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7
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. 79/12-145

13 **PALO ALTO SMOG TEST ONLY CENTER**
14 **4200 El Camino Real, Unit B**
15 **Palo Alto, CA 94306**
16 **Mailing Address:**
17 **2399 Market Street**
18 **San Francisco, CA 94114**
19 **EMRE ELCI, OWNER**
20 **Automotive Repair Dealer Registration No.**
21 **ARD 252141**
22 **Smog Check Test Only Station License No.**
23 **TC 252141**

A C C U S A T I O N
S M O G C H E C K

Respondent.

24 Complainant alleges:

25 **PARTIES**

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

28 **Automotive Repair Dealer Registration**

1 On or about September 20, 2007, the Bureau issued Automotive Repair Dealer
2 Registration Number ARD 252141 to Emre Elci ("Respondent"), doing business as Palo Alto
3 Smog Test Only Center. The automotive repair dealer registration expired on September 30,
4 2010, and has not been renewed.

1 Regulations, title 16, ("Regulation"), section 3340.35, subdivision (c) (issuing a certificate of
2 compliance to a vehicle improperly tested). The Bureau assessed an administrative fine in the
3 amount of \$2,500. Respondent appealed the citation on September 9, 2010. A hearing was held
4 on August 1, 2011, and a Decision upholding the citation became effective November 3, 2011.
5 However, Respondent failed to pay the administrative fine.

6 **OTHER MATTERS**

7 13. Under Health and Safety Code section 44072.8, if Smog Check Test Only Station
8 License Number TC 252141, issued to Emre Elci, is revoked or suspended, any additional license
9 issued under this chapter in the name of said licensee may be likewise revoked or suspended by
10 the director.

11 **PRAYER**

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

- 14 1. Revoking or suspending Smog Check Test Only Station License Number TC 252141,
15 issued to Emre Elci, doing business as Palo Alto Smog Test Only Center;
- 16 2. Revoking or suspending any additional license issued under Chapter 5 of the Health
17 and Safety Code in the name of Emre Elci;
- 18 3. Ordering Emre Elci to pay the Bureau of Automotive Repair the reasonable costs of
19 the investigation and enforcement of this case, pursuant to Business and Professions Code section
20 125.3; and,
- 21 4. Taking such other and further action as deemed necessary and proper.
- 22

23 DATED: May 21, 2012

24 
25 JOHN WALLAUGH
26 Chief
27 Bureau of Automotive Repair
28 Department of Consumer Affairs
State of California
Complainant

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