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

In the Matter of the First Amended Accusation Against: **IN & OUT SMOG & AUTOMOTIVE REPAIR** **EDDIE HONARCHIAN, OWNER** **1585 N. Blackstone** **Fresno, CA 93703-3611** **Automotive Repair Dealer Reg. No. ARD 186684** **Smog Check, Test and Repair, Station License No. RC 186684,** **EDDIE'S AUTO WORLD** **EDDIE HONARCHIAN, OWNER** **4889 N. Blackstone** **Fresno, CA 93726** **Automotive Repair Dealer Reg. No. ARD 259944** **Smog Check, Test and Repair, Station License No. RC 259944,** **and** **EDDIE HONARCHIAN** **1585 N. Blackstone Avenue** **Fresno, CA 93703** **Advanced Emission Specialist Technician License No. EA 622792** Respondents.	Case No. 79/13-43 **FIRST AMENDED ACCUSATION** **(Smog Check)**

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Complainant alleges:

PARTIES

1. John Wallauch ("Complainant") brings this First Amended Accusation solely in his official capacity as the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs. This First Amended Accusation replaces in its entirety Accusation No. 79/13-43 previously filed on January 16, 2013.

In & Out Smog & Automotive Repair; Eddie Honarchian, Owner

2. In or about 1995, the Director of Consumer Affairs ("Director") issued Automotive Repair Dealer Registration Number ARD 186684 ("Registration No. ARD 186684") to Eddie Honarchian ("Respondent"), owner of In & Out Smog & Automotive Repair. Respondent's automotive repair dealer registration was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2013, unless renewed.

3. On or about December 17, 2008, the Director issued Smog Check, Test-and-Repair[1], Station License Number RC 186684 ("smog check station license") to Respondent. Respondent's smog check station license was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2013, unless renewed.

Eddie's Auto World; Eddie Honarchian, Owner

4. On or about November 12, 2009, the Director issued Automotive Repair Dealer Registration Number ARD 259944 to Respondent, owner of Eddie's Auto World. Respondent's automotive repair dealer registration will expire on November 30, 2013, unless renewed.

5. On or about November 16, 2009, the Director issued Smog Check, Test-and-Repair, Station License Number RC 259944 ("smog check station license") to Respondent. Respondent's smog check station license will expire on November 30, 2013, unless renewed.

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[1] Test and repair stations are licensed by the state to provide smog check tests and repairs to most vehicles. Test and repair stations are prohibited from certifying repaired "gross polluters" or vehicles that have been directed to test only stations for inspection. Only test only stations and gold shield stations are able to certify repaired gross polluter vehicles.

Eddie Honarchian

6. In or about 1998, the Director issued Advanced Emission Specialist Technician License Number EA 622792 ("technician license") to Respondent. Respondent's technician license will expire on January 31, 2014, unless renewed.

JURISDICTION

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

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

9. Health and Safety Code ("Health & Saf. Code") section 44002 provides, in pertinent part, that the Director has all the powers and authority granted under the Automotive Repair Act for enforcing the Motor Vehicle Inspection Program.

10. Health & Saf. Code section 44072.6 provides, in pertinent part, that the expiration or suspension of a license by operation of law, or by order or decision of the Director of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director of jurisdiction to proceed with disciplinary action.

STATUTORY AND REGULATORY PROVISIONS

11. Bus. & Prof. Code section 9884.7 states, in pertinent part:

> (a) The director, where the automotive repair dealer cannot show there was a bona fide error, may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the automotive repair dealer or any automotive technician, employee, partner, officer, or member of the automotive repair dealer.
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> (1) Making or authorizing in any manner or by any means whatever any statement written or oral which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.
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> . . . .
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> (6) Failure in any material respect to comply with the provisions of this chapter or regulations adopted pursuant to it.

(7) Any willful departure from or disregard of accepted trade standards for good and workmanlike repair in any material respect, which is prejudicial to another without consent of the owner or his or her duly authorized representative.

. . . .

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

12. Bus. & Prof. Code section 17200 states:

As used in this chapter, unfair competition shall mean and include any unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising and any act prohibited by Chapter 1 (commencing with Section 17500) of Part 3 of Division 7 of the Business and Professions Code.

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

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

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

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

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

(a) Violates any section of this chapter [the Motor Vehicle Inspection Program (Health and Saf. Code § 44000, et seq.)] and the regulations adopted pursuant to it, which related to the licensed activities.

. . . .

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

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

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17. California Code of Regulations, title 16, section ("Regulation") 3340.15, subdivision (h), states:

> A licensed smog check station shall not sublet inspections or repairs required as part of the Smog Check Program, except for the following:
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> (1) Repairs of a vehicle's exhaust system which are normally performed by muffler shops, provided that the malfunction has been previously diagnosed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.
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> (2) Repairs of those individual components that have been previously diagnosed as being defective and that have been removed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.
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> (3) Repairs of diesel-powered vehicles provided the specific smog check station has obtained authorization from the customer to sublet repairs to the vehicle.
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> (4) Repairs to a vehicle's transmission provided the specific smog check station has obtained authorization from the customer to sublet repairs to the vehicle.
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> (5) Corrections to the vehicle's on-board computer systems' software provided that the malfunction has been previously diagnosed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.

18. Regulation 3372 states:

> In determining whether any advertisement, statement, or representation is false or misleading, it shall be considered in its entirety as it would be read or heard by persons to whom it is designed to appeal. An advertisement, statement, or representation shall be considered to be false or misleading if it tends to deceive the public or impose upon credulous or ignorant persons.

19. Regulation 3371 states, in pertinent part:

> No dealer shall publish, utter, or make or cause to be published, uttered, or made any false or misleading statement or advertisement which is known to be false or misleading, or which by the exercise of reasonable care should be known to be false or misleading . . .

COST RECOVERY

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

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CONSUMER COMPLAINT (GREEN/LEWIS): 1996 TOYOTA CAMRY

21. On or about February 19, 2010, Gwenda Lewis ("Lewis") took her 1996 Toyota Camry to Respondent's facility, In & Out Smog & Automotive Repair, for a smog inspection. The facility informed Lewis that the vehicle needed certain repairs in order to pass the inspection, which Lewis authorized.

22. On or about March 1, 2010, Lewis and Jessie Green ("Green") went to the facility to retrieve the vehicle and paid $1,194.73 for the repairs. Later, when Lewis was driving the vehicle, she noticed that it was making various noises. Lewis contacted the facility and reported the problem to Respondent. Respondent told Lewis that he would have one of his mechanics look at the vehicle. A few days later, Respondent's mechanic met with Lewis at her home and inspected the vehicle. The mechanic told Lewis that the engine was "gone" and offered to repair the vehicle for an additional cost.

23. On or about July 15, 2010, Green filed a complaint with the Bureau on behalf of Lewis.

24. On or about July 23, 2010, a Bureau representative obtained information from the Bureau's Vehicle Information Database ("VID"), indicating that on February 22, 2010, Henry's Automotive, a test only facility[2] located in Fresno, California, had performed a smog inspection on the vehicle.

25. On or about August 10, 2010, the representative went to In & Out Smog & Automotive Repair and discussed the complaint with Respondent. The representative told Respondent that he could not sublet smog inspections to another smog check facility.

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[2] Test only facilities are licensed smog check stations that, by law, are only allowed to test vehicles; they cannot repair them. Any needed repairs must be performed at either a smog check station designated as a test and repair facility or a "gold shield" station.

FIRST CAUSE FOR DISCIPLINE

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

26. Respondent's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with Regulation 3340.15, subdivision (h), by subletting the smog inspection on Lewis' 1996 Toyota Camry to Henry's Automotive.

CONSUMER COMPLAINT (SOTO): 1979 CHEVROLET TRUCK

27. On or about March 9, 2011, Carlos Soto ("Soto") took his 1979 Chevrolet truck to In & Out Smog & Automotive Repair for emission-related repairs because the vehicle had failed a smog inspection. The facility informed Soto that an exhaust manifold bolt was broken and needed replacement, the EFE actuator rod had been modified and needed to be shortened, there was an exhaust leak at the front of the catalytic converter that was in need of repair, and the ignition timing needed to be adjusted. Soto authorized the work.

28. On or about March 15, 2011, Soto returned to the facility to retrieve the vehicle, paid $475 in cash for the repairs, and received a copy of a vehicle inspection report ("VIR"). The VIR indicated that on March 11, 2011, Henry's Automotive had performed a smog inspection on the vehicle. Soto was not given an invoice for the repairs or the smog inspection. Later, Soto discovered that the transmission and valve covers on the vehicle were leaking.

29. On or about March 18, 2011, Soto filed a complaint with the Bureau.

30. On or about March 28, 2011, a Bureau representative went to the facility and obtained copies of Respondent's Invoice #51570 for the vehicle repairs and an invoice from Henry's Automotive for the smog inspection. The representative told Respondent once again that he was not permitted to sublet an inspection to another smog check facility.

31. On or about April 4, 2011, the representative called the facility and spoke with Respondent regarding the EGR (exhaust gas recirculation) TVS that was listed on Invoice #51570. Respondent told the representative that his technician broke the TVS switch on the vehicle and that they replaced the part at no charge, as authorized by Soto.

SECOND CAUSE FOR DISCIPLINE

(Departure from Trade Standards)

32. Respondent's Registration No. ARD 186684 is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(7), in that Respondent willfully departed from or disregarded accepted trade standards for good and workmanlike repair without the consent of the owner or the owner's duly authorized representative in a material respect, as follows: Respondent modified, or further modified, the EFE actuator rod (an emissions control component) on Soto's 1979 Chevrolet truck by cutting or shortening the rod and welding it back together, rather than replacing the entire component in the vehicle.

THIRD CAUSE FOR DISCIPLINE

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

33. Respondent's Registration No. ARD 186684 is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with provisions of that Code in the following material respects:

a. **Section 9884.8:** Respondent failed to provide Soto with copies of Invoice #51570 and the invoice from Henry's Automotive.

b. **Section 9884.9, subdivision (a):** Respondent failed to document on Invoice #51570 Soto's authorization for the replacement of the EGR TVS on his 1979 Chevrolet truck.

FOURTH CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program)

34. Respondent's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with Section 44016 of that Code, as follows: Respondent failed to repair Soto's 1979 Chevrolet truck in accordance with established specifications and procedures, as set forth in paragraph 31 above.

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FIFTH CAUSE FOR DISCIPLINE

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

35. Respondent's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with provisions of California Code of Regulations, title 16, as follows:

a. **Section 3340.15, subdivision (h):** Respondent sublet the smog inspection on Soto's 1979 Chevrolet truck to Henry's Automotive.

b. **Section 3340.41, subdivision (d):** Respondent failed to follow applicable specifications and procedures when repairing Soto's 1979 Chevrolet truck, as set forth in paragraph 31 above.

CONSUMER COMPLAINT (MOYA): 1997 FORD F150 PICKUP

36. On or about July 22, 2011, Joe Moya ("Moya") had Michel's Smog Check perform a smog inspection on his 1997 Ford F150 pickup. The vehicle failed the inspection for excessive NOx (Oxides of Nitrogen).

37. On or about July 25, 2011, Moya took the vehicle to In & Out Smog & Automotive Repair for emission-related repairs. The facility performed a diagnosis of the vehicle and informed Moya that it needed an EGR BPFE sensor and the monitors run to completion. Moya authorized the work. The facility charged Moya a total of $317.76 for the repairs and a smog inspection and gave him copies of an invoice and VIR.

38. On or about July 26, 2011, Moya filed a complaint with the Bureau.

39. On or about August 3, 2011, Moya faxed the Bureau representative copies of the above invoice and VIR.

40. On or about August 4, 2011, the representative reviewed the VIR and found that it had been issued by Henry's Automotive. The representative obtained information from the Bureau's VID, showing that Henry's Automotive had performed a smog inspection on the vehicle on July 25, 2011. The representative went to In & Out Smog & Automotive Repair and met with

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Respondent. The representative told Respondent yet again that he could not sublet smog inspections to another smog check facility.

SIXTH CAUSE FOR DISCIPLINE

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

41. Respondent's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with Regulation 3340.15, subdivision (h), by subletting the smog inspection on Moya's 1997 Ford F150 pickup to Henry's Smog.

CONSUMER COMPLAINT (LAZAROTI): 2000 VOLKSWAGEN JETTA

42. On or about April 19, 2012, Diane Lazaroti ("Lazaroti") took her 2000 Volkswagen Jetta to In & Out Smog & Automotive Repair for a diagnosis because the "check engine" light was illuminated. Lazaoriti was informed that the catalytic converter was defective and the vacuum lines needed to be re-routed. Lazaroti authorized the facility to repair the vehicle for $523.96.

43. On or about April 20, 2012, Lazaroti went to the facility to retrieve the vehicle, paid $523.96 for the repairs, and received a copy of Invoice #58963. When Lazaroti left the facility, she noticed that the vehicle was not operating correctly and the check engine light was on.

44. On or about April 25, 2012, Lazaroti took the vehicle back to the facility and authorized them to re-check it and perform a smog inspection for $100. When Lazaroti returned to the facility to pick up the vehicle, she was informed by an employee that the total charges were $160.88. Lazaroti told the employee that she only authorized $100 for the work. The employee told Lazaroti that if she refused to pay the $160.88, she would not "get the smog" (VIR). Lazaroti paid the employee $100 in cash and took the VIR. The VIR indicated that on April 25, 2012, Super Smog, a test only facility located in Fresno, California, had performed a smog inspection on the vehicle.

45. On or about May 4, 2012, Lazaroti filed a complaint with the Bureau.

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46. On or about May 21, 2012, a Bureau representative went to In & Out Smog & Automotive Repair and discussed the complaint with Respondent. Respondent admitted that he sublet the vehicle to Super Smog for the inspection, in violation of law.

SEVENTH CAUSE FOR DISCIPLINE

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

47. Respondent's Registration No. ARD 186684 is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with section 9884.9, subdivision (a), of that Code in a material respect, as follows: Respondent documented on Invoice #58963 that on April 19, 2012, at 12:22 hours, Lazaroti had authorized a total of $563.96 in additional repairs on her 2000 Volkswagen Jetta, but failed to specify or describe the additional repairs.

EIGHTH CAUSE FOR DISCIPLINE

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

48. Respondent's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with Regulation 3340.15, subdivision (h), by subletting the smog inspection on Lazaroti's 2000 Volkswagen Jetta to Super Smog.

UNDERCOVER OPERATION #1: 2002 FORD MUSTANG

49. On or about February 21, 2012, a representative of the Bureau went to In & Out Smog & Automotive Repair and took photographs of Respondent's business signs. Respondent was advertising his facility as a "Test Only" station when, in fact, the facility is licensed as a *test and repair* station.

50. On or about March 6, 2012, the representative met with Respondent at the facility and instructed him to remove his "Test Only" business signs.

51. On or about March 29, 2012, an undercover operator with the Bureau ("operator") took the Bureau's 2002 Ford Mustang to In & Out Smog & Automotive Repair. The vehicle was designated as a directed vehicle and could only be smog tested at a test only facility or gold shield

station. The operator told Respondent's employee that he needed a smog inspection. The employee had the operator sign a written estimate in the amount of $45 and gave him a copy. The operator left the facility. At approximately 1400 hours, the operator returned to the facility, paid $45 for the inspection, and received copies of an invoice and VIR. The VIR indicated that Henry's Automotive had performed the inspection on the vehicle. That same day, the Bureau representative took photographs of Respondent's business signs. Respondent was still advertising the facility as a test only station.

NINTH CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

52. Respondent's Registration No. ARD 186684 is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized a statement which he knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondent represented on the invoice that his facility, In & Out Smog & Automotive Repair, had performed the smog inspection on the Bureau's 2002 Ford Mustang. In fact, Respondent unlawfully sublet the smog inspection on the vehicle to Henry's Automotive, without the knowledge or consent of the undercover operator.

TENTH CAUSE FOR DISCIPLINE

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

53. Respondent's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with Regulation 3340.15, subdivision (h), by subletting the smog inspection on the Bureau's 2002 Ford Mustang to Henry's Automotive. As a consequence thereof, Respondent gained an unfair advantage over other competitors (test and repair stations and test only facilities).

ELEVENTH CAUSE FOR DISCIPLINE

(False Advertising)

54. Respondent's Registration No. ARD 186684 is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with

Regulation 3371 by publishing, uttering, or making or causing to be published, uttered, or made false or misleading statements or advertising which Respondent knew or in the exercise of reasonable care should have known to be false or misleading, as follows: Respondent falsely represented on his business signs that In & Out Smog & Automotive Repair was a test only station when, in fact, the facility is licensed as a test and repair station. As a consequence thereof, Respondent gained an unfair advantage over other competitors (test and repair stations and test only facilities).

UNDERCOVER OPERATION #2: 2000 TOYOTA SOLARA

55. On or about May 7, 2012, an undercover operator with the Bureau ("operator") took the Bureau's 2000 Toyota Solara to In & Out Smog & Automotive Repair. The vehicle was designated as a directed vehicle and could only be smog tested at a test only facility or gold shield station. The operator told Respondent's employee that he needed a smog inspection. The employee had the operator sign a written estimate in the amount of $45 and gave him a copy. The operator left the facility. At approximately 1145 hours, the operator returned to the facility, paid $45 for the inspection, and received copies of an invoice and VIR. The VIR indicated that Henry's Automotive had performed the inspection on the vehicle. That same day, the Bureau representative took photographs of Respondent's business signs. Respondent was still advertising the facility as a test only station.

TWELFTH CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

56. Respondent's Registration No. ARD 186684 is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized a statement which he knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondent represented on the invoice that his facility, In & Out Smog & Automotive Repair, had performed the smog inspection on the Bureau's 2000 Toyota Solara. In fact, Respondent unlawfully sublet the smog inspection on the vehicle to Henry's Automotive, without the knowledge or consent of the undercover operator.

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THIRTEENTH CAUSE FOR DISCIPLINE

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

57. Respondent's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with Regulation 3340.15, subdivision (h), by subletting the smog inspection on the Bureau's 2000 Toyota Solara to Henry's Automotive. As a consequence thereof, Respondent gained an unfair advantage over other competitors (test and repair stations and test only facilities).

FOURTEENTH CAUSE FOR DISCIPLINE

(False Advertising)

58. Respondent's Registration No. ARD 186684 is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(6), in that Respondent failed to comply with Regulation 3371 by publishing, uttering, or making or causing to be published, uttered, or made false or misleading statements or advertising which Respondent knew or in the exercise of reasonable care should have known to be false or misleading, as follows: Respondent falsely represented on his business signs that In & Out Smog & Automotive Repair was a test only station when, in fact, the facility is licensed as a test and repair station. As a consequence thereof, Respondent gained an unfair advantage over other competitors (test and repair stations and test only facilities).

OTHER MATTERS

59. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may suspend, revoke, or place on probation the registration for all places of business operated in this state by Respondent Eddie Honarchian, owner of In & Out Smog & Automotive Repair, including, but not limited to, Automotive Repair Dealer Registration Number ARD 259944, upon a finding that Respondent has, or is, engaged in a course of repeated and willful violations of the laws and regulations pertaining to an automotive repair dealer.

60. Pursuant to Health & Saf. Code section 44072.8, if Smog Check, Test and Repair, Station License Number RC 186684, issued to Respondent Eddie Honarchian, owner of In & Out

Smog & Automotive Repair, is revoked or suspended, any additional license issued under this chapter in the name of said licensee, including, but not limited to, Smog Check, Test-and-Repair, Station License Number RC 259944 and Advanced Emission Specialist Technician License Number EA 622792, may be likewise revoked or suspended by the Director.

PRAYER

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

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 186684, issued to Eddie Honarchian, owner of In & Out Smog & Automotive Repair;

2. Revoking or suspending any other automotive repair dealer registration issued to Eddie Honarchian, including, but not limited to, Automotive Repair Dealer Registration Number ARD 259944;

3. Revoking or suspending Smog Check, Test and Repair, Station License Number RC 186684, issued to Eddie Honarchian, owner of In & Out Smog & Automotive Repair;

4. Revoking or suspending any additional license issued under Chapter 5 of the Health and Safety Code in the name of Eddie Honarchian, including, but not limited to, Smog Check, Test-and-Repair, Station License Number RC 259944 and Advanced Emission Specialist Technician License Number EA 622792;

5. Ordering Eddie Honarchian, owner of In & Out Smog & Automotive Repair, to pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: January 28, 2013

John Wallauch by Doug Balatt

JOHN WALLAUCH
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

SA2012107309