

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

In the Matter of the Accusation Against:

**ADVANCED COMPUTER AUTOMOTIVE, INC. dba ACA AUTOMOTIVE,**

**ADAM JUSTIN KALB, PRESIDENT**

5101 E. Willow Street

Long Beach, CA 90815

Automotive Repair Dealer Registration No. ARD 270901

Smog Check Station License No. RC 270901

Respondent.

Case No. 77/21-6538

OAH No. 2022020813

**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.

OCT 20 2022

This Decision shall become effective on \_\_\_\_\_.

DATED: Sept. 12, 2022



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

1 ROB BONTA  
Attorney General of California  
2 SHAWN P. COOK  
Supervising Deputy Attorney General  
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8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**  
11 **STATE OF CALIFORNIA**

12  
13 In the Matter of the Accusation Against:

Case No. 77/21-6538

14 **ADVANCED COMPUTER**  
15 **AUTOMOTIVE, INC., DBA ACA**  
16 **AUTOMOTIVE, ADAM JUSTIN KALB**  
**5101 E. Willow St.**  
**Long Beach, CA 90815**

OAH No. 2022020813

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

17 **Automotive Repair Dealer Registration No.**  
18 **ARD 270901**  
**Smog Check Station License No. RC 270901**

19 Respondent.  
20

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

23 **PARTIES**

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

2. Respondent Advanced Computer Automotive, Inc., dba ACA Automotive, Adam Justin Kalb (Respondent) is represented in this proceeding by attorney Scott J. Harris, Esq., whose address is: 8383 Wilshire Blvd., Suite 210 Beverly Hills, CA 90211

3. On or about November 16, 2012, the Bureau issued Automotive Repair Dealer Registration No. ARD 270901 to Advanced Computer Automotive, Inc., dba ACA Automotive, Adam Justin Kalb (Respondent). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 77/21-6538, and will expire on November 30, 2024, unless renewed.

4. On or about December 3, 2012, the Bureau issued Smog Check Station License No. RC 270901 to Advanced Computer Automotive, Inc., dba ACA Automotive, Adam Justin Kalb. The Smog Check Station License was in full force and effect at all times relevant to the charges brought in Accusation No. 77/21-6538, and will expire on November 30, 2024, unless renewed.

#### **JURISDICTION**

5. Accusation No. 77/21-6538 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 30, 2021. Respondent timely filed his Notice of Defense contesting the Accusation.

6. A copy of Accusation No. 77/21-6538 is attached as exhibit A and incorporated herein by reference.

#### **ADVISEMENT AND WAIVERS**

7. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 77/21-6538. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

8. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right

1 to the issuance of subpoenas to compel the attendance of witnesses and the production of  
2 documents; the right to reconsideration and court review of an adverse decision; and all other  
3 rights accorded by the California Administrative Procedure Act and other applicable laws.

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

#### 6 **CULPABILITY**

7 10. Respondent understands and agrees that the charges and allegations in Accusation  
8 No. 77/21-6538, if proven at a hearing, constitute cause for imposing discipline upon his  
9 Automotive Repair Dealer Registration as well as for his Smog Check Station License.

10 11. For the purpose of resolving the Accusation without the expense and uncertainty of  
11 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual  
12 basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest  
13 those charges.

14  
15 12. Respondent agrees that his Automotive Repair Dealer Registration is subject to  
16 discipline and he agrees to be bound by the Director's probationary terms as set forth in the  
17 Disciplinary Order below.

#### 18 **RESERVATION**

19 13. The admissions made by Respondent herein are only for the purposes of this  
20 proceeding, or any other proceedings in which the Director of the Department of Consumer  
21 Affairs, Bureau of Automotive Repair, or other professional licensing agency is involved, and  
22 shall not be admissible in any other criminal or civil proceeding.

#### 23 **CONTINGENCY**

24 14. This stipulation shall be subject to approval by the Director or the Director's designee.  
25 Respondent understands and agrees that counsel for Complainant and the staff of the Bureau of  
26 Automotive Repair may communicate directly with the Director and staff of the Department of  
27 Consumer Affairs regarding this stipulation and settlement, without notice to or participation by  
28 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he

1 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Director  
2 considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and  
3 Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for  
4 this paragraph, it shall be inadmissible in any legal action between the parties, and the Director  
5 shall not be disqualified from further action by having considered this matter.

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

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

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

18 **DISCIPLINARY ORDER**

19 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 270901  
20 and Smog Check Station License No. RC 270901 issued to Respondent Advanced Computer  
21 Automotive, Inc., dba ACA Automotive, Adam Justin Kalb are revoked. However, the  
22 revocation is stayed and Respondent is placed on probation for three (3) years on the following  
23 terms and conditions.

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

27 1. **Quarterly Reporting.** During the period of probation, Respondent shall report either  
28 by personal appearance or in writing as determined by BAR on a schedule set by BAR, but no

1 more frequently than once each calendar quarter, on the methods used and success achieved in  
2 maintaining compliance with the terms and conditions of probation.

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

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

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

25       **5. Violation of Probation.** If Respondent violates or fails to comply with the terms and  
26 conditions of probation in any respect, the Director, after giving notice and opportunity to be  
27 heard may set aside the stay order and carry out the disciplinary order provided in the decision.  
28 Once Respondent is 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.

6. **Maintain Valid License.** Respondent 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.

7. **Cost Recovery.** Respondent shall pay the Bureau of Automotive Repair \$25,448.99 for the reasonable costs of the investigation and enforcement of case No. 77/21-6538. Respondent shall make such payment pursuant to a payment plan approved by the Bureau: Any agreement for a scheduled payment plan shall require full payment to be completed no later than six (6) months before probation terminates. Respondent 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. 77/21-6538. 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.

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

9. **License Surrender.** Following the effective date of a decision that orders a stay of invalidation or revocation, if Respondent ceases business operations or is otherwise unable to satisfy the terms and conditions of probation, Respondent 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 Respondent's 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. Respondent 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 above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Scott J. Harris, Esq. 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: July 7, 2022

Signature on File

ADVANCED COMPUTER AUTOMOTIVE, INC.,  
DBA ACA AUTOMOTIVE, ADAM JUSTIN KALB  
*Respondent*

I have read and fully discussed with Respondent Advanced Computer Automotive, Inc., dba ACA Automotive, Adam Justin Kalb the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: July 8, 2022

Signature on File

SCOTT J. HARRIS, ESQ.  
*Attorney for Respondent*

#### **ENDORSEMENT**



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

3           DATED: July 7, 2022  
4

Respectfully submitted,

5           ROB BONTA  
6           Attorney General of California  
7           SHAWN P. COOK  
8           Supervising Deputy Attorney General

Signature on File

9           CHRISTINA THOMAS  
10          Deputy Attorney General  
11          Attorneys for Complainant

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