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

In the Matter of the Accusation Against:

XSMOG, INC.
4645 University Avenue
San Diego, CA 92105

Automotive Repair Dealer Registration
No. ARD 225965
Smog Check, Test Only, Station License
No. TC 225965

TAI TAN HO, Chief Executive Officer and Secretary
4645 University Avenue
San Diego, CA 92105

Advanced Emission Specialist Technician
License No. EA 146165

and

TAO TOM HO, Chief Financial Officer
4645 University Avenue
San Diego, CA 92105

Advanced Emission Specialist Technician
License No. EA 146425

Respondents.

Case No. 79/10-68

OAH No. 2010110662

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter.

This Decision shall become effective 5/11/12.

DATED: April 4, 2012

DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

KAMALA D. HARRIS
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JAMES M. LEDAKIS
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Attorneys for Complainant

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

In the Matter of the Accusation Against: **XSMOG, INC.,** **4645 University Avenue** **San Diego, CA 92105** **Automotive Repair Dealer Registration No. ARD 225965** **Smog Check Test Only Station License No. TC 225965;** **TAI TAN HO, CHIEF EXECUTIVE OFFICER and SECRETARY,** **4645 University Avenue** **San Diego, CA 92105** **Advanced Emission Specialist Technician License No. EA 146165;** **and** **TAO TOM HO, CHIEF FINANCIAL OFFICER** **4645 University Avenue** **San Diego, CA 92105** **Advanced Emission Specialist Technician License No. EA 146425;** Respondents.	Case No. 79/10-68 OAH No. 2010110662 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

1. Sherry Mehl (Complainant) is the Chief of the Bureau of Automotive Repair. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Erin M. Sunseri, Deputy Attorney General.

2. Respondent XSmog, Inc.; Tai Tan Ho, President (Respondent) is represented in this proceeding by attorney Michael Levin, whose address is: 3727 Camino del Rio South, Suite 200, San Diego, CA 92108.

3. On or about January 24, 2003, the Bureau of Automotive Repair issued Automotive Repair Dealer Registration No. ARD 225965 to Respondent. The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. 79/10-68 and will expire on January 31, 2012, unless renewed.

4. On or about March 20, 2003, the Bureau of Automotive Repair issued Smog Check Test Only Station License No. TC 225965 to Respondent. The Smog Check Test Only Station License was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. 79/10-68 and will expire on January 31, 2012, unless renewed.

JURISDICTION

5. First Amended Accusation No. 79/10-68 was filed before the Director of Consumer Affairs (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on January 3, 2012. Respondent timely filed its Notice of Defense contesting the Accusation. A copy of First Amended Accusation No. 79/10-68 is attached as Exhibit "A" and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in First Amended Accusation No. 79/10-68. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of its 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 them; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

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

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in First Amended Accusation No. 79/10-68.

10. Respondent agrees that its Automotive Repair Dealer Registration and its Smog Check Test Only Station License are subject to discipline and agrees to be bound by the Director's probationary terms as set forth in the Disciplinary Order below.

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Director of Consumer Affairs or the Bureau of Automotive Repair is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

12. This stipulation shall be subject to approval by the Director of Consumer Affairs or his designee. Respondent understands and agrees that counsel for Complainant and the staff of the Bureau of Automotive Repair may communicate directly with the Director and staff of the Department of Consumer Affairs regarding this stipulation and settlement, without notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent understands and agrees that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or

effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 225965, and Smog Check Test Only Station License No. TC 225965, issued to Respondent XSmog, Inc.; Tai Tan Ho, President (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

1. **Actual Suspension.** Automotive Repair Dealer Registration No. ARD 225965 and Smog Check Test Only Station License No. TC 225965 are suspended for fifteen (15) consecutive days, to be served beginning on the effective date of the Decision and Order.

2. **Obey All Laws.** Comply with all statutes, regulations and rules governing automotive inspections, estimates and repairs.

3. **Post Sign.** Post a prominent sign, provided by the Bureau, indicating the beginning and ending dates of the suspension and indicating the reason for the suspension. The sign shall be conspicuously displayed in a location open to and frequented by customers and shall remain posted during the entire period of actual suspension.

4. **Reporting.** Respondent or Respondent's authorized representative must report in person or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the Bureau, but no more frequently than each quarter, on the methods used and success achieved in maintaining compliance with the terms and conditions of probation.

5. **Report Financial Interest.** Within 30 days of the effective date of this action, report any financial interest which any partners, officers, or owners of the Respondent facility may have in any other business required to be registered pursuant to Section 9884.6 of the Business and Professions Code.

6. **Random Inspections.** Provide Bureau representatives unrestricted access to inspect all vehicles (including parts) undergoing repairs, up to and including the point of completion.

7. **Jurisdiction.** If an accusation is filed against Respondent during the term of probation, the Director of Consumer Affairs shall have continuing jurisdiction over this matter until the final decision on the accusation, and the period of probation shall be extended until such decision.

8. **Violation of Probation.** Should the Director of Consumer Affairs determine that Respondent has failed to comply with the terms and conditions of probation, the Department may, after giving notice and opportunity to be heard, temporarily or permanently invalidate the Automotive Repair Dealer Registration and/or suspend or revoke the Smog Check Test Only Station License.

9. **False and Misleading Advertising.** If the accusation involves false and misleading advertising, during the period of probation, Respondent shall submit any proposed advertising copy, whether revised or new, to the Bureau at least thirty (30) days prior to its use.

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10. **Cost Recovery.** Respondent shall pay to the Bureau costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the reduced amount of $6,942.45. Payment to the Bureau to be made in twenty-four (24) equal installments with the full amount of cost recovery being received no later than twelve (12) months before probation terminates. Failure to complete payment of cost recovery within this time frame shall constitute a violation of probation which may subject Respondent's Automotive Repair Dealer Registration and/or Smog Check Test Only Station License to invalidation, suspension, or revocation; however, the Director or the Director's Bureau of Automotive Repair designee may elect to continue probation until such time as reimbursement of the entire cost recovery amount has been made to the Bureau.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Michael Levin. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration, and Smog Check Test Only 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 Consumer Affairs.

DATED: 1/05/2012

XSMOG, INC.; TAI TAN HO, PRESIDENT
Respondent

I have read and fully discussed with Respondent XSmog, Inc.; Tai Tan Ho, President the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 1/5/12

Michael Levin
Attorney for Respondent

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ENDORSEMENT

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

Dated: 3/2/2012

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JAMES M. LEDAKIS
Supervising Deputy Attorney General

ERIN M. SUNSERI
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 79/10-68

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Attorneys for Complainant

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

In the Matter of the Accusation Against:	Case No. 79/10-68
XSMOG, INC., **4645 University Avenue** **San Diego, CA 92105** **Automotive Repair Dealer Registration No. ARD 225965** **Smog Check Test Only Station License No. TC 225965;** **TAI TAN HO, CHIEF EXECUTIVE OFFICER and SECRETARY,** **4645 University Avenue** **San Diego, CA 92105** **Advanced Emission Specialist Technician License No. EA 146165;** **and** **TAO TOM HO, CHIEF FINANCIAL OFFICER** **4645 University Avenue** **San Diego, CA 92105** **Advanced Emission Specialist Technician License No. EA 146425;** Respondents.	**FIRST AMENDED ACCUSATION** **SMOG CHECK**

Complainant alleges:

PARTIES

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

Automotive Repair Dealer Registration

2. On or about February 24, 2003, the Bureau issued Automotive Repair Dealer Registration Number ARD 225965 ("registration") to XSmog, Inc.; Tai Tan Ho, President and Chief Executive Officer ("Respondent XSmog"). The registration was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2012, unless renewed.

Smog Check Test Only Station License

3. On or about March 20, 2003, the Bureau issued Smog Check Test Only Station License Number TC 225965 ("station license") to Respondent XSmog. The station license was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2012, unless renewed.

Advanced Emission Specialist Technician Licenses

4. In or about 2003, the Bureau issued Advanced Emission Specialist Technician License No. EA 146165 ("EA license") to Respondent Tai Tan Ho (Respondent Tai Ho). The EA license was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2013, unless renewed.

5. In or about 2003, the Bureau issued Advanced Emission Specialist Technician License No. EA 146425 ("EA license") to Respondent Tao Tom Ho (Respondent Tao Ho). The EA license was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2012, unless renewed.

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STATUTORY PROVISIONS

6. Section 9884.7 of the Code states, in pertinent part:

(a) The director, where the automotive repair dealer cannot show there was a bona fide error, may refuse to validate, or may invalidate temporarily or permanently, 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.

(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.

(4) Any other conduct which constitutes fraud.

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

(b) Except as provided for in subdivision (c), if an automotive repair dealer operates more than one place of business in this state, the director pursuant to subdivision (a) shall only invalidate temporarily or permanently the registration of the specific place of business which has violated any of the provisions of this chapter. This violation, or action by the director, shall not affect in any manner the right of the automotive repair dealer to operate his or her other places of business.

(c) Notwithstanding subdivision (b), the director may invalidate temporarily or permanently, 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."

7. Code section 9884.13 provides, in pertinent part, that the expiration of a valid registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary proceeding against an automotive repair dealer or to render a decision invalidating a registration temporarily or permanently.

8. Code section 477 provides, in pertinent part, that "Board" includes "bureau," "commission," "committee," "department," "division," "examining committee," "program," and "agency." "License" includes certificate, registration or other means to engage in a business or profession regulated by the Code.

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REGULATORY PROVISION

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

> (a) All invoices for service and repair work performed, and parts supplied, as provided in Section 9884.8 of the Business and Professions Code, shall comply with the following:
>
> (1) The invoice shall show the automotive repair dealer's registration number 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 requirements of subsection (b) of Section 3371 of this chapter.

10. Section 44002 of the Health and Safety Code 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.

11. Section 44072.2 of the Health and Safety Code states:

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

12. Section 44072.6 of the Health and Safety Code 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.

13. Section 44072.8 of the Health and Safety Code states:

"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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COST RECOVERY

14. 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.

UNDERCOVER OPERATION – AUGUST 4, 2009

15. On or about August 4, 2009, a Bureau undercover operator drove a Bureau-documented 1986 Chevrolet Astro Van to Respondent's facility and requested a smog inspection. The vehicle could not pass the visual portion of a smog inspection because the vehicle's air injection system was missing. The operator signed and received a written estimate prior to the smog inspection. Leslie Loc Nguyen, a licensed technician, performed the smog inspection and issued electronic Certificate of Compliance No. WB777677 certifying that he had tested and inspected the 1986 Chevrolet Astro Van and that the vehicle was in compliance with applicable laws and regulations. In fact, the vehicle could not have passed the visual portion of the smog inspection because the vehicle's air injection system was missing.

FIRST CAUSE FOR DISCIPLINE

(Misleading Statements)

16. Respondents have subjected their licenses and registration to discipline under Code section 9884.7, subdivision (a)(1), in that on or about August 4, 2009, they made statements which they knew or which by exercise of reasonable care they should have known were untrue or misleading when they issued electronic Certificate of Compliance No. WB777677 for the 1986 Chevrolet Astro Van, certifying that the vehicle was in compliance with applicable laws and regulations when, in fact, the vehicle could not have passed the visual portion of the smog inspection because the vehicle's air injection system was missing.

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SECOND CAUSE FOR DISCIPLINE

(Fraud)

17. Respondents have subjected their licenses and registration to discipline under Code section 9884.7, subdivision (a)(4), in that on or about August 4, 2009, they committed acts which constitute fraud by issuing electronic Certificate of Compliance No. WB777677 for the 1986 Chevrolet Astro Van without performing a bona fide inspection of the emission control devices and systems on that vehicle, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

THIRD CAUSE FOR DISCIPLINE

(Failure to Comply with Invoice Requirements)

18. Respondents have subjected their licenses and registration to discipline pursuant to Code section 9884.7, subdivision (a)(6), in that they failed to comply with section 3356, subdivision (a)(1) of the California Code of Regulations, title 16, by failing to set forth their business name and address as shown in the Bureau's records.

FOURTH CAUSE FOR DISCIPLINE

(Violation of the Motor Vehicle Inspection Program)

19. Respondents have subjected their licenses and registration to discipline under Health and Safety Code section 44072.2, subdivision (a), in that on or about August 4, 2009, regarding the 1986 Chevrolet Astro Van, they violated sections of that Code, as follows:

a. **Section 44012, subdivision (a)**: Respondents failed to determine that all emission control devices and systems required by law were installed and functioning correctly in accordance with test procedures.

b. **Section 44012, subdivision (f)**: Respondents failed to perform emission control tests on that vehicle in accordance with procedures prescribed by the department.

c. **Section 44015, subdivision (b)**: Respondents issued electronic Certificate of Compliance No. WB777677 without properly testing and inspecting the vehicle to determine if it was in compliance with section 44012 of that Code.

d. **Section 44059**: Respondents willfully made false entries for electronic Certificate of Compliance No. WB777677 by certifying that the vehicle had been inspected as required when, in fact, it had not.

FIFTH CAUSE FOR DISCIPLINE

(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)

20. Respondents have subjected their licenses and registration to discipline under Health and Safety Code section 44072.2, subdivision (c), in that on or about August 4, 2009, regarding the 1986 Chevrolet Astro Van, they violated sections of the California Code of Regulations, title 16, as follows:

a. **Section 3340.24, subdivision (c)**: Respondents falsely or fraudulently issued electronic Certificate of Compliance No. WB777677 without performing a bona fide inspection of the emission control devices and systems on that vehicle as required by Health and Safety Code section 44012.

b. **Section 3340.35, subdivision (c)**: Respondents issued electronic Certificate of Compliance No. WB777677 even though that vehicle had not been inspected in accordance with section 3340.42 of that Code.

c. **Section 3340.42**: Respondents failed to conduct the required smog tests and inspections on that vehicle in accordance with the Bureau's specifications.

SIXTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

21. Respondents subjected their licenses and registration to discipline under Health and Safety Code section 44072.2, subdivision (d), in that on or about August 4, 2009, regarding the 1986 Chevrolet Astro Van, they committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic Certificate of Compliance No. WB777677 without performing a bona fide inspection of the emission control devices and system on that vehicle, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

PRIOR CITATIONS

22. To determine the degree of penalty, if any, to be imposed upon Respondent, Complainant alleges as follows:

a. On April 18, 2007, the Bureau issued Citation No. C07-0747 to Respondent Xsmog against its registration and station licenses for violations of Health and Safety Code section 44012, subdivision (f) (failure to perform a visual/functional check of emission control devices) and California Code of Regulations, title 16, ("Regulation"), section 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle improperly tested). Respondent issued a certificate of compliance to a Bureau vehicle with a missing EGR system. The Bureau assessed a civil penalty of $500. Respondent complied with this citation on May 25, 2007.

b. On November 30, 2007, the Bureau issued Citation No. C08-0526 to Respondent Xsmog against its registration and station licenses for violations of Health and Safety Code section 44012, subdivision (f) (failure to perform a visual/functional check of emission control devices) and Regulation, section 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle improperly tested). Respondent issued a certificate of compliance to a Bureau vehicle with the ignition timing adjusted beyond the manufacturer's specifications. The Bureau assessed a civil penalty of $1,000. Respondent complied with this citation on February 6, 2008.

c. On August 12, 2008, the Bureau issued Citation No. C09-0151 to Respondent Xsmog against its registration and station licenses for violations of Health and Safety Code section 44012, subdivision (f) (failure to perform a visual/functional check of emission control devices) and Regulation, section 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle improperly tested). Respondent issued a certificate of compliance to a Bureau vehicle with a missing PCV system. The Bureau assessed a civil penalty of $2,000. Respondent appealed this citation on September 15, 2008. The appeal was withdrawn on January 30, 2009, and Respondent complied with this citation on March 13, 2009.

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OTHER MATTERS

23. Under Code section 9884.7, subdivision (c), the director may invalidate temporarily or permanently or refuse to validate, the registrations for all places of business operated in this state by to XSmog, Inc., upon a finding that it has, or is, engaged in a course of repeated and willful violations of the laws and regulations pertaining to an automotive repair dealer.

24. Under Health and Safety Code section 44072.8, if Smog Check Test Only Station License Number TC 225965, issued to XSmog, Inc., is revoked or suspended, any additional license issued under this chapter in the name of said licensee 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. Temporarily or permanently invalidating Automobile Repair Dealer Registration Number ARD 225965, issued to XSmog, Inc.;

2. Temporarily or permanently invalidating any other automotive repair dealer registration issued to XSmog, Inc.;

3. Revoking or suspending Smog Check Test Only Station License Number TC 225965, issued to XSmog, Inc.;

4. 6. Revoking or suspending any additional license issued under Chapter 5 of the Health and Safety Code in the name of XSmog, Inc.;

7. Ordering Respondent to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

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

DATED: 12/29/11

Sherry Mehl by [signature]
Assist. Chief

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

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