

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

In the Matter of the Accusation Against:

PIOTR JOSEF BARAN
P & S 76
3634 Farm Hill Boulevard
Redwood City, CA 94061
Automotive Repair Dealer Registration No.
ARD 242996
Smog Check Station License No.
RC 242996

Case No. 79/12-168

and

ROBERT PAUL EACOBACCI
515 Nimrod Street, Apt. D
Nevada City, CA 95959
Basic Emission Specialist Technician
License No. EB 001259, Renewed as
Smog Check Inspector License No. EO
0001259 and Smog Check Repair
Technician License No. EI 0001259

Respondents.

DECISION

The attached Eacobacci 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 only as to respondent Robert Paul Eacobacci, Smog Check Inspector License No. EO 0001259 and Smog Check Repair Technician License No. EI 0001259. The following typographical errors are noted:

1. Page 1, caption: The name "Ecobacci" should be "Eacobacci."
2. Page 1, caption; page 3, lines 16 and 1; and page 3, lines 16 and 17: "Smog Check Inspector License No. EI 0001259" should be "Smog Check Inspector License No. EO 0001259" and "Smog Check Repair Technician License No. EO 0001259" should be "Smog Check Repair Technician License No. EI 0001259."
3. Page 5, line 21: "Smog Check Repair License No. EO 0001259" should be "Smog Check Repair License No. EI 0001259."

This Decision shall become effective

6/10/13

DATED: _____

MAY 16 2013



DONALD CHANG
Assistant Chief Counsel
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
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Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 79/12-168

12
13 **PIOTR JOSEF BARAN**
P & S 76
14 **3634 Farm Hill Boulevard**
Redwood City, CA 94061
15 **Automotive Repair Dealer Registration No.**
ARD 242996
16 **Smog Check Station License No. RC 242996**

ECOBACCI STIPULATED
SETTLEMENT AND DISCIPLINARY
ORDER

17 and

18 **ROBERT PAUL EACOBACCI**
515 Nimrod Street, Apt. D
19 **Nevada City, CA 95959**
20 **Basic Emission Specialist Technician**
License No. EB 001259, Renewed as
21 **Smog Check Inspector License**
No. EI 0001259 and Smog Check Repair
22 **Technician License No. EO 0001259**

23 **Respondents**
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1 IT IS HEREBY STIPULATED AND AGREED by and between the Complainant and
2 Robert Paul Ecobacci in the above-entitled proceedings that the following matters are true:

3 **PARTIES**

4 1. John Wallauch (Complainant) is the Chief of the Bureau of Automotive Repair
5 (Bureau). He brought this action solely in his official capacity and is represented in this matter by
6 Kamala D. Harris, Attorney General of the State of California, by Brian S. Turner, Deputy
7 Attorney General.

8 2. Respondent Robert Paul Ecobacci (Respondent) is represented in this proceeding by
9 attorney Peter Lemmon, whose address is ^{505 Coyote St., Ste. C} ~~356 Providence Mine Road~~, Nevada City, CA 95959.

10 3. On or about January 1, 1998, the Bureau issued Basic Emission Specialist Technician
11 License No. EB 001259 to Robert Paul Ecobacci (Respondent). The Basic Emission Specialist
12 Technician License was in full force and effect at all times relevant to the charges brought in
13 Accusation No. 79/12-168. Respondent's Basic Emission Specialist license was set to expire
14 on December 31, 2012 but pursuant to Title 16 California Code of Regulations Section
15 3340.28(e) Respondent renewed the Basic Emission Specialist License as Smog Check
16 Inspector License No. EO 0001259 and Smog Check Repair Technician License No. EI 0001259.
17 Both the Smog Check Inspector license and Smog Check Repair Technician license are in full
18 force and effect and will expire on December 31, 2014 unless renewed.

19 **JURISDICTION**

20 4. Accusation No. 79/12-168 was filed before the Director of Consumer Affairs
21 (Director), for the Bureau, and is currently pending against Respondent. The Accusation and all
22 other statutorily required documents were properly served on Respondent on July 30, 2012.
23 Respondent timely filed his Notice of Defense contesting the Accusation.

24 5. A copy of Accusation No. 79/12-168 is attached as exhibit A and incorporated herein
25 by reference.

26 **ADVISEMENT AND WAIVERS**

27 6. Respondent has carefully read, fully discussed with counsel, and understands the
28 charges and allegations in Accusation No. 79/12-168. Respondent has also carefully read, fully

1 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
2 Order.

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

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

12 CULPABILITY

13 9. Respondent admits the truth of each and every charge and allegation in Accusation
14 No. 79/12-168.

15 10. Respondent agrees that his Basic Emission Specialist Technician License renewed as
16 Smog Check Inspector License No. EI 0001259 and Smog Check Repair License
17 No. EO 0001259 are subject to discipline and he agrees to be bound by the Director's
18 probationary terms as set forth in the Disciplinary Order below.

19 CONTINGENCY

20 11. This stipulation shall be subject to approval by the Director or his designee.
21 Respondent understands and agrees that counsel for Complainant and the staff of the Bureau may
22 communicate directly with the Director and staff of the Department regarding this stipulation and
23 settlement, without notice to or participation by Respondent or his counsel. By signing the
24 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
25 to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director
26 fails to adopt this stipulation as the Decision and Order, the Stipulated Settlement and
27 Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible
28

1 in any legal action between the parties, and the Director shall not be disqualified from further
2 action by having considered this matter.

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

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

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

15 **DISCIPLINARY ORDER**

16 **IT IS ORDERED** that Basic Emission Specialist Technician License No. EB 001259
17 renewed as Smog Check Inspector License No. EO 0001259 and Smog Check Repair License
18 No. EI 0001259 issued to Respondent Robert Paul Eacobacci (Respondent) are revoked.
19 However, the revocations are stayed and Respondent is placed on probation for three (3) years on
20 the following terms and conditions.

21 1. **Actual Suspension.** Smog Check Inspector License No. EO 0001259 and Smog
22 Check Repair License No. EI 0001259 issued to Respondent Robert Paul Eacobacci are
23 suspended for fifteen consecutive days following the 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. **Reporting.** Respondent or Respondent's authorized representative must report in
27 person or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the
28 Bureau, but no more frequently than each quarter, on the methods used and success achieved in

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1 maintaining compliance with the terms and conditions of probation.

2 4. **Random Inspections.** Provide Bureau representatives unrestricted access to inspect
3 all vehicles (including parts) undergoing repairs, up to and including the point of completion.

4 5. **Jurisdiction.** If an accusation is filed against Respondent during the term of
5 probation, the Director of Consumer Affairs shall have continuing jurisdiction over this matter
6 until the final decision on the accusation, and the period of probation shall be extended until such
7 decision.

8 6. **Violation of Probation.** Should the Director of Consumer Affairs determine that
9 Respondent has failed to comply with the terms and conditions of probation, the Department may,
10 after giving notice and opportunity to be heard revoke Respondent's license.

11 7. **Continuing Education Courses.** During the period of probation, Respondent shall
12 attend and successfully complete a Bureau Certified License Inspector Training Course, Level II,
13 applicable to the class of license held by the Respondent. The course shall be completed and
14 proof of completion submitted to the Bureau within 180 days of the effective date of this decision
15 and order. If proof of completion of the course is not furnished to the Bureau within the ¹⁸⁰~~60~~-day
16 period, Respondents' license shall be immediately suspended until such proof is received.

17 ACCEPTANCE

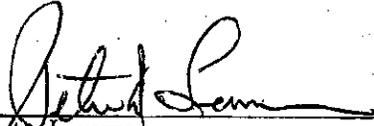
18 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
19 discussed it with my attorney, Peter Lemmon. I understand the stipulation and the effect it will
20 have on my Basic Emission Specialist License No. EB 0001259 renewed as Smog Check
21 Inspector License No EO 0001259 and Smog Check Repair License No. EO 0001259. I enter into
22 this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and
23 agree to be bound by the Decision and Order of the Director of Consumer Affairs.

24
25 DATED: 3-20-13

Robert Paul Eacobacci
ROBERT PAUL EACOBACCI
Respondent

1 I have read and fully discussed with Respondent Robert Paul Eacobacci the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
3 I approve its form and content.

4
5 DATED: 3/28/13


Peter Lemmon
Attorney for Respondent

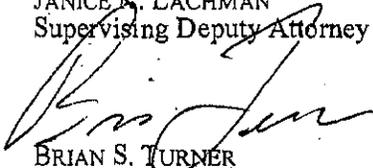
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8 **ENDORSEMENT**

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

11 Dated: 3/29/13

Respectfully submitted;

12
13 KAMALA D. HARRIS
Attorney General of California
14 JANICE K. LACHMAN
Supervising Deputy Attorney General


15
16 BRIAN S. TURNER
17 Deputy Attorney General
Attorneys for Complainant

18
19 SA2012104802

Exhibit A

Accusation No. 79/12-168

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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. 79/12-168

12 **P & S 76**
13 **1912 Nevada City Highway**
Nevada City, CA 95945
14 **Mailing Address:**
15 **3634 Farm Hill Boulevard**
Redwood City, CA 94061
16 **PIOTR JOSEF BARAN, OWNER**
Automotive Repair Dealer Registration No.
ARD 242996
17 **Smog Check Station License No. RC 242996,**

ACCUSATION
SMOG CHECK

18 and

19 **ROBERT PAUL EACOBACCI**
20 **515 Nimrod Street, Apt. D**
Nevada City, CA 95959
21 **Basic Emission Specialist Technician**
License No. EB 001259

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.

28 ///

1 has, or is, engaged in a course of repeated and willful violations of this chapter, or
2 regulations adopted pursuant to it.

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

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

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

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

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

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

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.

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

11. 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.

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1 COST RECOVERY

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

6 FACTUAL BACKGROUND

7 13. In or about March, 2011, the Bureau was contacted by an unidentified person, who
8 alleged that Respondent Eacobacci, who was employed by Respondent P & S, had performed an
9 illegal smog inspection. The informant indicated that a 1999 Land Rover Discovery ("Vehicle
10 1"), owned by Respondent P & S had failed a prior smog inspection due to the Malfunction
11 Indicator Light ("MIL") being illuminated and that Respondent Eacobacci was unable to repair
12 the vehicle to turn off the MIL.

13 14. On or about June 1, 2011, the Bureau conducted a detailed review of the Vehicle
14 Information Database ("VID"), which showed that Vehicle 1 had failed the earlier smog
15 inspection performed on May 24, 2010. The VID also showed that on August 20, 2010, Vehicle
16 1 passed, with all monitors completed, no history fault codes, and emission repairs performed. A
17 further review of the VID revealed that another 1999 Land Rover Discovery ("Vehicle 2") had
18 also been tested and passed on August 20, 2010, within minutes after the passing test on Vehicle
19 1. Respondent Eacobacci issued Certificate of Compliance Number NW349717C for Vehicle 1.
20 In fact, Vehicle 1 was not tested during the OBD II functional test¹ and Vehicle 2 was used,
21 constituting clean plugging.

22 ¹ The On Board Diagnostics (OBD II) functional test is an automated function of the BAR-97
23 analyzer. During the OBD II functional test, the technician is required to connect an interface cable from
24 the BAR-97 analyzer to a Diagnostic Link Connector (DLC) which is located inside the vehicle. Through
25 the DLC, the BAR-97 analyzer automatically retrieves information from the vehicle's on-board computer
about the status of the readiness indicators, trouble codes, and the MIL (malfunction indicator light). If the
vehicle fails the OBD II functional test, it will fail the overall inspection.

26 Clean plugging is the use of the OBD II readiness monitor status and stored fault code (trouble
27 code) status of a passing vehicle for the purpose of illegally issuing a smog certificate to another vehicle
28 that is not in compliance due to a failure to complete the minimum number of self tests, known as
monitors, or due to the presence of a stored fault code that indicates an emission control system or
component failure.

1 a. Section 44012: Respondent P & S failed to ensure that the emission control tests
2 were performed on that vehicle, in accordance with procedures prescribed by the department.

3 b. Section 44015: Respondent P & S issued electronic Certificate of Compliance
4 Number NW349717C for that vehicle, without ensuring that the vehicle was properly tested and
5 inspected to determine if it was in compliance with Health and Safety Code section 44012.

6 **FOURTH CAUSE FOR DISCIPLINE**

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

8 19. Respondent P & S has subjected his station license to discipline under Health and
9 Safety Code section 44072.2, subdivision (c), in that on or about August 20, 2010, regarding
10 Vehicle 1, he violated sections of the California Code of Regulations, title 16, as follows:

11 a. Section 3340.35, subdivision (c): Respondent P & S issued the electronic certificate
12 of compliance even though that vehicle had not been inspected in accordance with section
13 3340.42 of that Code.

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

16 **FIFTH CAUSE FOR DISCIPLINE**

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

18 20. Respondent P & S has subjected his station license to discipline under Health and
19 Safety Code section 44072.2, subdivision (d), in that on or about August 20, 2010, regarding
20 Vehicle 1, he committed acts involving dishonesty, fraud or deceit whereby another was injured
21 by issuing electronic Certificate of Compliance Number NW349717C for that vehicle 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 **SIXTH CAUSE FOR DISCIPLINE**

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

27 21. Respondent Eacobacci has subjected his technician license to discipline under Health
28 and Safety Code section 44072.2, subdivision (a), in that on or about August 20, 2010, regarding

1 Vehicle 1, above, he failed to comply with section 44012 of that Code in a material respect, as
2 follows: Respondent Eacobacci failed to perform the emission control tests on Vehicle 1 in
3 accordance with procedures prescribed by the department.

4 **SEVENTH CAUSE FOR DISCIPLINE**

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

6 22. Respondent Eacobacci has subjected his technician license to discipline under Health
7 and Safety Code section 44072.2, subdivision (c), in that on or about August 20, 2010, regarding
8 Vehicle 1, he violated sections of the California Code of Regulations, title 16, as follows:

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

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

13 **EIGHTH CAUSE FOR DISCIPLINE**

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

15 23. Respondent Eacobacci has subjected his technician license to discipline under Health
16 and Safety Code section 44072.2, subdivision (d), in that on or about August 20, 2010, Vehicle 1,
17 above, he committed acts involving dishonesty, fraud or deceit whereby another was injured by
18 issuing electronic Certificate of Compliance Number NW349717C without performing a bona
19 fide inspection of the emission control devices and systems on that vehicle, thereby depriving the
20 People of the State of California of the protection afforded by the Motor Vehicle Inspection
21 Program.

22 **PRIOR CITATIONS**

23 24. To determine the degree of penalty, if any, to be imposed upon Respondents P & S
24 and Eacobacci, Complainant alleges, as follows:

25 a. On August 22, 2007, the Bureau issued Citation No. C08-0151 to Respondent P & S
26 against his registration and station licenses for violations of Health and Safety Code section
27 44012, subdivision (f) (failure to perform a visual/functional check of emission control devices)
28 and California Code of Regulations, title 16, ("Regulation"), section 3340.35, subdivision (c)

1 (issuing a certificate of compliance to a vehicle improperly tested). Respondent P & S issued a
2 certificate of compliance to a Bureau vehicle with a missing pulse air injection system. The
3 Bureau assessed a civil penalty of \$500. Respondent P & S complied with this citation on
4 September 24, 2007.

5 b. On September 27, 1999, the Bureau issued Citation No. M2000-0166 to Respondent
6 Eacobacci against his technician license for violations of Health and Safety Code section 44032,
7 (qualified technicians shall perform tests of emission control systems and devices in accordance
8 with section 44012 of that Code) and California Code of Regulations, title 16, ("Regulation")
9 section 3340.41, subdivision (c) (no person shall enter into the test analyzer system any vehicle
10 identification information or emission control system identification data for any vehicle other
11 than the one being tested. Nor shall any person knowingly enter into the test analyzer system any
12 false information about the vehicle being tested). Respondent Eacobacci certified 44 vehicles
13 between the dates of July 1, 1999, and July 16, 1999, by entering false vehicle license plate
14 numbers into the Test Analyzer System. Respondent Eacobacci was required to attend an 8-hour
15 training course. Respondent Eacobacci complied with this citation on March 18, 2000.

16 c. On April 9, 2003, the Bureau issued Citation No. M03-1046 to Respondent Eacobacci
17 against his technician license for violations of Health and Safety Code section 44032, (qualified
18 technicians shall perform tests of emission control systems and devices in accordance with
19 section 44012 of that Code) and California Code of Regulations, title 16, ("Regulation") section
20 3340.30, subdivision (a) (qualified technicians shall inspect, test, and repair vehicles in
21 accordance with sections 44012 and 44035 of the Health and Safety Code, and Regulation section
22 3340.42). Respondent Eacobacci issued a certificate of compliance to a Bureau vehicle with the
23 ignition timing adjusted beyond the manufacturer's specifications. Respondent Eacobacci was
24 required to attend an 8-hour training course. Respondent complied with this citation on May 30,
25 2003.

26 d. On August 22, 2007, the Bureau issued Citation No. M08-0152 to Respondent
27 Eacobacci against his technician license for violations of Health and Safety Code section 44032,
28 (qualified technicians shall perform tests of emission control systems and devices in accordance

1 with section 44012 of that Code) and California Code of Regulations, title 16, ("Regulation")
2 section 3340.30, subdivision (a) (qualified technicians shall inspect, test, and repair vehicles in
3 accordance with sections 44012 and 44035 of the Health and Safety Code, and Regulation section
4 3340.42). Respondent Eacobacci issued a certificate of compliance to a Bureau vehicle with a
5 missing pulse air injection system. Respondent Eacobacci was required to attend an 8-hour
6 training course. Respondent complied with this citation on October 10, 2007.

7 OTHER MATTERS

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

12 26. Pursuant to Health & Safety Code section 44072.8, if Smog Check Station License
13 Number RC 242996, issued to Piotr Josef Baran, doing business as P & S 76, is revoked or
14 suspended, any additional license issued under this chapter in the name of said licensee may be
15 likewise revoked or suspended by the director.

16 27. Pursuant to Health & Safety Code section 44072.8, if Basic Emission Specialist
17 Technician License Number EB 001259, issued to Robert Paul Eacobacci, is revoked or
18 suspended, any additional license issued under this chapter in the name of said licensee may be
19 likewise revoked or suspended by the director.

20 PRAAYER

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

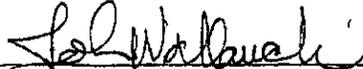
23 1. Revoking, suspending or placing on probation Automotive Repair Dealer Registration
24 Number ARD 242996, issued to Piotr Josef Baran, doing business as P & S 76;

25 2. Revoking, suspending or placing on probation any other automotive repair dealer
26 registration issued to Piotr Josef Baran;

27 3. Revoking or suspending Smog Check Station License Number RC 242996, issued to
28 Piotr Josef Baran, doing business as P & S 76;

- 1 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
2 and Safety Code in the name of Piotr Josef Baran;
- 3 5. Revoking or suspending Basic Emission Specialist Technician License Number EB
4 001259, issued to Robert Paul Eacobacci;
- 5 6. Revoking or suspending any additional license issued under Chapter 5 of the Health
6 and Safety Code in the name of Robert Paul Eacobacci;
- 7 7. Ordering Piotr Josef Baran and Robert Paul Eacobacci to pay the Bureau of
8 Automotive Repair the reasonable costs of the investigation and enforcement of this case,
9 pursuant to Business and Professions Code section 125.3; and,
- 10 8. Taking such other and further action as deemed necessary and proper.

11
12
13 DATED: June 18, 2010


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

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