BEFORE THE DIRECTOR OF THE

DEPARTMENT OF CONSUMER AFFAIRS

BUREAU OF AUTOMOTIVE REPAIR

STATE OF CALIFORNIA

In the Matter of the Accusation Against:

VARUZHAN STAMBOULIAN, dba SIMPLY THE BEST SMOG

11232 Vanowen St. #10

North Hollywood, CA 91605

Automotive Repair Dealer Registration No. ARD 227979

Smog Check Station License No. RC 227979

Brake Station License No. BS 227979, Class C

Lamp Station License No. LS 227979, Class A

and

VARUZHAN STAMBOULIAN

11232 Vanowen St. #10

North Hollywood, CA 91605

Advanced Emission Specialist Technician License No. EA 145708

Smog Check Inspector License No. EO 145708

Smog Check Repair Technician License No. EI 145708

Brake Adjuster License No. BA 145708, Class C

Lamp Adjuster License No. LA 145708, Class A

Respondents.

Case No. 77/22-535

OAH No. 2023030436

DECISION

The attached Stipulated Revocation of License and Order as to the Brake and Lamp Station Licenses, Brake and Lamp Adjuster Licenses, and Smog Check Repair Technician License and Stipulated Settlement and Disciplinary Order as to Automotive Repair Dealer Registration, Smog Check Station, and Smog Check Inspector Licenses is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on JANUARY 3, 2024.

DATED: Nov. 15, 2023

GRACE ARUPO RODRIGUEZ
Assistant Deputy Director
Legal Affairs Division
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BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE BUREAU OF AUTOMOTIVE REPAIR
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **VARUZHAN STAMBOULIAN, DBA SIMPLY THE BEST SMOG** **11232 Vanowen St., #10** **North Hollywood, CA 91605** **Automotive Repair Dealer Registration No. ARD 227979** **Smog Check Station License No. RC 227979** **Brake Station License No. BS 227979, Class C** **Lamp Station License No. LS 227979, Class A** **and** **VARUZHAN STAMBOULIAN** **11232 Vanowen St., #10** **North Hollywood, CA 91605** **Advanced Emission Specialist Technician License No. EA 145708** **Smog Check Inspector License No. EO 145708** **Smog Check Repair Technician License No. EI 145708** **Brake Adjuster License No. BA 145708, Class C** **Lamp Adjuster License No. LA 145708, Class A** Respondents.	Case No. 77/22-535 OAH No. 2023030436 **STIPULATED REVOCATION OF LICENSE AND ORDER AS TO THE BRAKE AND LAMP STATION LICENSES, BRAKE AND LAMP ADJUSTER LICENSES, AND SMOG CHECK REPAIR TECHNICIAN LICENSE** **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER AS TO AUTOMOTIVE REPAIR DEALER REGISTRATION, SMOG CHECK STATION, AND SMOG CHECK INSPECTOR LICENSES**

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

PARTIES

1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair (Bureau). He brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by Vinodhini Ramagopal, Deputy Attorney General.

2. Respondents Varuzhan Stamboulian, dba Simply the Best Smog; and Varuzhan Stamboulian (Respondents) are representing themselves in this proceeding and have chosen not to exercise their right to be represented by counsel.

3. In 2003, the Bureau of Automotive Repair issued Automotive Repair Dealer Registration Number ARD 227979 to Varuzhan Stamboulian, dba Simply the Best Smog (Respondent). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2024, unless renewed.

4. On or about May 6, 2016, the Bureau of Automotive Repair issued Smog Check Station License Number RC 227979 to Varuzhan Stamboulian, dba Simply the Best Smog (Respondent). The Smog Check Station License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2024, unless renewed.

5. On or about April 10, 2017, the Bureau of Automotive Repair issued Brake Station License Number BS 227979, Class C, to Varuzhan Stamboulian, dba Simply the Best Smog (Respondent). The Brake Station License was in full force and effect at all times relevant to the charges brought herein, however, expired on May 31, 2023.

6. On or about April 10, 2017, the Bureau of Automotive Repair issued Lamp Station License Number LS 227979, Class A, to Varuzhan Stamboulian, dba Simply the Best Smog (Respondent). The Lamp Station License was in full force and effect at all times relevant to the charges brought herein, however, expired on May 31, 2023.

7. On or about August 10, 2012, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 145708 to Varuzhan Stamboulian (Respondent). The Smog Check

Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2024, unless renewed.

8. On or about August 10, 2012, the Bureau of Automotive Repair issued Smog Check Repair Technician License Number EI 145708 to Varuzhan Stamboulian (Respondent). The Smog Check Repair Technician License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2024, unless renewed.

9. On or about July 20, 2015, the Bureau of Automotive Repair issued Brake Station License Number BA 145708, Class C to Varuzhan Stamboulian (Respondent). The Brake Station License was in full force and effect at all times relevant to the charges brought herein, expired on August 31, 2022, and was cancelled on June 4, 2023.

10. On or about July 19, 2015, the Bureau of Automotive Repair issued Lamp Station License Number LA 145708, Class A to Varuzhan Stamboulian (Respondent). The Lamp Station License was in full force and effect at all times relevant to the charges brought herein, expired on August 31, 2022, and was cancelled on September 4, 2022.

JURISDICTION

11. Accusation No. 77/22-535 was filed before the Director of the Department of Consumer Affairs (Director), and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on November 21, 2022. Respondent timely filed its Notice of Defense contesting the Accusation.

12. A copy of Accusation No. 77/22-535 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

13. Respondent has carefully read, and understands the charges and allegations in Accusation No. 77/22-535. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

14. Respondent is fully aware of its legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at its own expense; the right to confront and cross-examine the witnesses against them; the right to

present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

15. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

16. Respondents admit the truth of each and every charge and allegation in Accusation No. 77/22-535.

17. Respondents understand that by signing this stipulation, it enables the Bureau to issue an order accepting the Revocation of their Brake Station License without further process.

18. Respondents understand that by signing this stipulation, it enables the Bureau to issue an order accepting the Revocation of their Lamp Station License without further process.

19. Respondents understand that by signing this stipulation, it enables the Bureau to issue an order accepting the Revocation of their Brake Adjuster License further process.

20. Respondents understand that by signing this stipulation, it enables the Bureau to issue an order accepting the Revocation of their Lamp Adjuster without further process.

21. Respondents understand that by signing this stipulation, it enables the Bureau to issue an order accepting the Revocation of their Smog Check Repair Technician License without further process.

22. Respondent agree that their Automotive Repair Dealer Registration is subject to discipline and they agree to be bound by the Director's probationary terms as set forth in the Disciplinary Order below.

23. Respondent agree that their Smog Check Station License is subject to discipline and they agree to be bound by the Director's probationary terms as set forth in the Disciplinary Order below.

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24. Respondent agree that their Smog Check Inspector is subject to discipline and they agree to be bound by the Director's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

25. This stipulation shall be subject to approval by the Director or the Director's designee. Respondent understands and agrees that counsel for Complainant and the staff of the Bureau of Automotive Repair may communicate directly with the Director and staff of the Department of Consumer Affairs regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall not be disqualified from further action by having considered this matter.

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

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

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

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DISCIPLINARY ORDER

STIPULATED REVOCATION AS TO BRAKE AND LAMP STATION LICENSES, BRAKE AND LAMP ADJUSTER LICENSES, AND SMOG CHECK REPAIR TECHNICIAN LICENSE

IT IS HEREBY ORDERED that Brake Station License No. BS 227979, Class C; Lamp Station License No. LS 227929, Class A issued to Respondent Varuzhan Stamboulian, dba Simply the Best Smog, are revoked and accepted by the Bureau.

IT IS HEREBY FURTHER ORDERED that Brake Adjuster License No. BA 145708, Class C; Lamp Adjuster License No. LA 145708, Class A; and Smog Check Repair Technician License No. EI 145708 issued to Respondent Varuzhan Stamboulian are revoked and accepted by the Bureau.

1. The revocation of Respondents' Brake and Lamp Station Licenses, Brake and Lamp Adjuster Licenses, and Smog Check Repair Technician License by the Bureau shall constitute the imposition of discipline against Respondents. This stipulation constitutes a record of the discipline and shall become a part of Respondents' license history with the Bureau.

2. Respondents shall lose all rights and privileges as a Brake Station License holder in California as of the effective date of the Director's Decision and Order.

3. Respondents shall lose all rights and privileges as a Lamp Station License holder in California as of the effective date of the Director's Decision and Order.

4. Respondent shall lose all rights and privileges as a Brake Adjuster in California as of the effective date of the Director's Decision and Order.

5. Respondent shall lose all rights and privileges as a Lamp Adjuster in California as of the effective date of the Director's Decision and Order.

6. Respondent shall lose all rights and privileges as a Smog Check Repair Technician in California as of the effective date of the Director's Decision and Order.

7. Respondent shall cause to be delivered to the Bureau their wall licenses and current renewal certificates on or before the effective date of the Decision and Order.

8. Respondents may not petition the Bureau for reinstatement of the licenses with the Bureau for three years from the effective date of the Decision and Order.

9. Respondents understand that if they should ever file an application for licensure or a petition for reinstatement in the State of California, the Bureau shall treat it as a new application. Respondents must comply with all laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in the Accusation No. 77/22-535 shall be deemed to be true, correct and admitted by Respondents when the Bureau determines whether to grant or deny the petition.

10. Respondents understand that if they should ever reapply for a new license or certification, or petition for reinstatement of a license issued by the Bureau, all of the charges contained in Accusation No. 77/22-535 shall be deemed true correct, and admitted by Respondents for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

STIPULATED SETTLEMENT AS TO AUTOMOTIVE REPAIR DEALER REGISTRATION, SMOG CHECK STATION, AND SMOG CHECK INSPECTOR LICENSES

IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 227979 and Check Station License No. RC 227979 issued to Respondent Varuzhan Stamboulian, dba Simply the Best Smog; and Smog Check Inspector License No. EO 145708 issued to Respondent Varuzhan Stamboulian is placed on probation for five (5) years on the following terms and conditions:

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

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

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

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

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

6. **Violation of Probation.** If Respondents violate or fail to comply with the terms and conditions of probation in any respect, the Director, after giving notice and opportunity to be heard may set aside the stay order and carry out the disciplinary order provided in the decision. Once Respondents are served notice of BAR's intent to set aside the stay, the Director shall maintain jurisdiction, and the period of probation shall be extended until final resolution of the matter.

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

8. **Cost Recovery.** Respondent shall pay the Bureau of Automotive Repair $6,615.84 for the reasonable costs of the investigation and enforcement of case No. 77/22-535. Respondents shall make 48 equal monthly payments of $137.83 beginning on the effective date. Respondents shall make payment by check or money order payable to the Bureau of Automotive Repair and shall indicate on the check or money order that it is for cost recovery payment for case No. 77/22-535. Any order for payment of cost recovery shall remain in effect whether or not probation is tolled. Probation shall not terminate until full cost recovery payment has been made. BAR reserves the right to pursue any other lawful measures in collecting on the costs ordered and past due, in addition to taking action based upon the violation of probation.

9. **Completion of Probation**. Upon successful completion of probation, Respondents affected registration and/or licenses will be fully restored or issued without restriction, if Respondents meet all current requirements for registration or licensure and has paid all outstanding fees, monetary penalties, or cost recovery owed to BAR.

10. **License Surrender.** Following the effective date of a decision that orders a stay of invalidation or revocation, if Respondents cease business operations or is otherwise unable to satisfy the terms and conditions of probation, Respondents may request that the stay be vacated. Such request shall be made in writing to BAR. The Director and the BAR Chief reserve the right to evaluate the Respondents' request and to exercise discretion whether to grant the request or take any other action deemed appropriate or reasonable under the circumstances. Upon formal

granting of the request, the Director will vacate the stay order and carry out the disciplinary order provided in the decision. Respondents may not petition the Director for reinstatement of the surrendered registration and/or license, or apply for a new registration or license under the jurisdiction of BAR at any time before the date of the originally scheduled completion of probation. If Respondent applies to BAR for a registration or license at any time after that date, Respondent must meet all current requirements for registration or licensure and pay all outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration, Smog Check Station License, Brake Station License, Lamp Station License, Smog Check Repair Technician License, Smog Check Inspector 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 the Department of Consumer Affairs.

DATED: 9/8/23

V. Stamboulian

VARUZHAN STAMBOULIAN, DBA SIMPLY THE BEST SMOG; VARUZHAN STAMBOULIAN
Respondents

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ENDORSEMENT

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

DATED: September 8, 2023

Respectfully submitted,

ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General

VINODHINI RAMAGOPAL
Deputy Attorney General
Attorneys for Complainant

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