

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSHUA A. ROOM  
Supervising Deputy Attorney General  
3 ROSAILDA PEREZ  
Deputy Attorney General  
4 State Bar No. 284646  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-1618  
6 Facsimile: (415) 703-5480  
*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. 79/14-11

13 **PRECISION SMOG & SERVICE**  
14 **HEDAYAT MOHAMMADI, OWNER**  
15 **37900 Cedar Blvd**  
16 **Newark, CA 94560**

ACCUSATION  
smog check

17 **Automotive Repair Dealer Registration No.**  
18 **ARD 227811**  
19 **Smog Check Station License No. RC 227811**  
20 **Lamp Station License No. LS 227811, Class**  
21 **A Brake Station License No. BS 227811,**  
22 **Class C**  
23 **Smog Check Technician - Advanced**  
24 **Emission Specialist License No. EA 301685**  
25 **(to be redesignated upon renewal as EO**  
26 **301685 and/or EI 301685)**  
27 **Lamp Adjuster License No. LA 301685**  
28 **Brake Adjuster License No. BA 301685**

Respondent.

Complainant alleges:

PARTIES

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

**Automotive Repair Dealer Registration**

2. On or about June 4, 2003, the Bureau of Automotive Repair issued Automotive

1 Repair Dealer Registration Number ARD 277811 (ARD Registration) to Hedayat Mohammadi  
2 (Respondent), doing business as, Precision Smog & Service. The ARD Registration was in full  
3 force and effect at all times relevant to the charges brought herein and expired on May 31, 2013,  
4 and has not been renewed.

5 **Smog Check Station License**

6 3. On or about June 27, 2003, the Bureau of Automotive Repair issued Smog Check  
7 Station License Number RC 227811, to Respondent. The Smog Check Station License was in  
8 full force and effect at all times relevant to the charges brought herein and expired on May 31,  
9 2013, and has not been renewed.

10 **Lamp Station License**

11 4. On or about August 18, 2003, the Bureau of Automotive Repair issued Lamp Station  
12 License Number LS 227811, Class A, to Respondent. The Lamp Station License was in full force  
13 and effect at all times relevant to the charges brought herein and expired on May 31, 2013, and  
14 has not been renewed.

15 **Brake Station License**

16 5. On or about June 18, 2003, the Bureau of Automotive Repair issued Brake Station  
17 License Number BS 227811, class C, to Respondent. The Brake Station License was in full force  
18 and effect at all times relevant to the charges brought herein and expired on May 31, 2013, and  
19 has not been renewed.

20 **Advanced Emission Specialist Technician License**

21 6. In or about 1997, the Bureau of Automotive Repair issued Advanced Emission  
22 Specialist Technician License Number EA 301685 to Respondent. The Advanced Emission  
23 Specialist Technician License was in full force and effect at all times relevant to the charges  
24 brought herein and will expire on October 31, 2013, unless renewed. Upon renewal of the  
25 license, the license will be redesignated as EO 301685 and/or EI 301685.<sup>1</sup>

26 <sup>1</sup> 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.



1 or suspension of a license by operation of law, or by order or decision of the Director of  
2 Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the  
3 Director of jurisdiction to proceed with disciplinary action.

4 15. Health and Safety Code section **44072.8** states that when a licensee has been revoked  
5 or suspended following a hearing under this article, any additional licenses issued under this  
6 chapter in the name of the licensee may be likewise revoked or suspended by the director.

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

11 **STATUTORY PROVISIONS**

12 17. Code section **9884.7** states:

13 "(a) The director, where the automotive repair dealer cannot show there was a bona fide  
14 error, may deny, suspend, revoke, or place on probation the registration of an automotive repair  
15 dealer for any of the following acts or omissions related to the conduct of the business of the  
16 automotive repair dealer, which are done by the automotive repair dealer or any automotive  
17 technician, employee, partner, officer, or member of the automotive repair dealer.

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

21 "...

22 (3) Failing or refusing to give to a customer a copy of any document requiring his or her  
23 signature, as soon as the customer signs the document.

24 (4) Any other conduct that constitutes fraud.

25 "...

26 (6) Failure in any material respect to comply with the provisions of this chapter or  
27 regulations adopted pursuant to it.

28 (7) Any willful departure from or disregard of accepted trade standards for good and

1 workmanlike repair in any material respect, which is prejudicial to another without consent of the  
2 owner or his or her duly authorized representative.

3 "...

4 (c) Notwithstanding subdivision (b), the director may suspend, revoke, or place on  
5 probation the registration for all places of business operated in this state by an automotive repair  
6 dealer upon a finding that the automotive repair dealer has, or is, engaged in a course of repeated  
7 and willful violations of this chapter, or regulations adopted pursuant to it."

8 18. Code section **9884.9** states:

9 "(a) The automotive repair dealer shall give to the customer a written estimated price for  
10 labor and parts necessary for a specific job. No work shall be done and no charges shall accrue  
11 before authorization to proceed is obtained from the customer. No charge shall be made for work  
12 done or parts supplied in excess of the estimated price without the oral or written consent of the  
13 customer that shall be obtained at some time after it is determined that the estimated price is  
14 insufficient and before the work not estimated is done or the parts not estimated are supplied.  
15 Written consent or authorization for an increase in the original estimated price may be provided  
16 by electronic mail or facsimile transmission from the customer. The bureau may specify in  
17 regulation the procedures to be followed by an automotive repair dealer if an authorization or  
18 consent for an increase in the original estimated price is provided by electronic mail or facsimile  
19 transmission. If that consent is oral, the dealer shall make a notation on the work order of the date,  
20 time, name of person authorizing the additional repairs and telephone number called, if any,  
21 together with a specification of the additional parts and labor and the total additional cost, and  
22 shall do either of the following:

23 "(1) Make a notation on the invoice of the same facts set forth in the notation on the work  
24 order.

25 "(2) Upon completion of the repairs, obtain the customer's signature or initials to an  
26 acknowledgment of notice and consent, if there is an oral consent of the customer to additional  
27 repairs, in the following language:

28 "I acknowledge notice and oral approval of an increase in the original estimated price.

1 \_\_\_\_\_  
2 (signature or initials)"

3 "Nothing in this section shall be construed as requiring an automotive repair dealer to give a  
4 written estimated price if the dealer does not agree to perform the requested repair.

5 "(b) The automotive repair dealer shall include with the written estimated price a statement  
6 of any automotive repair service that, if required to be done, will be done by someone other than  
7 the dealer or his or her employees. No service shall be done by other than the dealer or his or her  
8 employees without the consent of the customer, unless the customer cannot reasonably be  
9 notified. The dealer shall be responsible, in any case, for any service in the same manner as if the  
10 dealer or his or her employees had done the service.

11 "(c) In addition to subdivisions (a) and (b), an automotive repair dealer, when doing auto  
12 body or collision repairs, shall provide an itemized written estimate for all parts and labor to the  
13 customer. The estimate shall describe labor and parts separately and shall identify each part,  
14 indicating whether the replacement part is new, used, rebuilt, or reconditioned. Each crash part  
15 shall be identified on the written estimate and the written estimate shall indicate whether the crash  
16 part is an original equipment manufacturer crash part or a nonoriginal equipment manufacturer  
17 aftermarket crash part.

18 "(d) A customer may designate another person to authorize work or parts supplied in  
19 excess of the estimated price, if the designation is made in writing at the time that the initial  
20 authorization to proceed is signed by the customer. The bureau may specify in regulation the  
21 form and content of a designation and the procedures to be followed by the automotive repair  
22 dealer in recording the designation. For the purposes of this section, a designee shall not be the  
23 automotive repair dealer providing repair services or an insurer involved in a claim that includes  
24 the motor vehicle being repaired, or an employee or agent or a person acting on behalf of the  
25 dealer or insurer."

26 19. Code section **9889.3** states, in pertinent part:

27 "The director may suspend, revoke, or take other disciplinary action against a license as  
28 provided in this article [Article 7 (commencing with section 9889.1) of the Automotive Repair

1 Act] if the licensee or any partner, officer, or director thereof:

2 “(a) Violates any section of the Business and Professions Code which relates to his or her  
3 licensed activities.

4 “(b) Is convicted of any crime substantially related to the qualifications, functions and  
5 duties of the licenseholder in question.

6 “(c) Violates any of the regulations promulgated by the director pursuant to this chapter  
7 [the Automotive Repair Act].

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

9 “(e) Has misrepresented a material fact in obtaining a license.

10 “(f) Aids or abets an unlicensed person to evade the provisions of this chapter.

11 “(g) Fails to make and keep records showing his or her transactions as a licensee, or fails to  
12 have the records available for inspection by the director or his or her duly authorized  
13 representative for a period of not less than three years after completion of any transaction to  
14 which the records refer, or refuses to comply with a written request of the director to make the  
15 record available for inspection.

16 “(h) Violates or attempts to violate the provisions of this chapter relating to the particular  
17 activity for which he or she is licensed.

18 “(i) Is convicted of a violation of Section 551 of the Penal Code.”

19 20. Health and Safety Code section **44072.2** states, in pertinent part:

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

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

25 “...

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

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

28 “...

1 (h) Violates or attempts to violate the provisions of this chapter relating to the particular  
2 activity for which he or she is licensed."

3 **REGULATORY PROVISION**

4 21. California Code of Regulations, title 16, section 3305, subdivision (a), provides:

5 "(a) All adjusting, inspecting, servicing, and repairing of brake systems and lamp systems  
6 for the purpose of issuing any certificate of compliance or adjustment shall be performed in  
7 official stations, by official adjuster, in accordance with the following, in descending order of  
8 precedence, as applicable:

9 "(1) Vehicle Manufacturer's current standards, specifications and recommended  
10 procedures, as published in the manufacturer's vehicle service and repair manuals.

11 "(2) Current standards, specifications, procedures, directives, manuals, bulletins, and  
12 instructions issued by vehicle and equipment or device manufacturers.

13 "(3) Standards, specification and recommended procedures found in current industry-  
14 standard reference manuals and periodicals published by nationally recognized repair information  
15 providers.

16 "(4) The bureau's Handbook for Brake Adjusters and Stations, February 2003, which is  
17 hereby incorporated by reference.

18 "(5) The bureau's Handbook for Lamp Adjusters and Stations, February 2003, which is  
19 hereby incorporated by reference.

20 **COST RECOVERY**

21 22. Code section 125.3 provides, in pertinent part, that the Board may request the  
22 administrative law judge to direct a licentiate found to have committed a violation or violations of  
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
24 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
25 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
26 included in a stipulated settlement.

27 **FIRST UNDERCOVER VEHICLE OPERATION**

28 23. On or about March 27, 2012, a Bureau operator drove a Bureau documented, 2000

1 Honda to Respondent's facility, Precision Smog & Service for smog, brake, and lamp inspections.  
2 The 2000 Honda had been documented with a noncompliant undersized right front brake rotor,  
3 noncompliant oversized left rear brake drum, misaligned headlamps, and inoperative modified  
4 wiring to the OBDII data link connector (DLC). The Bureau operator met with Respondent who  
5 identified himself as, "Ed" and requested the above inspections. The Bureau operator signed  
6 work order number [REDACTED]. Respondent did not provide the Bureau operator with a written  
7 estimate and did not sign a work order prior to the repair.

8 24. The Bureau operator observed the smog inspection. Respondent told the Bureau  
9 operator that the vehicle would not pass the smog inspection because there was no  
10 communication with the DLC.

11 25. The Bureau operator observed the lamp and brake inspections. Respondent did not  
12 remove any wheels or use any tools and/or equipment to inspect the adjustment of the headlamps.

13 26. Respondent completed and signed Lamp Certificate of Adjustment number  
14 LC [REDACTED] and Brake Certificate of Adjustment number BC [REDACTED]

15 27. The operator paid Respondent \$100.00 and received Invoice Number [REDACTED] Lamp  
16 Certificate of Adjustment number LC [REDACTED] and Brake Certificate of Adjustment number  
17 BC [REDACTED]

18 28. The Bureau reinspected the vehicle on or about April 3, 2012. None of the wheels  
19 had been removed, the noncompliant front brake rotor was still undersized, and the noncompliant  
20 left brake drum was still oversized. The headlights of the vehicle had not been adjusted and were  
21 still misaligned.

22 **FIRST CAUSE FOR DISCIPLINE**

23 **(Untrue and/or Misleading Statements)**

24 29. Respondent's ARD Registration is subject to disciplinary action under Code section  
25 9884.7, subdivision (a)(1), in that Respondent made untrue and/or misleading statements which  
26 he knew or in the exercise of reasonable care should have known to be untrue or misleading as  
27 follows:

28 a. Respondent certified under penalty of perjury on Lamp Certificate of Adjustment

1 number LC [REDACTED] that the headlights on the 2000 Honda were in satisfactory condition when,  
2 in fact, they were not and Respondent had not performed the necessary inspection.

3 b. Respondent certified under penalty of perjury on Brake Certificate of Adjustment  
4 number BC [REDACTED] that the drums and rotors on the Bureau's 2000 Honda were in satisfactory  
5 condition when, in fact, they were not and Respondent had not performed the necessary  
6 inspection.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Fraud)**

9 30. Respondent's ARD Registration is subject to disciplinary action under Code section  
10 9884.7, subdivision (a)(4), in that Respondent committed fraud when he accepted payment for  
11 inspections that were not performed, and issued Lamp Certificate of Adjustment number  
12 LC [REDACTED] and Brake Certificate of Adjustment number BC [REDACTED] for the 2000 Honda that  
13 would have failed the lamp and brake inspections, as set forth in paragraphs 23-28, above.

14 **THIRD CAUSE FOR DISCIPLINE**

15 **(Failure to Comply with the Code)**

16 31. Respondent's ARD Registration is subject to disciplinary action under Code section  
17 9884.7, subdivision (a)(6), in that, with regard to the 2000 Honda, Respondent failed to comply  
18 with provisions of the Code, in the following material respects, as described in paragraphs 24-29,  
19 above:

20 a. **Section 9884.7, subdivision (a)(3)**: Respondent failed to provide the Bureau  
21 operator with a copy of the signed work order.

22 b. **Section 9884.9, subdivision (a)**: Respondent failed to provide the Bureau  
23 operator with a written estimate.

24 **FOURTH CAUSE FOR DISCIPLINE**

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

26 32. Respondent's ARD Registration is subject to disciplinary action under Code section  
27 9884.7, subdivision (a)(6), in that, with regard to the 2000 Honda, Respondent failed to comply  
28 with the California Code of Regulations, title 16, in the following material respects:

1 a. **Section 3305, subdivision (a)**: Respondent failed to perform a brake and lamp  
2 inspection in accordance with the specifications, instructions, and directives issued by the Bureau  
3 and the manufacturer.

4 b. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Adjustment  
5 Certificate Number LC [REDACTED], certifying that the vehicle's lamp system had been inspected and  
6 was in satisfactory condition, when, in fact, it was not in compliance with the Bureau and Vehicle  
7 Code regulations.

8 c. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Adjustment  
9 Certificate Number BC [REDACTED], certifying that the vehicle's brake system had been inspected  
10 and was in satisfactory condition, when if fact, it was not in compliance with the Bureau and  
11 Vehicle Code regulations.

12 **FIFTH CAUSE FOR DISCIPLINE**

13 **(Failure to Comply with the Code)**

14 33. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
15 action under Code section 9889.3, subdivisions (a) and (h), in that Respondent failed to comply  
16 with provisions of the Code, as described in paragraphs 23-31, above.

17 **SIXTH CAUSE FOR DISCIPLINE**

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

19 34. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
20 action under Code section 9889.3, subdivision (c), in that Respondent failed to comply with  
21 provisions of the California Code of Regulations, as more particularly set forth in paragraph 32,  
22 above.

23 **SEVENTH CAUSE FOR DISCIPLINE**

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

25 35. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
26 action under Code section 9889.3, subdivision (d), in that Respondent committed acts involving  
27 dishonesty, fraud, or deceit whereby another was injured, as more particularly set forth in  
28 paragraphs 29 and 30, above.

1 **EIGHTH CAUSE FOR DISCIPLINE**

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

3 36. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
4 action under 9889.3, subdivision (a), in that, Respondent failed to comply with provision of the  
5 Code, relating to his licensed activities, as more particularly set forth in paragraphs 23-31, above.

6 **NINTH CAUSE FOR DISCIPLINE**

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

8 37. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
9 action under 9889.3, subdivision (c), in that Respondent failed to comply with provisions of the  
10 California Code of Regulations, title 16, as more particularly set forth above in paragraph 32,  
11 above.

12 **TENTH CAUSE FOR DISCIPLINE**

13 **(Acts Involving Dishonesty, Fraud, Deceit)**

14 38. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
15 action under 9889.3, subdivision (d), in that Respondent in that Respondent committed acts  
16 involving dishonesty, fraud, or deceit whereby another was injured, as more particularly set forth  
17 in paragraphs 29 and 30, above.

18 **SECOND UNDERCOVER VEHICLE OPERATION**

19 39. On or about May 24, 2012, a Bureau operator drove a Bureau documented, 2002  
20 Dodge to Respondent's facility, Precision Smog & Service, for smog, brake, and lamp  
21 inspections. The 2002 Dodge had been documented with a noncompliant undersized left front  
22 brake rotor, noncompliant oversized right rear brake drum, misaligned right front headlamp, and a  
23 missing Positive Crankcase Ventilation (PCV) system. The Bureau operator met with  
24 Respondent who identified himself as, "Ed" and requested the above inspections. The Bureau  
25 operator signed work order number [REDACTED]. Respondent did not provide the Bureau operator  
26 with a written estimate or a copy of the work order prior to the repair.

27 40. The Bureau operator observed the smog inspection. The Vehicle Inspection Report  
28 showed that the 2002 Dodge passed the smog inspection and that Respondent performed the

1 smog inspection.

2 41. Respondent issued Electronic Certificate of Compliance number [REDACTED]

3 42. The Bureau operator observed the lamp and brake inspections. Respondent did not  
4 remove any wheels or use any tools and/or equipment to inspect the adjustment of the headlamps.

5 43. Respondent completed and signed Lamp Certificate of Adjustment number  
6 LC [REDACTED] and Brake Certificate of Adjustment number BC [REDACTED]

7 44. The operator paid Respondent \$150.00 and received Invoice Number [REDACTED] Lamp  
8 Certificate of Adjustment number LC [REDACTED] and Brake Certificate of Adjustment number  
9 BC [REDACTED]

10 45. The Bureau reinspected the vehicle on or about May 29, 2012. None of the wheels  
11 had been removed, the noncompliant left brake rotor was still undersized, and the noncompliant  
12 right brake drum was still oversized. The right front headlight of the vehicle had not been  
13 adjusted and was still misaligned.

14 **ELEVENTH CAUSE FOR DISCIPLINE**

15 **(Untrue and/or Misleading Statements)**

16 46. Respondent's ARD Registration is subject to disciplinary action under Code section  
17 9884.7, subdivision (a)(1), in that Respondent made untrue and/or misleading statements which  
18 he knew or in the exercise of reasonable care should have known to be untrue or misleading as  
19 follows:

20 a. Respondent certified under penalty of perjury on Lamp Certificate of Adjustment  
21 number LC [REDACTED] that the headlights on the Bureau's 2002 Dodge were in satisfactory  
22 condition when, in fact, they were not and Respondent had not performed the necessary  
23 inspection.

24 b. Respondent certified under penalty of perjury on Brake Certificate of Adjustment  
25 number BC [REDACTED] that the drums and rotors on the Bureau's 2002 Dodge were in satisfactory  
26 condition when, in fact, they were not and Respondent had not performed the necessary  
27 inspection.

28 c. Respondent certified under penalty of perjury on Smog Certificate of Compliance

1 number [REDACTED] that the Bureau's 2002 Dodge smog system was in satisfactory condition  
2 when, in fact, it was not and Respondent had not performed the necessary inspection.

3 **TWELFTH CAUSE FOR DISCIPLINE**

4 **(Fraud)**

5 47. Respondent's ARD Registration is subject to disciplinary action under Code section  
6 9884.7, subdivision (a)(4), in that Respondent committed fraud when he accepted payment for  
7 inspections that were not performed, and issued Smog Certificate of Compliance number  
8 [REDACTED], Lamp Certificate of Adjustment number LC [REDACTED] Brake Certificate of  
9 Adjustment number BC [REDACTED] for the 2002 Dodge that would have failed the lamp and brake  
10 inspections, as set forth in paragraphs 39-45, above.

11 **THIRTEENTH CAUSE FOR DISCIPLINE**

12 **(Failure to Comply with Code)**

13 48. Respondent's ARD Registration is subject to disciplinary action under Code section  
14 9884.7, subdivisions (a)(6) in that, with regard to the 2002 Dodge, Respondent failed to comply  
15 with provisions of the Code, in the following material respects, as described in paragraphs 39-45,  
16 above:

17 a. **Section 9884.7, subdivision (a)(3)**: Respondent failed to provide the Bureau  
18 operator with a copy of the signed work order.

19 b. **Section 9884.9, subdivision (a)**: Respondent failed to provide the Bureau  
20 operator with a written estimate.

21 **FOURTEENTH CAUSE FOR DISCIPLINE**

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

23 49. Respondent's ARD Registration is subject to disciplinary action under Code section  
24 9884.7, subdivisions (a)(6) in that, with regard to the 2002 Dodge, Respondent failed to comply  
25 with the California Code of Regulations, title 16, in the following material respects:

26 a. **Section 3305, subdivision (a)**: Respondent failed to perform a lamp and brake  
27 inspection in accordance with the specifications, instructions, and directives issued by the Bureau  
28 and the manufacturer.



1 action under 9889.3, subdivision (a), in that, Respondent failed to comply with provision of the  
2 Code, relating to his licensed activities, as more particularly set forth in paragraphs 40-48, above.

3 **NINETEENTH CAUSE FOR DISCIPLINE**

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

5 54. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
6 action under 9889.3, subdivision (c), in that Respondent failed to comply with provisions of the  
7 California Code of Regulations, title 16, as more particularly set forth above in paragraph 49,  
8 above.

9 **TWENTIETH CAUSE FOR DISCIPLINE**

10 **(Acts Involving Dishonesty, Fraud, Deceit)**

11 55. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
12 action under 9889.3, subdivision (d), in that Respondent committed acts involving dishonesty,  
13 fraud, or deceit whereby another was injured, as more particularly set forth in paragraphs 46 and  
14 47, above.

15 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

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

17 56. Respondent's Smog Check Station is license subject to disciplinary action under  
18 Health and Safety Code section 44072.2, subdivision (a), in that, with regard to the 2002 Dodge,  
19 Respondent violated sections of that code as follows:

20 a. **Section 44012, subdivision (a)**: Respondent failed to determine that all  
21 emission control devices and systems required by law were installed and functioning correctly in  
22 accordance with test procedures.

23 b. **Section 44012, subdivision (f)**: Respondent failed to perform emission control  
24 tests on the 2002 Dodge, in accordance with procedures prescribed by the department.

25 c. **Section 44015, subdivision (b)**: Respondent issued Electronic Certificate of  
26 Compliance No. [REDACTED] without properly testing and inspecting the vehicle to determine if it  
27 was in compliance with Health and Safety Code section 44012.

28 ///



1 control devices and systems on the vehicle in accordance with the Health and Safety Code.

2 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

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

4 60. Respondent's Advanced Emission Specialist Technician license is subject to  
5 disciplinary action under Health and Safety Code section 44072.2, subdivision (c), in that, with  
6 regard to the 2002 Dodge, Respondent failed to comply with provisions of the California Code of  
7 Regulations, title 16, as follows:

8 a. **Section 3340.30, subdivision (a)**: Respondent failed to perform the emission  
9 control inspection in accordance with Health and Safety Code section 44012.

10 b. **Section 3340.41, subdivision (c)**: Respondent entered false information into  
11 the Emission Inspection System by entering "Pass" for the visual portion of the smog inspection  
12 when, in fact, the 2002 Dodge could not pass the visual portion of the inspection because the  
13 vehicle's PCV system had been removed.

14 c. **Section 3340.42**: Respondent failed to conduct the required smog inspection in  
15 accordance with the Bureau's specifications.

16 **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

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

18 61. Respondent's Advanced Emission Specialist Technician license is subject to  
19 disciplinary action under Health and Safety Code section 44072.2, subdivision (d), in that  
20 Respondent committed acts involving dishonesty, fraud, or deceit whereby another was injured  
21 by issuing Electronic Certificate of Compliance No. [REDACTED] to the 2002 Dodge without  
22 performing a bona fide inspection of the emission control devices and systems on the vehicle,  
23 thereby depriving the People of the State of California of the protection afforded by the Motor  
24 Vehicle Inspection Program.

25 **THIRD UNDERCOVER VEHICLE OPERATION**

26 62. On or about June 13, 2012, a Bureau operator drove a Bureau documented, 1996  
27 Honda to Respondent's facility, Precision Smog & Service, for smog, brake, and lamp  
28 inspections. The 1996 Honda had been documented with a noncompliant undersized left front

1 brake rotor, noncompliant oversized right rear brake drum, misaligned left front headlamp, and a  
2 missing Fuel Evaporative System (EVAP) charcoal canister. The Bureau operator met with  
3 Respondent who identified himself as, "Ed" and requested the above inspections. The Bureau  
4 operator signed work order number [REDACTED]. Respondent did not provide the Bureau operator  
5 with a written estimate or a copy of the work order prior to the repair.

6 63. The Bureau operator observed the smog inspection. The Vehicle Inspection Report  
7 showed that the 1996 Honda passed the smog inspection and that Respondent performed the  
8 smog inspection.

9 64. Respondent issued Electronic Certificate of Compliance number [REDACTED]

10 65. The Bureau operator observed the lamp and brake inspections. Respondent did not  
11 remove any wheels or use any tools and/or equipment to inspect the adjustment of the headlamps.

12 66. Respondent completed and signed Lamp Certificate of Adjustment number  
13 LC [REDACTED] and Brake Certificate of Adjustment number BC [REDACTED]

14 67. The Bureau operator then presented Respondent with a Report of Deposit of Fees  
15 (RDF), for a 2002 Honda that belonged to the Bureau, and asked Respondent for brake and lamp  
16 certificates. The 2002 Honda was not present at Precision Smog & Service.

17 68. Respondent completed and signed Lamp Certificate of Adjustment number  
18 LC [REDACTED] and Brake Certificate of Adjustment number BC [REDACTED]

19 69. The operator paid Respondent \$240.00 and received, for the 1996 Honda, Invoice  
20 Number [REDACTED], Electronic Certificate of Compliance number [REDACTED], Lamp Certificate of  
21 Adjustment number LC [REDACTED], and Brake Certificate of Adjustment number BC [REDACTED], and  
22 for the 2002 Honda, Invoice Number [REDACTED], Lamp Certificate of Adjustment number  
23 LC [REDACTED], and Brake Certificate of Adjustment number BC [REDACTED]

24 70. The Bureau reinspected the 1996 Honda on or about June 29, 2012. None of the  
25 wheels had been removed, the noncompliant left brake rotor was still undersized, and the  
26 noncompliant right rear brake drum was still oversized. The left front headlight of the vehicle  
27 had not been adjusted and was still misaligned and the EVAP charcoal canister was still missing  
28 from the vehicle.

1 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

2 **(Untrue and/or Misleading Statements)**

3 71. Respondent's ARD Registration is subject to disciplinary action under Code section  
4 9884.7, subdivision (a)(1), in that Respondent made untrue and/or misleading statements which  
5 he knew or in the exercise of reasonable care should have known to be untrue or misleading as  
6 follows:

7 a. Respondent certified under penalty of perjury on Lamp Certificate of Adjustment  
8 number LC [REDACTED] that the headlights on the Bureau's 1996 Honda were in satisfactory  
9 condition when, in fact, they were not and Respondent had not performed the necessary  
10 inspection.

11 b. Respondent certified under penalty of perjury on Brake Certificate of Adjustment  
12 number BC [REDACTED] that the drums and rotors on the Bureau's 1996 Honda were in satisfactory  
13 condition when, in fact, they were not and Respondent had not performed the necessary  
14 inspection.

15 c. Respondent certified under penalty of perjury on Electronic Smog Certificate of  
16 Compliance number [REDACTED] that the Bureau's 1996 Honda smog's system was in satisfactory  
17 condition when, in fact, it was not and Respondent had not performed the necessary inspection.

18 **TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

19 **(Fraud)**

20 72. Respondent's ARD Registration is subject to disciplinary action under Code section  
21 9884.7, subdivision (a)(4), in that Respondent committed fraud when he accepted payment for  
22 inspections that were not performed, and issued Electronic Smog Certificate of Compliance  
23 number [REDACTED], Lamp Certificate of Adjustment number LC [REDACTED], and Brake Certificate  
24 of Adjustment number BC [REDACTED] for the 1996 Honda that would have failed the lamp and brake  
25 inspections, as set forth in paragraphs 62-70, above.

26 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

27 **(Failure to Comply with the Code)**

28 73. Respondent's ARD Registration is subject to disciplinary action under Code section

1 9884.7, subdivision (a)(6) in that, with regard to the 1996 Honda, Respondent failed to comply  
2 with provisions of the Code, in the following material respects, as described in paragraphs 62-70,  
3 above:

4 a. **Section 9884.7, subdivision (a)(3)**: Respondent failed to provide the Bureau  
5 operator with a copy of the signed work order.

6 b. **Section 9884.9, subdivision (a)**: Respondent failed to provide the Bureau  
7 operator with a written estimate.

### 8 **THIRTIETH CAUSE FOR DISCIPLINE**

#### 9 **(Failure to Comply with Regulations)**

10 74. Respondent's ARD Registration is subject to disciplinary action under Code section  
11 9884.7, subdivision (a)(6), in that, with regard to the 1996 Honda, Respondent failed to comply  
12 with the California Code of Regulations, title 16, in the following material respects:

13 a. **Section 3305, subdivision (a)**: Respondent failed to perform a lamp and brake  
14 inspection in accordance with the specifications, instructions, and directives issued by the Bureau  
15 and the manufacturer.

16 b. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Adjustment  
17 Certificate Number LC [REDACTED] to the 1996 Honda, certifying that the vehicle's lamp system had  
18 been inspected and was in satisfactory condition, when, in fact, it was not in compliance with the  
19 Bureau and Vehicle Code regulations.

20 c. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Adjustment  
21 Certificate Number BC [REDACTED] to the 1996 Honda, certifying that the vehicle's brake system  
22 had been inspected and was in satisfactory condition, when if fact, it was not in compliance with  
23 the Bureau and Vehicle Code regulations.

### 24 **THIRTY-FIRST CAUSE FOR DISCIPLINE**

#### 25 **(Failure to Comply with Code)**

26 75. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
27 action under Code section 9884.3, subdivisions (a) and (h), in that Respondent failed to comply  
28 with provisions of the Code, as described in paragraphs 62-73, above.

1 **THIRTY-SECOND CAUSE FOR DISCIPLINE**

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

3 76. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
4 action under Code section 9889.3, subdivision (c), in that Respondent failed to comply with  
5 provisions of the California Code of Regulations, as more particularly set forth in paragraph 74,  
6 above.

7 **THIRTY-THIRD CAUSE FOR DISCIPLINE**

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

9 77. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
10 action under Code section 9889.3, subdivision (d), in that Respondent committed acts involving  
11 dishonesty, fraud, or deceit whereby another was injured, as more particularly set forth in  
12 paragraphs 71 and 72, above.

13 **THIRTY-FOURTH CAUSE FOR DISCIPLINE**

14 **(Failure to Comply with the Code)**

15 78. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
16 action under 9889.3, subdivision (a), in that, Respondent failed to comply with provision of the  
17 Code, relating to his licensed activities, as more particularly set forth in paragraphs 62-73, above.

18 **THIRTY-FIFTH CAUSE FOR DISCIPLINE**

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

20 79. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
21 action under 9889.3, subdivision (c), in that Respondent failed to comply with provisions of the  
22 California Code of Regulations, title 16, as more particularly set forth above in paragraph 74,  
23 above.

24 **THIRTY-SIXTH CAUSE FOR DISCIPLINE**

25 **(Acts Involving Dishonesty, Fraud, Deceit)**

26 80. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to  
27 disciplinary action under 9889.3, subdivision (d), in that Respondent committed acts involving  
28 dishonesty, fraud, or deceit whereby another was injured, as more particularly set forth in

1 paragraphs 71 and 72, above.

2 **THIRTY-SEVENTH CAUSE FOR DISCIPLINE**

3 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)**

4 81. Respondent's Smog Check Station license subject to disciplinary action under Health  
5 and Safety Code section 44072.2, subdivision (a), in that, with regard to the 1996 Honda,  
6 Respondent violated sections of that code as follows:

7 a. **Section 44012, subdivision (a)**: Respondent failed to determine that all  
8 emission control devices and systems required by law were installed and functioning correctly in  
9 accordance with test procedures.

10 b. **Section 44012, subdivision (f)**: Respondent failed to perform emission control  
11 tests on the 1996 Honda, in accordance with procedures prescribed by the department.

12 c. **Section 44015, subdivision(b)**: Respondent issued Electronic Certificate of  
13 Compliance No. [REDACTED] without properly testing and inspecting the vehicle to determine if it  
14 was in compliance with Health and Safety Code section 44012.

15 **THIRTY-EIGHTH CAUSE FOR DISCIPLINE**

16 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)**

17 82. Respondent's Smog Check Station license is subject to disciplinary action under  
18 Health and Safety Code section 44072.2, subdivision (c), in that Respondent violated sections of  
19 the California Code of Regulations, title 16, as follows:

20 a. **Section 3340.35, subdivision (c)**: Respondent issued Electronic Certificate of  
21 Compliance No. [REDACTED] even though he had not inspected the 1996 Honda in accordance with  
22 Health and Safety Code section 3340.42.

23 b. **Section 3340.42**: Respondent failed to conduct the required smog tests and  
24 inspections on the 1996 Honda in accordance with the Bureau's specifications.

25 **THIRTY-NINTH CAUSE FOR DISCIPLINE**

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

27 83. Respondent's Smog Check Station license is subject to disciplinary action under  
28 Health and Safety Code section 44072.2, subdivision (d), in that Respondent committed a

1 dishonest, fraudulent, or deceitful act whereby another was injured, in that he issued Smog  
2 Certificate of Compliance number [REDACTED] to the 1996 Honda, without performing a bona fide  
3 inspection of the emission control devices and systems on the vehicle, thereby depriving the  
4 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
5 Program.

6 **FORTIETH CAUSE FOR DISCIPLINE**

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

8 84. Respondent's Advanced Emission Specialist Technician license is subject to  
9 disciplinary action under Health and Safety Code section 44072.2, subdivision (a), in that  
10 Respondent violated the following sections of the Health and Safety Code:

11 a. **Section 44012, subdivision (f)**: Respondent failed to perform an emission  
12 control inspection on the 1996 Honda in accordance with the procedures prescribed by the  
13 department.

14 b. **Section 44032**: Respondent failed to perform an inspection of the emission  
15 control devices and systems on the vehicle in accordance with the Health and Safety Code.

16 **FORTY-FIRST CAUSE FOR DISCIPLINE**

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

18 85. Respondent's Advanced Emission Specialist Technician license is subject to  
19 disciplinary action under Health and Safety Code section 44072.2, subdivision (c), in that, with  
20 regard to the 1996 Honda, Respondent failed to comply with provisions of the California Code of  
21 Regulations, title 16, as follows:

22 a. **Section 3340.30, subdivision (a)**: Respondent failed to inspect and test the  
23 1996 Honda in accordance with Health and Safety Code section 44012.

24 b. **Section 3340.41, subdivision (c)**: Respondent entered false information into  
25 the Emission Inspection System by entering "Pass" for the visual portion of the smog inspection  
26 when, in fact, the 1996 Honda could not pass the visual portion of the inspection because the  
27 vehicle's EVAP charcoal canister was missing.

28 c. **Section 3340.42**: Respondent failed to conduct the required smog inspection in

1 accordance with the Bureau's specifications.

2 **FORTY-SECOND CAUSE FOR DISCIPLINE**

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

4 86. Respondent's Advanced Emission Specialist Technician license is subject to  
5 disciplinary action under Health and Safety Code section 44072.2, subdivision (d), in that  
6 Respondent committed acts involving dishonesty, fraud, or deceit whereby another was injured  
7 by issuing Electronic Certificate of Compliance No. [REDACTED] to the 1996 Honda without  
8 performing a bona fide inspection of the emission control devices and systems on the vehicle,  
9 thereby depriving the People of the State of California of the protection afforded by the Motor  
10 Vehicle Inspection Program.

11 **FORTY-THIRD CAUSE FOR DISCIPLINE**

12 **(Untrue and/or Misleading Statements)**

13 87. Respondent's ARD Registration is subject to disciplinary action under Code section  
14 9884.7, subdivision (a)(1), in that Respondent made untrue and/or misleading statements which  
15 he knew or in the exercise of reasonable care should have known to be untrue or misleading as  
16 follows:

17 a. Respondent certified under penalty of perjury on Lamp Certificate of  
18 Adjustment number LC [REDACTED] that he had inspected the 2002 Honda and that the headlights  
19 were in satisfactory condition, when in fact, the 2002 Honda was not present at Precision Smog &  
20 Service and no inspections could have been performed.

21 b. Respondent certified under penalty of perjury on Brake Certificate of Adjustment  
22 number BC [REDACTED] that he had inspected the 2002 Honda and that the drums and rotors on the  
23 were in satisfactory condition when, in fact, the 2002 Honda was not present at Precision Smog &  
24 Service and no inspections could have been performed.

25 **FORTY-FOURTH CAUSE FOR DISCIPLINE**

26 **(Fraud)**

27 88. Respondent's ARD Registration is subject to disciplinary action under Code section  
28 9884.7, subdivision (a)(4), in that Respondent committed fraud when he accepted payment for

1 inspections that were not performed and issued Lamp Certificate of Adjustment number  
2 LC [REDACTED] and Brake Certificate of Adjustment number BC [REDACTED] for the 2002 Honda  
3 without performing the necessary inspections, as set forth in paragraphs 67-69, above.

4 **FORTY-FIFTH CAUSE FOR DISCIPLINE**

5 **(Failure to Comply with the Code)**

6 89. Respondent's ARD Registration is subject to disciplinary action under Code  
7 section 9884.7, subdivisions (a)(6), in that, with regard to the 2002 Honda, Respondent failed to  
8 comply with provisions of the Code in the following material respect, as described in paragraphs  
9 67-69, above:

10 a. **Section 9884.7, subdivision (a)(4)**: Respondent committed fraud when he issued  
11 Lamp Certificate of Adjustment number LC [REDACTED] and Brake Certificate of Adjustment number  
12 BC [REDACTED] for the 2002 Honda certifying he had performed the necessary inspections when, in  
13 fact, Respondent could not have performed the inspections because the vehicle was not present at  
14 the facility.

15 **FORTY-SIXTH CAUSE FOR DISCIPLINE**

16 **(Violation of Regulations)**

17 90. Respondent's ARD Registration is subject to disciplinary action under Code section  
18 9884.7, subdivisions (a)(6) in that, with regard to the 2002 Honda, Respondent failed to comply  
19 with the California Code of Regulations, title 16, in the following material respects:

20 a. **Section 3305, subdivision (a)**: Respondent failed to perform a lamp and brake  
21 inspection in accordance with the specifications, instructions, and directives issued by the Bureau  
22 and the manufacturer.

23 b. **Section 3316, subdivision (d)(2)**: Respondent issued Lamp Certificate of  
24 Adjustment number LC [REDACTED] for the 2002 Honda, certifying that the vehicle's lamp system  
25 had been inspected and was in satisfactory condition, when, in fact, the 2002 Honda was not  
26 present at the facility for inspection.

27 c. **Section 3321, subdivision (c)(2)**: Respondent issued Brake Adjustment  
28 Certificate Number BC [REDACTED] for the 2002 Honda, certifying that the vehicle's brake system

1 had been inspected and was in satisfactory condition, when if fact, the 2002 Honda was not  
2 present at the facility for inspection.

3 **FORTY-SEVENTH CAUSE FOR DISCIPLINE**

4 **(Failure to Comply with the Code)**

5 91. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
6 action under Code section 9889.3, subdivisions (a) and (h), in that Respondent failed to comply  
7 with provisions of the Code, as described in paragraphs 67-69, and 89, above.

8 **FORTY-EIGHTH CAUSE FOR DISCIPLINE**

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

10 92. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
11 action under Code section 9889.3, subdivision (c), in that Respondent failed to comply with  
12 provisions of the California Code of Regulations, as more particularly set forth in paragraph 90,  
13 above.

14 **FORTY-NINTH CAUSE FOR DISCIPLINE**

15 **(Dishonesty Fraud, Deceit)**

16 93. Respondent's Lamp Station and Brake Station licenses are subject to disciplinary  
17 action under Code section 9889.3, subdivision (d), in that Respondent committed acts involving  
18 dishonesty, fraud, or deceit whereby another was injured, as more particularly set forth in  
19 paragraphs 87 and 88, above.

20 **FIFTIETH CAUSE FOR DISCIPLINE**

21 **(Failure to Comply with Code)**

22 94. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary  
23 action under 9889.3, subdivision (a), in that, Respondent failed to comply with provision of the  
24 Code, relating to his licensed activities, as more particularly set forth in paragraphs 67-69 and 89,  
25 above.

26 **FIFTY-FIRST CAUSE FOR DISCIPLINE**

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

28 95. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to disciplinary

1 action under 9889.3, subdivision (c), in that Respondent failed to comply with provisions of the  
2 California Code of Regulations, title 16, as more particularly set forth above in paragraph 90,  
3 above.

4 **FIFTY-SECOND CAUSE FOR DISCIPLINE**

5 **(Acts Involving Dishonesty, Fraud, Deceit)**

6 96. Respondent's Lamp Adjuster and Brake Adjuster licenses are subject to  
7 disciplinary action under 9889.3, subdivision (d), in that Respondent committed acts involving  
8 dishonesty, fraud, or deceit whereby another was injured, as more particularly set forth in  
9 paragraphs 87 and 88, above.

10 **PRIOR CITATIONS**

11 97. To determine the degree of discipline, if any, to be imposed on Respondent,  
12 Complainant alleges that:

13 a. On or about December 9, 2008, in a prior action, the Bureau issued Citation  
14 Number #C2009-0695 to Respondent against his Smog Station license for violations of Health  
15 and Safety Code section 44012, subdivision (f) (failure to perform a visual/functional check of  
16 emission control devices), and California Code of Regulations, title 16, section 3340.35,  
17 subdivision (c) (issuing a certificate of compliance to a vehicle improperly tested). The Bureau  
18 assessed a civil penalty of \$500. Respondent complied with this citation on January 9, 2009.  
19 This citation is now final and is incorporated by reference as if fully set forth.

20 b. On or about December 9, 2008, in a prior action, the Bureau issued Citation  
21 Number #M2009-0696 to Respondent against his Advanced Emissions Specialist Technician  
22 license for violations of Health and Safety Code section 44032 (failure to perform a test of  
23 emission control systems and devices in accordance with Health and Safety Code section 44012)  
24 and California Code of Regulations, title 16, section 3340.30, subdivision (a) (failure to inspect  
25 and properly test vehicles in accordance with Health and Safety Code sections 44012 and 44035  
26 and California Code of Regulations, title 16, section 3340.42). The Bureau ordered an eight-hour  
27 training course. Respondent complied with this citation on January 24, 2009. This citation is  
28 now final and is incorporated by reference as if fully set forth.

**OTHER MATTERS**

1  
2           98. Pursuant to Code section 9884.7(c), the director may suspend, revoke, or place on  
3 probation the registrations for all places of business operated in this state by Hedayat  
4 Mohammadi, upon a finding that he has, or is, engaged in a course of repeated and willful  
5 violation of the laws and regulations pertaining to an automotive repair dealer.

6           99. Pursuant to Health and Safety Code section 44072.8, if Smog Check Station License  
7 Number RC 227811, issued to Respondent, is revoked or suspended, any additional license issued  
8 under this chapter in the name of said licensee may be likewise revoked or suspended by the  
9 director.

10           100. Pursuant to Code section 9889.9, if Lamp Station License Number LS 227811, issued  
11 to Respondent is revoked or suspended, any additional license issued under  
12 Articles 5 and 6 of Chapter 20.3 of the Code in the name of said licensee maybe likewise revoked  
13 or suspended by the Director.

14           101. Pursuant to Code section 9889.9, if Brake Station License Number BS 227811 issued  
15 to Respondent is revoked or suspended, any additional license issued under  
16 Articles 5 and 6 of Chapter 20.3 of the Code in the name of said licensee may be likewise  
17 revoked or suspended by the Director.

18           102. Pursuant to Health and Safety Code section 44072.8, if Advanced Emission Specialist  
19 Technician License number EA 301685, issued to Respondent is revoked or suspended, any  
20 additional license issued under this chapter in the name of said licensee may be likewise revoked  
21 or suspended by the director.

22           103. Pursuant to Code section 9889.9, if Lamp Adjuster License Number LA 301685,  
23 issued to Respondent is revoked or suspended, any additional license issued under  
24 Articles 5 and 6 of Chapter 20.3 of the Code in the name of said licensee may be likewise  
25 revoked or suspended by the Director.

26           104. Pursuant to Code section 9889.9, if Brake Adjuster License Number BA 301685,  
27 issued to Respondent is revoked or suspended, any additional license issued under Articles 5 and  
28 6 of Chapter 20.3 of the Code in the name of said licensee may be likewise revoked or suspended

1 by the Director.

2 **PRAYER**

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

5 1. Revoking or suspending Automotive Repair Dealer Registration No. ARD 227811  
6 issued to Hedayat Mohammadi (Respondent), dba Precision Smog & Service;

7 2. Revoking or suspending any other Automotive Repair Dealer Registration issued to  
8 Respondent;

9 3. Revoking or suspending Smog Check Station License Number RC 227811, issued to  
10 Respondent;

11 4. Revoking or suspending any additional license issued under chapter 5 of the Health  
12 and Safety Code in the name of Respondent;

13 5. Revoking or suspending Lamp Station License Number LS 227811, issued to  
14 Respondent;

15 6. Revoking or suspending Brake Station License Number BS 227811, issued to  
16 Respondent;

17 7. Revoking or suspending Respondent's smog technician license(s) currently  
18 designated as EA 301685, and redesignated upon his timely renewal as EO 301685 and/or EI  
19 301685;

20 8. Revoking or suspending Lamp Adjuster License Number LA 301685, issued to  
21 Respondent;

22 9. Revoking or suspending Brake Adjuster License Number BA 301685, issued to  
23 Hedayat Mohammadi;

24 10. Ordering Respondent to pay the Bureau of Automotive Repair the reasonable costs of  
25 the investigation and enforcement of this case, pursuant to Business and Professions Code section  
26 125.3;

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

DATED: August 2, 2013



---

Patrick Dorias  
Acting Chief  
Bureau of Automotive Repair  
Department of Consumer Affairs  
State of California  
*Complainant*

SF2013404268  
11122227.doc