

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

In the Matter of the Accusation Against:

**JD AUTO REPAIR, INC., dba MANCHESTER
BRAKE SMOG & AUTO CARE**
Mansour Aliakbar, President
Farshid Aliakbar, Vice-President
Vivia Aliakbar, Secty./Treas.
2340 West Manchester Blvd.
Inglewood, CA 90305

Case No. 77/14-36

OAH No. 2014060724

Automotive Repair Dealer Reg. No. ARD 206488
Smog Check Station License No. RC 206488
Lamp Station License No. LS 206488
Brake Station License No. BS 206488

and

FARSHI JOSEPH ALI AKBAR
6019 W. 83rd Place
Los Angeles, CA 90045
-and-
P.O. Box 45413
Los Angeles, CA 90045

Smog Check Inspector License No. EO 137614
Smog Check Repair Technician No. EI 137614
(formerly Advanced Emission Specialist
Technician License No. EA 137614)
Brake Adjuster License No. BA 137614
Lamp Adjuster License No. LA 137614,

Respondents.

DECISION

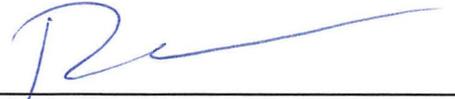
The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter.

This Decision shall become effective

April 1, 2015

DATED:

March 6, 2015


TAMARA COLSON
Assistant General Counsel
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 TERRENCE M. MASON
Deputy Attorney General
4 State Bar No. 158935
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-6294
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. 77/14-36

13 **JD AUTO REPAIR, INC., dba MANCHESTER**
14 **BRAKE SMOG & AUTO CARE**

OAH No. 2014060724

15 Mansour Aliakbar, President
Farshid Aliakbar, Vice-President
16 Vivian Aliakbar, Secty./ Treas.
2340 West Manchester Blvd.
17 Inglewood, CA 90305

STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER

18 Automotive Repair Dealer Reg. No. ARD 206488
Smog Check Station License No. RC 206488
19 Lamp Station License No. LS 206488
20 Brake Station License No. BS 206488

21 and

22 **FARSHID JOSEPH ALI AKBAR**

23 6019 W. 83rd Place
24 Los Angeles, CA 90045
25 -and-
26 P.O. Box 45413
27 Los Angeles, CA 90045

28 Smog Check Inspector License No. EO 137614
Smog Check Repair Technician No. EI 137614
(formerly Advanced Emission Specialist Technician
License No. EA 137614)
29 Brake Adjuster License No. BA 137614
30 Lamp Adjuster License No. LA 137614,

Respondents.

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

3 PARTIES

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

8 2. Respondent JD Auto Repair, Inc., dba Manchester Brake Smog & Auto Care (with
9 Mansour Alikbar, President; Farshid Aliakbar, Vice-President; and Vivian Aliakbar, Secty./
10 Treas.) ("Respondent JD Auto") and Respondent Farshid Joseph Aliakbar ("Respondent
11 Farshid") are represented in this proceeding by attorney William Ferreira, whose address is:
12 Automotive Defense Specialists, 582 Market St., Suite 1608, San Francisco, CA 94104.

13 **JD Auto Repair, Inc., dba Manchester Brake Smog & Auto Care**

14 3. In or about 1999, the Bureau of Automotive Repair issued Automotive Repair Dealer
15 Registration No. ARD 206488 to JD Auto Repair, Inc., dba Manchester Brake Smog & Auto
16 Care. The Automotive Repair Dealer Registration was in full force and effect at all times relevant
17 to the charges brought in Accusation No. 77/14-36 and will expire on August 31, 2015, unless
18 renewed.

19 4. On or about September 30, 1999, the Bureau issued Smog Check Station License No.
20 RC 206488 to JD Auto Repair, Inc., dba Manchester Brake Smog & Auto Care. The Smog
21 Check Station License was in full force and effect at all times relevant to the charges brought in
22 Accusation No. 77/14-36 and will expire on August 31, 2015, unless renewed.

23 5. On or about March 28, 2002, the Bureau of Automotive Repair issued Lamp Station
24 License No. LS 206488 to JD Auto Repair, Inc., dba Manchester Brake Smog & Auto Care. The
25 Lamp Station License will expire on August 31, 2015, unless renewed.

26 6. On or about March 28, 2002, the Bureau of Automotive Repair issued Brake Station
27 License No. BS 206488 to JD Auto Repair, Inc., dba Manchester Brake Smog & Auto Care. The
28 Brake Station License will expire on August 31, 2015, unless renewed.

1 **Farshid Joseph Ali Akbar**

2 7. In or about 1997, the Bureau issued Advanced Emission Specialist Technician
3 License Number EA 137614 to Respondent Farshid Joseph Ali Akbar. The license was due to
4 expire on or about February 28, 2013. Pursuant to California Code of Regulations title 16,
5 section 3380.28, subdivision (e), the license was renewed, pursuant to Respondent Farshid's
6 election as Smog Check Inspector License Number EO 137614 and Smog Check Repair
7 Technician License Number EI 137614 ("technician licenses").¹ The technician licenses were in
8 full force and effect at all times relevant to the charges brought herein and will expire on February
9 28, 2015, unless renewed.

10 8. In or about 2006, the Bureau issued Brake Adjuster License Number BA 137614 to
11 Respondent Farshid. The brake adjuster license was in full force and effect at all times relevant
12 to the charges brought herein and will expire on February 28, 2018, unless renewed.

13 9. In or about 2001, the Bureau issued Lamp Adjuster License Number LA 137614 to
14 Respondent Farshid. The lamp adjuster license was in full force and effect at all times relevant to
15 the charges brought herein and will expire on February 28, 2018, unless renewed.

16 JURISDICTION

17 10. Accusation No. 77/14-36 was filed before the Director of Consumer Affairs
18 ("Director"), for the Bureau of Automotive Repair, and is currently pending against Respondents.
19 The Accusation and all other statutorily required documents were properly served on
20 Respondents on January 29, 2014. Respondents timely filed their Notice of Defense contesting
21 the Accusation.

22 11. A copy of Accusation No. 77/14-36 is attached hereto as Exhibit A and incorporated
23 herein by reference.

24 ///

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

1 the Department of Consumer Affairs regarding this stipulation and settlement, without notice to
2 or participation by Respondents or their counsel. By signing the stipulation, Respondents
3 understand and agree that they may not withdraw their agreements or seek to rescind the
4 stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt
5 this stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall
6 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
7 between the parties, and the Director shall not be disqualified from further action by having
8 considered this matter.

9 19. The parties understand and agree that Portable Document Format (PDF) and facsimile
10 copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format
11 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

21 **DISCIPLINARY ORDER**

22 **As to Respondent JD Auto Repair, Inc., dba Manchester Brake Smog & Auto Care**

23 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 206488,
24 Smog Check Station License No. RC 206488, Lamp Station License No. LS 206488, and Brake
25 Station License No. BS 206488 issued to Respondent JD Auto Repair, Inc., dba Manchester
26 Brake Smog & Auto Care are each revoked. However, the revocation of Automotive Repair
27 Dealer Registration No. ARD 206488 and Smog Check Station License No. RC 206488 are each
28 stayed and placed on probation for three (3) years on the following terms and conditions.

1 1. **Actual Suspension.** Automotive Repair Dealer Registration No. ARD 206488 and
2 Smog Check Station License No. RC 206488 issued to Respondent JD Auto Repair, Inc., dba
3 Manchester Brake Smog & Auto Care are each suspended for ten (10) consecutive days to begin
4 on the effective date of the decision.

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

7 3. **Post Sign.** Post a prominent sign, provided by the Bureau, indicating the beginning
8 and ending dates of the suspension and indicating the reason for the suspension. The sign shall be
9 conspicuously displayed in a location open to and frequented by customers and shall remain
10 posted during the entire period of actual suspension.

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

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

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

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

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

1 9. **Restrictions.** During the period of probation, Respondent, if applicable, shall not
2 perform any form of smog inspection, or emission system diagnosis or repair, until Respondent
3 has purchased, installed, and maintained the diagnostic and repair equipment prescribed by BAR
4 necessary to properly perform such work, and BAR has been given 10 days notice of the
5 availability of the equipment for inspection by a BAR representative.

6 10. **Cost Recovery.** Payment to the Bureau of the full amount of cost recovery for
7 investigation and prosecution of Accusation No. 77/14-36 in the amount of \$19,585.00 shall be
8 received no later than twelve (12) months before probation terminates. Said payment shall be a
9 joint and several obligation between Respondent JD Auto Repair, Inc., dba Manchester Brake
10 Smog & Auto Care and Respondent Farshid Joseph Ali Akbar. Failure to complete payment of
11 cost recovery within this time frame shall constitute a violation of probation which may subject
12 Respondent's registration and/ or station license to outright revocation; however, the Director or
13 the Director's Bureau of Automotive Repair designee may elect to continue probation until such
14 time as reimbursement of the entire cost recovery amount has been made to the Bureau.

15 **As to Respondent Farshid Joseph Ali Akbar**

16 IT IS FURTHER HEREBY ORDERED that Smog Check Inspector License Number EO
17 137614, Smog Check Repair Technician License Number EI 137614, Brake Adjuster License
18 Number BA 137614, and Lamp Adjuster License Number LA 137614 issued to Respondent
19 Farshid Joseph Ali Akbar are each revoked. However, the revocation of Smog Check Inspector
20 License Number EO 137614 and Smog Check Repair Technician License Number EI 137614 are
21 each stayed and placed on probation for three (3) years on the following terms and conditions.

22 11. **Actual Suspension.** Smog Check Inspector License Number EO 137614 and Smog
23 Check Repair Technician License Number EI 137614 issued to Respondent Farshid Joseph Ali
24 Akbar are each suspended for ten (10) consecutive days to begin on the effective date of the
25 decision.

26 12. **Obey All Laws.** Comply with all statutes, regulations and rules governing
27 automotive inspections, estimates and repairs.

28 13. **Reporting.** Respondent or Respondent's authorized representative must report in

1 person or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the
2 Bureau, but no more frequently than each quarter, on the methods used and success achieved in
3 maintaining compliance with the terms and conditions of probation.

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

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

10 16. **Violation of Probation.** Should the Director of Consumer Affairs determine that
11 Respondent has failed to comply with the terms and conditions of probation, the Department may,
12 after giving notice and opportunity to be heard temporarily or permanently invalidate the
13 registration and/ or suspend or revoke the station license.

14 17. **Cost Recovery.** Payment to the Bureau of the full amount of cost recovery for
15 investigation and prosecution of Accusation No. 77/14-36 in the amount of \$19,585.00 shall be
16 received no later than twelve (12) months before probation terminates. Said payment shall be a
17 joint and several obligation between Respondent JD Auto Repair, Inc., dba Manchester Brake
18 Smog & Auto Care and Respondent Farshid Joseph Ali Akbar. Failure to complete payment of
19 cost recovery within this time frame shall constitute a violation of probation which may subject
20 Respondent's registration and/ or station license to outright revocation; however, the Director or
21 the Director's Bureau of Automotive Repair designee may elect to continue probation until such
22 time as reimbursement of the entire cost recovery amount has been made to the Bureau.

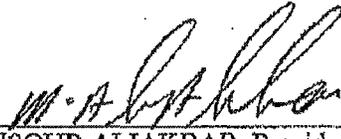
23 **ACCEPTANCE**

24 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
25 discussed it with my attorney, William Ferreira. I understand the stipulation and the effect it will
26 have on my Automotive Repair Dealer Registration, Smog Check Station License, Lamp Station
27 License and Brake Station License. I enter into this Stipulated Settlement and Disciplinary Order
28 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the

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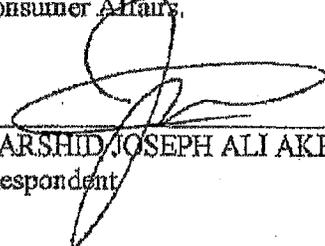
Director of Consumer Affairs.

DATED: 01/30/15


MANSOUR ALIAKBAR, President
JD AUTO REPAIR, INC., dba MANCHESTER
BRAKE SMOG & AUTO CARE
Respondent

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, William Ferreira. I understand the stipulation and the effect it will have on my Smog Check Inspector License, Smog Check Repair Technician License, Brake Adjuster License, and Lamp Adjuster License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED: 1/30/15


FARSHID JOSEPH ALI AKBAR
Respondent

I have read and fully discussed with Respondents JD Auto Repair, Inc., dba Manchester Brake Smog & Auto Care and Farshid Joseph Ali Akbar the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 1/30/15


WILLIAM FERREIRA
Attorney for Respondents

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully

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submitted for consideration by the Director of Consumer Affairs

DATED: 1/30/15

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General



TERRENCE M. MASON
Deputy Attorney General
Attorneys for Complainant

LA2013510636

Exhibit A

Accusation No. 77/14-36

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 GREGORY J. SALUTE
Supervising Deputy Attorney General
4 State Bar No. 164015
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2520
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. 77/14-36

13 **JD AUTO REPAIR INC., DBA MANCHESTER**
14 **BRAKE SMOG & AUTO CARE**
15 **MANSOUR ALIAKBAR, PRESIDENT**
16 **FARSHID ALIAKBAR, VICE PRESIDENT**
17 **VIVIAN ALIAKBAR,**
18 **SECRETARY/TREASURER**
19 **2340 W. Manchester Blvd.**
20 **Inglewood, CA 90305**

ACCUSATION

21 **Automotive Repair Dealer Reg. No. ARD 206488**
22 **Smog Check Station License No. RC 206488**
23 **Lamp Station License No. LS 206488**
24 **Brake Station License No. BS 206488**

25 and

26 **FARSHID JOSEPH ALI AKBAR**
27 **6019 W. 83rd Place,**
28 **Los Angeles, CA 90045**
-and-
P.O. Box 45413
Los Angeles, CA 90045

Smog Check Inspector License No. EO 137614,
Smog Check Repair Technician License No. EI
137614, (formerly Advanced Emission Specialist
Technician License No. EA137614)
Brake Adjuster License No. BA 137614
Lamp Adjuster License No. LA 137614

Respondents.

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Complainant alleges:

PARTIES/LICENSE INFORMATION

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

JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care,

2. In or about 1999, the Director of Consumer Affairs ("Director") issued Automotive Repair Dealer Registration Number ARD 206488 ("registration") to JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care, Mansour Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar, Secretary/Treasurer ("Respondent"). Respondent's registration was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2014, unless renewed.

3. On or about September 30, 1999, the Director issued Smog Check Station License Number RC 206488 ("smog check station license") to Respondent. Respondent's smog check station license was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2014, unless renewed.

4. On or about March 28, 2002, the Director issued Lamp Station License Number LS 206488 to Respondent. Respondent's lamp station license was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2014, unless renewed.

5. On or about March 28, 2002, the Director issued Brake Station License Number BS 206488 to Respondent. Respondent's brake station license was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2014, unless renewed.

Farshid Joseph Ali Akbar

6. In or about 1997, the Director issued Advanced Emission Specialist Technician License Number EA 137614 to Farshid Joseph Ali Akbar ("Respondent Farshid or Farshid"). The license was due to expire on or about February 28, 2013. Pursuant to California Code of Regulations title 16, section 3380.28, subdivision (e), the license was renewed, pursuant to Respondent Farshid's election as Smog Check Inspector License Number EO 137614 and Smog

1 Check Repair Technician License EI 137614 ("technician licenses")¹. The technician licenses
2 were in full force and effect at all times relevant to the charges brought herein and will expire on
3 February 28, 2015, unless renewed.

4 7. In or about 2006, the Director issued Brake Adjuster License Number BA 137614 to
5 Farshid. Farshid's brake adjuster license was in full force and effect at all times relevant to the
6 charges brought herein and will expire on February 28, 2014, unless renewed.

7 8. In or about 2001, the Director issued Lamp Adjuster License Number LA 137614 to
8 Farshid. Farshid's lamp adjuster license was in full force and effect at all times relevant to the
9 charges brought herein and will expire on February 28, 2014, unless renewed.

10 JURISDICTION

11 9. Business and Professions Code ("Bus. & Prof. Code") section 9884.7 provides that
12 the Director may revoke an automotive repair dealer registration.

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

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

20 12. Bus. & Prof. Code section 9889.7 provides, in pertinent part, that the expiration or
21 suspension of a license by operation of law or by order or decision of the Director or a court of
22 law, or the voluntary surrender of a license shall not deprive the Director of jurisdiction to
23 proceed with any disciplinary proceedings.

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

relates to his or her licensed activities.

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(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 9889.9 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 6 of this chapter in the name of the licensee may be likewise revoked or suspended by the director."

19. Bus. & Prof. Code section 22, subdivision (a), states:

"Board" as used in any provision of this Code, refers to the board in which the administration of the provision is vested, and unless otherwise expressly provided, shall include "bureau," "commission," "committee," "department," "division," "examining committee," "program," and "agency."

20. Bus. & Prof. Code section 477, subdivision (b), states, in pertinent part, that a "license" includes "registration" and "certificate."

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

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

4

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

7 22. Health & Saf. Code section 44072.8 states that when a license has been revoked or
8 suspended following a hearing under this article, any additional license issued under this chapter
9 in the name of the licensee may be likewise revoked or suspended by the director.

10 **REGULATORY PROVISIONS**

11 23. California Code of Regulations ("CCR"), title 16, section 3340.24, subdivision (c),
12 states:

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

16 24. CCR, title 16, section 3340.30, subdivision (a), states that a licensed smog technician
17 shall at all times "[i]nspect, test and repair vehicles, as applicable, in accordance with section
18 44012 of the Health and Safety Code, section 44035 of the Health and Safety Code, and section
19 3340.42 of this article."

20 25. CCR, title 16, section 3340.35, subdivision (c), states that a licensed smog check
21 station "shall issue a certificate of compliance or noncompliance to the owner or operator of any
22 vehicle that has been inspected in accordance with the procedures specified in section 3340.42 of
23 this article and has all the required emission control equipment and devices installed and
24 functioning correctly."

25 26. CCR, title 16, section 3340.41, subdivision (c), provides: "No person shall enter into
26 the emissions inspection system any vehicle identification information or emission control system
27 identification data for any vehicle other than the one being tested. Nor shall any person
28

1 knowingly enter into the emissions inspection system any false information about the vehicle
2 being tested.”

3 27. CCR, title 16, section 3340.42, sets forth specific emissions test methods and
4 procedures which apply to all vehicles inspected in the State of California.

5 28. CCR, title 16, section 3340.28, subdivision (e), states that “[u]pon renewal of an
6 unexpired Basic Area Technician license or an Advanced Emission Specialist Technician license
7 issued prior to the effective date of this regulation, the licensee may apply to renew as a Smog
8 Check Inspector, Smog Check Repair Technician, or both.”

9 **COST RECOVERY**

10 29. Bus. & Prof. Code section 125.3 provides, in pertinent part, that a Board may request
11 the administrative law judge to direct a licentiate found to have committed a violation or
12 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
13 and enforcement of the case.

14 **UNDERCOVER OPERATION #1: 2000 CHEVROLET**

15 30. On or about April 22, 2013, an undercover operator of the Bureau ("operator") took
16 the Bureau's 2000 Chevrolet to Respondent's facility and told Respondent's employee Vivian
17 AliAkbar ("Vivian") that he needed a brake and lamp inspection for the vehicle. The rear brake
18 drums on the Bureau-documented vehicle were oversized and not within the manufacturer's
19 specifications. Both the headlamps were misadjusted and the backup lamps were non-operational
20 with bad light bulbs. The operator signed a copy of a work order but did not receive a copy of
21 any documents from Vivian. Vivian had the operator turn on all of the lights and turn signals as
22 she walked around the vehicle. Vivian also had the operator put the vehicle in reverse and step on
23 the brakes. Vivian told the operator that the reverse lights were not working and asked he could
24 replace them. The operator told Vivian that he could replace the reverse lights if needed. Vivian
25 then spoke to her son Farshid Joseph Ali Akbar ("Farshid") who told Vivian to give the operator a
26 couple of light bulbs. Vivian gave the operator a couple of light bulbs, a screwdriver, and told the
27 operator to replace the reverse lights and let her know if the lights were working. Vivian then
28 came over to the vehicle, sat inside, and placed the transmission in reverse. She asked the

1 operator to check to see if the reverse lights were working and the operator told her they were.
2 Vivian told Farshid that all of the lights were working and Farshid filled out the brake and lamp
3 certificates.

4 31. The operator then paid Vivian \$80 and received copies of an invoice, Certificate of
5 Brake Adjustment No. [REDACTED] and Certificate of Lamp Adjustment No. [REDACTED]. The
6 operator never observed Respondent or anyone else at the facility test drive the vehicle, remove
7 the wheels, check the brakes or adjust the headlight aim.

8 32. On or about April 23, 2013, the Bureau inspected the vehicle and found that the
9 vehicle should not have received a lamp Certificate of Adjustment due to a right misadjusted
10 headlamp. Neither headlamp had been adjusted as evidenced by the fact that the tamper indicators
11 on the headlamp adjustment screws were still intact and the headlamps were still out of
12 adjustment. The inspection further revealed that the vehicle should not have received a brake
13 Certificate of Adjustment due to the fact that the vehicle was fitted with oversized rear brake
14 drums that exceed the manufacturer's discard specification.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Untrue or Misleading Statements)**

17 33. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
18 Code section 9884.7, subdivision (a)(1), Respondent made or authorized statements which he
19 knew or in the exercise of reasonable care should have known to be untrue or misleading, as
20 follows:

21 a. Respondent certified under penalty of perjury on Brake Certificate No. [REDACTED]
22 that the applicable inspection was performed on the brake system on the Bureau's 2000 Chevrolet
23 . In fact, Respondent failed to inspect the brakes on the vehicle.

24 b. Respondent certified under penalty of perjury on Brake Certificate No. [REDACTED]
25 that the rear brake drums on the Bureau's 2000 Chevrolet were in a satisfactory condition. In
26 fact, the rear brake drums were oversized and beyond the manufacturer's drum discard diameter
27 specifications.

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1 c. Respondent certified under penalty of perjury on Brake Certificate No. [REDACTED]
2 that the Bureau's 2000 Chevrolet had a stopping distance of 8 feet from a speed of 20 miles per
3 hour as a result of a road-test. In fact, Respondent never road tested the vehicle.

4 d. Respondent certified under penalty of perjury on Lamp Certificate No. [REDACTED]
5 that the applicable adjustment had been performed on the lighting system on the Bureau's 2000
6 Chevrolet. In fact, the right headlamp was out of adjustment.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Fraud)**

9 34. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
10 Code section 9884.7, subdivision (a)(4), Respondent committed acts constituting fraud, as
11 follows: Respondent obtained payment from the operator for performing the applicable
12 inspections, adjustments, or repairs of the brake and lighting systems on the Bureau's 2000
13 Chevrolet as specified by the Bureau and in accordance with the Vehicle Code. In fact,
14 Respondent failed to perform the necessary inspections, adjustments, and repairs in compliance
15 with Bureau Regulations or the Vehicle Code.

16 **THIRD CAUSE FOR DISCIPLINE**

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

18 35. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
19 Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with section 9889.16
20 of that Code in a material respect, as follows: Respondent issued Brake Certificate No.
21 [REDACTED] and Lamp Certificate No. [REDACTED] as to the Bureau's 2000 Chevrolet when the
22 vehicle was not in compliance with Bureau Regulations or the requirements of the Vehicle Code.

23 **FOURTH CAUSE FOR DISCIPLINE**

24 **(Violations of Regulations)**

25 36. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
26 Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with provisions of
27 California Code of Regulations, title 16, in the following material respects:
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1 a. Section 3305, subdivision (a): Respondent failed to perform the inspection of the
2 brake system and inspection and adjustment of the lighting system on the Bureau's 2000
3 Chevrolet in accordance with the specifications, instructions, and directives issued by the Bureau
4 and the vehicle manufacturer.

5 b. Section 3316, subdivision (d)(2): Respondent issued Lamp Certificate No.
6 [REDACTED] as to the Bureau's 2000 Chevrolet when all of the lamps, lighting equipment, and/or
7 related electrical systems on the vehicle were not in compliance with Bureau regulations.

8 c. Section 3321, subdivision (c)(2): Respondent issued Brake Certificate No.
9 [REDACTED] as to the Bureau's 2000 Chevrolet when the brake system on the vehicle had not
10 been completely tested or inspected.

11 d. Section 3356, subdivisions (a)(2)(A) and (a)(2)(B): Respondent failed to state on
12 the invoice that the license plate lamp bulbs had been replaced on the Bureau's 2000 Chevrolet .

13 **FIFTH CAUSE FOR DISCIPLINE**

14 **(Failure to Provide Customer with Copy of Signed Document)**

15 37. Respondent's registration is subject to disciplinary action pursuant to Code section
16 9884.7, subdivision (a)(3), in that Respondent's employee, Vivian, failed to provide the operator
17 with a copy of the work order as soon as the operator signed the document.

18 **SIXTH CAUSE FOR DISCIPLINE**

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

20 38. Respondent's brake and lamp station licenses are subject to disciplinary action
21 pursuant to Bus. & Prof. Code section 9889.3, subdivisions (a) and (h), in that Respondent
22 violated Bus. & Prof. Code section 9889.16 relating to his licensed activities, as set forth in
23 paragraphs 30-32 above.

24 **SEVENTH CAUSE FOR DISCIPLINE**

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

26 39. Respondent's brake and lamp station licenses are subject to disciplinary action
27 pursuant to Bus. & Prof. Code section 9889.3, subdivision (c), in that Respondent failed to
28 comply with the provisions of California Code of Regulations, title 16, sections 3305, subdivision

1 (a), 3316, subdivision (d)(2), 3321, subdivision (c)(2), and 3356, subdivisions (a)(2)(A) and
2 (a)(2)(B), as set forth in paragraphs 30-32 above.

3 **EIGHTH CAUSE FOR DISCIPLINE**

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

5 40. Respondent's brake and lamp station licenses are subject to disciplinary action
6 pursuant to Bus. & Prof. Code section 9889.3, subdivision (d), in that Respondent committed acts
7 involving dishonesty, fraud, or deceit whereby another was injured, as set forth in paragraphs 30-
8 32 above.

9 **NINTH CAUSE FOR DISCIPLINE**

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

11 41. Respondent Farshid's brake and lamp adjuster licenses are subject to disciplinary
12 action pursuant to Bus. & Prof. Code section 9889.3, subdivisions (a) and (h), in that Respondent
13 violated Bus. & Prof. Code section 9889.16 relating to his licensed activities, as set forth in
14 paragraphs 30-32 above.

15 **TENTH CAUSE FOR DISCIPLINE**

16 **(Violations of Regulations)**

17 42. Respondent Farshid's brake and lamp adjuster licenses are subject to disciplinary
18 action pursuant to Bus. & Prof. Code section 9889.3, subdivision (c), in that he failed to comply
19 with the provisions of California Code of Regulations, title 16, sections 3305, subdivision (a),
20 3316, subdivision (d)(2), 3321, subdivision (c)(2), and 3356, subdivisions (a)(2)(A) and (a)(2)(B),
21 as set forth in paragraphs 30-32 above.

22 **UNDERCOVER OPERATION #2: 1986 CHEVROLET**

23 43. On or about May 23, 2013, an undercover operator of the Bureau ("operator") took
24 the Bureau's 1986 Chevrolet to Respondent's facility. The 1986 Chevrolet had previously been
25 documented by the Bureau and as part of the documentation process the Bureau had installed on
26 the vehicle undersized front brake rotors not within manufacturer specifications. Further, both
27 headlamps on the vehicle were misadjusted and the license plate bulb was defective and non-
28 operational.

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SEVENTEENTH CAUSE FOR DISCIPLINE

(Failure to Comply with Regulations)

53. Respondent's brake and lamp station licenses are subject to disciplinary action pursuant to Bus. & Prof. Code section 9889.3, subdivision (c), in that Respondent failed to comply with the provisions of California Code of Regulations, title 16, sections 3305, subdivision (a), 3316, subdivision (d)(2), and 3321, subdivision (c)(2), as set forth in paragraphs 43-46 above.

EIGHTEENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit)

54. Respondent's brake and lamp station licenses are subject to disciplinary action pursuant to Bus. & Prof. Code section 9889.3, subdivision (d), in that Respondent committed acts involving dishonesty, fraud, or deceit whereby another was injured, as set forth in paragraphs 43-46 above.

NINETEENTH CAUSE FOR DISCIPLINE

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

55. Farshid's brake and lamp adjuster licenses are subject to disciplinary action pursuant to Bus. & Prof. Code section 9889.3, subdivisions (a) and (h), in that Respondent violated Bus. & Prof. Code section 9889.16 relating to his licensed activities, as set forth in paragraphs 43-46 above.

TWENTIETH CAUSE FOR DISCIPLINE

(Violations of Regulations)

56. Farshid's brake and lamp adjuster licenses are subject to disciplinary action pursuant to Bus. & Prof. Code section 9889.3, subdivision (c), in that he failed to comply with the provisions of California Code of Regulations, title 16, sections 3305, subdivision (a), 3316, subdivision (d)(2), and 3321, subdivision (c)(2), as set forth in paragraphs 43-46 above.

UNDERCOVER OPERATION #3: 2000 TOYOTA

57. On or about June 27, 2013, an undercover operator of the Bureau ("operator") took the Bureau's 2000 Toyota to Respondent's facility and told Respondent's employee Vivian that he needed a brake and lamp inspection and certificates for the vehicle. The rear brake drums on

1 the Bureau-documented vehicle were oversized and beyond the manufacturer's discard
2 specifications, the parking brake was misadjusted so that it would not hold the vehicle on a slope,
3 and both headlamps were out of adjustment. Further, the left rear tail light was not functioning.
4 Vivian filled out an estimate and the operator gave her the DMV registration form for the vehicle.
5 The operator completed a work order for the inspection but did not receive a copy of the work
6 order.

7 58. Vivian handed the work order to Farshid who then filled out the brake and lamp
8 Certificates of Adjustment. The operator then paid Vivian \$80 and received copies of an invoice,
9 Certificate of Brake Adjustment No. [REDACTED] and Certificate of Lamp Adjustment No.

10 [REDACTED] The operator never observed Respondent or anyone else at the facility inspect the
11 brakes, inspect the lights, test drive the vehicle or remove the wheels.

12 59. On or about July 1, 2013, the Bureau re-inspected the vehicle and found that the
13 vehicle should not have received a lamp Certificate of Adjustment as both headlamps were still
14 misadjusted and the left tail light was still defective and non-functioning. Further, the Bureau
15 found that the vehicle should not have received a brake Certificate of Adjustment as both of the
16 rear brake drums were oversized and exceeded manufacturer discard specifications. The Bureau
17 also found that the wheels had not been removed from the vehicle.

18 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

19 **(Untrue or Misleading Statements)**

20 60. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
21 Code section 9884.7, subdivision (a)(1), Respondent made or authorized statements which he
22 knew or in the exercise of reasonable care should have known to be untrue or misleading, as
23 follows:

24 a. Respondent certified under penalty of perjury on Brake Certificate No. [REDACTED]
25 that the applicable inspection was performed on the brake system on the Bureau's 2000 Toyota.
26 In fact, Respondent failed to inspect the brakes on the vehicle.

27 b. Respondent certified under penalty of perjury on Brake Certificate No. [REDACTED]
28 that the rear brake drums on the Bureau's 2000 Toyota were in a satisfactory condition. In fact,

1 the rear brake drums had been machined beyond the manufacturer's drum discard diameter
2 specifications.

3 c. Respondent certified under penalty of perjury on Brake Certificate No. [REDACTED]
4 that the Bureau's 2000 Toyota had a stopping distance of 8 feet from a speed of 20 miles per hour
5 as a result of a road-test. In fact, Respondent never road tested the vehicle.

6 d. Respondent certified under penalty of perjury on Lamp Certificate No. [REDACTED]
7 that the applicable adjustment and repair had been performed on the lighting system on the
8 Bureau's 2000 Toyota. In fact, both headlamps were still misadjusted and the left tail light was
9 still defective and non-functioning.

10 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

11 **(Fraud)**

12 61. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
13 Code section 9884.7, subdivision (a)(4), Respondent committed acts constituting fraud, as
14 follows: Respondent obtained payment from the operator for performing the applicable
15 inspections, adjustments, or repairs of the brake and lighting systems on the Bureau's 2000
16 Toyota as specified by the Bureau and in accordance with the Vehicle Code. In fact, Respondent
17 failed to perform the necessary inspections, adjustments, and repairs in compliance with Bureau
18 Regulations or the Vehicle Code.

19 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

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

21 62. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
22 Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with section 9889.16
23 of that Code in a material respect, as follows: Respondent issued Brake Certificate No.
24 [REDACTED] and Lamp Certificate No. [REDACTED] as to the Bureau's 2000 Toyota when the
25 vehicle was not in compliance with Bureau Regulations or the requirements of the Vehicle Code.

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1 TWENTY-FOURTH CAUSE FOR DISCIPLINE

2 (Violations of Regulations)

3 63. Respondent's registration is subject to disciplinary action pursuant to Bus. & Prof.
4 Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with provisions of
5 California Code of Regulations, title 16, in the following material respects:

6 a. Section 3305, subdivision (a): Respondent failed to perform the inspection of the
7 brake system and inspection, adjustment, and repair of the lighting system on the Bureau's 2000
8 Toyota in accordance with the specifications, instructions, and directives issued by the Bureau
9 and the vehicle manufacturer.

10 b. Section 3316, subdivision (d)(2): Respondent issued Lamp Certificate No.
11 [REDACTED] as to the Bureau's 2000 Toyota when all of the lamps, lighting equipment, and/or
12 related electrical systems on the vehicle were not in compliance with Bureau regulations.

13 c. Section 3321, subdivision (c)(2): Respondent issued Brake Certificate No.
14 [REDACTED] as to the Bureau's 2000 Toyota when the brake system on the vehicle had not been
15 completely tested or inspected.

16 TWENTY-FIFTH CAUSE FOR DISCIPLINE

17 (Failure to Provide Customer with Copy of Signed Document)

18 64. Respondent's registration is subject to disciplinary action pursuant to Code section
19 9884.7, subdivision (a)(3), in that Respondent's employee, Vivian, failed to provide the operator
20 with a copy of the work order as soon as the operator signed the document.

21 TWENTY-SIXTH CAUSE FOR DISCIPLINE

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

23 65. Respondent's brake and lamp station licenses are subject to disciplinary action
24 pursuant to Bus. & Prof. Code section 9889.3, subdivisions (a) and (h), in that Respondent
25 violated Bus. & Prof. Code section 9889.16 relating to his licensed activities, as set forth in
26 paragraphs 57-59 above.

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1 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

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

3 66. Respondent's brake and lamp station licenses are subject to disciplinary action
4 pursuant to Bus. & Prof. Code section 9889.3, subdivision (c), in that Respondent failed to
5 comply with the provisions of California Code of Regulations, title 16, sections 3305, subdivision
6 (a), 3316, subdivision (d)(2), and 3321, subdivision (c)(2), as set forth in paragraphs 57-59 above.

7 **TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

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

9 67. Respondent's brake and lamp station licenses are subject to disciplinary action
10 pursuant to Bus. & Prof. Code section 9889.3, subdivision (d), in that Respondent committed acts
11 involving dishonesty, fraud, or deceit whereby another was injured, as set forth in paragraphs 57-
12 59 above.

13 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

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

15 68. Farshid's brake and lamp adjuster licenses are subject to disciplinary action pursuant
16 to Bus. & Prof. Code section 9889.3, subdivisions (a) and (h), in that Respondent violated Bus. &
17 Prof. Code section 9889.16 relating to his licensed activities, as set forth in paragraphs 57-59
18 above.

19 **THIRTIETH CAUSE FOR DISCIPLINE**

20 **(Violations of Regulations)**

21 69. Farshid's brake and lamp adjuster licenses are subject to disciplinary action pursuant
22 to Bus. & Prof. Code section 9889.3, subdivision (c), in that he failed to comply with the
23 provisions of California Code of Regulations, title 16, sections 3305, subdivision (a), 3316,
24 subdivision (d)(2), and 3321, subdivision (c)(2), as set forth in paragraphs 57-59 above.

25 **THIRTY-FIRST CAUSE FOR DISCIPLINE**

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

27 70. Respondent's smog check station license is subject to disciplinary action pursuant to
28 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed dishonest,

1 fraudulent, or deceitful acts whereby another is injured, as set forth in paragraphs 30-32, 43-46,
2 and 57-59 above.

3 **THIRTY-SECOND CAUSE FOR DISCIPLINE**

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

5 71. Farshid's technician licenses are subject to disciplinary action pursuant to Health &
6 Saf. Code section 44072.2, subdivision (d), in that Farshid committed dishonest, fraudulent, or
7 deceitful acts whereby another is injured, as set forth in paragraphs 30-32, 43-46, and 57-59
8 above.

9 **OTHER MATTERS**

10 72. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
11 suspend, revoke or place on probation the registration for all places of business operated in this
12 state by Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care, Mansour
13 Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar, Secretary/Treasurer,
14 upon a finding that Respondent has, or is, engaged in a course of repeated and willful violations
15 of the laws and regulations pertaining to an automotive repair dealer.

16 73. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Station License
17 Number RC 206488, issued to Respondent JD Auto Repair Inc. dba Manchester Brake Smog &
18 Auto Care, Mansour Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar,
19 Secretary/Treasurer, is revoked or suspended, any additional license issued under Chapter 5 of the
20 Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the
21 Director.

22 74. Pursuant to Bus. & Prof. Code section 9889.9, if Lamp Station License Number
23 LS 206488, issued to Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care,
24 Mansour Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar,
25 Secretary/Treasurer, is revoked or suspended, any additional license issued under Articles 5 and 6
26 of Chapter 20.3 of the Bus. & Prof. Code in the name of said licensee may be likewise revoked or
27 suspended by the Director.

28 75. Pursuant to Bus. & Prof. Code section 9889.9, if Brake Station License Number

1 BS 206488, issued to Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care,
2 Mansour Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar,
3 Secretary/Treasurer, is revoked or suspended, any additional license issued under Articles 5 and 6
4 of Chapter 20.3 of the Bus. & Prof. Code in the name of said licensee may be likewise revoked or
5 suspended by the Director.

6 76. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
7 No. EO 137614, and/or Smog Check Repair Technician License No. EI 137614, (formerly
8 Advanced Emission Specialist Technician License No. EA137614), issued to Respondent Farshid
9 Joseph Ali Akbar, is revoked or suspended, any additional license issued under Chapter 5 of the
10 Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the
11 Director.

12 77. Pursuant to Bus. & Prof. Code section 9889.9, if Brake Adjuster License Number
13 BA 137614, issued to Respondent Farshid Joseph Ali Akbar, is revoked or suspended, any
14 additional license issued under Articles 5 and 6 of Chapter 20.3 of the Bus. & Prof. Code in the
15 name of said licensee may be likewise revoked or suspended by the Director.

16 78. Pursuant to Bus. & Prof. Code section 9889.9, if Lamp Adjuster License Number
17 LA 137614, issued to Respondent Farshid Joseph Ali Akbar, is revoked or suspended, any
18 additional license issued under Articles 5 and 6 of Chapter 20.3 of the Bus. & Prof. Code in the
19 name of said licensee may be likewise revoked or suspended by the Director.

20 **PRAYER**

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

23 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
24 206488, issued to Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care,
25 Mansour Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar,
26 Secretary/Treasurer;

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- 1 2. Revoking or suspending any other automotive repair dealer registration issued to
2 Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care, Mansour Aliakbar,
3 President, Farshid Aliakbar, Vice President and Vivian Aliakbar, Secretary/Treasurer;
- 4 3. Revoking or suspending Smog Check Station License Number RC 206488, issued to
5 Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care, Mansour Aliakbar,
6 President, Farshid Aliakbar, Vice President and Vivian Aliakbar, Secretary/Treasurer;
- 7 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
8 and Safety Code in the name of Respondent JD Auto Repair Inc. dba Manchester Brake Smog &
9 Auto Care, Mansour Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar,
10 Secretary/Treasurer;
- 11 5. Revoking or suspending Smog Check Inspector License No. EO 137614, and Smog
12 Check Repair Technician License No. EI 137614, (formerly Advanced Emission Specialist
13 Technician License No. EA137614) issued to Farshid Joseph Ali Akbar;
- 14 6. Revoking or suspending any additional license issued under Chapter 5 of the Health
15 and Safety Code in the name of Farshid Joseph Ali Akbar;
- 16 7. Revoking or suspending Lamp Station License Number LS 206488, issued to JD
17 Auto Repair Inc. dba Manchester Brake Smog & Auto Care, Mansour Aliakbar, President,
18 Farshid Aliakbar, Vice President and Vivian Aliakbar, Secretary/Treasurer;
- 19 8. Revoking or suspending Brake Station License Number BS 206488, issued to
20 Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care, Mansour Aliakbar,
21 President, Farshid Aliakbar, Vice President and Vivian Aliakbar, Secretary/Treasurer;
- 22 9. Revoking or suspending any additional license issued under Articles 5 and 6 of
23 Chapter 20.3 of the Business and Professions Code in the name of JD Auto Repair Inc. dba
24 Manchester Brake Smog & Auto Care, Mansour Aliakbar, President, Farshid Aliakbar, Vice
25 President and Vivian Aliakbar, Secretary/Treasurer;
- 26 10. Revoking or suspending Brake Adjuster License Number BA 137614, issued to
27 Farshid Joseph Ali Akbar;

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11. Revoking or suspending Lamp Adjuster License Number LA 137614, issued to Farshid Joseph Ali Akbar;

12. Revoking or suspending any additional license issued under Articles 5 and 6 of Chapter 20.3 of the Business and Professions Code in the name of Farshid Joseph Ali Akbar;

13. Ordering Respondent JD Auto Repair Inc. dba Manchester Brake Smog & Auto Care, Mansour Aliakbar, President, Farshid Aliakbar, Vice President and Vivian Aliakbar, Secretary/Treasurer, and/or Farshid Joseph Ali Akbar to pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: January 27, 2014 Patrick Dorais

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

LA2013510636