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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. 79/16-106

13 **RAFI AUTOTECH**  
14 **AARON BENOR, Owner**  
3817 Sepulveda Blvd. #F  
Culver City, CA 90230  
Automotive Repair Dealer Registration No. ARD 154249  
15 Smog Check Station License No. RC 154249  
Brake Station License No. BS 154249  
16 Lamp Station License No. LS 154249

**ACCUSATION**

17 **AARON BENOR, a.k.a. RAFI RENE, a.k.a.**  
18 **RONNY MASON, a.k.a. RONY BENOR**  
3817 Sepulveda Blvd.  
Culver City, CA 90230  
19 Smog Check Repair Technician No. EI 313483  
Smog Check Inspector No. EO 313483  
20 Brake Adjuster License No. BA 313483  
Lamp Adjuster License No. LA 313483

21 Respondents.  
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24 Complainant alleges:

25 **PARTIES**

26 1. Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as  
27 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs.  
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1 all times relevant to the charges brought herein and will expire on December 31, 2016, unless  
2 renewed.

3 7. In 2006, the Bureau of Automotive Repair issued Brake Adjuster License No. BA  
4 313483, class A, to Respondent Benor. The Brake Adjuster License was in full force and effect  
5 at all times relevant to the charges brought herein and will expire on December 31, 2017, unless  
6 renewed.

7 8. In 1990, the Bureau of Automotive Repair issued Lamp Adjuster License No. LA  
8 313483, class A, to Respondent Benor. The Lamp Adjuster License was in full force and effect at  
9 all times relevant to the charges brought herein and expired on December 31, 2014, and has not  
10 been renewed.

### 11 JURISDICTION

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

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

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

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

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

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3       16. Section 9889.9 of the Business and Professions Code states:

4       “When any license has been revoked or suspended following a hearing under the provisions  
5 of this article, any additional license issued under Articles 5 and 6 of this chapter in the name of  
6 the licensee may be likewise revoked or suspended by the director.”

7       17. Section 44072.2 of the Health and Safety Code states, in pertinent part:

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

11       “(a) Violates any section of this chapter and the regulations adopted pursuant to it, which  
12 related to the licensed activities.

13       ....

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

15       ....

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

17       ....

18       18. Section 44072.8 of the Health and Safety Code states:

19       “When a license has been revoked or suspended following a hearing under this article, any  
20 additional license issued under this chapter in the name of the licensee may be likewise revoked  
21 or suspended by the director.”

22                                   **COST RECOVERY**

23       19. Section 125.3 of the Code provides, in pertinent part, that a Board may request the  
24 administrative law judge to direct a licentiate found to have committed a violation or violations of  
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
26 enforcement of the case.

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1 **CAUSE FOR DISCIPLINE**

2 **(Dishonest Conduct - Subversion of Licensing Examination)**

3 20. Respondent is subject to disciplinary action under Health and Safety Code section  
4 44072.2, subdivision (d), and Business and Professions Code sections 9889.3, subdivisions (a)  
5 and (d), 9884.7(a)(4) and 496 in conjunction with section 123, subdivision (b) in that Respondent  
6 engaged in dishonest conduct when he subverted a licensing examination to obtain a Lamp  
7 Adjuster License. The circumstances are that on September 9, 2014, Respondent arrived at the  
8 Burbank Test Center to take the California Lamp Adjuster Licensing Examination. When he  
9 arrived, he was identified by his California Driver's License as Aaron Benor. During the course  
10 of the examination, a proctor observed Respondent reviewing lamp specification notes that he had  
11 in his possession. As a result, the notes were confiscated, the examination terminated, and he was  
12 asked to leave the testing center.

13 **OTHER MATTERS**

14 21. Pursuant to Code section 9884.7(c), the director may suspend, revoke, or place on  
15 probation the registrations for all places of business operated in this state by Aaron Benor, doing  
16 business as Rafi Autotech, upon a finding that he has, or is, engaged in a course of repeated and  
17 willful violation of the laws and regulations pertaining to an automotive repair dealer.

18 22. Pursuant to Health and Safety Code section 44072.8, if Smog Check Station  
19 License Number RC 154249, issued to Aaron Benor, doing business as Rafi Autotech, is revoked  
20 or suspended, any additional license issued under this chapter in the name of said licensee may be  
21 likewise revoked or suspended by the director.

22 23. Pursuant to Code section 9889.9, if Lamp Station License Number LS 154249,  
23 issued to Aaron Benor, doing business as Rafi Autotech, is revoked or suspended, any additional  
24 license issued under Articles 5 and 6 of Chapter 20.3 of the Business and Professions Code in the  
25 name of said licensee may be likewise revoked or suspended by the director.

26 24. Pursuant to Code section 9889.9, if Brake Station License Number BS 154249,  
27 issued to Aaron Benor, doing business as Rafi Autotech, is revoked or suspended, any additional  
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1 license issued under Articles 5 and 6 of Chapter 20.3 of the Business and Professions Code in the  
2 name of said licensee may be likewise revoked or suspended by the director.

3 25. Pursuant to Health and Safety Code section 44072.8, if Smog Check Repair  
4 Technician License No. EI 313483 and Smog Check Inspector No. EO 313483, issued to Aaron  
5 Benor, is revoked or suspended, any additional license issued under this chapter in the name of  
6 said licensee may be likewise revoked or suspended by the director.

7 26. Pursuant to Code section 9889.9, if Lamp Adjuster License Number LA 313483,  
8 issued to Aaron Benor, is revoked or suspended, any additional license issued under Articles 5  
9 and 6 of Chapter 20.3 of the Business and Professions Code in the name of said licensee may be  
10 likewise revoked or suspended by the director.

11 27. Pursuant to Code section 9889.9, if Brake Adjuster License Number BA 313483,  
12 issued to Aaron Benor, is revoked or suspended, any additional license issued under Articles 5  
13 and 6 of Chapter 20.3 of the Business and Professions Code in the name of said licensee may be  
14 likewise revoked or suspended by the director.

15 **PRAYER**

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

18 1. Revoking, suspending, or placing on probation Automotive Repair Dealer  
19 Registration No. ARD 154249, issued to Aaron Benor, doing business as Rafi Autotech;

20 2. Revoking, suspending, or placing on probation any other automotive repair dealer  
21 registration issued to Aaron Benor;

22 3. Revoking or suspending Smog Check Station License Number RC 154249, issued  
23 to Aaron Benor, doing business as Rafi Autotech;

24 4. Revoking or suspending any additional license issued under chapter 5, of the  
25 Health and Safety Code in the name of Aaron Benor;

26 5. Revoking or suspending Brake Station License Number BS 154249, issued to  
27 Aaron Benor, doing business as Rafi Autotech;

1           6.     Revoking or suspending Lamp Station License Number LS 154249, issued to  
2 Aaron Benor, doing business as Rafi Autotech;

3           7.     Revoking or suspending any additional license issued under Articles 5 and 6 of  
4 Chapter 20.3 of the Business and Professions Code in the name of Aaron Benor;

5           8.     Revoking or suspending Smog Check Repair Technician Number EI 313483,  
6 issued to Aaron Benor;

7           9.     Revoking or suspending Smog Check Inspector Number EO 313483, issued to  
8 Aaron Benor;

9           10.    Revoking or suspending Brake Adjuster License No. BA 313483, issued to Aaron  
10 Benor;


11          11.    Revoking or suspending Lamp Adjuster License No. LA313483, issued to Aaron  
12 Benor;

13          12.    Revoking or suspending any additional license issued under Chapter 5 of the  
14 Health and Safety Code in the name of Aaron Benor;

15          13.    Ordering Rafi Autotech and Aaron Benor, to pay the Director of Consumer Affairs  
16 the reasonable costs of the investigation and enforcement of this case, pursuant to Code section  
17 125.3; and,

18          14.    Taking such other and further action as deemed necessary and proper.  
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20  
21 DATED: May 5, 2016

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

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