

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

In the Matter of the Accusation Against:

CHEVREM CORPORATION dba WALNUT CREEK STAR SMOG FATIH TEKIN, PRESIDENT

690 Ygnacio Valley Road #3

Walnut Creek, CA 94596

Automotive Repair Dealer Registration No. ARD 221700

Smog Check Test Only Station License No. TC 221700

FAITH TEKIN

5200 Telegraph Avenue

Oakland, CA 94609

Mailing Address:

121 Diamond Court

Hercules, CA 94547

Smog Check Inspector No. EO 26524

Smog Check Repair Technician License No. EI 139005

ALI NADIR GUNGOR

10439 San Pablo Ave. Unit A

El Cerrito, CA 94530

Mailing Address:

940 Baines St.

East Palo Alto, CA 94303

Smog Check Inspector No. EO 634506

ERSIN IRIC

3550 Pacific Ave. #602

Livermore, CA 94550

Smog Check Inspector No. EO 635356


Respondents.

Case No. 79/17-1198

DECISION

The attached Stipulated Settlement and Disciplinary Order as to Ersin Iric only is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on April 28, 2021.

DATED: March 8, 2021 

GRACE ARUPO RODRIGUEZ
Assistant Deputy Director
Legal Affairs Division
Department of Consumer Affairs

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Attorney General of California
2 CHAR SACHSON
Supervising Deputy Attorney General
3 JUSTIN R. SURBER
Deputy Attorney General
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8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 79/17-1198

13 **CHEVREM CORPORATION**
d.b.a WALNUT CREEK STAR SMOG
14 **FATIH TEKIN, PRESIDENT**
690 Ygnacio Valley Road, #3
15 Walnut Creek, CA 94596

**STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER**

As To Ersin Iric only

16 Automotive Repair Dealer No. ARD 221700
Smog Check, Test Only, License No. TC 221700

17 **FATIH TEKIN**
18 5200 Telegraph Avenue
Oakland, CA 94609

19 Mailing address:
20 121 Diamond Court
Hercules, CA 94547

21 Smog Check Inspector License No. EO 26524

22 **ALI NADIR GUNGOR**
23 10439 San Pablo Ave., Unit A
El Cerrito, CA 94530

24 Mailing address:
25 940 Baines St.
East Palo Alto, CA 94303

26 Smog Check Inspector License No. EO 634506
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1 **ERSIN IRIC**
2 **3550 Pacific Avenue, #602**
3 **Livermore, CA 94550**

4 **Smog Check Inspector License No. EO 635356**

5 Respondents.

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

8 **PARTIES**

9 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair
10 (Bureau). He brought this action solely in his official capacity and is represented in this matter by
11 Xavier Becerra, Attorney General of the State of California, by Justin R. Surber, Deputy Attorney
12 General.

13 2. Respondent Ersin Iric (Respondent) is represented in this proceeding by William
14 Ferreira, whose address is: 580 California Street, Ste 1200, San Francisco, CA 94104

15 3. On or about March 29, 2013, the Bureau issued Advanced Emission Specialist
16 Technician License Number EA 635356 to Respondent. The Advanced Emission Specialist
17 Technician License was cancelled on November 10, 2014. Pursuant to California Code of
18 Regulations, title 16, section 3340.28, subdivision (e), the license was renewed, pursuant to
19 Respondent's election, as Smog Check Inspector License Number EO 635356, effective
20 November 10, 2014. The Smog Check Inspector License was in full force and effect at all times
21 relevant to the charges brought herein and will expire on October 31, 2022, unless renewed.

22 4. On or about March 7, 2018, the Bureau issued Automotive Repair Dealer Registration
23 No. ARD 289814 to Respondent dba Marin Star Smog. Automotive Repair Dealer Registration
24 No. ARD 289814 will expire on March 31, 2021 unless renewed.

25 5. On or about March 21, 2018, the Bureau issued Smog Check, Test Only, Station
26 License No. TC 289814 to Respondent. Smog Check, Test Only, Station License No. TC 289814
27 will expire on March 31, 2021 unless renewed. The Station License has been issued a STAR
28 certification.

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1 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
2 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
3 writing executed by an authorized representative of each of the parties.

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

7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Smog Check Inspector License Number EO 635356 issued
9 to Respondent Ersin Iric is revoked. However, the revocation is stayed and Respondent is placed
10 on probation for two (2) years on the following terms and conditions:

11 **Obey All Laws.** During the period of probation, Respondent shall comply with all federal
12 and state statutes, regulations and rules governing all BAR registrations and licenses held by
13 Respondent.

14 1. **Quarterly Reporting.** During the period of probation, Respondent shall report either
15 by personal appearance or in writing as determined by BAR on a schedule set by BAR, but no
16 more frequently than once each calendar quarter, on the methods used and success achieved in
17 maintaining compliance with the terms and conditions of probation.

18 2. **Report Financial Interests.** Respondent shall, within 30 days of the effective date
19 of the decision and within 30 days from the date of any request by BAR during the period of
20 probation, report any financial interest which any Respondent or any partners, officers, or owners
21 of any Respondent facility may have in any other business required to be registered pursuant to
22 Section 9884.6 of the Business and Professions Code.

23 3. **Access to Examine Vehicles and Records.** Respondent shall provide BAR
24 representatives unrestricted access to examine all vehicles (including parts) undergoing service,
25 inspection, or repairs, up to and including the point of completion. Respondent shall also provide
26 BAR representatives unrestricted access to all records pursuant to BAR laws and regulations.

27 4. **Tolling of Probation.** If, during probation, Respondent leaves the jurisdiction of
28 California to reside or do business elsewhere or otherwise ceases to do business in the jurisdiction

1 of California, Respondent shall notify BAR in writing within 10 days of the dates of departure
2 and return, and of the dates of cessation and resumption of business in California. All provisions
3 of probation other than cost reimbursement requirements, restitution requirements, training
4 requirements, and that Respondent obey all laws, shall be held in abeyance during any period of
5 time of 30 days or more in which Respondent is not residing or engaging in business within the
6 jurisdiction of California. All provisions of probation shall recommence on the effective date of
7 resumption of business in California. Any period of time of 30 days or more in which Respondent
8 is not residing or engaging in business within the jurisdiction of California shall not apply to the
9 reduction of this probationary period or to any period of actual suspension not previously
10 completed. Tolling is not available if business or work relevant to the probationary license or
11 registration is conducted or performed during the tolling period.

12 **5. Violation of Probation.** If Respondent violates or fails to comply with the terms and
13 conditions of probation in any respect, the Director, after giving notice and opportunity to be
14 heard may set aside the stay order and carry out the disciplinary order provided in the decision.
15 Once Respondent is served notice of BAR's intent to set aside the stay, the Director shall maintain
16 jurisdiction, and the period of probation shall be extended until final resolution of the matter.

17 **6. Maintain Valid License.** Respondent shall, at all times while on probation, maintain
18 a current and active registration and/or license(s) with BAR, including any period during which
19 suspension or probation is tolled. If Respondent's registration or license is expired at the time the
20 decision becomes effective, the registration or license must be renewed by Respondent within 30
21 days of that date. If Respondent's registration or license expires during a term of probation, by
22 operation of law or otherwise, then upon renewal Respondent's registration or license shall be
23 subject to any and all terms and conditions of probation not previously satisfied. Failure to
24 maintain a current and active registration and/or license during the period of probation shall also
25 constitute a violation of probation.

26 **7. Completion of Probation.** Upon successful completion of probation, Respondent's
27 affected registration and/or license will be fully restored or issued without restriction, if
28 Respondent meets all current requirements for registration or licensure and has paid all

1 outstanding fees, monetary penalties, or cost recovery owed to BAR.

2 **8. License Surrender.** Following the effective date of a decision that orders a stay of
3 invalidation or revocation, if Respondent ceases business operations or is otherwise unable to
4 satisfy the terms and conditions of probation, Respondent may request that the stay be vacated.
5 Such request shall be made in writing to BAR. The Director and the BAR Chief reserve the right
6 to evaluate the Respondent's request and to exercise discretion whether to grant the request or
7 take any other action deemed appropriate or reasonable under the circumstances. Upon formal
8 granting of the request, the Director will vacate the stay order and carry out the disciplinary order
9 provided in the decision. Respondent may not petition the Director for reinstatement of the
10 surrendered registration and/or license, or apply for a new registration or license under the
11 jurisdiction of BAR at any time before the date of the originally scheduled completion of
12 probation. If Respondent applies to BAR for a registration or license at any time after that date,
13 Respondent must meet all current requirements for registration or licensure and pay all
14 outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

15 **9. Training Course**

16 During the period of probation, Respondent shall attend and successfully complete a 68
17 hour BAR-specified and -approved training course in inspection, diagnosis and/or repair of
18 emission systems failures and engine performance, applicable to the class of license held by the
19 Respondent. Respondent shall provide to the Bureau proof of enrollment in the course within 180
20 days of the effective date of the decision, and proof of successful course completion within 365
21 days of the effective date of the decision. Failure to provide proof of enrollment and/or successful
22 course completion to the Bureau within the timeframes specified shall constitute a violation of
23 probation, and Respondent shall be prohibited from issuing any certificate of compliance or
24 noncompliance until such proof is received.

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1 FURTHER ORDERS

2 IT IS HEREBY ORDERED that this order of probation contained in this Decision and
3 Order, shall not be cause for the invalidation of STAR Certification of Smog Check, Test Only,
4 Station License No. TC 289814.

5 IT IS HEREBY ORDERED that this order of probation contained in this Decision and
6 Order, shall not be cause for the invalidation of any STAR Certification of any smog check
7 station at which Respondent is now employed or may be employed in the future.

8 IT IS HEREBY ORDERED that the Bureau will withdraw its denial of Respondent's
9 applications for an Automotive Repair Dealer Registration and Smog Check Station license at
10 2686 Pleasant Hill Rd., Pleasant Hill CA 94523 doing business as Pleasant Hill Star Smog.
11 Respondent's applications shall be granted.

12 ACCEPTANCE

13 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
14 discussed it with my attorney, William Ferreira. I understand the stipulation and the effect it will
15 have on my Smog Check Inspector License and other licenses and applications. I enter into this
16 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
17 to be bound by the Decision and Order of the Director of the Department of Consumer Affairs.

18
19 DATED: 12/15/2020



ERSIN IRIC
Respondent

21
22 I have read and fully discussed with Ersin Iric, the terms and conditions and other matters
23 contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and
24 content.

25 DATED: 12-16-20



WILLIAM FERREIRA
Attorney for Respondent

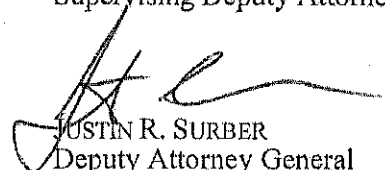
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ENDORSEMENT

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

DATED: 12/17/20

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
CHAR SACHSON
Supervising Deputy Attorney General


JUSTIN R. SURBER
Deputy Attorney General
Attorneys for Complainant

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