14 section 3340.30, subdivision (a) (qualified technicians shall inspect, test, and repair vehicles in
15 accordance with sections 44012 and 44035 of the Health and Safety Code, and Regulation section
16 3340.42). Respondent Belcher issued a certificate of compliance to a Bureau vehicle with a non-
17 functional exhaust gas recirculation valve. Respondent Belcher was required to attend a 68-hour
18 training course. Respondent Belcher complied with this citation on December 3, 2010.

19 **OTHER MATTERS**

20 32. Under Code section 9884.7, subdivision (c), the director may invalidate temporarily
21 or permanently or refuse to validate, the registrations for all places of business operated in this
22 state by Nikki Lee Evans upon a finding that he has, or is, engaged in a course of repeated and
23 willful violations of the laws and regulations pertaining to an automotive repair dealer.

24 33. Under Health and Safety Code section 44072.8, if Smog Check Test Only Station
25 License Number RC 162848, issued to Nikki Lee Evans, doing business as ABC Nicks
26 Automotive, is revoked or suspended, any additional license issued under this chapter in the name
27 of said licensee may be likewise revoked or suspended by the director.

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7. Ordering Nikki Lee Evans and Poompiboon Jiamsakul Belcher 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: 6/27/12

John Wallauch by [Signature]

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