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

In the Matter of the Accusation Against: **IN-N-OUT SMOG CHECK;** **TAHA H. RASHIK;** 406 S. Chester Avenue Bakersfield, CA 93304 Automotive Repair Dealer Registration No. ARD 262846 Smog Check, Test Only, Station License No. TC 262846 **SARTAJ SINGH** 5308 Villa Bella Lane Bakersfield, CA 93311 Advanced Emission Specialist Technician License No. EA 632046 (to be redesignated upon renewal as EO 632046 and/or EI 632046) Respondents.	Case No. 79/13-102 OAH No. 2013090645

DECISION

The attached Stipulated Settlement and Disciplinary Order As To Sartaj Singh 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 Sartaj Singh, Advanced Emission Specialist Technician License No. EA 632046 (to be redesignated upon renewal as EO 632046 and/or EI 632046).

This Decision shall become effective March 28, 2014.

DATED: MAR 04 2014

DONALD CHANG
Assistant Chief Counsel
Department of Consumer Affairs

KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
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Attorneys for Complainant

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

In the Matter of the Accusation Against: **SARTAJ SINGH** **5308 Villa Bella Lane** **Bakersfield, Ca. 93311** **Advanced Emission Specialist Technician License EA632046 (to be redesignated upon renewal as EO632046 and/or EI632046)** Respondent.	Case No. 79/13-102 OAH No. 2013090645 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER AS TO SARTAJ SINGH**

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

PARTIES

1. Patrick Dorais ("Complainant") is the Chief of the Bureau of Automotive Repair. He brought this action solely in his official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Gregory J. Salute, Supervising Deputy Attorney General.

2. Sartaj Singh ("Respondent") is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about May 6, 2010, the Director issued Advanced Emission Specialist Technician License Number EA 632046 ("technician license") to Sartaj Singh ("Respondent Singh"). Respondent Singh's technician license is due to expire on May 31, 2014. Upon timely renewal of the license, the license will be redesignated as EO 632046 and/or EI 632046.[1]

JURISDICTION

4. Accusation No. 79/13-102 was filed before the Director of Consumer Affairs (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on July 5, 2013. Respondent timely filed its Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 79/13-102 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 79/13-102. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

[1] Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28, 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced Emission Specialist Technician (EA) license and Basic Area Technician (EB) license to Smog Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

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

CULPABILITY

9. While not making any personal admissions to the above charges, Respondent agrees that for the purposes of resolving the Accusation without the expense and uncertainty of further proceedings, Complainant could establish a prima facie factual basis for each of the charges contained in Accusation No. 79/13-102 and that those charges constitute cause for discipline. Respondent further agrees that he is estopped from denying that cause exists for discipline on his registration and license in any future proceedings before the parties herein and hereby gives up his right to contest that cause for discipline exists based upon those charges.

10. Respondent agrees that Advanced Emission Specialist Technician License Number EA 632046 ("technician license") is subject to discipline and he agrees to be bound by the Director's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

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

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Advanced Emission Specialist Technician License Number EA 632046[2] ("technician license") issued to Sartaj Singh (Respondent) is revoked. IT IS HEREBY FURTHER ORDERED that collection of the Bureau's costs of investigation and prosecution of this matter in the amount of $6207.63 shall be waived unless and until Respondent applies for re-licensure of any license or registration issued by the Bureau at which time costs shall become due and payable to the Bureau.

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[2] To be redesignated upon renewal as EO632046 and/or EI632046.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Advanced Emission Specialist Technician License Number EA 632046. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED: 1/28/14

SARTAJ SINGH
Respondent

ENDORSEMENT

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

Dated: 1-29-14

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General

GREGORY J. SALUTE
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 79/13-102

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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: **IN-N-OUT SMOG** **TAHA H. RASHIK, OWNER** **406 S. Chester Avenue** **Bakersfield, CA 93304** **Automotive Repair Dealer Reg. No. ARD 262846** **Smog Check Test Only Station License No. TC 262846,** **SARTAJ SINGH** **5308 Villa Bella Lane** **Bakersfield, Ca. 93311** **Advanced Emission Specialist Technician License EA632046 (to be redesignated upon renewal as EO632046 and/or EI632046)** Respondents.	Case No. 79/13-102 **ACCUSATION** **(Smog Check)**

Complainant alleges:

PARTIES

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

In-N-Out Smog Check

2. On or about August 2, 2010, the Director of Consumer Affairs ("Director") issued Automotive Repair Dealer Registration Number ARD 262846 ("registration") to Taha H. Rashik

("Respondent Rashik"), doing business as In-N-Out Smog Check. The registration was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2013, unless renewed.

3. On or about August 11, 2010, the Director issued Smog Check Test Only Station License Number TC 262846 ("station license") to Respondent Rashik, doing business as In-N-Out Smog Check. The station license was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2013, unless renewed.

Sartaj Singh

4. On or about May 6, 2010, the Director issued Advanced Emission Specialist Technician License Number EA 632046 ("technician license") to Sartaj Singh ("Respondent Singh"). Respondent Singh's technician license is due to expire on May 31, 2014. Upon timely renewal of the license, the license will be redesignated as EO 632046 and/or EI 632046.[1]

JURISDICTION

5. Business and Professions Code ("Code") section 9884.7 provides that the Director may revoke an automotive repair dealer registration.

6. Code section 9884.13 provides, in pertinent part: that the expiration of a valid registration shall not deprive the Director of jurisdiction to proceed with a disciplinary proceeding against an automotive repair dealer or to render a decision temporarily or permanently invalidating (suspending or revoking) a registration.

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

8. California Code of Regulations, title 16, section 3340.28, subdivision (e), states that [u]pon renewal of an unexpired Basic Area Technician license or an Advanced Emission

[1] Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28, 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced Emission Specialist Technician (EA) license and Basic Area Technician (EB) license to Smog Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

Specialist Technician license issued prior to the effective date of this regulation, the licensee may apply to renew as a Smog Check Inspector, Smog Check Repair Technician, or both.

STATUTORY PROVISIONS

9. Code section 9884.7 states, in pertinent part:

> (a) The director, where the automotive repair dealer cannot show there was a bona fide error, may refuse to validate, or may invalidate temporarily or permanently, the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the automotive repair dealer or any automotive technician, employee, partner, officer, or member of the automotive repair dealer.
>
> (1) Making or authorizing in any manner or by any means whatever any statement written or oral which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.
>
> (4) Any other conduct which constitutes fraud.
>
> (6) Failure in any material respect to comply with provisions of this chapter or regulations adopted pursuant to it.
>
> (b) Except as provided for in subdivision (c), if an automotive repair dealer operates more than one place of business in this state, the director pursuant to subdivision (a) shall only invalidate temporarily or permanently the registration of the specific place of business which has violated any of the provisions of this chapter. This violation, or action by the director, shall not affect in any manner the right of the automotive repair dealer to operate his or her other places of business.
>
> (c) Notwithstanding subdivision (b), the director may invalidate temporarily or permanently, the registration for all places of business operated in this state by an automotive repair dealer upon a finding that the automotive repair dealer has, or is, engaged in a course of repeated and willful violations of this chapter, or regulations adopted pursuant to it.

10. Code section 9884.9 states, in pertinent part:

> (a) The automotive repair dealer shall give to the customer a written estimated price for labor and parts necessary for a specific job. No work shall be done and no charges shall accrue before authorization to proceed is obtained from the customer. No charge shall be made for work done or parts supplied in excess of the estimated price without the oral or written consent of the customer that shall be obtained at some time after it is determined that the estimated price is insufficient and before the work not estimated is done or the parts not estimated are supplied. Written consent or authorization for an increase in the original estimated price may be provided by electronic mail or facsimile transmission from the customer. The bureau may specify in regulation the procedures to be followed by an automotive repair dealer when an authorization or consent for an increase in the original estimated price is provided by electronic mail or facsimile transmission. If that consent is oral, the dealer shall make a notation on the work order of the date, time, name of person authorizing the additional repairs and telephone number called, if any, together with a specification of the additional parts and labor and the total additional cost.

11. Code section 118, subdivision (b) states: The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

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

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

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

(a) Violates any section of this chapter [the Motor Vehicle Inspection Program (Health and Safety 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.

14. 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.

15. Section 44072.8 of the Health and Safety Code states:
When a license has been revoked or suspended following a hearing under this article, any additional license issued under this chapter in the name of the licensee may be likewise revoked or suspended by the director.

COST RECOVERY

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

FRAUDULENT SMOG CHECK INSPECTION - AUGUST 21, 2012

17. On or about August 20, 2012, the Bureau received a tip from a smog check technician

("technician") stating he had been solicited by an individual to perform a fraudulent smog check inspection. The individual told the technician he had removed the catalytic converter from his 2003 Ford F-350 truck ("F-350"), license No. 7G75786, and needed a smog inspection. The technician refused to perform the fraudulent inspection and the individual then asked the technician if he knew where he could get an illegal smog performed. The technician replied that he did not know anyone who would perform the fraudulent smog check inspection.

18. The Bureau monitored their Vehicle Information Database ("VID") and found that on or about August 21, 2012, the 2003 Ford F-350 truck, license No. 7G75786, was issued Certificate of Compliance No. XL005361 by In-N-Out Smog Check, TC 262846. The Bureau contacted the Department of Motor Vehicles ("DMV") and a hold was placed on the vehicle registration.

19. On or about August 22, 2012, Bureau personnel went to the address of record for the F-350 and performed a visual inspection of the vehicle. The inspection and photographs taken by the Bureau confirmed the catalytic converter was required and not installed on the F-350.

20. On or about August 23, 2012, the Bureau received a phone call from Paul Howard ("Howard"). Howard informed the Bureau he recently purchased the F-350 and when he attempted to register it he was told by DMV there was a hold on the registration. Howard was informed the vehicle was fraudulently issued a Certificate of Compliance. Howard agreed to contact the person that sold him the F-350 and have the seller phone the Bureau.

21. On or about August 23, 2012, the Bureau received a phone call from Robert Jimenez ("Jimenez"), the previous owner of the F-350. Jimenez spoke to Bureau representative Joseph Blanton ("Blanton") and asked him why there was a hold on the registration of the F-350 he had recently sold. Blanton explained to Jimenez the vehicle had been certified illegally and would have to be brought into compliance before the hold could be lifted.

22. On or about September 12, 2012, Jimenez came to the Bureau's Bakersfield field office and met with Bureau representative James Smith ("Smith"). Jimenez gave Smith a statement regarding the facts leading up to the smog inspection of his 2003 Ford F-350 truck, license No. 7G75786.

23. The following is a summary of Jimenez's statement: Jimenez said that on August 20, 2012, he took his vehicle to a smog shop on Union Avenue in Bakersfield, California and requested a smog inspection. He informed the technician that his truck did not have a "catalyst" (converter). The technician told Jimenez the F-350 would not pass a smog inspection without the required converter installed. Jimenez then left the facility and drove to Respondent Rashik's smog station. He was greeted by an individual he identified as Sartaj Singh and requested a smog inspection. Respondent Singh visually inspected the F-350 and told Jimenez the vehicle needed a "catalyst". Jimenez told Respondent Singh he was selling the F-350 and just needed to get it smogged. The technician said he could get in trouble for passing the vehicle without a converter but eventually told Jimenez to return the following day and he would perform the smog inspection.

24. Jimenez returned to In-N-Out Smog Check on August 21, 2012, and was greeted by Respondent Singh. The catalytic converter was still not installed on Jimenez's F-350. Respondent Singh performed the smog inspection on Jimenez's F-350 and issued electronic Certificate of Compliance No. XL005361. Jimenez paid the Respondent Singh $140.00.

FIRST CAUSE FOR DISCIPLINE

(Misleading Statements)

25. Respondent Rashik has subjected his registration to discipline pursuant to Business and Professions Code ("Code") section 9884.7, subdivision (a)(1), in that on or about August 21, 2012, Respondent Rashik made or authorized statements which he knew, or in the exercise of reasonable care should have known to be untrue or misleading by issuing electronic Certificate of Compliance No. XL005361 for the 2003 Ford F-350 truck, certifying that the vehicle was in compliance with applicable laws and regulations when, in fact, it could not have passed the visual portion of the smog inspection because the vehicle's catalytic converter was missing.

SECOND CAUSE FOR DISCIPLINE

(Fraud)

26. Respondent Rashik has subjected his registration to discipline pursuant to Code section 9884.7, subdivision (a)(4), in that on or about August 21, 2012, Respondent Rashik

committed acts which constitute fraud by issuing electronic Certificate of Compliance No. XL005361 for the 2003 Ford F-350 truck 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.

THIRD CAUSE FOR DISCIPLINE

(Violation of the Motor Vehicle Inspection Program)

27. Respondent Rashik has subjected his station license to discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that on or about August 21, 2012, Respondent Rashik failed to comply with the following sections of that Code:

a. **Section 44012**: Respondent Rashik failed to ensure that the emission control tests on the 2003 Ford F-350 truck were performed in accordance with procedures prescribed by the department.

b. **Section 44015, subdivision (b)**: Respondent Rashik and/or his employee issued electronic Certificate of Compliance No. XL005361 for the 2003 Ford F-350 truck without properly testing and inspecting the vehicle to determine if it was in compliance with section 44012 of that Code.

FOURTH CAUSE FOR DISCIPLINE

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

28. Respondent Rashik has subjected his station license to discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that on or about August 21, 2012, Respondent Rashik failed to comply with provisions of the California Code of Regulations, title 16, as follows:

a. **Section 3340.35, subdivision (c)**: Respondent Rashik and/or his employee issued electronic Certificate of Compliance No. XL005361 for the 2003 Ford F-350 truck even though the vehicle had not been inspected in accordance with section 3340.42 of that Code.

b. **Section 3340.42**: Respondent Rashik failed to ensure the required emission control tests were conducted on the 2003 Ford F-350 truck in accordance with Bureau specifications.

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FIFTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

29. Respondent Rashik has subjected his station license to discipline pursuant to Health and Safety Code section 44072.2, subdivision (d), in that on or about August 21, 2012, Respondent Rashik committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic Certificate of Compliance No. XL005361 for the 2003 Ford F-350 truck 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.

SIXTH CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program)

30. Respondent Singh has subjected his technician licenses to discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that on or about August 21, 2012, Respondent Singh failed to comply with the following sections of that code:

a. **Section 44012**: Respondent Singh failed to perform the required emission control tests on the 2003 Ford F-350 truck in accordance with procedures prescribed by the department.

b. **Section 44032**: Respondent Singh failed to perform tests of the emission control devices and systems on the 2003 Ford F-350 truck in accordance with section 44012 of that Code.

SEVENTH CAUSE FOR DISCIPLINE

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

31. Respondent Singh has subjected his technician licenses to discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that on or about August 21, 2012, he failed to comply with provisions of the California Code of Regulations, title 16, as follows:

a. **Section 3340.30, subdivision (a)**: Respondent Singh failed to inspect and test the 2003 Ford F-350 truck in accordance with Health and Safety Code sections 44012 and 44035, and the California Code of Regulations, title 16, section 3340.42.

b. **Section 3340.41, subdivision (c)**: Respondent Singh entered false information into the Emission Inspection System for the 2003 Ford F-350 truck by entering "Pass" for the visual

portion of the smog inspection when, in fact, the vehicle could not pass the visual portion of the inspection because the vehicle's catalytic converter was missing.

c. **Section 3340.42**: Respondent Singh failed to conduct the required smog tests and inspections the 2003 Ford F-350 truck in accordance with the Bureau's specifications.

EIGHTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

32. Respondent Singh has subjected his technician licenses to discipline pursuant to Health and Safety Code section 44072.2, subdivision (d), in that on or about August 21, 2012, Respondent Singh committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic Certificate of Compliance No. XL005361 for the 2003 Ford F-350 truck 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.

UNDERCOVER OPERATION – OCTOBER 10, 2012

33. On or about October 10, 2012, a Bureau undercover operator ("operator") drove a Bureau documented 2008 Ford to In-N-Out Smog Check and requested a smog inspection. The Catalytic Converter and Exhaust Gas Recirculation Valve had been removed from the truck causing the vehicle to be incapable of passing a smog inspection. The operator did not sign a work order and was not provided with a written estimate prior to the smog inspection. Respondent Singh performed the smog inspection and failed the vehicle due to the missing components.

NINTH CAUSE FOR DISCIPLINE

(Failure to Comply with Code)

34. Respondent Rashik has subjected his registration to discipline pursuant to Code section 9884.7, subdivision (a)(6), in that on or about October 10, 2012, Respondent failed to comply with the following section of that code:

a. **Section 9884.9, subdivision (a)**: Respondent failed to provide the operator with a written estimated price for parts and labor for a specific job.

OTHER MATTERS

35. Pursuant to Code section 9884.7, subdivision (c), the Director may refuse to validate, or may invalidate temporarily or permanently, the registrations for all places of business operated in this state by Taha H. Rashik, upon a finding that he has, or is engaged in a course of repeated and willful violations of the laws and regulations pertaining to an automotive repair dealer.

36. Pursuant to Health & Safety Code section 44072.8, if Smog Check Test Only Station License Number TC 262846, issued to Taha H. Rashik, doing business as In-N-Out Smog Check, is revoked or suspended, any additional license issued under this chapter in the name of said licensee may be likewise revoked or suspended by the director.

37. Pursuant to Health & Safety Code section 44072.8, if Respondent Singh's technician license(s), currently designated as EA 632046 and as redesignated upon timely renewal as EO 632046 and/or EI 632046, is/are revoked or suspended, any additional license issued under this chapter in the name of said licensee may be likewise revoked or suspended by the Director.

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 262846, issued to Taha H. Rashik, doing business as In-N-Out Smog Check;

2. Revoking, suspending or placing on probation any other automotive repair dealer registration issued in the name Taha H. Rashik;

3. Revoking or suspending Smog Check Test Only Station License Number TC 262846, issued to Taha H. Rashik, doing business as In-N-Out Smog Check;

4. Revoking or suspending any additional license issued under Chapter 5 of the Health and Safety Code in the name of Taha H. Rashik;

5. Revoking or suspending Sartaj Singh's smog technician license(s), currently designated as EA 632046 and as redesignated upon his timely renewal as EO 632046 and/or EI 632046;

6. Revoking or suspending any additional license issued under Chapter 5 of the Health and Safety Code in the name of Sartaj Singh;

7. Ordering Taha H. Rashik and Sartaj Singh 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: June 19 2013

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