

1 KAMALA D. HARRIS
Attorney General of California
2 KENT D. HARRIS
Supervising Deputy Attorney General
3 STANTON W. LEE
Deputy Attorney General
4 State Bar No. 203563
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-9921
Facsimile: (916) 324-5567
7 *Attorneys for Complainant*

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. 79/16-71

13 **MAIN STREET GARAGE**
14 **JOSHUA R. HENSLEY, DBA**
843 W. Main St.
Merced, CA 95340

A C C U S A T I O N

15 Automotive Repair Dealer Registration
No. ARD 275574
16 Smog Check Station License No. RC 275574

17 and

18 **JOSHUA RAY HENSLEY**
3001 Secretariat Drive
19 Atwater, CA 95301

20 Smog Check Inspector (EO) License No.
633329
21 Smog Check Repair Technician (EI) License
No. 633329
22 (formerly Advanced Emission Specialist
Technician License No. EA 633329)

23 Respondent.
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1 Patrick Dorais ("Complainant") alleges:

2 **PARTIES**

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

5 **Automotive Repair Dealer Registration**

6 2. On or about February 19, 2014, the Bureau issued Automotive Repair Dealer
7 Registration Number ARD 275574 ("Registration") to Joshua R. Hensley ("Respondent"), doing
8 business as Main Street Garage. The Registration was in full force and effect at all times relevant
9 to the charges brought herein and will expire on February 28, 2017, unless renewed.

10 **Smog Check Station License**

11 3. On or about March 4, 2014, the Bureau issued Smog Check Station License Number
12 RC 275574 ("Station License") to Respondent. The Station License was in full force and effect at
13 all times relevant to the charges brought herein and will expire on February 28, 2017, unless
14 renewed.

15 **Smog Check Inspector (EO)/Smog Check Repair Technician (EI) License**

16 4. On or about June 30, 2011, the Bureau issued Advanced Emission Specialist (EA)
17 Technician License No. 633329 to Respondent. Effective May 15, 2013, the Bureau issued
18 Smog Check Inspector (EO) License Number 633329 and Smog Check Repair Technician (EI)
19 License No. 633329 to Respondent ("Technician Licenses").¹ The Smog Check Inspector (EO)
20 License was in full force and effect at all times relevant to the charges brought herein and will
21 expire on May 31, 2017, unless renewed. The Smog Check Repair Technician (EI) License
22 expired on May 31, 2015, and has not been renewed.

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26 ¹ 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 JURISDICTION

2 5. Business and Professions Code ("Code") section 9884.7 provides that the Director
3 may revoke an automotive repair dealer registration.

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

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

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

15 STATUTORY AND REGULATORY PROVISIONS

16 9. Code section 22 provides, in pertinent part, that "Board" as used in any provision of
17 this Code, refers to the board in which the administration of the provision is vested, and unless
18 otherwise provided, shall include "bureau," "commission," "committee," "department,"
19 "division," "examining committee," "program," and "agency."

20 10. Code section 477 provides, in pertinent part, that a "license" includes "certificate"
21 and "registration".

22 11. Code section 9884.7 states, in pertinent part:

23 (a) The director, where the automotive repair dealer cannot show there was a
24 bona fide error, may deny, suspend, revoke, or place on probation the registration
25 of an automotive repair dealer for any of the following acts or omissions related to
26 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.

27 (1) Making or authorizing in any manner or by any means whatever any
28 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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(4) Any other conduct that constitutes fraud.

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

(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. Code section 9884.9(a) states:

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

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

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

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

(signature or initials)"

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

13. 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:

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

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

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

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

9 15. Health & Saf. Code section 44072.10 states, in pertinent part:

10 (c) The department shall revoke the license of any smog check technician or
11 station licensee who fraudulently certifies vehicles or participates in the fraudulent
inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of
12 the following:

13 (4) Intentional or willful violation of this chapter or any regulation, standard,
or procedure of the department implementing this chapter.

14 16. California Code of Regulations, title 16, section 3356, states, in pertinent part:

15 (a) All invoices for service and repair work performed, and parts supplied, as
16 provided for in Section 9884.8 of the Business and Professions Code, shall comply
with the following:

17 (1) The invoice shall show the automotive repair dealer's registration number
18 and the corresponding business name and address as shown in the Bureau's records. If
the automotive repair dealer's telephone number is shown, it shall comply with the
19 requirements of subsection (b) of Section 3371 of this chapter.

20 COST RECOVERY

21 17. 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.

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1 UNDERCOVER OPERATION #1

2 18. On or about April 2, 2015, at approximately 11:38 hours; a Bureau undercover
3 operator (the "operator") took the Bureau's 1992 Toyota to Respondent's facility and asked
4 Respondent for a smog inspection.

5 19. Respondent did not provide the operator with a work order or an estimate before the
6 smog inspection was performed. After the smog inspection was performed, Respondent gave the
7 operator a work order and instructed him to fill out his name and sign it. The operator paid
8 Respondent \$35.24 and received Estimate No. [REDACTED], Invoice No. [REDACTED], and a Vehicle
9 Inspection Report (VIR). Respondent issued Certificate of Compliance No. [REDACTED] for the
10 Bureau's 1992 Toyota.

11 20. The Bureau determined that Certificate of Compliance [REDACTED] was
12 fraudulently issued in that the vehicle was precluded from passing a lawful smog inspection
13 because the ignition timing was adjusted beyond manufacturer's specification.

14 FIRST CAUSE FOR DISCIPLINE

15 (Untrue or Misleading Statements)

16 21. Respondent's Registration is subject to discipline pursuant to Code
17 section 9884.7(a)(1), in that he made or authorized statements which he knew or in the exercise of
18 reasonable care should have known to be untrue or misleading. Specifically, on or about April 2,
19 2015, Respondent issued an electronic certificate of compliance for the Bureau's 1992 Toyota
20 indicating that the vehicle had passed a smog inspection and was in compliance with applicable
21 laws and regulations. In fact, the ignition timing was adjusted beyond manufacturer's
22 specification and the vehicle would not pass the inspection required by Health & Saf. Code
23 section 44012.

24 SECOND CAUSE FOR DISCIPLINE

25 (Fraud)

26 22. Respondent's Registration is subject to discipline pursuant to Code
27 section 9884.7(a)(4), in that on or about April 2, 2015, he committed an act that constitutes fraud
28 by issuing an electronic smog certificate of compliance for the Bureau's 1992 Toyota without

1 ensuring that a bona fide inspection was performed of the emission control devices and systems
2 on the vehicle, thereby depriving the people of the State of California of the protection afforded
3 by the Motor Vehicle Inspection Program.

4 **THIRD CAUSE FOR DISCIPLINE**

5 (Failure to Comply with the Automotive Repair Act)

6 23. Respondent's Registration is subject to discipline pursuant to Code
7 section 9884.7(a)(6), in that on or about April 2, 2015, as regards the Bureau's 1992 Toyota, he
8 failed to materially comply with the Automotive Repair Act (Code section 9880 et seq.).
9 Specifically, Respondent failed to provide the operator with a written estimate, in violation of
10 Code section 9884.9(a).

11 **FOURTH CAUSE FOR DISCIPLINE**

12 (Failure to Comply with Regulations Adopted Pursuant to the Automotive Repair Act)

13 24. Respondent's Registration is subject to discipline pursuant to Code
14 section 9884.7(a)(6), in that on or about April 2, 2015, as regards the Bureau's 1992 Toyota, he
15 failed to materially comply with Regulation 3356(a)(1). Specifically, Respondent failed to show
16 on Invoice No. [REDACTED] the correct business address as shown in the Bureau's records.

17 **FIFTH CAUSE FOR DISCIPLINE**

18 (Motor Vehicle Inspection Program – Code Violations)

19 25. Respondent's Station License is subject to discipline pursuant to Health & Saf. Code
20 section 44072.2(a), in that on or about April 2, 2015, as regards the Bureau's 1992 Toyota, he
21 violated sections of that Code, as follows:

22 a. **Section 44012(a)**: Respondent failed to ensure that the emission control tests were
23 performed in accordance with procedures prescribed by the department.

24 b. **Section 44015**: Respondent issued an electronic smog certificate of compliance
25 without ensuring that the vehicle was properly tested and inspected to determine if it was in
26 compliance with Health & Safety Code section 44012.

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1 precluded from passing a lawful smog inspection because the ignition timing was adjusted
2 beyond manufacturer's specification.

3 **NINTH CAUSE FOR DISCIPLINE**

4 (Motor Vehicle Inspection Program - Regulation Violations)

5 29. Respondent's Smog Check Inspector License is subject to discipline pursuant to
6 Health & Saf. Code section 44072.2(c), in that on or about April 2, 2015, regarding the Bureau's
7 1992 Toyota, Respondent violated provisions of Regulations, as follows:

8 a. **Section 3340.30(a)**: Respondent failed to inspect and test the vehicle in accordance
9 with Health & Saf. Code section 44012.

10 b. **Section 3341.41(c)**: Respondent knowingly entered false information into the
11 emission inspection system.

12 c. **Section 3340.42**: Respondent failed to conduct the required smog tests on the vehicle
13 in accordance with the Bureau's specifications.

14 **TENTH CAUSE FOR DISCIPLINE**

15 (Dishonesty, Fraud, or Deceit)

16 30. Respondent's Technician Licenses are subject to discipline pursuant to Health & Saf.
17 Code section 44072.2(d), in that on or about April 2, 2015, Respondent committed a dishonest,
18 fraudulent, or deceitful act whereby another is injured by issuing an electronic smog certificate of
19 compliance for the Bureau's 1992 Toyota without performing a bona fide inspection of the
20 emission control devices and systems on the vehicle, thereby depriving the people of the State of
21 California of the protection afforded by the Motor Vehicle Inspection Program.

22 **UNDERCOVER OPERATION #2**

23 31. On or about April 10, 2015, at approximately 09:54 hours; a Bureau undercover
24 operator (the "operator") took the Bureau's 1993 GMC to Respondent's facility and asked
25 Respondent for a smog inspection.

26 32. Respondent did not provide the operator with a work order or an estimate before the
27 smog inspection was performed. After the smog inspection was performed, Respondent gave the
28 operator a work order and instructed him to fill out his name and sign it. The operator paid

1 Respondent \$35.24 and received Estimate No [REDACTED], Invoice No. [REDACTED], and a VIR.
2 Respondent issued Certificate of Compliance No [REDACTED] for the Bureau's 1993 GMC.

3 33. The Bureau determined that Certificate of Compliance No [REDACTED] was
4 fraudulently issued in that the vehicle was precluded from passing a lawful smog inspection
5 because the exhaust gas recirculation system was non-functional.

6 **ELEVENTH CAUSE FOR DISCIPLINE**

7 (Untrue or Misleading Statements)

8 34. Respondent's Registration is subject to discipline pursuant to Code
9 section 9884.7(a)(1), in that he made or authorized statements which he knew or in the exercise of
10 reasonable care should have known to be untrue or misleading. Specifically, on or about April 10,
11 2015, Respondent issued an electronic certificate of compliance for the Bureau's 1993 GMC
12 indicating that the vehicle had passed a smog inspection and was in compliance with applicable
13 laws and regulations. In fact, the exhaust gas recirculation system was non-functional and the
14 vehicle would not pass the inspection required by Health & Saf. Code section 44012.

15 **TWELFTH CAUSE FOR DISCIPLINE**

16 (Fraud)

17 35. Respondent's Registration is subject to discipline pursuant to Code
18 section 9884.7(a)(4), in that on or about April 10, 2015, he committed an act that constitutes fraud
19 by issuing an electronic smog certificate of compliance for the Bureau's 1993 GMC without
20 ensuring that a bona fide inspection was performed of the emission control devices and systems
21 on the vehicle, thereby depriving the people of the State of California of the protection afforded
22 by the Motor Vehicle Inspection Program.

23 **THIRTEENTH CAUSE FOR DISCIPLINE**

24 (Failure to Comply with the Automotive Repair Act)

25 36. Respondent's Registration is subject to discipline pursuant to Code
26 section 9884.7(a)(6), in that on or about April 10, 2015, as regards the Bureau's 1993 GMC, he
27 failed to materially comply with the Automotive Repair Act (Code section 9880 et seq.).

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1 Specifically, Respondent failed to provide the operator with a written estimate, in violation of
2 Code section 9884.9(a).

3 **FOURTEENTH CAUSE FOR DISCIPLINE**

4 (Failure to Comply with Regulations Adopted Pursuant to the Automotive Repair Act)

5 37. Respondent's Registration is subject to discipline pursuant to Code
6 section 9884.7(a)(6), in that on or about April 10, 2015, as regards the Bureau's 1993 GMC, he
7 failed to materially comply with Regulation 3356(a)(1). Specifically, Respondent failed to show
8 on Invoice No. 002315 the correct business address as shown in the Bureau's records.

9 **FIFTEENTH CAUSE FOR DISCIPLINE**

10 (Motor Vehicle Inspection Program – Code Violations)

11 38. Respondent's Station License is subject to discipline pursuant to Health & Saf. Code
12 section 44072.2(a), in that on or about April 10, 2015, as regards the Bureau's 1993 GMC, he
13 violated sections of that Code, as follows:

14 a. **Section 44012(a)**: Respondent failed to ensure that the emission control tests were
15 performed in accordance with procedures prescribed by the department.

16 b. **Section 44015**: Respondent issued an electronic smog certificate of compliance
17 without ensuring that the vehicle was properly tested and inspected to determine if it was in
18 compliance with Health & Safety Code section 44012.

19 **SIXTEENTH CAUSE FOR DISCIPLINE**

20 (Motor Vehicle Inspection Program - Regulation Violations)

21 39. Respondent's Station License is subject to discipline pursuant to Health & Saf. Code
22 section 44072.2(c), in that on or about April 10, 2015, as regards the Bureau's 1993 GMC, he
23 failed to comply with Regulations, as follows:

24 a. **Section 3340.35(c)**: Respondent issued an electronic smog certificate of compliance
25 even though the vehicle had not been inspected in accordance with section 3340.42.

26 b. **Section 3340.42**: Respondent failed to ensure that the required smog tests were
27 conducted in accordance with the Bureau's specifications.

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1 **SEVENTEENTH CAUSE FOR DISCIPLINE**

2 (Dishonesty, Fraud, or Deceit)

3 40. Respondent's Station License is subject to disciplinary action pursuant to Health &
4 Saf. Code section 44072.2(d), in that on or about April 10, 2015, Respondent committed a
5 dishonest, fraudulent, or deceitful act whereby another is injured by issuing an electronic smog
6 certificate of compliance for the Bureau's 1993 GMC without ensuring that a bona fide inspection
7 was performed of the emission control devices and systems on the vehicle, thereby depriving the
8 people of the State of California of the protection afforded by the Motor Vehicle Inspection
9 Program.

10 **EIGHTEENTH CAUSE FOR DISCIPLINE**

11 (Motor Vehicle Inspection Program - Code Violations)

12 41. Respondent's Smog Check Inspector License is subject to discipline pursuant to
13 Health & Saf. Code section 44072.2(a), in that on or about April 10, 2015, regarding the Bureau's
14 1993 GMC, Respondent violated sections of that Code as follows:

15 a. **Section 44012(f)**: Respondent failed to perform on the vehicle a visual and/or
16 functional check of the emission control devices in accordance with required procedures.

17 b. **Section 44032**: Respondent failed to perform tests of the emission control devices
18 and systems on the vehicle in accordance with Code section 44012, in that the vehicle was
19 precluded from passing a lawful smog inspection because the exhaust gas recirculation system
20 was non-functional.

21 **NINETEENTH CAUSE FOR DISCIPLINE**

22 (Motor Vehicle Inspection Program - Regulation Violations)

23 42. Respondent's Smog Check Inspector License is subject to discipline pursuant to
24 Health & Saf. Code section 44072.2(c), in that on or about April 10, 2015, regarding the Bureau's
25 1993 GMC, Respondent violated provisions of Regulations, as follows:

26 a. **Section 3340.30(a)**: Respondent failed to inspect and test the vehicle in accordance
27 with Health & Saf. Code section 44012.

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1 b. Section 3341.41(c): Respondent knowingly entered false information into the
2 emission inspection system.

3 c. Section 3340.42: Respondent failed to conduct the required smog tests on the vehicle
4 in accordance with the Bureau's specifications.

5 **TWENTIETH CAUSE FOR DISCIPLINE**

6 (Dishonesty, Fraud, or Deceit)

7 43. Respondent's Technician Licenses are subject to discipline pursuant to Health & Saf.
8 Code section 44072.2(d), in that on or about April 10, 2015, Respondent committed a dishonest,
9 fraudulent, or deceitful act whereby another is injured by issuing an electronic smog certificate of
10 compliance for the Bureau's 1993 GMC without performing a bona fide inspection of the
11 emission control devices and systems on the vehicle, thereby depriving the people of the State of
12 California of the protection afforded by the Motor Vehicle Inspection Program.

13 **UNDERCOVER OPERATION #3**

14 44. On or about May 14, 2015, at approximately 10:19 hours; a Bureau undercover
15 operator (the "operator") took the Bureau's 1993 Honda to Respondent's facility and asked
16 Respondent for a smog inspection. The operator was provided with work order No. [REDACTED],
17 which she signed.

18 45. After the smog inspection was performed, Respondent paid Respondent \$35.24 and
19 Respondent provided the operator with Estimate No. [REDACTED], Invoice No. [REDACTED], and a VIR.
20 Respondent issued Certificate of Compliance No. [REDACTED] for the Bureau's 1993 Honda.

21 46. The Bureau determined that Certificate of Compliance No. [REDACTED] was
22 fraudulently issued in that the vehicle was precluded from passing a lawful smog inspection
23 because the exhaust gas recirculation system was non-functional.

24 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

25 (Untrue or Misleading Statements)

26 47. Respondent's Registration is subject to discipline pursuant to Code
27 section 9884.7(a)(1), in that he made or authorized statements which he knew or in the exercise of
28 reasonable care should have known to be untrue or misleading. Specifically, on or about May 14,

1 2015, Respondent issued an electronic certificate of compliance for the Bureau's 1993 Honda
2 indicating that the vehicle had passed a smog inspection and was in compliance with applicable
3 laws and regulations. In fact, the exhaust gas recirculation system was non-functional and the
4 vehicle would not pass the inspection required by Health & Saf. Code section 44012.

5 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

6 (Fraud)

7 48. Respondent's Registration is subject to discipline pursuant to Code
8 section 9884.7(a)(4), in that on or about May 14, 2015, he committed an act that constitutes fraud
9 by issuing an electronic smog certificate of compliance for the Bureau's 1993 Honda without
10 ensuring that a bona fide inspection was performed of the emission control devices and systems
11 on the vehicle, thereby depriving the people of the State of California of the protection afforded
12 by the Motor Vehicle Inspection Program.

13 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

14 (Failure to Comply with Regulations Adopted Pursuant to the Automotive Repair Act)

15 49. Respondent's Registration is subject to discipline pursuant to Code
16 section 9884.7(a)(6), in that on or about May 14, 2015, as regards the Bureau's 1993 Honda, he
17 failed to materially comply with Regulation 3356(a)(1). Specifically, Respondent failed to show
18 on Invoice No. 002449 the correct business address as shown in the Bureau's records.

19 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

20 (Motor Vehicle Inspection Program – Code Violations)

21 50. Respondent's Station License is subject to discipline pursuant to Health & Saf. Code
22 section 44072.2(a), in that on or about May 14, 2015, as regards the Bureau's 1993 Honda, he
23 violated sections of that Code, as follows:

24 a. **Section 44012(a)**: Respondent failed to ensure that the emission control tests were
25 performed on the Bureau's 1993 Honda in accordance with procedures prescribed by the
26 department.

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1 57. Pursuant to Health and Safety Code section 44072.8, if Smog Check Station License
2 Number RC 275574, issued to Joshua Ray Hensley, doing business as Main Street Garage, is
3 revoked or suspended, any additional license issued under this chapter in the name of Joshua Ray
4 Hensley may be likewise revoked or suspended by the Director.

5 58. Under Health and Safety Code section 44072.8, if Joshua Ray Hensley's Smog Check
6 Inspector Technician License No. EO 633329 and/or Smog Check Repair Technician License No.
7 EI 633329 (formerly Advanced Emission Specialist Technician License No. EA 633329) are
8 revoked or suspended, any additional license issued under this chapter in the name of Joshua Ray
9 Hensley may likewise be revoked or suspended.

10 **PRAYER**

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

13 1. Revoking or suspending Automotive Repair Dealer Registration Number
14 ARD 275574, issued to Joshua Ray Hensley, doing business as Main Street Garage;

15 2. Revoking or suspending any other automotive repair dealer registration issued to
16 Joshua Ray Hensley;

17 3. Revoking or suspending Smog Check Station License Number RC 275574 issued to
18 Joshua Ray Hensley, doing business as Main Street Garage;

19 4. Revoking or suspending the Smog Check Inspector License No. EO 633329 and/or
20 Smog Check Repair Technician License No. EI 633329 (formerly Advanced Emission Specialist
21 Technician License No. EA 633329), issued to Joshua Ray Hensley;

22 5. Revoking or suspending any additional license issued under Chapter 5 of the Health
23 and Safety Code in the name of Joshua Ray Hensley;

24 6. Ordering Joshua Ray Hensley to pay the Director of Consumer Affairs the reasonable
25 costs of the investigation and enforcement of this case, pursuant to Business and Professions
26 Code section 125.3; and,

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

DATED: March 1, 2016 Patrick Dorais

PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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