

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

Received in BAR EPO  
SEP 14 2015

In the Matter of the Accusation Against:

**D AND D AUTO REPAIR & SERVICE;  
SALEH ISAM ABUHIJLEH; AMEEN MUSA  
RIZK**

15015 Leffingwell Rd.  
Whittier, CA 90604  
Automotive Repair Dealer Registration  
No. ARD 219654  
Smog Check Station License  
No. RC 219654  
Lamp Station License No. LS 219654  
Brake Station License No. BS 219654,

and

**SALEH ISAM ABUHIJLEH**

11863 Abington St.  
Riverside, CA 92503  
Smog Check Inspector License  
No. EO 31680  
Smog Check Repair Technician License  
No. EI 31680  
Lamp Adjuster License No. LA 31680  
Brake Adjuster License No. BA 31680

Respondents.

Case No. 79/15-64

OAH No. 2015030770

**DECISION**

The attached 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.

This Decision shall become effective October 1, 2015.

DATED: September 9, 2015

  
TAMARA COLSON  
Assistant General Counsel  
Department of Consumer Affairs

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 WILLIAM D. GARDNER  
Deputy Attorney General  
4 State Bar No. 244817  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2114  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against;  
12 **D AND D AUTO REPAIR & SERVICE;**  
13 **SALEH ISAM ABUHIJLEH; AMEEN**  
14 **MUSA RIZK**  
15 **15015 Leffingwell Rd.**  
16 **Whittier, CA 90604**  
17 **Automotive Repair Dealer Registration No.**  
18 **ARD 219654**  
19 **Smog Check Station License No. RC 219654**  
20 **Lamp Station License No. LS 219654**  
21 **Brake Station License No. BS 219654,**

17 and

18 **SALEH ISAM ABUHIJLEH**  
19 **11863 Abington St.**  
20 **Riverside, CA 92503**  
21 **Smog Check Inspector License No. EO**  
22 **31680**  
23 **Smog Check Repair Technician License No.**  
24 **EI 31680**  
25 **Lamp Adjuster License No. LA 31680**  
26 **Brake Adjuster License No. BA 31680**

23 Respondents.

Case No. 79/15-64

OAH No. 2015030770

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

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

28 ///

1 PARTIES

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

6 2. Respondents Saleh Isam AbuHijleh and Ameen Musa Rizk, partners, dba D and D  
7 Auto Repair & Service and respondent Saleh Isam Abuhijleh, individually, (collectively,  
8 "Respondents") are represented in this proceeding by attorney Michael B. Levin, whose address  
9 is: 3727 Camino del Rio South, Suite 200, San Diego, CA 92108.

10 ARD & STATION LICENSES

11 3. On or about February 20, 2002, the Bureau of Automotive Repair ("Bureau") issued  
12 Automotive Repair Dealer Registration Number ARD 219654 to Saleh Isam Abu Hijleh and  
13 Ameen Musa Rizk, partners, dba D and D Auto Repair & Service ("D and D Auto"). The  
14 Automotive Repair Dealer Registration was in full force and effect at all times relevant to the  
15 charges brought herein, expired on January 31, 2015, and was canceled on March 3, 2015.

16 4. On or about February 26, 2002, the Bureau issued Smog Check Station License  
17 Number RC 219654 to D and D Auto. The Smog Check Station License was in full force and  
18 effect at all times relevant to the charges brought herein, expired on January 31, 2015, and was  
19 canceled on March 3, 2015.

20 5. On or about May 20, 2011, the Bureau issued Brake Station License Number BS  
21 219654 to D and D Auto. The Brake Station License was in full force and effect at all times  
22 relevant to the charges brought herein, expired on January 31, 2015, and was canceled on March  
23 3, 2015.

24 6. On or about May 20, 2011, the Bureau issued Lamp Station License Number LS  
25 219654 to D and D Auto. The Lamp Station License was in full force and effect at all times  
26 relevant to the charges brought herein, expired on January 31, 2015, and was canceled on March  
27 3, 2015.

28 ///

1 INSPECTOR AND ADJUSTER LICENSES

2 7. In 1997, the Bureau issued Advanced Emission Specialist Technician License  
3 Number EA 31680 to Saleh Isam Abuhijleh. Pursuant to California Code of Regulations, title 16,  
4 section 3340.28, subdivision (e), said license was renewed in 2013 as Smog Inspector License  
5 No. EO 31680 and Smog Check Repair Technician License No. EI 31680. Respondent's  
6 licenses were in full force and effect at all times relevant to the charges brought herein and will  
7 expire on April 30, 2017, unless renewed.<sup>1</sup>

8 8. On or about April 18, 2011, the Bureau of Automotive Repair issued Brake Adjuster  
9 License Number BA 31680 to Saleh Isam Abuhijleh. The Brake Adjuster License was in full  
10 force and effect at all times relevant to the charges brought herein and will expire on April 30,  
11 2019, unless renewed.

12 9. On or about February 18, 2011, the Bureau of Automotive Repair issued Lamp  
13 Adjuster License Number LA 31680 to Saleh Isam Abuhijleh. The Lamp Adjuster License was  
14 in full force and effect at all times relevant to the charges brought herein and will expire on April  
15 30, 2018, unless renewed.

16 JURISDICTION

17  
18 10. Accusation No. 79/15-64 was filed before the Director of Consumer Affairs  
19 (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against  
20 Respondents. The Accusation and all other statutorily required documents were properly served  
21 on Respondents on December 1, 2014. Respondents timely filed their Notice of Defense  
22 contesting the Accusation.

23 11. A copy of Accusation No. 79/15-64 is attached as exhibit A and incorporated herein  
24 by reference.

25 ///

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



1 Number BA 31680 and his Lamp Adjuster License Number LA 31680 are subject to discipline,  
2 and he agrees to be bound by the Director's probationary terms as set forth in the Disciplinary  
3 Order below.

4 CONTINGENCY

5 18. This stipulation shall be subject to approval by the Director of Consumer Affairs or  
6 his designee. Respondents understand and agree that counsel for Complainant and the staff of the  
7 Bureau of Automotive Repair may communicate directly with the Director and staff of the  
8 Department of Consumer Affairs regarding this stipulation and settlement, without notice to or  
9 participation by Respondents or their counsel. By signing the stipulation, Respondents  
10 understand and agree that they may not withdraw their agreement or seek to rescind the  
11 stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt  
12 this stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall  
13 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
14 between the parties, and the Director shall not be disqualified from further action by having  
15 considered this matter.

16 19. The parties understand and agree that facsimile copies of this Stipulated Settlement  
17 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
18 effect as the originals.

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

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

28 ///

1 ///  
2 ///  
3 ///

4 **DISCIPLINARY ORDER**

5 **IT IS HEREBY ORDERED** that the following licenses are revoked and accepted by the  
6 Director of Consumer Affairs: Automotive Repair Dealer Registration Number ARD 219654;  
7 Smog Check Station License Number RC 219654; Brake Station License Number BS 219654;  
8 and Lamp Station License Number LS 219654.

9 1. The voluntary revocation of Respondents' Automotive Repair Dealer Registration,  
10 Smog Check Station License, Lamp Station License and Brake Station License, and the  
11 acceptance of the revoked licenses by the Bureau shall constitute the imposition of discipline  
12 against Respondents. This stipulation constitutes a record of the discipline and shall become a  
13 part of Respondents' license history with the Bureau of Automotive Repair.

14 2. Respondents shall lose all rights and privileges as an Automotive Repair Dealer,  
15 Smog Check Station, Lamp Station and Brake Station in the State of California as of the effective  
16 date of the Director's Decision and Order.

17 3. Respondents shall cause to be delivered to the Bureau their pocket licenses and, if  
18 issued, their wall certificates on or before the effective date of the Decision and Order.

19 4. If Respondents ever file an application for licensure or a petition for reinstatement in  
20 the State of California, the Bureau shall treat it as an application for new licensure. Respondents  
21 must comply with all the laws, regulations and procedures for new licensure in effect at the time  
22 the application is filed, and all of the charges and allegations contained in Accusation No. 79/15-  
23 64 shall be deemed to be true, correct and admitted by Respondents when the Director determines  
24 whether to grant or deny any such application.

25 **IT IS FURTHER ORDERED** that Smog Check Inspector License No. EO 31680, Smog  
26 Check Repair Technician License No. EI 31680, Brake Adjuster License Number BA 31680 and  
27 Lamp Adjuster License Number LA 31680 issued to Saleh Isam Abuhijleh are revoked.

28 However, the revocations are stayed and Respondent's Smog Check Inspector License, Smog

1 Check Repair Technician License, Brake Adjuster License and Lamp Adjuster License are placed  
2 on probation for three (3) years on the following terms and conditions.

3 1. **Actual Suspension.** Smog Check Inspector License No. EO 31680, Smog Check  
4 Repair Technician License No. EI 31680, Brake Adjuster License Number BA 31680 and Lamp  
5 Adjuster License Number LA 31680 issued to Respondent Saleh Isam Abuhijleh are suspended  
6 for fifteen (15) days, as of the effective date of this Decision and Order. During the time of  
7 suspension, Respondent shall not provide any services for which a Smog Check Inspector  
8 License, Smog Check Repair Technician License, Brake Adjuster License or a Lamp Adjuster  
9 License is required.

10 2. **Obey All Laws.** Comply with all statutes, regulations and rules governing  
11 automotive inspections, estimates and repairs.

12 3. **Reporting.** Respondent or Respondent's authorized representative must report in  
13 person or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the  
14 Bureau, but no more frequently than each quarter, on the methods used and success achieved in  
15 maintaining compliance with the terms and conditions of probation.

16 4. **Report Financial Interest.** Within 30 days of the effective date of this action, report  
17 any financial interest which any partners, officers, or owners of the Respondent facility may have  
18 in any other business required to be registered pursuant to Section 9884.6 of the Business and  
19 Professions Code.

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

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

26 7. **Violation of Probation.** Should the Director of Consumer Affairs determine that  
27 Respondent has failed to comply with the terms and conditions of probation, the Department may,  
28 after giving notice and opportunity to be heard, suspend or revoke the license.



1 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
 2 discussed it with my attorney, Michael B. Levin. I understand the stipulation and the effect it will  
 3 have on my Automotive Repair Dealer Registration, Smog Check Station License, Lamp Station  
 4 License and Brake Station License, I enter into this Stipulated Settlement and Disciplinary  
 5 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order  
 6 of the Director of Consumer Affairs.

7 DATED:

6/3/15

*Ameen Rizk*  
 AMEEN MUSA RIZK  
 Respondent

10 I have read and fully discussed with Respondents Saleh Isam AbuHijleh and Ameen Musa  
 11 Rizk, partners, dba D and D Auto Repair & Service and Saleh Isam Abuhijleh, individually, the  
 12 terms and conditions and other matters contained in the above Stipulated Settlement and  
 13 Disciplinary Order. I approve its form and content.

14 DATED:

\_\_\_\_\_  
 Michael B. Levin  
 Attorney for Respondents

17 ENDORSEMENT

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

21 Dated:

Respectfully submitted,  
 KAMALA D. HARRIS  
 Attorney General of California  
 ARMANDO ZAMBRANO  
 Supervising Deputy Attorney General

WILLIAM D. GARDNER  
 Deputy Attorney General  
 Attorneys for Complainant

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1 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
2 discussed it with my attorney, Michael B. Levin. I understand the stipulation and the effect it will  
3 have on my Automotive Repair Dealer Registration, Smog Check Station License, Lamp Station  
4 License and Brake Station License, I enter into this Stipulated Settlement and Disciplinary  
5 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order  
6 of the Director of Consumer Affairs.

7 DATED: \_\_\_\_\_

8 AMEEN MUSA RIZK  
9 Respondent

10 I have read and fully discussed with Respondents Saleh Isam AbuHijleh and Ameen Musa  
11 Rizk, partners, dba D and D Auto Repair & Service and Saleh Isam Abuhijleh, individually, the  
12 terms and conditions and other matters contained in the above Stipulated Settlement and  
13 Disciplinary Order. I approve its form and content.

14 DATED: 6/3/15

15   
16 Michael B. Levin  
17 Attorney for Respondents

18 ENDORSEMENT

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

21 Dated:

Respectfully submitted,

22 KAMALA D. HARRIS  
23 Attorney General of California  
24 ARMANDO ZAMBRANO  
25 Supervising Deputy Attorney General

26 WILLIAM D. GARDNER  
27 Deputy Attorney General  
28 *Attorneys for Complainant*

LA2014511305  
51796113.docx

1 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
2 discussed it with my attorney, Michael B. Levin. I understand the stipulation and the effect it will  
3 have on my Automotive Repair Dealer Registration, Smog Check Station License, Lamp Station  
4 License and Brake Station License, I enter into this Stipulated Settlement and Disciplinary  
5 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order  
6 of the Director of Consumer Affairs.

7 DATED: \_\_\_\_\_

8 AMEEN MUSA RIZK  
9 Respondent

10 I have read and fully discussed with Respondents Saleh Isam AbuHijleh and Ameen Musa  
11 Rizk, partners, dba D and D Auto Repair & Service and Saleh Isam Abuhijleh, individually, the  
12 terms and conditions and other matters contained in the above Stipulated Settlement and  
13 Disciplinary Order. I approve its form and content.

14 DATED: \_\_\_\_\_

15 Michael B. Levin  
16 Attorney for Respondents

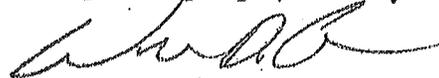
17 ENDORSEMENT

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

20 Dated: 6/3/15

21 Respectfully submitted,

22 KAMALA D. HARRIS  
23 Attorney General of California  
24 ARMANDO ZAMBRANO  
25 Supervising Deputy Attorney General



26 WILLIAM D. GARDNER  
27 Deputy Attorney General  
28 Attorneys for Complainant

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**Exhibit A**

**Accusation No. 79/15-64**

1 KAMALA D. HARRIS  
Attorney General of California  
2 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
3 WILLIAM D. GARDNER  
Deputy Attorney General  
4 State Bar No. 244817  
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5 Los Angeles, CA 90013  
Telephone: (213) 897-2114  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
7

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. 79/15-64

13 **SALEH ISAM ABU HIJLEH and AMEEN**  
14 **MUSA RIZK, PARTNERS, dba D AND D**  
15 **AUTO REPAIR & SERVICE**  
16 **15015 Leffingwell Rd.**  
17 **Whittier, CA 90604**

**ACCUSATION**

18 **Automotive Repair Dealer Registration No.**  
19 **ARD 219654**  
20 **Smog Check Station License No. RC 219654**  
21 **Brake Station License No. BS 219654**  
22 **Lamp Station License No. LS 219654,**

23 **and**

24 **SALEH ISAM ABUHIJLEH aka SALEH**  
25 **ISAM ABU HIJLEH**  
26 **11863 Abington St.**  
27 **Riverside, CA 92503**

28 **Smog Check Inspector License No. EO**  
**31680 (formerly Advanced Emission**  
**Specialist Technician License Number EA**  
**31680)**  
**Smog Check Repair Technician License No.**  
**EI 31680 (formerly Advanced Emission**  
**Specialist Technician License Number EA**  
**31680**  
**Brake Adjuster License No. BA 31680**  
**Lamp Adjuster License No. LA 31680**

Respondent.

1 Complainant alleges:  
2

3 **PARTIES**

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

6 **ARD & STATION LICENSES**

7 2. On or about February 20, 2002, the Bureau of Automotive Repair ("Bureau") issued  
8 Automotive Repair Dealer Registration Number ARD 219654 to Saleh Isam Abu Hijleh and  
9 Ameen Musa Rizk, partners, dba D and D Auto Repair & Service. The Automotive Repair Dealer  
10 Registration was in full force and effect at all times relevant to the charges brought herein and will  
11 expire on January 31, 2015.

12 3. On or about February 26, 2002, the Bureau issued Smog Check Station License  
13 Number RC 219654 to Saleh Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto  
14 Repair & Service. The Smog Check Station License was in full force and effect at all times  
15 relevant to the charges brought herein and will expire on January 31, 2015.

16 4. On or about May 20, 2011, the Bureau issued Brake Station License Number BS  
17 219654 to Saleh Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto Repair &  
18 Service. The Lamp Station License was in full force and effect at all times relevant to the charges  
19 brought herein and will expire on January 31, 2015.

20 5. On or about May 20, 2011, the Bureau issued Lamp Station License Number LS  
21 219654 to Saleh Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto Repair &  
22 Service. The Lamp Station License was in full force and effect at all times relevant to the charges  
23 brought herein and will expire on January 31, 2015.

24 **INSPECTOR AND ADJUSTER LICENSES**

25 6. In 1997, the Bureau issued Advanced Emission Specialist Technician License Number  
26 EA 31680 to Saleh Isam Abuhijleh. Pursuant to California Code of Regulations, title 16, section  
27 3340.28, subdivision (e), said license was renewed in 2013 as Smog Inspector License No. EO  
28 31680 and Smog Check Repair Technician License No. EI 31680. Respondent's

1 licenses were in full force and effect at all times relevant to the charges brought herein and will  
2 expire on April 30, 2015, unless renewed.<sup>1</sup>

3 7. On or about April 18, 2011, the Bureau of Automotive Repair issued Brake Adjuster  
4 License Number BA 31680 to Saleh Isam Abuhijleh. The Brake Adjuster License was in full force  
5 and effect at all times relevant to the charges brought herein and will expire on April 30, 2015,  
6 unless renewed.

7 8. On or about February 18, 2011, the Bureau of Automotive Repair issued Lamp  
8 Adjuster License Number LA 31680 to Saleh Isam Abuhijleh ("Respondent Abuhijleh"). The  
9 Brake Adjuster License was in full force and effect at all times relevant to the charges brought  
10 herein and will expire on April 30, 2018, unless renewed.

#### 11 JURISDICTION

12 9. This Accusation is brought before the Director of Consumer Affairs ("Director") for  
13 the Bureau of Automotive Repair, under the authority of the following laws.

14 10. Section 9884.13 of the Business and Professions Code ("BPC") provides, in pertinent  
15 part, that "[t]he expiration of a valid registration shall not deprive the director or chief of  
16 jurisdiction to proceed with . . . [a] disciplinary proceeding against an automotive repair dealer or  
17 to render a decision invalidating a registration temporarily or permanently."

18 11. Section 9889.9 of the BPC states that "[w]hen any license has been revoked or  
19 suspended following a hearing under the provisions of this article, any additional license issued  
20 under Articles 5 and 6 of this chapter in the name of the licensee may be likewise revoked or  
21 suspended by the director.

22 12. Section 44002 of the Health and Safety Code ("HSC") provides, in pertinent part, that  
23 the Director has all the powers and authority granted under the Automotive Repair Act for  
24 enforcing the Motor Vehicle Inspection Program.

25 ///

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







1 Specifically, the undercover vehicle was unable to pass the functional portion of the smog  
2 inspection program as required by state law.

3 27. On or about November 26, 2013, an undercover Bureau operator drove the  
4 undercover vehicle to the D and D Auto Repair & Service station and requested a smog  
5 inspection. At that time, the undercover vehicle was still not in compliance with the requirements  
6 of the Motor Vehicle Inspection Program due to the setting of its ignition timing system.  
7 Nonetheless, Respondent Abuhijleh performed a smog inspection on the undercover vehicle and  
8 issued electronic Certificate of Compliance No. [REDACTED], thereby falsely certifying that the  
9 vehicle had passed the requirements of the Motor Vehicle Inspection Program.

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Misleading Statements)**

12 28. Saleh Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto Repair &  
13 Service, ("Respondent Partners"), have subjected their ARD to discipline under BPC section  
14 9884.7, subdivision (a)(1), in that Respondents made statements which they knew or which by  
15 exercise of reasonable care should have known were untrue or misleading when Respondent  
16 Abuhijleh issued an electronic certificate of compliance for an undercover Bureau vehicle.  
17 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
18 paragraphs 26 and 27, inclusive, as though set forth fully herein.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Fraud)**

21 29. Respondent Partners have subjected their ARD to discipline under BPC section  
22 9884.7, subdivision (a)(4), in that they committed an act constituting fraud by issuing an electronic  
23 certificate of compliance for an undercover Bureau vehicle without performing a bona fide  
24 inspection of the emission control devices and systems on that vehicle, thereby depriving the  
25 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
26 Program. Complainant refers to, and by this reference incorporates, the allegations set forth above  
27 in paragraphs 26 and 27, inclusive, as though set forth fully herein.

28 ///







1 d. **Section 3340.42:** Respondent failed to conduct the required smog test and inspection  
2 on the vehicle in accordance with the Bureau's specifications.

3 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
4 paragraphs 26 and 27, inclusive, as though set forth fully herein.

5 **NINTH CAUSE FOR DISCIPLINE**

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

7 36. Respondent Abuhijleh has subjected his smog check inspector and smog check  
8 repair technician licenses to discipline under HSC section 44072.2, subdivision (d), in that he  
9 committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing an  
10 electronic certificate of compliance for an undercover Bureau vehicle without performing a bona  
11 fide inspection of the emission control devices and systems on the vehicle, thereby depriving the  
12 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
13 Program. Complainant refers to, and by this reference incorporates, the allegations set forth above  
14 in paragraphs 26 and 27, inclusive, as though set forth fully herein.

15 **PRIOR CITATIONS**

16 37. To determine the degree of penalty, if any, to be imposed upon Respondent Partners  
17 and Respondent Abuhijleh, Complainant alleges as follows:

18 a. On April 21, 1999, the Bureau issued Citation No. M99-0414 against Respondent  
19 Abuhijleh's technician license for violations of the Motor Vehicle Inspection Program.  
20 Respondent was ordered to complete an 8-hour training course. That Citation is now final.

21 b. On August 17, 2010, the Bureau issued Citation Number C2011-0186 against  
22 Respondent Partners' registration and station license and Citation No. M2011-0187 against  
23 Respondent Abuhijleh's technician license for violations of the Motor Vehicle Inspection Program.  
24 Respondent Partners were fined \$1000.00 and Respondent Abuhijleh was ordered to complete an  
25 8-hour training course. Those Citations are now final.

26 c. On April 26, 2012, the Bureau issued Citation Number C2012-1441 against  
27 Respondent Partners' registration and station license and Citation No. M2012-1442 against  
28 Respondent Abuhijleh's technician license for violations of the Motor Vehicle Inspection Program.

1 Respondent Partners were fined \$1500.00 and Respondent Abuhijleh was ordered to complete an  
2 16-hour training course. Those Citations are now final.

3 d. On June 24, 2013, the Bureau issued Citation Number C2013-0734 against  
4 Respondent Partners' registration and station license and Citation No. M2013-0735 against  
5 Respondent Abuhijleh's inspector license for violations of the Motor Vehicle Inspection Program.  
6 Respondent Partners were fined \$3000.00. Respondent Abuhijleh was fined \$1000.00 and ordered  
7 to complete an 68-hour training course. Those Citations are now final.

8 PRAYER

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

- 11 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD  
12 219654, issued to Saleh Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto  
13 Repair & Service;
- 14 2. Revoking or suspending Smog Check Station License Number RC 219654, issued to  
15 Saleh Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto Repair & Service;
- 16 3. Revoking or suspending Brake Station License Number BS 219654, issued to Saleh  
17 Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto Repair & Service;
- 18 4. Revoking or suspending Lamp Station License Number LS 219654, issued to Saleh  
19 Isam Abu Hijleh and Ameen Musa Rizk, partners, dba D and D Auto Repair & Service;
- 20 5. Revoking or suspending Smog Check Inspector License Number EO 31680, issued to  
21 Saleh Isam Abuhijleh (formerly Advanced Emission Specialist Technician License Number EA  
22 31680);
- 23 6. Revoking or suspending Smog Check Repair Technician License Number EI 31680,  
24 issued to Saleh Isam Abuhijleh (formerly Advanced Emission Specialist Technician License  
25 Number EA 31680);
- 26 7. Revoking or suspending Brake Adjuster License Number BA 31680, issued to Saleh  
27 Isam Abuhijleh;

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8. Revoking or suspending Lamp Adjuster License Number LA 31680, issued to Saleh Isam Abuhijleh;

9. Ordering Saleh Isam Abuhijleh (aka Saleh Isam Abu Hijleh) and Ameen Musa Rizk to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: October 29, 2014



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

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