

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

In the Matter of the First Amended Accusation
Against:

FLORIDA N. ZEIT
DBA Z AND T TEST ONLY
6094 Mission Blvd #A
Riverside, CA 92509

Automotive Repair Dealer Registration No.
ARD 234019
Smog Check-Test Only Station License No.
TC 234019

and

JEHAD M. EL-ABED
21307 Shakespeare Court
Moreno Valley, CA 92557

Smog Check Inspector License No. EO 24535
(formerly Advanced Emission Specialist
Technician License No. EA 24535)

Case No. 79/13-04

OAH No. 2013020136

Respondents.

DECISION

The attached Stipulation for Revocation of License and Order as to Jehad M. El-Abed, Only 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 Jehad M. El-Abed, Smog Check Inspector License No. EO 24535 (formerly Advanced Emission Specialist Technician License No. EA 24535).

This Decision shall become effective 12/27/13.

DATED: November 27, 2013



DONALD CHANG
Assistant Chief Counsel
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 DAVID E. HAUSFELD
Deputy Attorney General
4 State Bar No. 110639
110 West "A" Street, Suite 1100
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6 San Diego, CA 92186-5266
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Attorneys for Complainant

8
9 **BEFORE THE**
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10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**

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16 **Automotive Repair Dealer Registration No.**
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17 **Smog Check-Test Only Station License No.**
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19 **and**

20 **JEHAD M. EL-ABED**
21 **21307 Shakespeare Court**
Moreno Valley, CA 92557

22 **Smog Check Inspector License No. EO**
23 **24535 (formerly Advanced Emission**
Specialist Technician License No. EA 24535)

24 Respondents.

Case No. 79/13-04

OAH No. 2013020136

STIPULATION FOR REVOCATION OF
LICENSE AND ORDER AS TO
JEHAD M. EL-ABED, ONLY

25
26 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
27 entitled proceedings that the following matters are true:

28 ///

1 **PARTIES**

2 1. Patrick Dorais (Complainant) is the Acting Chief of the Bureau of Automotive Repair
3 (BAR). He brought this action solely in his official capacity and is represented in this matter by
4 Kamala D. Harris, Attorney General of the State of California, by David E. Hausfeld, Deputy
5 Attorney General.

6 2. Respondent Jehad M. El-Abed (Respondent) is represented in this proceeding by
7 attorney Michael B. Levin, whose address is: Michael B. Levin, Law Offices of Michael B.
8 Levin, 3727 Camino del Rio South, Suite 200, San Diego, CA 92108-4035.

9 3. On a date uncertain in 1997, the BAR issued Advanced Emission Specialist
10 Technician License Number EA 24535 to Jehad M. El-Abed (Respondent). Respondent's
11 advanced emission specialist technician license was due to expire on March 31, 2013, however it
12 was cancelled on March 26, 2013. Pursuant to California Code of Regulations, title 16, section
13 3340.28, subdivision(e), the license was renewed, pursuant to Respondent's election, as Smog
14 Check Inspector License No. EO 24535, effective March 26, 2013. Respondent's smog check
15 inspector license will expire on March 31, 2015.

16 **JURISDICTION**

17 4. Accusation No. 79/13-04 was filed before the Director of Consumer Affairs
18 (Director), for the BAR. The Accusation and all other statutorily required documents were
19 properly served on Respondent on July 26, 2012. Respondent timely filed his Notice of Defense,
20 through counsel, contesting the Accusation.

21 5. First Amended Accusation No. 79/13-04 was filed before the Director, for the BAR,
22 and is currently pending against Respondent. The First Amended Accusation and all other
23 statutorily required documents were properly served on Respondent and his attorney on October
24 2, 2013.

25 6. A copy of First Amended Accusation No. 79/13-04 is attached as Exhibit A and
26 incorporated herein by reference.

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1 staff of the Bureau of Automotive Repair may communicate directly with the Director and staff of
2 the Department of Consumer Affairs regarding this stipulation and settlement, without notice to
3 or participation by Respondent or his counsel. By signing the stipulation, Respondent
4 understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation
5 prior to the time the Director considers and acts upon it. If the Director fails to adopt this
6 stipulation as the Decision and Order, the Stipulation for Revocation of License and Order shall
7 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
8 between the parties, and the Director shall not be disqualified from further action by having
9 considered this matter.

10 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
11 copies of this Stipulation for Revocation of License and Order, including PDF and facsimile
12 signatures thereto, shall have the same force and effect as the originals.

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

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

22 **DISCIPLINARY ORDER**

23 IT IS HEREBY ORDERED that Smog Check Inspector License No. EO 24535 issued to
24 Respondent Jehad M. El-Abed is revoked.

25 1. The revocation of Respondent's Smog Check Inspector License No. EO 24535 shall
26 constitute the imposition of discipline against Respondent. This stipulation and order constitute a
27 record of the discipline and shall become a part of Respondent's license history with the Bureau.

28 ///

2. Respondent shall lose all rights and privileges as a Smog Check Inspector licensee in California as of the effective date of the Director's Decision and Order.

3. Respondent shall cause to be delivered to the BAR his Smog Check Inspector License No. EO 24535, on or before the effective date of the Decision and Order.

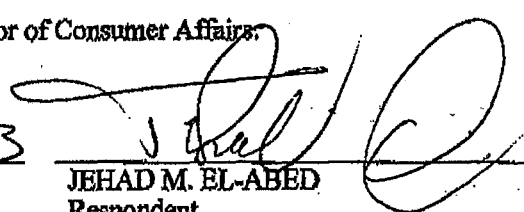
4. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the BAR shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 79/13-04 shall be deemed to be true, correct and admitted by Respondent when the Director determines whether to grant or deny the application or petition.

5. Respondent, Jehad M. El-Abed, shall be jointly and severally responsible for costs incurred by BAR, with Co-Respondent, Florida N. Zeit, and shall pay the BAR its costs of investigation and enforcement in the amount of \$8,137.98, at the time of application for a new registration or license issued by the BAR.

ACCEPTANCE


I have carefully read the above Stipulation for Revocation of License and Order and have fully discussed it with my attorney, Michael B. Levin. I understand the stipulation and the effect it will have on my Smog Check Inspector License. I enter into this Stipulation for Revocation of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED: 10-23-2013


JEHAD M. EL-ABED
Respondent

1 I have read and fully discussed with Respondent Jehad M. El-Abed the terms and
2 conditions and other matters contained in the above Stipulation for Revocation of License and
3 Order. I approve its form and content.

4
5 DATED: 10/23/13


MICHAEL B. LEVIN,
Attorney for Respondent

7
8
9 **ENDORSEMENT**

10 The foregoing Stipulation for Revocation of License and Order is hereby respectfully
11 submitted for consideration by the Director of Consumer Affairs

12
13 Dated:

Respectfully submitted,

14 KAMALA D. HARRIS
Attorney General of California
15 JAMES M. LEDAKIS
Supervising Deputy Attorney General

16
17 DAVID E. HAUSFELD
18 Deputy Attorney General
Attorneys for Complainant

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1 I have read and fully discussed with Respondent Jehad M. El-Abed the terms and
2 conditions and other matters contained in the above Stipulation for Revocation of License and
3 Order. I approve its form and content.

4
5 DATED: _____

MICHAEL B. LEVIN,
Attorney for Respondent

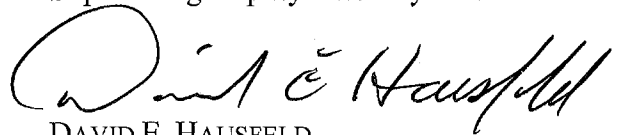
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12 Dated: 10/23/13

Respectfully submitted,

14 KAMALA D. HARRIS
Attorney General of California
15 JAMES M. LEDAKIS
Supervising Deputy Attorney General

16 

17 DAVID E. HAUSFELD
18 Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 79/13-04

1 KAMALA D. HARRIS
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 DAVID E. HAUSFELD
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Attorneys for Complainant

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11 In the Matter of the Accusation Against:
12 **Z AND T TEST ONLY**
13 **FLORIDA N. ZEIT, OWNER**
6094 Mission Blvd #A
14 Riverside, CA 92509

Case No. 79/13-04

FIRST AMENDED ACCUSATION

15 Automotive Repair Dealer Registration No.
ARD 234019
16 Smog Check, Test Only, Station License No.
TC 234019

17 and

18 **JEHAD M. EL-ABED**
21307 Shakespeare Court
19 Moreno Valley, CA 92557

20 Smog Check Inspector License No. EO
24535 (formerly Advanced Emission
21 Specialist Technician License No. EA 24535)

22 Respondents.

23
24 Complainant alleges:

25 **PARTIES**

26 1. Patrick Dorais (Complainant) brings this First Amended Accusation solely in his
27 official capacity as the Acting Chief of the Bureau of Automotive Repair (BAR), Department of
28 Consumer Affairs.

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1 7. Health and Safety Code (Health & Saf. Code) section 44002 provides, in pertinent
2 part, that the Director has all the powers and authority granted under the Automotive Repair Act
3 for enforcing the Motor Vehicle Inspection Program.

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

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

12 10. Section 9884.7 of the Code states:

13 (a) The director, where the automotive repair dealer cannot show there was a
14 bona fide error, may deny, suspend, revoke, or place on probation the registration
15 of an automotive repair dealer for any of the following acts or omissions related to
16 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.

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

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21 (4) Any other conduct that constitutes fraud.

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

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26 (c) Notwithstanding subdivision (b), the director may suspend, revoke, or
27 place on probation the registration for all places of business operated in this state
28 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.

1 11. Health & Saf. Code section 44072.2 states, in pertinent part:

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

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

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

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

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14 12. Health & Saf. Code section 44072.8 states:

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

18 13. California Code of Regulations, title 16, section 3340.28, subdivision (e), states:

19 "Upon renewal of an unexpired Basic Area Technician license or an Advanced Emission
20 Specialist Technician license issued prior to the effective date of this regulation, the licensee may
21 apply to renew as a Smog Check Inspector, Smog Check Repair Technician, or both."

22 STATUTORY PROVISIONS

23 14. Health & Saf. Code section 44072.10 states, in pertinent part:

24

25 (c) The department shall revoke the license of any smog check technician or
26 station licensee who fraudulently certifies vehicles or participates in the fraudulent
27 inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of
28 the following:

. . . .

(4) Intentional or willful violation of this chapter or any regulation, standard,
or procedure of the department implementing this chapter.

15. Health & Saf. Code section 44012 provides, in pertinent part, that the test at the smog check stations shall be performed in accordance with procedures prescribed by the department, pursuant to Section 44013.

REGULATORY PROVISIONS

16. California Code of Regulations, title 16, section 3340.24 (c), states:

"(c) The bureau may suspend or revoke the license of or pursue other legal action against a licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a certificate of noncompliance."

17. California Code of Regulations, title 16, section 3340.30, states, in pertinent part:

"A smog check technician shall comply with the following requirements at all times while licensed.

"(a) A licensed technician shall inspect, test and repair vehicles in accordance with section 44012 of the Health and Safety Code, section 44035 of the Health and Safety Code, and section 3340.42 of this article.

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18. California Code of Regulations, title 16, section 3340.35, provides, in pertinent part, that a licensed station shall issue a certificate of compliance . . . to the owner or operator of any vehicle that has been inspected in accordance with the procedures specified in section 3340.42 of this article and has all the required emission control equipment and devices installed and functioning correctly.

19. California Code of Regulations, title 16, section 3340.41 (c), states:

"No person shall enter into the emissions inspection system any vehicle identification information or emission control system identification data for any vehicle other than the one being tested. Nor shall any person knowingly enter into the emissions inspection system any false information about the vehicle being tested."

20. California Code of Regulations, title 16, section 3340.42, provides, in pertinent part, that smog check stations and smog check technicians shall conduct tests and inspections in

1 accordance with the bureau's BAR 97 Emissions Inspection System Specifications referenced in
2 subsections (a) and (b) of Section 3340.17.

3 COSTS

4 21. Section 125.3 of the Code provides, in pertinent part, that the Director may request
5 the administrative law judge to direct a licentiate found to have committed a violation or
6 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
7 and enforcement of the case.

8 VID DATA REVIEW

9 22. In or about January 2012, the BAR initiated an investigation of Respondents based on
10 a review of information from the BAR's vehicle information database (VID), which indicated that
11 Respondents may be engaging in fraudulent smog check inspections.

12 23. Beginning in January of 2012, a representative of the BAR conducted a detailed
13 review of VID data for all smog inspections performed at Respondent's automotive repair
14 dealership for the period of October 13, 2011, through January 13, 2012. The review showed a
15 pattern of OBD II test² diagnostic trouble codes stored in the memory of the power train control
16 module (PCM) on different vehicles that received smog certificates in the four month period. The
17 BAR specifically examined the VID data, in detail, for five of the vehicles that were certified
18 from December 12, 2011 to December 29, 2011 and it was determined that none of them support
19 the OBD II code. Vehicles 1 through 5, set forth in Table 1 in paragraph 23 below, were all
20 certified with various pending codes stored in the PCM memory while the original equipment
21 manufacturer (OEM) service information shows these vehicles do not support the pending codes
22 stored in the PCM memory.

23 ² The On Board Diagnostic, generation II ("OBD II"), functional test is an automated
24 function of the BAR-97 Emissions Inspection System analyzer ("EIS"). The EIS includes a
25 computer based, five-gas analyzer that tests vehicles under simulated driving conditions to detect
26 oxides of nitrogen, hydrocarbons, and carbon monoxide emissions. During the OBD II functional
27 test, the technician is required to connect an interface cable from the EIS to a Diagnostic Link
28 Connector (DLC) which is located inside the vehicle. Through the DLC, the EIS 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.

23. The BAR representative obtained information indicating that none of these codes were applicable to the five vehicles. The VID data also showed that the inspections on all of the vehicles were performed under the technician license of Respondent El-Abed. The BAR concluded that Respondents performed the smog inspections on the vehicles using a different vehicle(s) during the OBD II tests, a method known as "clean plugging,"³ resulting in the issuance of fraudulent certificates of compliance for the vehicles that were tested as outlined in the following table.

TABLE 1

Date & Time of Inspection	Vehicle Certified & License or VIN No.	Certificate No.
1. 12/12/2011 14:34 – 14:43	2000 Toyota Echo; License No. 4KCE443	XB569741C
2. 12/14/2011 16:02 – 16:10	2002 Toyota Corolla; License No. 4VQA296	XB668656C
3. 12/15/2011 14:08 – 14:17	1997 Toyota 4Runner; License No. 3UBY980	XB668662C
4. 12/21/2011 14:44 – 14:51	2003 Toyota Corolla; License No. 5AIF595	XB767158C
5. 12/29/2011 16:42 – 16:49	1997 Hyundai Elantra; License No. 5BLD177	XB853671C

FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

24. Respondent Zeit's registration is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that they made or authorized statements which they knew or in the exercise of reasonable care should have known to be untrue or misleading as

³ Clean-plugging is the use of the OBD II readiness monitor status and stored code status of a passing vehicle for the purpose of illegally issuing a smog certificate to another vehicle that is not in compliance due to the noncompliant vehicle's failure to complete the minimum number of self tests, known as monitors, or due to the presence of a stored code that indicates an emission control system or component failure. Clean plugging occurs during the inspection of a vehicle that has an OBD II system. To clean plug a vehicle, the smog technician enters information into the EIS for the vehicle the technician wishes to certify and then plugs the OBD II system connection from the EIS into another vehicle that has a properly functioning OBD II system, rather than plugging the connection into the vehicle that was originally identified for testing.

1 follows: Respondent certified that vehicles 1 through 5, identified in Table 1 above, had passed
2 inspection and were in compliance with applicable laws and regulations. In fact, Respondent
3 conducted the inspections on the vehicles using clean-plugging methods in that, a different
4 vehicle(s) was substituted during the OBD II functional tests in order to issue smog certificates of
5 compliance for the vehicles, and the vehicles were not tested or inspected, as required by Health
6 and Safety Code section 44012.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Fraud)**

9 25. Respondent Zeit's registration is subject to disciplinary action under pursuant to Bus.
10 & Prof. Code section 9884.7, subdivision (a)(4), in that Respondent committed acts that constitute
11 fraud by issuing electronic smog certificates of compliance for the vehicles 1 through 5, identified
12 in Table 1 above, without performing bona fide inspections of the emission control devices and
13 systems on the vehicles, thereby depriving the People of the State of California of the protection
14 afforded by the Motor Vehicle Inspection Program.

15 **THIRD CAUSE FOR DISCIPLINE**

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

17 26. Respondent Zeit's smog check station license is subject to disciplinary action
18 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to
19 comply with the following sections of that Code:

20 a. **Section 44012, subdivision (a):** Respondent failed to ensure that all emission control
21 devices and systems required by law for vehicles 1 through 5, identified in Table 1 above, were
22 installed and functioning correctly in accordance with test procedures.

23 b. **Section 44012, subdivision (f):** Respondent failed to ensure that the emission
24 control tests were performed on vehicles 1 through 5, identified in Table 1 above, in accordance
25 with procedures prescribed by the department.

26 c. **Section 44015, subdivision (b):** Respondent issued electronic smog certificates of
27 compliance for vehicles 1 through 5, identified in Table 1 above, without ensuring that the
28

1 vehicles were properly tested and inspected to determine if they were in compliance with Health
2 & Saf. Code section 44012.

3 d. **Section 44059:** Respondent willfully made false entries for electronic certificates of
4 compliance for vehicles 1 through 5, identified in Table 1 above, by certifying that the vehicles
5 had been inspected as required when, in fact, they had not.

6 **FOURTH CAUSE FOR DISCIPLINE**

7 **(Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program)**

8 27. Respondent Zeit's smog check station license is subject to disciplinary action
9 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to
10 comply with provisions of California Code of Regulations, title 16, as follows:

11 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued
12 electronic smog certificates of compliance for vehicles 1 through 5, identified in Table 1 above.

13 b. **Section 3340.35, subdivision (c):** Respondent issued electronic smog certificates of
14 compliance for vehicles 1 through 5, identified in Table 1 above, even though the vehicles had
15 not been inspected in accordance with section 3340.42.

16 c. **Section 3340.42:** Respondent failed to ensure that the required smog tests were
17 conducted on vehicles 1 through 5, identified in Table 1 above, in accordance with the BAR's
18 specifications.

19 **FIFTH CAUSE FOR DISCIPLINE**

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

21 28. Respondent Zeit's smog check station license is subject to disciplinary action
22 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed
23 dishonest, fraudulent, or deceitful acts whereby another is injured by issuing electronic smog
24 certificates of compliance for the vehicles 1 through 5, identified in Table 1 above, without
25 performing bona fide inspections of the emission control devices and systems on the vehicles,
26 thereby depriving the People of the State of California of the protection afforded by the Motor
27 Vehicle Inspection Program.

28 ///

1 c. **Section 3340.41, subdivision (c):** Respondent entered into the emissions inspection
2 system vehicle identification information or emission control system identification data for a
3 vehicle other than the one being tested for vehicles 1 through 5, identified in Table 1 above.

4 d. **Section 3340.42:** Respondent failed to conduct the required smog tests on vehicles 1
5 through 5, identified in Table 1 above, in accordance with the Bureau's specifications.

6 **EIGHTH CAUSE FOR DISCIPLINE**

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

8 31. Respondent El-Abed's technician license is subject to disciplinary action pursuant to
9 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed dishonest,
10 fraudulent, or deceitful acts whereby another is injured by issuing electronic smog certificates of
11 compliance for the vehicles 1 through 5, identified in Table 1 above, without performing bona
12 fide inspections of the emission control devices and systems on the vehicles, thereby depriving
13 the People of the State of California of the protection afforded by the Motor Vehicle Inspection
14 Program.

15 **OTHER MATTERS**

16 32. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
17 suspend, revoke or place on probation the registration for all places of business operated in this
18 state by Respondent, Florida N. Zeit, owner of Z and T Test Only, upon a finding that Respondent
19 has, or is, engaged in a course of repeated and willful violations of the laws and regulations
20 pertaining to an automotive repair dealer.

21 33. Pursuant to Health & Saf. Code section 44072.8, if Smog Check, Test Only, Station
22 License Number TC 234019, issued to Respondent, Florida N. Zeit, owner of Z and T Test Only,
23 is revoked or suspended, any additional license issued under the same chapter in the name of said
24 licensee may be likewise revoked or suspended by the Director.

25 34. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
26 Number EO 24535, (formerly Advanced Emission Specialist Technician License Number EA
27 24535), issued to Respondent Jehad M. El-Abed, is revoked or suspended, any additional license
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1 issued under this chapter in the name of said licensee may be likewise revoked or suspended by
2 the director.

3 DISCIPLINARY CONSIDERATIONS

4 35. To determine the degree of discipline, if any, to be imposed on Respondent Zeit,
5 Complainant alleges that on or about April 13, 2010, Citation No. C2010-1080 was issued to
6 Respondent Zeit in the amount of \$500.00 for a violation of Health and Safety Code section
7 44012, subdivision (f). The Citation was paid on May 20, 2010.

8 36. Complainant further alleges that on or about April 13, 2010, Citation No. M2010-
9 1081 was issued to Respondent El-Abed, which ordered him to enroll in and complete an eight
10 hour training class for a violation of Health and Safety Code section 44032. Proof of completion
11 of the class was submitted on May 20, 2010.

12 PRAYER

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

15 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
16 234019, issued to Florida N. Zeit, Owner of Z and T Test Only;

17 2. Revoking or suspending Smog Check, Test Only, Station License Number TC
18 234019, issued to Florida N. Zeit, Owner of Z and T Test Only;

19 3. Revoking or suspending any additional license issued under Chapter 5 of the Health
20 and Safety Code in the name of Florida N. Zeit;

21 4. Revoking or suspending Smog Check Inspector License Number EO 24535,
22 (formerly Advanced Emission Specialist Technician License Number EA 24535), issued to Jihad
23 M. El-Abed;

24 5. Revoking or suspending any additional license issued under Chapter 5 of the Health
25 and Safety Code in the name of Jihad M. El-Abed;

26 6. Ordering Respondents Florida N. Zeit, Owner of Z and T Test Only and Jihad M. El-
27 Abed to pay the Director the reasonable costs of the investigation and enforcement of this case,
28 pursuant to Business and Professions Code section 125.3; and

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7. Taking such other and further action as deemed necessary and proper.

DATED: 9-30-13

PAT DORAIS by Doug Balatti
PATRICK DORAIS
Acting Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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