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

11  
12 In the Matter of the Accusation Against:  
13 **ALCHI INC., DBA PATRIOT AUTO**  
**CARE AND BRAKES, WATHIQ N.F.**  
14 **ALCHI, PRESIDENT**  
**910 Highland Avenue, Ste. A**  
**National City, CA 91950**  
15  
16 **Automotive Repair Dealer Registration No.**  
**ARD 253302**  
17 **Smog Check Station License No. RC 253302**  
**Lamp Station License No. LS 253302, Class**  
18 **A**  
**Brake Station License No. BS 253302, Class**  
19 **C**  
20 **And**  
21 **J. ALBERTO GURROLA**  
**526 E. Avenue**  
**National City, CA 91950**  
22  
23 **Advanced Emission Specialist Technician**  
**License No. EA 108157 (to be redesignated**  
24 **upon renewal as EO 108157 and/or EI**  
**108157)**  
25 Respondents.

Case No. 79/13-76  
**ACCUSATION**  
(SMOG CHECK)

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1 Complainant alleges:

2 **PARTIES**

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

5 **LICENSE INFORMATION**

6 **Automotive Repair Dealer Registration No. ARD253302**

7 2. On or about January 18, 2008, the Bureau issued Automotive Repair Dealer  
8 Registration Number ARD 253302 ("registration") to Alchi Inc., doing business as Patriot Auto  
9 Care and Brakes, Wathiq N.F. Alchi, President ("Respondent"). The registration will expire on  
10 December 31, 2013, unless renewed.

11 **Smog Check Station License No. RC 253302**

12 3. On or about February 26, 2010, the Bureau issued Smog Check Station License  
13 Number RC 253302 ("station license") to Respondent. The station license was in full force and  
14 effect at all times relevant to the charges brought herein and will expire on December 31, 2013,  
15 unless renewed.

16 **Lamp Station License No. LS 253302**

17 4. On or about June 28, 2012, the Bureau of Automotive Repair issued Lamp Station  
18 License Number LS 253302, Class A, to Respondent. The Lamp Station License was in full force  
19 and effect at all times relevant to the charges brought herein and will expire on December 31,  
20 2013, unless renewed.

21 **Brake Station License No. BS 253302**

22 5. On or about June 28, 2012, the Bureau of Automotive Repair issued Brake Station  
23 License Number BS 253302, Class C to Respondent. The Brake Station License was in full force  
24 and effect at all times relevant to the charges brought herein and will expire on December 31,  
25 2013, unless renewed.

26 **Advanced Emission Specialist Technician License EA 108157**

27 6. On a date uncertain in 2002, the Bureau issued Advanced Emission Specialist  
28 Technician License Number EA 108157 ("technician license") to J. Alberto Gurrola

1 (“Respondent Gurrola”). Respondent Gurrola’s technician license is due to expire on December  
2 31, 2013. Upon timely renewal of the license, the license will be redesignated as EO 108157  
3 and/or to EI 108157.<sup>1</sup>

#### 4 JURISDICTION

5 7. This Accusation is brought before the Director of Consumer Affairs (“Director”) for  
6 the Bureau of Automotive Repair, under the authority of the following laws. All section  
7 references are to the Business and Professions Code unless otherwise indicated.

8 8. Business and Professions Code (“Code”) section 9884.7 provides that the Director  
9 may revoke an automotive repair dealer registration.

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

14 10. Health and Safety Code section 44002 provides, in pertinent part, that the Director  
15 has all the powers and authority granted under the Automotive Repair Act for enforcing the  
16 Motor Vehicle Inspection Program.

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

21 12. Health and Safety Code section 44072.8 states that when a license has been revoked  
22 or suspended following a hearing under this article, any additional license issued under this  
23 chapter in the name of the licensee may be likewise revoked or suspended by the director.

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

26 <sup>1</sup> Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,  
27 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced  
28 Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog  
Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

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

3 **STATUTORY PROVISIONS**

4 14. Code section 9884.7 states, in pertinent part:

5 (a) The director, where the automotive repair dealer cannot show there was  
6 a bona fide error, may refuse to validate, or may invalidate temporarily or  
7 permanently, the registration of an automotive repair dealer for any of the  
8 following acts or omissions related to the conduct of the business of the  
9 automotive repair dealer, which are done by the automotive repair dealer or any  
10 automotive technician, employee, partner, officer, or member of the automotive  
11 repair dealer.

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

16 . . . .

17 (3) Failing or refusing to give to a customer a copy of any document  
18 requiring his or her signature, as soon as the customer signs the document.

19 (4) Any other conduct which constitutes fraud.

20 . . . .

21 (6) Failure in any material respect to comply with the provisions of this  
22 chapter [the Automotive Repair Act (Code, § 9880, et seq.)] or regulations adopted  
23 pursuant to it.

24 15. Code section 9884.8 states, in pertinent part:

25 All work done by an automotive repair dealer, including all warranty work,  
26 shall be recorded on an invoice and shall describe all service work done and parts  
27 supplied. . . . One copy of the invoice shall be given to the customer and one  
28 copy shall be retained by the automotive repair dealer.

16. Code section 9884.9 states, in pertinent part:

23 (a) The automotive repair dealer shall give to the customer a written  
24 estimated price for labor and parts necessary for a specific job. No work shall be  
25 done and no charges shall accrue before authorization to proceed is obtained from  
26 the customer. No charge shall be made for work done or parts supplied in excess  
27 of the estimated price without the oral or written consent of the customer that shall  
28 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

1 the original estimated price is provided by electronic mail or facsimile  
2 transmission. If that consent is oral, the dealer shall make a notation on the work  
3 order of the date, time, name of person authorizing the additional repairs and  
4 telephone number called, if any, together with a specification of the additional  
5 parts and labor and the total additional cost.

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13 17. Health and Safety Code section 44072.2 provides, in pertinent part:

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

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

20 . . . .

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

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

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28 18. Health and Safety Code section 44072.8 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**

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

#### **UNDERCOVER OPERATION – March 8, 2012**

23 20. Prior to the undercover run at the Respondent's facility, Bureau personnel had  
24 inspected and documented a 1990 Toyota (Toyota). The only emission repair necessary for the  
25 Toyota to pass a properly performed Smog Check Inspection was the replacement of a defective  
26 vacuum hose connected to the Manifold Absolute Pressure (MAP) Sensor.

27 21. On or about March 8, 2012, a Bureau undercover operator ("operator") drove the  
28 Bureau documented Toyota to the Respondent's facility and requested a Smog Check Inspection.  
The operator signed an estimate but was not provided with a copy. Smog test results obtained

1 from the Bureau's Vehicle Information Database shows that Respondent Gurrola performed a  
2 Smog Check Inspection on the Toyota and the operator was then informed that the vehicle had  
3 failed. The operator authorized the Respondent to diagnose the cause of the Smog Check  
4 Inspection failure. The Respondent printed a revised estimate totaling \$109.95 and the operator  
5 signed it but was not provided with a copy. Following the diagnosis Respondent's employee told  
6 the operator the Toyota had a bad Oxygen Sensor and four (4) bad vacuum lines (hoses). The  
7 operator authorized the repairs and Respondent's employee printed another revised estimate  
8 totaling \$331.28. The operator signed the revised estimate but was not provided with a copy. On  
9 or about March 9, 2012, the operator returned to the subject facility to retrieve the Toyota. The  
10 operator paid \$331.28, received Invoice No. [REDACTED] and a Vehicle Inspection Report (VIR) that  
11 shows the undercover vehicle passed the smog inspection and Certificate of Compliance number  
12 [REDACTED] was issued. The undercover operator was not given a copy of the VIR for the failed  
13 smog test conducted on March 8, 2012.

14 22. On or about March 14, 2012, Bureau personnel re-inspected the Toyota and found the  
15 following: the Oxygen Sensor, two (2) vacuum lines to the vacuum modulator, and the defective  
16 hose to the MAP Sensor had been replaced. The only repair necessary for the Toyota to pass a  
17 properly performed Smog Check Inspection was the replacement of the defective vacuum hose to  
18 the MAP Sensor. The replacement of the Oxygen Sensor and the two (2) vacuum lines to the  
19 vacuum modulator were unnecessary.

20 23. The smog test repair information obtained from the VID and the VIR generated by  
21 Respondent Gurrola, shows repairs were performed to the Toyota's Vacuum Routing (EGR),  
22 Initial Timing (Secondary), and Oxygen Sensor (Inputs). The Toyota's Exhaust Gas Recirculation  
23 (EGR) System, Initial Timing, and Oxygen Sensor were documented and found to be in good  
24 condition and not in need of repair or replacement.

25 **FIRST CAUSE FOR DISCIPLINE**

26 **(Untrue or Misleading Statements)**

27 24. Respondent's registration is subject to discipline pursuant to Code section  
28 9884.7(a)(1), in that Respondent made statements which he knew or which by exercise of

1 reasonable care should have known to be untrue or misleading when, on or about March 8, 2012,  
2 the Respondent told the undercover operator that the Oxygen Sensor and four (4) vacuum lines on  
3 the Bureau's 1990 Toyota needed replacement, when in fact, only one (1) vacuum line was  
4 defective. The Oxygen Sensor and the two (2) vacuum lines to the vacuum modulator were in  
5 good condition and did not need replacement.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Fraud)**

8 25. Respondent's registration is subject to discipline pursuant to Code section 9884.7,  
9 subdivision(a)(4), in that on or about March 9, 2012, the Respondent committed acts constituting  
10 fraud by accepting payment for replacement of the Oxygen Sensor and vacuum modulator lines  
11 when the only repair needed was the replacement of the defective vacuum hose to the MAP  
12 Sensor. The replacement of the Oxygen Sensor and vacuum modulator lines was unnecessary.

13 **THIRD CAUSE FOR DISCIPLINE**

14 **(Failure to Comply with Code)**

15 26. Respondent's registration is subject to discipline pursuant to Code section 9884.7,  
16 subdivision (a)(6), in that Respondent failed to comply with the following sections of that code:

17 a. **Section 9884.8:** On or about March 9, 2012, Respondent failed to provide the  
18 Bureau operator with an invoice describing all service work performed and parts supplied.

19 b. **Section 9884.9, subdivision (a):** On or about March 8, 2012, Respondent failed to  
20 provide the Bureau operator with a written estimated price for parts and labor for a specific job.

21 c. **Section 9884.9, subdivision (a)(1):** On or about March 8, 2012, Respondent failed  
22 to note additional authorization for repairs on Invoice No. [REDACTED]

23 **FOURTH CAUSE FOR DISCIPLINE**

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

25 27. Respondent's Smog Check Station license is subject to discipline pursuant to Health  
26 and Safety Code section 44072.2, subdivision (c), in that on or about March 8, 2012, Respondent  
27 violated California Code of Regulations, title 16, section 3340.41, subdivision (a) in that on or

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1 about March 9, 2012, Respondent failed to provide the Bureau operator with a copy of the VIR  
2 for the failed smog test conducted on March 8, 2012.

3 **FIFTH CAUSE FOR DISCIPLINE**

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

5 28. Respondent's Smog Check Station license is subject to discipline pursuant to Health  
6 and Safety Code section 44072.2, subdivision (d), in that on or about March 8, 2012, Respondent  
7 committed acts involving dishonesty, fraud or deceit whereby another was injured by representing  
8 to the undercover operator that that the undercover vehicle needed the Oxygen Sensor and four  
9 (4) vacuum lines replaced, when in fact, only one (1) vacuum line was defective.

10 **UNDERCOVER OPERATION – APRIL 5, 2012**

11 29. Prior to the undercover run at the subject facility, Bureau personnel had inspected and  
12 documented a 1992 Toyota (Toyota). Bureau personnel installed a defective vacuum hose  
13 connected to the Vacuum Sensor for the fuel injection system. This condition caused the Toyota  
14 to fail a Smog Check Inspection due to elevated tailpipe emissions. The only emission repair  
15 necessary for the Toyota to pass a properly performed Smog Check Inspection was the  
16 replacement of the defective vacuum hose to the Vacuum Sensor.

17 30. On or about April 5, 2012, a Bureau undercover operator drove the Bureau  
18 documented Toyota to the Respondent's facility and requested a Smog Check Inspection. The  
19 operator signed an estimate and was provided with a copy. Smog test results obtained from the  
20 Bureau's Vehicle Information Database shows that Respondent Gurrola performed a Smog Check  
21 Inspection on the Toyota and Smog Certificate of Compliance No. [REDACTED] was issued. The  
22 operator paid \$58.00, received a copy of Invoice No. [REDACTED] and a VIR.

23 31. On April 9, 2012, Bureau personnel re-inspected the Toyota and found the following:  
24 The defective vacuum hose to the Vacuum Sensor was still installed on the Toyota. Bureau  
25 personnel performed two (2) Smog Check Inspections on the Toyota and the vehicle failed both  
26 Smog Check Inspections due to elevated tailpipe emissions. The Bureau documented Toyota  
27 could not have passed a properly performed Smog Check Inspection.

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**SIXTH CAUSE FOR DISCIPLINE**

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

32. Respondent's station license is subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that on or about April 5, 2012, regarding the 1992 Toyota, Respondent failed to comply with Health and Safety Code section 44012 in that Respondent failed to perform emission control inspections on the Toyota in accordance with procedures prescribed by the department.

**SEVENTH CAUSE FOR DISCIPLINE**

**(Failure to Comply with Regulations)**

33. Respondent's station license is subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that on or about April 5, 2012, regarding the 1992 Toyota, Respondent failed to comply with the provisions of California Code of Regulations, title 16, section 3340.35, subdivision (c) in that Respondent issued electronic Certificate of Compliance No. [REDACTED] for the Toyota even though the vehicle had not been inspected in accordance with section 3340.42.

**EIGHTH CAUSE FOR DISCIPLINE**

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

34. Respondent Gurrola's technician license(s) is subject to discipline pursuant to Health & Safety Code section 44072.2, subdivision (a), in that on or about April 5, 2012, regarding the 1992 Toyota, Respondent Gurrola failed to comply with the following sections of that Code:

a. **Section 44012:** Respondent Gurrola failed to perform emission control inspections on the vehicle in accordance with procedures prescribed by the department.

b. **Section 44032:** Respondent Gurrola failed to perform tests of emission control devices and systems in accordance with Section 44012.

**NINTH CAUSE FOR DISCIPLINE**

**(Failure to Comply with Regulations)**

35. Respondent Gurrola's technician license(s) is subject to discipline pursuant to Health & Safety Code section 44072.2, subdivision (c), in that on or about April 5, 2012, regarding the

1 1992 Toyota, Respondent Gurrola failed to comply with provisions of California Code of  
2 Regulations, title 16, section 3340.30, subdivision (a) in that Respondent Gurrola failed to  
3 inspect, test and repair the Toyota in accordance with Health and Safety Code sections 44012 and  
4 44035, and California Code of Regulations, title 16, section 3340.42.

5 **UNDERCOVER OPERATION – MAY 8, 2012**

6 36. Prior to the undercover run at the subject facility, Bureau personnel had inspected and  
7 documented a 1992 Chevrolet (Chevrolet). Bureau personnel caused a malfunction to the AIR  
8 system (AIR control wire grounded). This condition causes the vehicle to fail a Smog Check  
9 Inspection test due to excessive Oxides of Nitrogen (NOX) emission levels. The only emission  
10 repair necessary for the Chevrolet to pass a properly performed Smog Check Inspection was to  
11 repair the malfunction to the AIR system.

12 37. On or about May 8, 2012, a Bureau undercover operator drove the Bureau  
13 documented Chevrolet to the Respondent's facility and requested a Smog Check Inspection. The  
14 operator signed an estimate and was provided with a copy. Respondent Gurrola performed a  
15 Smog Check Inspection on the Chevrolet and Respondent told the operator that the vehicle had  
16 failed. The operator authorized the subject facility to diagnose the cause of the Smog Check  
17 Inspection failure and was provided a written estimate of \$90.00 for the diagnosis.

18 38. On or about May 9, 2012, the operator phoned the Respondent to inquire about the  
19 progress of the diagnosis. She was told the EGR (Exhaust Gas Recirculation) passages were  
20 restricted with carbon and needed to be cleaned out. The operator was given a verbal estimate of  
21 \$90.00 and she then authorized the repair.

22 39. On or about May 9, 2012, the operator returned to the subject facility to retrieve the  
23 Chevrolet. The Respondent told the operator additional problems had been found with the  
24 Chevrolet in that two wires had been taped together and they were grounded causing the air pump  
25 to run all the time. The operator paid \$238.00, received Invoice number [REDACTED] and two (2) VIRs.  
26 One VIR, dated May 8, 2012, shows the Chevrolet failed the failed the Smog Check Inspection  
27 and the second VIR, Dated May 9, 2012, shows the Chevrolet passed the Smog Check Inspection.

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1 **THIRTEENTH CAUSE FOR DISCIPLINE**

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

3 44. Respondent's station license is subject to discipline pursuant to Health and Safety  
4 Code section 44072.2, subdivision (a), in that on or about May 8, 2012, in regard to the 1992  
5 Chevrolet, Respondent failed to comply with Code section 44012 in that Respondent failed to  
6 perform the emission control inspection on the undercover vehicle in accordance with procedures  
7 prescribed by the department in that Respondent entered N/A (Not Applicable) into the EIS for  
8 the visual inspection results for the Thermostatic Air Cleaner (TAC), when in fact, a TAC is  
9 required and was present and connected on the 1992 Chevrolet.

10 **FOURTEENTH CAUSE FOR DISCIPLINE**

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

12 45. Respondent's station license is subject to discipline pursuant to Health and Safety  
13 Code section 44072.2, subdivision (d), in that on or about March 8, 2012, Respondent committed  
14 acts involving dishonesty, fraud or deceit whereby another was injured by telling the undercover  
15 operator that EGR passages of the 1992 Chevrolet were restricted and needed to be cleaned, and  
16 accepting payment for this repair, when in fact the EGR system was in good condition,  
17 functioning properly, and not in need of repair or service.

18 **FIFTEENTH CAUSE FOR DISCIPLINE**

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

20 46. Respondent Gurrola's technician license(s) is subject to discipline pursuant to Health  
21 and Safety Code section 44072.2, subdivision (a), in that on or about May 8, 2012, regarding the  
22 1992 Chevrolet, Respondent Gurrola failed to comply with Code sections 44012 in that  
23 Respondent Gurrola failed to perform emission control inspections on 1992 Chevrolet in  
24 accordance with procedures prescribed by the department in that Respondent Gurrola entered  
25 N/A (Not Applicable) into the EIS for the visual inspection results for the Thermostatic Air  
26 Cleaner (TAC), when in fact, a TAC is required and was present and connected on the undercover  
27 vehicle.

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1 **SIXTEENTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations)**

3 47. Respondent Gurrola's technician license(s) is subject to discipline pursuant to Health  
4 and Safety Code section 44072.2, subdivision (c), in that on or about May 8, 2012, regarding the  
5 1992 Chevrolet, Respondent Gurrola failed to comply with provisions of California Code of  
6 Regulations, title 16, section 3340.30, subdivision (a) in that Respondent Gurrola failed to  
7 inspect, test and repair the 1992 Chevrolet in accordance with Health and Safety Code sections  
8 44012 and 44035, and California Code of Regulations, title 16, section 3340.42 as set forth in  
9 paragraph 45 above.

10 **OTHER MATTERS**

11 48. Pursuant to Code section 9884.7, subdivision (c), the Director may refuse to validate,  
12 or may invalidate temporarily or permanently, the registrations for all places of business operated  
13 in this state by Alchi Inc., including, but not limited to Patriot Auto Care and Brakes, Automotive  
14 Repair Dealer Registration No. ARD 253302, upon a finding that it has, or is, engaged in a course  
15 of repeated and willful violations of the laws and regulations pertaining to an automotive repair  
16 dealer.

17 49. Pursuant to Health & Safety Code section 44072.8, if Smog Check Test Only Station  
18 License No. RC 253302, issued to Alchi Inc., Wathiq N. F. Alchi, President, doing business as  
19 Patriot Auto Care and Brakes, is revoked or suspended; any additional license issued under this  
20 chapter in the name of said licensee may be likewise revoked or suspended by the director.

21 50. Pursuant to Health & Safety Code section 44072.8, if Lamp Station License No. LS  
22 253302, class A, issued to Alchi Inc., Wathiq N. F. Alchi, President, doing business as Patriot  
23 Auto Care and Brakes, is revoked or suspended; any additional license issued under this chapter  
24 in the name of said licensee may be likewise revoked or suspended by the director.

25 51. Pursuant to Health & Safety Code section 44072.8, if Brake Station License No. BS  
26 253302, class C, issued to Alchi Inc., Wathiq N. F. Alchi, President, doing business as Patriot  
27 Auto Care and Brakes, is revoked or suspended; any additional license issued under this chapter  
28 in the name of said licensee may be likewise revoked or suspended by the director.

1 52. Pursuant to Health & Safety Code section 44072.8, if Respondent Gurrola's  
2 technician license(s), currently designated as EA 108157 and as redesignated upon timely renewal  
3 as EO 108157 and/or EI 108157, is/are revoked or suspended, any additional license issued under  
4 this chapter in the name of said licensee may be likewise revoked or suspended by the director.

5 **PRAYER**

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

8 1. Revoking, suspending or placing on probation Automotive Repair Dealer Registration  
9 No. ARD 253302, issued to Alchi Inc., doing business as Patriot Auto Care and Brakes, Wathiq  
10 N. F. Alchi, President;

11 2. Revoking, suspending or placing on probation any other Automotive Repair Dealer  
12 Registration issued in the name Alchi Inc., Patriot Auto Care and Brakes, and/or Wathiq N. F.  
13 Alchi;

14 3. Revoking or suspending Smog Check Station License No. RC 253302, issued to  
15 Alchi Inc., doing business as Patriot Auto Care and Brakes, Wathiq N. F. Alchi, President;

16 4. Revoking or suspending Lamp Station License No. LS 253302, class A, issued to  
17 Alchi Inc., doing business as Patriot Auto Care and Brakes, Wathiq N. F. Alchi, President;

18 5. Revoking or suspending Brake Station License No. BS 253302, class C, issued to  
19 Alchi Inc., doing business as Patriot Auto Care and Brakes, Wathiq N. F. Alchi, President;

20 6. Revoking or suspending any additional license issued under Chapter 5 of the Health  
21 and Safety Code in the name of Alchi Inc., Patriot Auto Care and Brakes, and/or Wathiq N. F.  
22 Alchi;

23 7. Revoking or suspending J. Alberto Gurrola's Smog Technician license(s), currently  
24 designated as EA 108157 and as redesignated upon his timely renewal as EO 108157 and/or EI  
25 108157;

26 8. Revoking or suspending any additional license issued under Chapter 5 of the Health  
27 and Safety Code in the name of J. Alberto Gurrola;

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1           9.    Ordering Alchi Inc., doing business as Patriot Auto Care and Brakes, Wathiq N. F.  
2 Alchi, President, and J. Alberto Gurrola, to pay the Bureau of Automotive Repair the reasonable  
3 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
4 Code section 125.3; and,

5           10. Taking such other and further action as deemed necessary and proper.

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DATED: 5/3/13

*John Wallauch by Doug Balath*  
JOHN WALLAUCH  
Chief  
Bureau of Automotive Repair  
Department of Consumer Affairs  
State of California  
*Complainant*

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