

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

In the Matter of the Accusation/Petition to Revoke Probation Against:

BRAKE LAND, LLC, dba BRAKE LAND, MOHAMMAD CHITSAZZADEH, MANSOUREH A. SHAJARI

22734 Ventura Blvd.

Woodland Hills, CA 91364

Automotive Repair Dealer Registration No. ARD 237478

Smog Check Station License No. RC 237478

Respondent.

Case No. 77/22-4431

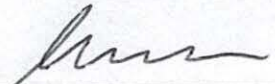
OAH No. 2022100773

DECISION

The attached Stipulated Settlement and Disciplinary Order 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 MAY 17, 2023.

DATED: April 10, 2023



GRACE ARUPO RODRIGUEZ
Assistant Deputy Director
Legal Affairs Division
Department of Consumer Affairs

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

12
13 In the Matter of the Accusation/Petition to
14 Revoke Probation Against:

Case No. 77/22-4431

15 **BRAKE LAND, LLC, DBA BRAKE LAND,**
16 **MOHAMMAD CHITSAZZADEH,**
MANSOUREH A. SHAJARI
17 **22734 Ventura Blvd.**
Woodland Hills, CA 91364

OAH No. 2022100773

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

18 **Automotive Repair Dealer Registration No.**
ARD 237478
19 **Smog Check Station License No. RC 237478**

20 Respondent.

21
22 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
23 entitled proceedings that the following matters are true:

24 **PARTIES**

25 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair
26 (Bureau). He brought this action solely in his official capacity and is represented in this matter by
27 Rob Bonta, Attorney General of the State of California, by Marissa N. Hamilton, Deputy
28 Attorney General.

2. Respondent Brake Land, LLC, dba Brake Land, Mohammad Chitsazzadeh, Mansoureh A. Shajari is represented in this proceeding by attorney F. Michael Sabzevar, whose address is: 16633 Ventura Blvd., Suite 555, Encino, CA 91436.

3. In January 2005, the Bureau issued Automotive Repair Dealer Registration No. ARD 237478 to Brake Land, LLC, dba Brake Land, Mohammad Chitsazzadeh, Mansoureh A. Shajari (Respondent). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought in Accusation/Petition to Revoke Probation No. 77/22-4431, and will expire on January 31, 2024, unless renewed.

4. On or about October 26, 2006, the Bureau issued Smog Check Station License No. RC 237478 to Respondent. The Smog Check Station License was in full force and effect at all times relevant to the charges brought in Accusation/Petition to Revoke Probation No. 77/22-4431, and will expire on January 31, 2024, unless renewed.

5. In a disciplinary action titled *In the Matter of the Accusation Against Brake Land, LLC, dba Brake Land, Mohammad Chitsazzadeh, Mansoureh A. Shajari*, Case No. 79/20-2200, the Bureau of Automotive Repair issued a Decision and Order, effective April 15, 2021, in which Respondent's Automotive Repair Dealer Registration Number ARD 237478 and Smog Check Station License Number RC 237478 were revoked. However, the revocations were stayed and Respondent's Automotive Repair Dealer Registration and Smog Check Station License were placed on probation for five (5) years with certain terms and conditions.

JURISDICTION

6. Accusation/Petition to Revoke Probation No. 77/22-4431 was filed before the Director of the Department of Consumer Affairs (Director), and is currently pending against Respondent. The Accusation/Petition to Revoke Probation and all other statutorily required documents were properly served on Respondent on August 12, 2022. Respondent timely filed its Notice of Defense contesting the Accusation/Petition to Revoke Probation.

7. A copy of Accusation/Petition to Revoke Probation No. 77/22-4431 is attached as Exhibit A and incorporated herein by reference.

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17. 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.

IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 237478 and Smog Check Station License No. RC 237478 issued to Respondent Brake Land, LLC, dba Brake Land, Mohammad Chitsazzadeh, Mansoureh A. Shajari are revoked. However, the

1 revocations are stayed and Respondent's current probation in Case No. 79/20-2200 shall be
2 extended for one (1) year, on the following terms and conditions:

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

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

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

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

20 5. **Tolling of Probation.** If, during probation, Respondent leaves the jurisdiction of
21 California to reside or do business elsewhere or otherwise ceases to do business in the jurisdiction
22 of California, Respondent shall notify BAR in writing within 10 days of the dates of departure
23 and return, and of the dates of cessation and resumption of business in California. All provisions
24 of probation other than cost reimbursement requirements, restitution requirements, training
25 requirements, and that Respondent obey all laws, shall be held in abeyance during any period of
26 time of 30 days or more in which Respondent is not residing or engaging in business within the
27 jurisdiction of California. All provisions of probation shall recommence on the effective date of
28 resumption of business in California. Any period of time of 30 days or more in which Respondent

1 is not residing or engaging in business within the jurisdiction of California shall not apply to the
2 reduction of this probationary period or to any period of actual suspension not previously
3 completed. Tolling is not available if business or work relevant to the probationary license or
4 registration is conducted or performed during the tolling period.

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

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

20 **8. Cost Recovery.** Respondent shall pay the Bureau of Automotive Repair \$4,000.00
21 for the reasonable costs of the investigation and enforcement of Case No. 77/22-4431. This
22 amount is in addition to any cost recovery ordered in Case No. 79/20-2200. Any agreement for a
23 scheduled payment plan shall require full payment to be completed no later than six (6) months
24 before probation terminates. Respondent shall make payment by check or money order payable
25 to the Bureau of Automotive Repair and shall indicate on the check or money order that it is for
26 cost recovery payment for Case No. 77/22-4431. Any order for payment of cost recovery shall
27 remain in effect whether or not probation is tolled. Probation shall not terminate until full cost
28 recovery payment has been made. BAR reserves the right to pursue any other lawful measures in

1 collecting on the costs ordered and past due, in addition to taking action based upon the violation
2 of probation.

3 9. **Completion of Probation.** Upon successful completion of probation, Respondent's
4 affected registration and/or license will be fully restored or issued without restriction, if
5 Respondent meets all current requirements for registration or licensure and has paid all
6 outstanding fees, monetary penalties, or cost recovery owed to BAR.

7 10. **License Surrender.** Following the effective date of a decision that orders a stay of
8 invalidation or revocation, if Respondent ceases business operations or is otherwise unable to
9 satisfy the terms and conditions of probation, Respondent may request that the stay be vacated.
10 Such request shall be made in writing to BAR. The Director and the BAR Chief reserve the right
11 to evaluate the Respondent's request and to exercise discretion whether to grant the request or
12 take any other action deemed appropriate or reasonable under the circumstances. Upon formal
13 granting of the request, the Director will vacate the stay order and carry out the disciplinary order
14 provided in the decision. Respondent may not petition the Director for reinstatement of the
15 surrendered registration and/or license, or apply for a new registration or license under the
16 jurisdiction of BAR at any time before the date of the originally scheduled completion of
17 probation. If Respondent applies to BAR for a registration or license at any time after that date,
18 Respondent must meet all current requirements for registration or licensure and pay all
19 outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

20 11. **Supervision Requirements.** Respondent shall not delegate his or her supervisory
21 duties, as they relate to the business activities relevant to the probationary registration and/or
22 license, to another person during the period of probation. Any persons employed by Respondent
23 to carry out such business activities shall be directly supervised by Respondent. In the event that a
24 bona fide medical condition arises during the period of probation, which temporarily prevents
25 Respondent from exercising direct supervision over employees, notice and medical substantiation
26 of the condition shall be submitted to BAR within ten (10) days of the medical affirmation of the
27 condition.

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1 12. **Training Course.** Within 180 days of the effective date of the decision, Respondent
2 shall submit to BAR satisfactory evidence of completion of a laws and regulations training course
3 that meets the following requirements:

4 (1) The course shall be instructor-led, in a classroom or online setting, and shall include
5 instruction on registrant or licensee compliance with the laws and regulations related to the
6 following areas:

7 (A) Estimate Requirements

8 (B) Customer Authorization

9 (C) Invoice Requirements

10 (D) Accepted Trade Standards

11 (E) Sublet Repair

12 (F) Return of Parts

13 (G) Advertising Requirements

14 (H) Guarantees and Warranties

15 (I) Maintenance of Records

16 (2) The course shall include an examination to verify the Respondent can apply the laws
17 and regulations in daily automotive repair transactions.

18 (3) The course shall have a minimum of (8) eight hours of dedicated time to instruction and
19 examination, where examination time shall be between thirty (30) minutes to an hour.

20 (4) The course shall require a minimum score of 70 percent on the examination to provide
21 proof of completion.

22 If, in the case of a registered automotive repair dealer or licensed Smog Check, or lamp
23 and/or brake station, the registration or license is issued to a partnership, corporation, or a Limited
24 Liability Company, then it shall be the responsibility of the registered automotive repair dealer or
25 licensed Smog Check, or lamp and/or brake station manager, or another person who directly or
26 indirectly controls or conducts the business to complete any required training course specified in
27 the decision.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, F. Michael Sabzevar. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration and Smog Check Station 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:

03-01-2023

MOHAMMAD CHITSAZZADEH
BRAKE LAND, LLC, DBA BRAKE LAND
Respondent

DATED:

03-01-2023

MANSOUREH A. SHAJARI
BRAKE LAND, LLC, DBA BRAKE LAND
Respondent

I have read and fully discussed with Respondent Brake Land, LLC, dba Brake Land, Mohammad Chitsazzadeh, Mansoureh A. Shajari the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED:

03/01/23

F. MICHAEL SABZEVAR
Attorney for Respondent

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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: 3/6/2023

Respectfully submitted,

ROB BONTA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General

Marissa N. Hamilton

MARISSA N. HAMILTON
Deputy Attorney General
Attorneys for Complainant

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