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7

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

11 In the Matter of the First Amended Accusation
12 Against:

Case No. 79/12-08

13 **DEL ROSA TEST CENTER**
14 **ANIL K. KUMAR, OWNER**
2742 N. Del Rosa Avenue
15 San Bernardino, CA 92404
Automotive Repair Dealer Reg. No. ARD 215242
16 Smog Check Test Only Station License No. TC
215242,

FIRST AMENDED ACCUSATION
(Smog Check)

17 **ANIL K. KUMAR**
3588 E. Highland Avenue
18 Highland, CA 92346
Advanced Emission Specialist Technician
19 License No. EA 23301,

20 **SUDHIR KUMAR KAMBOH, aka SID**
21 **KUMAR**
2925 Dorchester Circle,
22 Corona, Ca. 91719 Advanced Emission Specialist
Technician License No. EA 039029
23

24 **VAN ARTHUR NEAL**
P.O. Box 1062
25 Highland, CA 92346
Advanced Emission Specialist Technician
26 License No. EA 106526

27 Respondents.
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1 Complainant alleges:

2 **PARTIES/LICENSE INFORMATION**

3 1. Sherry Mehl ("Complainant") brings this First Amended Accusation solely in her
4 official capacity as the Chief of the Bureau of Automotive Repair ("Bureau"), Department of
5 Consumer Affairs.

6 **Del Rosa Test Center; Anil K. Kumar, Owner**

7 2. In or about 2001, the Director of Consumer Affairs ("Director") issued Automotive
8 Repair Dealer Registration Number ARD 215242 ("registration") to Anil K. Kumar ("Respondent
9 Kumar"), owner of Del Rosa Test Center. Respondent's registration was in full force and effect at
10 all times relevant to the charges brought herein and will expire on March 31, 2012, unless
11 renewed.

12 3. On or about March 29, 2001, the Director issued Smog Check Test Only Station
13 License Number TC 215242 ("smog check station license") to Respondent Kumar. Respondent's
14 smog check station license was in full force and effect at all times relevant to the charges brought
15 herein and will expire on March 31, 2012, unless renewed.

16 **Anil K. Kumar**

17 4. In or about 1996, the Director issued Advanced Emission Specialist Technician
18 License Number EA 23301 ("technician license") to Respondent Kumar. Respondent's technician
19 license was in full force and effect at all times relevant to the charges brought herein and will
20 expire on September 30, 2012, unless renewed.

21 **Sudhir Kumar Kamboh**

22 5. In or about 2002, the Director issued Advanced Emission Specialist Technician
23 License Number EA 039029 ("technician license") to Respondent Sudhir Kumar Kamboh aka Sid
24 Kumar ("Respondent Kamboh). Respondent's technician license was in full force and effect at all
25 times relevant to the charges brought herein and will expire on August 31, 2012, unless renewed.

26 **Van Arthur Neal**

27 6. In or about 1997, the Director issued Advanced Emission Specialist Technician
28 License Number EA 106526 ("technician license") to Van Arthur Neal ("Respondent Neal").

1 Respondent's technician license was in full force and effect at all times relevant to the charges
2 brought herein and will expire on January 31, 2013, unless renewed.

3 **JURISDICTION**

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

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

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

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

17 **STATUTORY PROVISIONS**

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

19 (a) The director, where the automotive repair dealer cannot show there
20 was a bona fide error, may deny, suspend, revoke or place on probation the
21 registration of an automotive repair dealer for any of the following acts or omissions
22 related to the conduct of the business of the automotive repair dealer, which are done
23 by the automotive repair dealer or any automotive technician, employee, partner,
24 officer, or member of the automotive repair dealer.

25 (1) Making or authorizing in any manner or by any means whatever any
26 statement written or oral which is untrue or misleading, and which is known, or which
27 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.

. . . .

(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

1 an automotive repair dealer upon a finding that the automotive repair dealer has, or is,
2 engaged in a course of repeated and willful violations of this chapter, or regulations
3 adopted pursuant to it.

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

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

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

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

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

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

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

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

23

24 (f) Aids or abets unlicensed persons to evade the provisions of this
25 chapter . . .

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

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28 (c) The department shall revoke the license of any smog check technician
or 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
the following:

(1) Clean piping, as defined by the department.

. . . .

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

1 **SIXTH CAUSE FOR DISCIPLINE**

2 **(Violations of the Motor Vehicle Inspection Program)**

3 24. Respondent Neal's technician license is subject to disciplinary action pursuant to
4 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with
5 provisions of that Code, as follows:

- 6 a. **Section 44012:** Respondent failed to perform the emission control tests on the 1993
7 Dodge Stealth in accordance with procedures prescribed by the department.
8 b. **Section 44059:** Respondent willfully made false entries in the EIS, resulting in the
9 issuance of a fraudulent certificate of compliance for the 1993 Dodge Stealth.

10 **SEVENTH CAUSE FOR DISCIPLINE**

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

13 25. Respondent Neal's technician license is subject to disciplinary action pursuant to
14 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with
15 provisions of California Code of Regulations, title 16, as follows:

- 16 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued an
17 electronic smog certificate of compliance for the 1993 Dodge Stealth.
18 b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the 1993
19 Dodge Stealth in accordance with Health & Saf. Code sections 44012 and 44035, and California
20 Code of Regulations, title 16, section 3340.42.
21 c. **Section 3340.41, subdivision (c):** Respondent entered false information into the EIS
22 by entering vehicle identification information or emission control system identification data for a
23 vehicle other than the one being tested.
24 d. **Section 3340.42:** Respondent failed to conduct the required smog tests on the 1993
25 Dodge Stealth in accordance with the Bureau's specifications.

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1 **EIGHTH CAUSE FOR DISCIPLINE**

2 **(Dishonesty, Fraud or Deceit)**

3 26. Respondent Neal's technician license is subject to disciplinary action pursuant to
4 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed a dishonest,
5 fraudulent or deceitful act whereby another is injured by issuing an electronic smog certificate of
6 compliance for the 1993 Dodge Stealth without performing a bona fide inspection of the emission
7 control devices and systems on the vehicle, thereby depriving the People of the State of California
8 of the protection afforded by the Motor Vehicle Inspection Program.

9 **NINTH CAUSE FOR DISCIPLINE**

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

12 27. Respondent Kumar's technician license is subject to disciplinary action pursuant to
13 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with
14 provisions of California Code of Regulations, title 16, in the following material respects:

15 a. **Section 3340.41, subdivision (b):** Respondent Kumar permitted Respondent Neal
16 and Respondent Kamboh to access the EIS using Kumar's confidential access code and to enter
17 false information into the unit concerning the identity of the technician performing the smog test
18 on the 1993 Dodge Stealth.

19 b. **Section 3340.41, subdivision (c):** Respondent Kumar authorized or permitted
20 Respondent Neal and Respondent Kamboh to enter false information into the EIS by entering
21 vehicle identification information or emission control system identification data for a vehicle
22 other than the one being tested.

23 **TENTH CAUSE FOR DISCIPLINE**

24 **(Violations of the Motor Vehicle Inspection Program)**

25 28. Respondent Kamboh's technician license is subject to disciplinary action pursuant to
26 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with
27 provisions of that Code, as follows:
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1 a. **Section 44012:** Respondent failed to perform the emission control tests on the 1993
2 Dodge Stealth in accordance with procedures prescribed by the department.

3 b. **Section 44059:** Respondent willfully made false entries in the EIS, resulting in the
4 issuance of a fraudulent certificate of compliance for the 1993 Dodge Stealth.

5 **ELEVENTH CAUSE FOR DISCIPLINE**

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

8 29. Respondent Kamboh's technician license is subject to disciplinary action pursuant to
9 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with
10 provisions of California Code of Regulations, title 16, as follows:

11 a. **Section 3340.24, subdivision (c):** Respondent assisted in falsely or fraudulently
12 issuing an electronic smog certificate of compliance for the 1993 Dodge Stealth.

13 b. **Section 3340.30, subdivision (a):** Respondent assisted Respondent Neal in failing to
14 inspect and test the 1993 Dodge Stealth in accordance with Health & Saf. Code sections 44012
15 and 44035, and California Code of Regulations, title 16, section 3340.42.

16 c. **Section 3340.41, subdivision (c):** Respondent assisted in entering false information
17 into the EIS by entering vehicle identification information or emission control system
18 identification data for a vehicle other than the one being tested.

19 d. **Section 3340.42:** In assisting Respondent Neal, Respondent Kamboh failed to
20 conduct the required smog tests on the 1993 Dodge Stealth in accordance with the Bureau's
21 specifications.

22 **TWELFTH CAUSE FOR DISCIPLINE**

23 **(Dishonesty, Fraud or Deceit)**

24 30. Respondent Kamboh's technician license is subject to disciplinary action pursuant to
25 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed a dishonest,
26 fraudulent or deceitful act whereby another is injured by assisting in issuing an electronic smog
27 certificate of compliance for the 1993 Dodge Stealth without performing a bona fide inspection of
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1 the emission control devices and systems on the vehicle, thereby depriving the People of the State
2 of California of the protection afforded by the Motor Vehicle Inspection Program.

3 **VID DATA REVIEW**

4 31. On or about January 21, 2011, a representative of the Bureau conducted a detailed
5 review of VID data for all smog inspections performed at Respondent Kumar's facility for the
6 period of July 1, 2010, through January 21, 2011. The representative found that the 8 vehicles
7 identified below recorded certain diagnostic trouble codes (hereinafter "code") during the OBD II
8 tests². The representative obtained information indicating that the codes were not applicable to
9 the vehicles. The VID data revealed that Respondent Kumar performed the smog inspections on
10 vehicles 1 through 4 and 6 through 8 and that Respondent Neal performed the inspection on
11 vehicle 5. The Bureau concluded that Respondents Kumar and Neal performed the smog
12 inspections on the vehicles using a different vehicle(s) during the OBD II tests, a method known
13 as "clean plugging",³ resulting in the issuance of fraudulent certificates of compliance for the
14 vehicles.

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21 ² The On Board Diagnostics (OBD II) functional test is an automated function of the
22 BAR-97 analyzer. During the OBD II functional test, the technician is required to connect an
23 interface cable from the BAR-97 analyzer to a Diagnostic Link Connector (DLC) which is
24 located inside the vehicle. Through the DLC, the BAR-97 analyzer automatically retrieves
information from the vehicle's on-board computer about the status of the readiness indicators,
trouble codes, and the MIL (malfunction indicator light). If the vehicle fails the OBD II
functional test, it will fail the overall inspection.

25 ³ Clean-plugging is the use of the OBD II readiness monitor status and stored fault code
26 (trouble code) status of a passing vehicle for the purpose of illegally issuing a smog certificate to
27 another vehicle that is not in compliance due to a failure to complete the minimum number of self
28 tests, known as monitors, or due to the presence of a stored fault code that indicates an emission
control system or component failure.

Date & Time of Inspection	Vehicle Certified & License or VIN No.	Certificate No.
1. 12/15/2010 1611 - 1615	1997 Honda Civic; VIN #1HGEJ6577VL030096	WP897289C
2. 11/17/2010 1151 - 1201	1999 Chevrolet Tahoe; License No. 4GFT433	WP520246C
3. 11/12/2010 1623 - 1630	1996 Mazda B-Series; License No. 8T96815	WP459650C
4. 11/12/2010 1024 - 1032	2002 Nissan Altima; License No. 4XUB157	WP459635C
5. 10/01/2010 1648 - 1652	2000 BMW 528i; VIN #WBADM6342YGU14954	WN946526C
6. 08/24/2010 1125 - 1133	2001 Mitsubishi Galant; License No. 4UKU319	WN359128C
7. 08/23/2010 1118 - 1125	2001 Toyota Corolla; License No. 4MHL469	WN359113C
8. 07/16/2010 1238 - 1245	2000 Chevrolet Suburban; License No. 5APP508	WL665181C

THIRTEENTH CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

32. Respondent Kumar's registration is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized statements which he knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondents Kumar and Neal certified that vehicles 1 through 8, identified in paragraph 29 above, had passed inspection and were in compliance with applicable laws and regulations. In fact, Respondents Kumar and Neal conducted the inspections on the vehicles using clean-plugging methods in that they substituted or used a different vehicle(s) during the OBD II functional tests in order to issue smog certificates of compliance for the vehicles, and did not test or inspect the vehicles as required by Health & Saf. Code section 44012.

FOURTEENTH CAUSE FOR DISCIPLINE

(Fraud)

33. Respondent Kumar's registration is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(4), in that Respondent committed acts that constitute fraud by issuing electronic smog certificates of compliance for vehicles 1 through 8, identified in paragraph 29 above, without ensuring that bona fide inspections were performed of the emission

1 control devices and systems on the vehicles, thereby depriving the People of the State of
2 California of the protection afforded by the Motor Vehicle Inspection Program.

3 **FIFTEENTH CAUSE FOR DISCIPLINE**

4 **(Violations of the Motor Vehicle Inspection Program)**

5 34. Respondent Kumar's smog check station license is subject to disciplinary action
6 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to
7 comply with the following sections of that Code:

8 a. **Section 44012:** Respondent failed to ensure that the emission control tests were
9 performed on vehicles 1 through 8, identified in paragraph 29 above, in accordance with
10 procedures prescribed by the department.

11 b. **Section 44015:** Respondent issued electronic smog certificates of compliance for
12 vehicles 1 through 8, identified in paragraph 29 above, without ensuring that the vehicles were
13 properly tested and inspected to determine if they were in compliance with Health & Saf. Code
14 section 44012.

15 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

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

21 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued
22 electronic smog certificates of compliance for vehicles 1 through 8, identified in paragraph 29
23 above.

24 b. **Section 3340.35, subdivision (c):** Respondent issued electronic smog certificates of
25 compliance for vehicles 1 through 8, identified in paragraph 29 above, even though the vehicles
26 had not been inspected in accordance with section 3340.42.

1 c. **Section 3340.42:** Respondent failed to ensure that the required smog tests were
2 performed on vehicles 1 through 8, identified in paragraph 29 above, in accordance with the
3 Bureau's specifications.

4 **SEVENTEENTH CAUSE FOR DISCIPLINE**

5 **(Dishonesty, Fraud or Deceit)**

6 36. Respondent Kumar's smog check station license is subject to disciplinary action
7 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed
8 dishonest, fraudulent or deceitful acts whereby another is injured by issuing electronic smog
9 certificates of compliance for vehicles 1 through 8, identified in paragraph 29 above, without
10 ensuring that bona fide inspections were performed of the emission control devices and systems
11 on the vehicles, thereby depriving the People of the State of California of the protection afforded
12 by the Motor Vehicle Inspection Program.

13 **EIGHTEENTH CAUSE FOR DISCIPLINE**

14 **(Violations of the Motor Vehicle Inspection Program)**

15 37. Respondent Kumar's technician license is subject to disciplinary action pursuant to
16 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with
17 section 44012 of that Code, in a material respect, as follows: Respondent failed to perform the
18 emission control tests on vehicles 1 through 4 and 6 through 8, identified in paragraph 29 above,
19 in accordance with procedures prescribed by the department.

20 **NINETEENTH CAUSE FOR DISCIPLINE**

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

23 38. Respondent Kumar's technician license is subject to disciplinary action pursuant to
24 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with
25 provisions of California Code of Regulations, title 16, as follows:

26 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued
27 electronic smog certificates of compliance for vehicles 1 through 4 and 6 through 8, identified in
28 paragraph 29 above.

1 a. **Section 3340.24, subdivision (c)**: Respondent falsely or fraudulently issued an
2 electronic smog certificate of compliance for vehicle 5, identified in paragraph 29 above.

3 b. **Section 3340.30, subdivision (a)**: Respondent failed to inspect and test vehicle 5,
4 identified in paragraph 29 above, in accordance with Health & Saf. Code sections 44012 and
5 44035, and California Code of Regulations, title 16, section 3340.42.

6 c. **Section 3340.42**: Respondent failed to conduct the required smog tests on vehicle 5,
7 identified in paragraph 29 above, in accordance with the Bureau's specifications.

8 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

9 **(Dishonesty, Fraud or Deceit)**

10 42. Respondent Neal's technician license is subject to disciplinary action pursuant to
11 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed a dishonest,
12 fraudulent, or deceitful act whereby another is injured by issuing an electronic smog certificate of
13 compliance for vehicle 5, identified in paragraph 29 above, without performing a bona fide
14 inspection of the emission control devices and systems on the vehicle, thereby depriving the
15 People of the State of California of the protection afforded by the Motor Vehicle Inspection
16 Program.

17 **MATTERS IN AGGRAVATION**

18 43. To determine the degree of discipline, if any, to be imposed on Respondents Kumar
19 and Neal, Complainant alleges as follows:

20 **Respondent Kumar**

21 a. On or about August 22, 2008, the Bureau issued Citation No. C09-0174 against
22 Respondent for violations of Health & Saf. Code section 44012, subdivision (f) (failure to
23 determine that emission control devices and systems required by State and Federal law are
24 installed and functioning correctly in accordance with test procedures), and California Code of
25 Regulations, title 16, section ("Regulation") 3340.35, subdivision (c) (issuing a certificate of
26 compliance to a vehicle that was improperly tested). Respondent had issued a certificate of
27 compliance to a Bureau undercover vehicle with the ignition timing adjusted beyond
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1 specifications. The Bureau assessed civil penalties totaling \$500 against Respondent for the
2 violations. Respondent complied with the citation (paid the fine) on September 25, 2008.

3 **Respondent Neal**

4 b. On or about August 22, 2008, the Bureau issued Citation No. M09-0175 against
5 Respondent for violations of Health & Saf. Code section 44032 (qualified technicians shall
6 perform tests of emission control systems and devices in accordance with Health & Saf. Code
7 section 44012); and Regulation 3340.30, subdivision (a) (qualified technicians shall inspect, test
8 and repair vehicles in accordance with Health & Saf. Code sections 44012 and 44035 and
9 Regulation 3340.42). Respondent had issued a certificate of compliance to a Bureau undercover
10 vehicle with the ignition timing adjusted beyond specifications. Respondent was directed to
11 complete an 8 hour training course and to submit proof of completion to the Bureau within 30
12 days from receipt of the citation. Respondent complied with the citation (completed the required
13 training) on September 21, 2008.

14 **OTHER MATTERS**

15 44. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
16 suspend, revoke or place on probation the registration for all places of business operated in this
17 state by Respondent Anil K. Kumar, owner of Del Rosa Test Center, upon a finding that
18 Respondent has, or is, engaged in a course of repeated and willful violations of the laws and
19 regulations pertaining to an automotive repair dealer.

20 45. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Test Only Station
21 License Number TC 215242, issued to Respondent Anil K. Kumar, owner of Del Rosa Test
22 Center, is revoked or suspended, any additional license issued under this chapter in the name of
23 said licensee may be likewise revoked or suspended by the Director.

24 46. Pursuant to Health & Saf. Code section 44072.8, if Advanced Emission Specialist
25 Technician License Number EA 23301, issued to Respondent Anil K. Kumar, is revoked or
26 suspended, any additional license issued under this chapter in the name of said licensee may be
27 likewise revoked or suspended by the Director.

28 47. Pursuant to Health & Saf. Code section 44072.8, if Advanced Emission Specialist

1 Technician License Number EA 106526, issued to Respondent Van Arthur Neal, is revoked or
2 suspended, any additional license issued under this chapter in the name of said licensee may be
3 likewise revoked or suspended by the Director.

4 48. Pursuant to Health & Saf. Code section 44072.8, if Advanced Emission Specialist
5 Technician License Number EA 039029, issued to Respondent Kamboh, is revoked or
6 suspended, any additional license issued under this chapter in the name of said licensee may be
7 likewise revoked or suspended by the Director.

8 **PRAYER**

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

11 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
12 215242, issued to Anil K. Kumar, owner of Del Rosa Test Center;

13 2. Revoking or suspending any other automotive repair dealer registration issued to Anil
14 K. Kumar;

15 3. Revoking or suspending Smog Check Test Only Station License Number TC 215242,
16 issued to Anil K. Kumar, owner of Del Rosa Test Center;

17 4. Revoking or suspending Advanced Emission Specialist Technician License Number
18 EA 23301, issued to Anil K. Kumar;

19 5. Revoking or suspending any additional license issued under Chapter 5 of the Health
20 and Safety Code in the Anil K. Kumar;

21 6. Revoking or suspending Advanced Emission Specialist Technician License Number
22 EA 106526, issued to Van Arthur Neal;

23 7. Revoking or suspending any additional license issued under Chapter 5 of the Health
24 and Safety Code in the name of Van Arthur Neal;

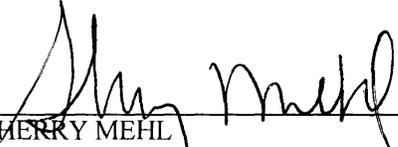
25 8. Revoking or suspending Advanced Emission Specialist Technician License Number
26 EA 039029, issued to Sudhir Kumar Kamboh aka Sid Kumar;

27 9. Revoking or suspending any additional license issued under Chapter 5 of the Health
28 and Safety Code in the name of Sudhir Kumar Kamboh;

1 10. Ordering Anil K. Kumar, individually, and as owner of Del Rosa Test Center, Van
2 Arthur Neal, and Sudhir Kumar Kamboh to pay the Bureau of Automotive Repair the reasonable
3 costs of the investigation and enforcement of this case, pursuant to Business and Professions
4 Code section 125.3;

5 11. Taking such other and further action as deemed necessary and proper.

6
7 DATED: 12/14/11


SHERRY MEHL
Chief, Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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