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7

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

10
11 In the Matter of the Accusation Against:

Case No. 77/16-4071

12 **RICHARD BYUN SHELL, RICHARD**
HONG BYUN, Owner
13 **700 E. Rosecrans Ave.**
Compton, CA 90221-2144
14

A C C U S A T I O N

15 Automotive Repair Dealer Registration No.
ARD 143420
16 Smog Check Test and Repair Station License
No. RC 143420,
17 Brake Station License No. BS 143420, Class
C,
18 Lamp Station License No. LS143420, Class A

19 **and**

20 **CARLOS G. SOSA**
21825 Belshire Ave., #6
21 **Hawaiian Gardens, CA 90716**

22 Smog Check Inspector License No. EO 139065
23 Smog Check Repair Technician License No. EI
139065, formerly Advanced Emissions
24 Specialist Technician License No. EA 139065
25 Brake Adjuster License No. BA 139065, Class
C,
Lamp Adjuster License No. LA 139065

26 Respondents.
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1 Complainant alleges:

2 **PARTIES**

3 1. Patrick Dorais (“Complainant”) brings this Accusation solely in his official capacity
4 as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs.

5 ***Richard Byun Shell, Richard Hong Byun***

6 2. In 1988, the Bureau of Automotive Repair issued Automotive Repair Dealer
7 Registration Number ARD 143420 to Richard Byun Shell, Richard Hong Byun (“Respondent
8 Byun”). The Automotive Repair Dealer Registration was in full force and effect at all times
9 relevant to the charges brought herein and will expire on November 30, 2017, unless renewed.

10 3. In 1988, the Bureau of Automotive Repair issued Smog Check Test and Repair
11 Station License Number RC 143420 to Respondent Byun. The Smog Check Test and Repair
12 Station License was in full force and effect at all times relevant to the charges brought herein and
13 will expire on November 30, 2017, unless renewed.

14 4. On or about October 17, 2000, the Bureau issued Brake Station License Number BS
15 143420, class C, to Respondent Byun. The Brake Station License was in full force and effect at
16 all times relevant to the charges brought herein and will expire on November 30, 2017, unless
17 renewed.

18 5. On or about October 17, 2000, the Bureau issued Lamp Station License Number LS
19 143420, class A, to Respondent Byun. The Lamp Station License was in full force and effect at
20 all times relevant to the charges brought herein and will expire on November 30, 2017, unless
21 renewed.

22 ***Carlos G. Sosa***

23 6. In 1998, the Bureau issued Advanced Emission Specialist Technician License EA
24 139065 to Carlos G. Sosa (“Respondent Sosa”). Said license was due to expire on January 31,
25 2014, but was cancelled on September 12, 2013, and pursuant to California Code of Regulations,
26 title 16, section 3340.28, subdivision (e), and was renewed upon Respondent Sosa’s election as
27 Smog Check Inspector License EO 139065 and Smog Check Repair Technician License No. EI
28 139065, effective September 12, 2013. Smog Check Inspector License EO 139065 and Smog

1 Check Repair Technician License No. EI 139065 were in full force and effect at all times relevant
2 to the charges brought herein and will expire on January 31, 2018, unless renewed.¹

3 7. In 2005, the Bureau issued Brake Adjuster License Number BA 139065, class C, to
4 Respondent Sosa. The Brake Adjuster License will expire on January 31, 2018, unless renewed.

5 8. In 2005, the Bureau issued Lamp Adjuster License Number LA 139065, class A, to
6 Respondent Sosa. The Lamp Adjuster License will expire on January 31, 2018, unless renewed.

7 JURISDICTION

8 9. Business and Professions Code ("Bus. & Prof. Code") section 9884.13 provides, in
9 pertinent part, that the expiration of a valid registration shall not deprive the Director of
10 jurisdiction to proceed with a disciplinary proceeding against an automotive repair dealer or to
11 render a decision temporarily or permanently invalidating (suspending or revoking) a registration.

12 10. Bus. & Prof. Code section 9889.1 provides, in pertinent part, that the Director may
13 suspend or revoke any license issued under Articles 5 and 6 (commencing with section 9887.1) of
14 the Automotive Repair Act.

15 11. Bus. & Prof. Code section 9889.7 provides, in pertinent part, that the expiration or
16 suspension of a license by operation of law or by order or decision of the Director or a court of
17 law, or the voluntary surrender of a license shall not deprive the Director of jurisdiction to
18 proceed with any disciplinary proceedings.

19 12. Health and Safety Code ("Health & Saf. Code") section 44002 provides, in pertinent
20 part, that the Director has all the powers and authority granted under the Automotive Repair Act
21 for enforcing the Motor Vehicle Inspection Program.

22 13. Health & Saf. Code section 44072.6 provides, in pertinent part, that the expiration or
23 suspension of a license by operation of law, or by order or decision of the Director of Consumer
24 Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director
25 of jurisdiction to proceed with disciplinary action.

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

copy of the invoice shall be given to the customer and one copy shall be retained by the automotive repair dealer.

16. Bus. & Prof. Code section 9889.3 states, in pertinent part:

The director may suspend, revoke, or take other disciplinary action against a license as provided in this article [Article 7 (commencing with section 9889.1) of the Automotive Repair Act] if the licensee or any partner, officer, or director thereof:

(a) Violates any section of the Business and Professions Code which relates to his or her licensed activities.

....

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

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

....

(h) Violates or attempts to violate the provisions of this chapter relating to the particular activity for which he or she is licensed . . .

17. Bus. & Prof. Code section 9889.16 states:

Whenever a licensed adjuster in a licensed station upon an inspection or after an adjustment, made in conformity with the instructions of the bureau, determines that the lamps or the brakes upon any vehicle conform with the requirements of the Vehicle Code, he shall, when requested by the owner or driver of the vehicle, issue a certificate of adjustment on a form prescribed by the director, which certificate shall contain the date of issuance, the make and registration number of the vehicle, the name of the owner of the vehicle, and the official license of the station.

18. Bus. & Prof. Code section 9889.22 states:

The willful making of any false statement or entry with regard to a material matter in any oath, affidavit, certificate of compliance or noncompliance, or application form which is required by this chapter [the Automotive Repair Act] or Chapter 5 (commencing with Section 44000) of Part 5 of Division 26 of the Health and Safety Code constitutes perjury and is punishable as provided in the Penal Code.

19. Bus. & Prof. Code section 9889.9 states that “[w]hen any license has been revoked or suspended following a hearing under the provisions of this article [Article 7 (commencing with section 9889.1) of the Automotive Repair Act], any additional license issued under Articles 5 and

1 6 of this chapter in the name of the licensee may be likewise revoked or suspended by the
2 director.”

3 20. Health & Saf. Code section 44072.2 states, in pertinent part:

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

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

11 21. Health & Saf. Code section 44072.8 states that “[w]hen a license has been revoked or
12 suspended following a hearing under this article, any additional license issued under this chapter
13 in the name of the licensee may be likewise revoked or suspended by the director.”

14 **REGULATIONS**

15 22. California Code of Regulations, title 16, section 3305, subdivision (a), states:

16 (a) All adjusting, inspecting, servicing, and repairing of brake
17 systems and lamp systems for the purpose of issuing any certificate
18 of compliance or adjustment shall be performed in official stations,
19 by official adjusters, in accordance with the following, in
20 descending order of precedence, as applicable:

21 (1) Vehicle Manufacturers' current standards, specifications and
22 recommended procedures, as published in the manufacturers'
23 vehicle service and repair manuals.

24 (2) Current standards, specifications, procedures, directives,
25 manuals, bulletins and instructions issued by vehicle and
26 equipment or device manufacturers.

27 (3) Standards, specifications and recommended procedures
28 found in current industry-standard reference manuals and
periodicals published by nationally recognized repair information
providers.

(4) The bureau's Handbook for Brake Adjusters and Stations,
May 2015, which is hereby incorporated by reference.

(5) The bureau's Handbook for Lamp Adjusters and Stations,
May 2015, which is hereby incorporated by reference.

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1 23. California Code of Regulations, title 16, section 3316, subdivision (d), states in
2 pertinent part:

3 (d) Effective April 1, 1999, licensed stations shall purchase
4 certificates of adjustment from the bureau for a fee of three dollars
5 and fifty cents (\$ 3.50) each and shall not purchase or otherwise
6 obtain such certificates from any other source. Full payment is
7 required at the time certificates are ordered. Certificates are not
exchangeable following delivery. A licensed station shall not sell
or otherwise transfer unused certificates of adjustment. Issuance of
a lamp adjustment certificate shall be in accordance with the
following provisions:

8

9 (2) Where all of the lamps, lighting equipment, and related
10 electrical systems on a vehicle have been inspected and found to be
11 in compliance with all requirements of the Vehicle Code and
bureau regulations, the certificate shall certify that the entire
system meets all of those requirements. . . .

12 24. California Code of Regulations, title 16, section 3321, subdivision (c), states in
13 pertinent part:

14 (c) Effective April 1, 1999, licensed stations shall purchase
15 certificates of adjustment from the bureau for a fee of three dollars
16 and fifty cents (\$ 3.50) and shall not purchase or otherwise obtain
17 such certificates from any other source. A licensed station shall not
18 sell or otherwise transfer unused certificates of adjustment. Full
payment is required at the time certificates are ordered. Certificates
are not exchangeable following delivery. Issuance of a brake
adjustment certificate shall be in accordance with the following
provisions:

19

20 (2) Where the entire brake system on any vehicle has been
21 inspected or tested and found to be in compliance with all
22 requirements of the Vehicle Code and bureau regulations, and the
vehicle has been road-tested, the certificate shall certify that the
entire system meets all such requirements. . . .

23 25. California Code of Regulations, title 16, section 3356, states, in pertinent part:

24 (a) All invoices for service and repair work performed, and parts
25 supplied, as provided for in Section 9884.8 of the Business and
Professions Code, shall comply with the following:

26

27 (2) The invoice shall separately list, describe and identify all of
28 the following:

....

(C) The subtotal price for all service and repair work performed. . . .

26. California Code of Regulations, title 16, section 3373, states:

No automotive repair dealer or individual in charge shall, in filling out an estimate, invoice, or work order, or record required to be maintained by section 3340.15(e) of this chapter, withhold therefrom or insert therein any statement or information which will cause any such document to be false or misleading, or where the tendency or effect thereby would be to mislead or deceive customers, prospective customers, or the public.

COST RECOVERY

27. Bus. & Prof. Code section 125.3 provides, in pertinent part, that the Bureau 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.

UNDERCOVER OPERATION #1: 2000 TOYOTA SIENNA

28. On April 27, 2016, a Bureau undercover operator (operator) took the Bureau's 2000 Toyota Sienna to Richard Byun Shell and requested brake, lamp, and smog inspections on the vehicle. At that time, the 2000 Toyota Sienna had the following documented defective conditions: (i) one front brake rotor that was undersized and not within manufacturer's specifications, (ii) one rear brake drum that was oversized and not within manufacturer's specifications, (iii) misadjusted both right and left headlamps, and (iv) non-operational license plate light bulbs. Due to the presence of these defects, the vehicle was incapable of passing a brake or lamp inspection.

29. The operator signed an estimate but did not receive a copy of the signed document. Later that day, Respondent Sosa provided the operator with a Vehicle Inspection Report, a Certificate of Compliance – Brake Adjustment # [REDACTED] and a Certificate of Compliance – Lamp Adjustment # [REDACTED] all of which were signed under penalty of perjury by Respondent Sosa. The lamp certificate of adjustment indicated various lamps were inspected, an optical aimer for the headlamps was used, and that the inspection was for a reconstructed vehicle. The brake certificate of adjustment indicated that inspections of the service and parking brakes,

1 lining and shoes, and drums and rotors were performed to register a reconstructed vehicle.
2 Respondent Sosa indicated on the certificate that he had performed a road test and stopped the
3 vehicle in a distance which was illegibly written at 20 miles per hour. The operator, however,
4 observed the vehicle to have never left the facility. The operator paid Respondent Richard Byun
5 Shell \$100.00 in cash for the brake, lamp, and smog inspections.

6 30. On or about May 6, 2015, the Bureau re-inspected the 2000 Toyota Sienna and found
7 that it should not have received a Certificate of Brake Adjustment due to an undersized front
8 brake rotor and an oversized rear brake drum that exceeded manufacturer's specifications, which
9 had not been replaced and had not been inspected as evidenced by the intact tamper seals on the
10 wheels indicating they had not been removed. The Bureau also found that the 2000 Toyota
11 Sienna should not have received a Certificate of Lamp Adjustment since the defective license
12 plate bulbs were still nonfunctioning and had not been replaced.

13 **UNDERCOVER OPERATION #2: 2001 FORD TAURUS**

14 31. On June 28, 2016, a Bureau undercover operator (operator) took the Bureau's 2001
15 Ford Taurus to Richard Byun Shell and requested brake, lamp, and smog inspections on the
16 vehicle. At that time, the 2001 Ford Taurus had the following documented defective conditions:
17 (i) one front brake rotor that was undersized and not within manufacturer's specifications, (ii) one
18 rear brake drum that was oversized and not within manufacturer's specifications, (iii) misadjusted
19 both right and left headlamps, and (iv) non-operational license plate light bulbs. Due to the
20 presence of these defects, the vehicle was incapable of passing a brake or lamp inspection.

21 32. The operator signed an estimate and received a copy of the signed document. Later
22 that day, Respondent Sosa provided the operator with a Vehicle Inspection Report, which was
23 signed under penalty of perjury, and an invoice for \$50.00. Respondent Sosa did not provide a
24 Certificate of Compliance – Brake Adjustment, or a Certificate of Compliance – Lamp
25 Adjustment to the operator. Instead, Respondent Sosa informed the operator that the right
26 headlamp needed to be adjusted, but before the operator could ask how much the adjustment
27 would cost, Respondent Sosa closed out the invoice. The operator paid Respondent Richard
28 Byun Shell \$50.00 in cash for the inspections.

1 Certificates of Adjustments when a vehicle passes the inspections. Respondent Sosa further
2 admitted that he signed the Brake and Lamp Certificates of Adjustment that were issued to the
3 Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

4 **FIRST CAUSE FOR DISCIPLINE**

5 **Against Respondent Richard Byun Shell**

6 **(Untrue or Misleading Statements)**

7 37. Respondent Richard Byun Shell's automotive repair dealer registration is subject to
8 discipline pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that Respondent
9 made or authorized statements which he knew, or in the exercise of reasonable care should have
10 known, to be untrue or misleading. Specifically, Respondent Richard Byun Shell employed
11 Respondent Sosa as the sole brake and lamp adjuster and Respondent Sosa issued brake and lamp
12 certificates to the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus, which certified that the
13 vehicles' brakes and lamps were in satisfactory condition when, in fact, those vehicles were not
14 capable of passing brake and lamp inspections. Each of these fraudulently issued certificates
15 were signed under penalty of perjury by Respondent Sosa.

16 38. Complainant refers to, and by this reference incorporates, the allegations set forth
17 above in above in paragraphs 28 through 36, inclusive, as though fully set forth herein.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **Against Respondent Richard Byun Shell**

20 **(Fraud)**

21 39. Respondent Richard Byun Shell's automotive repair dealer registration is subject to
22 discipline pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(4), in that Respondent
23 committed acts that constitute fraud when he received payment for performing the inspections,
24 adjustments, and/or repairs of the brake and lighting systems on the Bureau's 2000 Toyota Sienna
25 and 2001 Ford Taurus in accordance with Bureau regulations when, in fact, Respondent failed to
26 perform the necessary inspections, adjustments, and repairs in compliance with Bureau
27 regulations.

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1 40. Complainant refers to, and by this reference incorporates, the allegations set forth
2 above in above in paragraphs 28 through 36, inclusive, as though fully set forth herein.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **Against Respondent Richard Byun Shell**

5 **(Failure to Comply with the Bus. & Prof. Code)**

6 41. Respondent Richard Byun Shell's automotive repair dealer registration is subject to
7 discipline pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(6), in that Respondent
8 failed to comply with provisions of that Code in the following material respects:

9 a. **Section 9884.7, subdivision (a)(3)**: Respondent Richard Byun Shell failed to
10 provide signed documents to the operators of the Bureau's 2000 Toyota Sienna and 2001 Ford
11 Taurus.

12 b. **Section 9884.7, subdivision (a)(5)**: Respondent Richard Byun Shell engaged
13 in conduct constituting gross negligence as the necessary inspections, adjustments, and repairs
14 were not performed on the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

15 c. **Section 9884.8**: Respondent failed to list subtotal prices on the invoices he
16 provided to the operators of the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

17 d. **Section 9889.16**: Respondent Richard Byun Shell issued brake and lamp
18 certificates for the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus when those vehicles were
19 not in compliance with Bureau's regulations.

20 e. **Section 9889.22**: Respondent Richard Byun Shell willfully made false
21 statements or entries on brake and lamp certificates for the Bureau's 2000 Toyota Sienna and
22 2001 Ford Taurus.

23 42. Complainant refers to, and by this reference incorporates, the allegations set forth
24 above in above in paragraphs 28 through 36, inclusive, as though fully set forth herein.

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1 **FIFTH CAUSE FOR DISCIPLINE**

2 **Against Respondent Richard Byun Shell and Respondent Sosa**

3 **(Failure to Comply with the Bus. & Prof. Code)**

4 45. Respondent Richard Byun Shell's brake and lamp station licenses and Respondent
5 Sosa's brake and lamp adjuster licenses are subject to discipline pursuant to Bus. & Prof. Code
6 section 9889.3, subdivisions (a) and (h), in that they failed to comply with provisions of that Code
7 in the following material respects:

8 a. **Section 9884.7, subdivision (a)(3)**: Respondents failed to provide signed
9 documents to the operators of the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

10 b. **Section 9884.7, subdivision (a)(5)**: Respondents engaged in conduct
11 constituting gross negligence as the necessary inspections, adjustments, and repairs were not
12 performed on the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

13 c. **Section 9884.8**: Respondents failed to list subtotal prices on the invoices he
14 provided to the operators of the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

15 d. **Section 9889.16**: Respondents issued brake and lamp certificates for the
16 Bureau's 2000 Toyota Sienna and 2001 Ford Taurus when those vehicles were not in compliance
17 with Bureau's regulations.

18 e. **Section 9889.22**: Respondents willfully made false statements or entries on
19 brake and lamp certificates for the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

20 46. Complainant refers to, and by this reference incorporates, the allegations set forth
21 above in above in paragraphs 28 through 36, inclusive, as though fully set forth herein.

22 **SIXTH CAUSE FOR DISCIPLINE**

23 **Against Respondent Richard Byun Shell and Respondent Sosa**

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

25 47. Respondent Richard Byun Shell's brake and lamp station licenses and Respondent
26 Sosa's brake and lamp adjuster licenses are subject to discipline pursuant to Bus. & Prof. Code
27 section 9889.3, subdivision (c), in that they failed to comply with the provisions of California
28 Code of Regulations, title 16, in the following material respects:

1 a. **Section 3305, subdivision (a)**: Respondents failed to inspect and/or adjust the
2 brake and lamp systems on the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus in
3 accordance with the specifications, instructions, and directives issued by the Bureau.

4 b. **Section 3316, subdivision (d)(2)**: Respondents issued lamp certificates to the
5 Bureau's 2000 Toyota Sienna and 2001 Ford Taurus when all of the lamps, lighting equipment,
6 and/or related electrical systems on those vehicles were not in compliance with Bureau
7 regulations.

8 c. **Section 3321, subdivision (c)(2)**: Respondents issued brake certificates for the
9 Bureau's 2000 Toyota Sienna and 2001 Ford Taurus when the brake systems on those vehicles
10 had not been completely tested or inspected.

11 d. **Section 3356, subdivision (a)(2)(C)**: Respondents failed to list subtotal prices
12 on the invoices he provided to the operators of the Bureau's 2000 Toyota Sienna and 2001 Ford
13 Taurus.

14 e. **Section 3373**: Respondents filled out and issued false or misleading brake and
15 lamp certificates of adjustment for the Bureau's 2000 Toyota Sienna and 2001 Ford Taurus.

16 48. Complainant refers to, and by this reference incorporates, the allegations set forth
17 above in above in paragraphs 28 through 36, inclusive, as though fully set forth herein.

18 **SEVENTH CAUSE FOR DISCIPLINE**

19 **Against Respondent Richard Byun Shell and Respondent Sosa**

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

21 49. Respondent Richard Byun Shell's brake and lamp station licenses and Respondent
22 Sosa's brake and lamp adjuster licenses are subject to discipline pursuant to Bus. & Prof. Code
23 section 9889.3, subdivision (d), in that they committed acts involving dishonesty, fraud, or deceit
24 whereby another was injured, as set forth in paragraphs 28 through 36 above.

25 **OTHER MATTERS**

26 35. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
27 suspend, revoke, or place on probation the registration for all places of business operated in this
28 state by Respondent Richard Hong Byun, owner of Richard Byun Shell, upon a finding that he

1 has, or is, engaged in a course of repeated and willful violations of the laws and regulations
2 pertaining to an automotive repair dealer.

3 36. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Test and Repair
4 Station License No. RC 143420, issued to Respondent Richard Hong Byun, owner of Richard
5 Byun Shell, is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of
6 Division 26 of the Health and Safety Code in the name of said licensee may be likewise revoked
7 or suspended by the director.

8 37. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
9 No. EO 139065, issued to Respondent Carlos G. Sosa, is revoked or suspended, any additional
10 license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name
11 of said licensee may be likewise revoked or suspended by the director.

12 **PRAYER**

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

15 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
16 143420, issued to Richard Byun Shell, Richard Hong Byun;

17 2. Revoking or suspending Smog Check Test and Repair Station License No. RC
18 143420, issued to Richard Byun Shell, Richard Hong Byun;

19 3. Revoking or suspending Brake Station License No. BS 143420, class C, issued to
20 Richard Byun Shell, Richard Hong Byun;

21 4. Revoking or suspending Lamp Station License No. LS 143420, class A, issued to
22 Richard Byun Shell, Richard Hong Byun;

23 5. Revoking or suspending Smog Check Inspector License No. EO 139065 and Smog
24 Check Repair Technician License No. EI 139065 issued to Carlos G. Sosa;

25 6. Revoking or suspending Brake Adjuster License No. BA 139065, class C, issued to
26 Carlos G. Sosa;

27 7. Revoking or suspending Lamp Adjuster License No. LA 139065, issued to Carlos G.
28 Sosa;

1 8. Revoking or suspending any and all licenses issued under Articles 5 and 6 of the
2 Automotive Repair Act in the name of Richard Byun Shell, Richard Hong Byun pursuant to
3 section 9889.9 of the Business and Professions Code;

4 9. Revoking or suspending any and all licenses issued under the Motor Vehicle
5 Inspection Program in the name of Richard Byun Shell, Richard Hong Byun pursuant to section
6 44072.8 of the Health and Safety Code;

7 10. Revoking or suspending any and all licenses issued under Articles 5 and 6 of the
8 Automotive Repair Act in the name of Carlos G. Sosa pursuant to section 9889.9 of the Business
9 and Professions Code;

10 11. Revoking or suspending any and all licenses issued under the Motor Vehicle
11 Inspection Program in the name of Carlos G. Sosa pursuant to section 44072.8 of the Health and
12 Safety Code;

13 12. Ordering Richard Byun Shell, Richard Hong Byun and Carlos G. Sosa to pay the
14 Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this
15 case, pursuant to Business and Professions Code section 125.3; and

16 13. Taking such other and further action as deemed necessary and proper.

17
18 DATED:

July 25, 2017



PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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