

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

In the Matter of the Accusation Against:

**AMIR SAIFULLAH SHAH dba GOLDEN STAR SMOG**

2484 Olivera Road

Concord, CA 94520

Mailing Address:

2505 Bugle Way

Antioch, CA 94531

Automotive Repair Dealer Registration No. ARD 266219

Smog Check Test Only Station License No. TC 266219

**AMIR SAIFULLAH SHAH dba PITTSBURG SMOG**

901 East 14th St.

Pittsburg, CA 94565

Mailing Address:

2505 Bugle Way

Antioch, CA 94531

Automotive Repair Dealer Registration No. ARD 250761

Smog Check Test Only Station License No. TC 250761

///

AMIR S. SHAH

2505 Bugle Way

Antioch, CA 94531

Smog Check Inspector License No. EO 154238

Respondents.

Case No. 79/21-13045

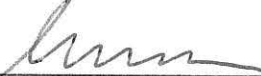
OAH No. 2022110229

**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.

This Decision shall become effective on June 2, 2023.

DATED: April 10, 2023

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

1 ROB BONTA  
Attorney General of California  
2 CHAR SACHSON  
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**

11 In the Matter of the Accusation Against:  
12 **AMIR SAIFULLAH SHAH**  
13 **dba GOLDEN STAR SMOG**  
2484 Olivera Road  
Concord, CA 94520  
14 **Mailing Address:**  
15 2505 Bugle Way  
Antioch, CA 94531  
16 **Automotive Repair Dealer No. ARD 266219**  
17 **Smog Check Test Only Station License No. TC 266219**  
18 **AMIR SAIFULLAH SHAH**  
19 **dba PITTSBURG SMOG**  
901 East 14<sup>th</sup> St.  
20 Pittsburg CA 94565  
21 **Mailing Address:**  
22 2505 Bugle Way  
Antioch, CA 94531  
23 **Automotive Repair Dealer No. ARD 250761**  
**Smog Check Test Only Station License No. TC 250761**  
24 **AMIR S. SHAH**  
25 2505 Bugle Way  
Antioch, CA 94531  
26 **Smog Check Inspector License No. EO 154238**  
27  
28

Case No. 79/21-13045  
OAH No. 2022110229  
**STIPULATED  
SETTLEMENT AND  
DISCIPLINARY ORDER**

Respondent.

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

3 PARTIES

4 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair  
5 (Bureau). He brought this action solely in his official capacity and is represented in this matter by  
6 Rob Bonta, Attorney General of the State of California, by Justin R. Surber, Deputy Attorney  
7 General.

8 2. Respondent Amir Saifullah Shah (Respondent) is represented in this proceeding by  
9 attorney William Ferreira , whose address is: 580 California Street, Ste 1200, San Francisco, CA  
10 94104

11 3. On or about August 11, 2011, the Bureau issued Automotive Repair Dealer  
12 Registration No. ARD 266219 to Respondent dba Golden Star Smog. The Automotive Repair  
13 Dealer Registration will expire on August 31, 2023, unless renewed.

14 4. On or about August 25, 2011, the Bureau issued Smog Check, Test Only, Station  
15 License No. TC 266219 to Respondent dba Golden Star Smog. The Smog Check, Test Only,  
16 Station License will expire on August 31, 2023, unless renewed.

17 5. On or about January 17, 2013, Smog Check, Test Only, Station License No. TC  
18 266219 was certified as a STAR Station.

19 6. In 2007, the Bureau issued Automotive Repair Dealer Registration No. ARD 250761  
20 to Respondent dba Pittsburg Smog. The Automotive Repair Dealer Registration will expire on  
21 April 30, 2023, unless renewed.

22 7. On or about July 26, 2007, the Bureau issued Smog Check, Test Only, Station  
23 License No. TC 250761 to Respondent dba Pittsburg Smog. The Smog Check, Test Only,  
24 Station License will expire on April 30, 2023, unless renewed.

25 8. On or about February 1, 2013, Smog Check, Test Only, Station License No. TC  
26 250761 was certified as a STAR Station.

27 9. In 2007, the Bureau of Automotive Repair issued Advanced Emission Specialist  
28 Technician License Number EA154238 to Respondent. The license was cancelled on June 4,

1 2013. The license was renewed pursuant to Respondent's election as a Smog Check Inspector  
2 License No. EO154238, effective June 4, 2013.<sup>1</sup> The Smog Check Inspector License will expire  
3 on March 31, 2025, unless renewed.

4 **JURISDICTION**

5 10. Accusation No. 79/21-13045 was filed before the Director of the Department of  
6 Consumer Affairs (Bureau), for the Bureau of Automotive Repair, and is currently pending  
7 against Respondent. The Accusation and all other statutorily required documents were properly  
8 served on Respondent on June 15, 2022. Respondent timely filed his Notice of Defense  
9 contesting the Accusation.

10 11. A copy of Accusation No. 79/21-13045 is attached as exhibit A and incorporated  
11 herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 12. Respondent has carefully read, fully discussed with counsel, and understands the  
14 charges and allegations in Accusation No. 79/21-13045. Respondent has also carefully read, fully  
15 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
16 Order.

17 13. Respondent is fully aware of his legal rights in this matter, including the right to a  
18 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine  
19 the witnesses against him; the right to present evidence and to testify on his own behalf; the right  
20 to the issuance of subpoenas to compel the attendance of witnesses and the production of  
21 documents; the right to reconsideration and court review of an adverse decision; and all other  
22 rights accorded by the California Administrative Procedure Act and other applicable laws.

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

25  
26  
27 <sup>1</sup> Effective August 1, 2012, California Code of Regulations, title 16, section 3340.28,  
28 3340.29 and 3340.30 were amended to implement a license restructure from the Advanced  
Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog  
Check Inspector (EO) license and and/or Smog Check Repair Technician (EI) license.



1 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
2 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
3 writing executed by an authorized representative of each of the parties.

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

7 **DISCIPLINARY ORDER**

8 **IT IS HEREBY ORDERED** that Automotive Repair Dealer Registration No. ARD266219  
9 and Smog Check Station License No. TC266219 issued to Amir Saifullah Shah dba Golden Star  
10 Smog are revoked.

11 **IT IS HEREBY ORDERED** that Automotive Repair Dealer Registration No. 250761 and  
12 Smog Check Station License No. 250761 issued to Amir Saifullah Shah dba Pittsburg Smog are  
13 revoked.

14 **IT IS HEREBY ORDERED** that Smog Check Inspector (EO) License No. 154238 issued  
15 to Amir Saifullah Shah is revoked.

16 However, the revocations are stayed and Respondent is placed on probation for three (3)  
17 years on the following terms and conditions:

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

21 2. **Posting of Sign.** During the period of suspension, Respondent shall prominently post  
22 a sign or signs, provided by BAR, indicating the beginning and ending dates of the suspension  
23 and indicating the reason for the suspension. The sign or signs shall be conspicuously displayed  
24 in a location or locations open to and frequented by customers. The location(s) of the sign(s) shall  
25 be approved by BAR and shall remain posted during the entire period of actual suspension.

26 3. **Quarterly Reporting.** During the period of probation, Respondent shall report either  
27 by personal appearance or in writing as determined by BAR on a schedule set by BAR, but no  
28 more frequently than once each calendar quarter, on the methods used and success achieved in

1 maintaining compliance with the terms and conditions of probation.

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

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

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

24       7.    **Violation of Probation.** If Respondent violates or fails to comply with the terms and  
25 conditions of probation in any respect, the Director, after giving notice and opportunity to be  
26 heard may set aside the stay order and carry out the disciplinary order provided in the decision.  
27 Once Respondent is served notice of BAR's intent to set aside the stay, the Director shall maintain  
28 jurisdiction, and the period of probation shall be extended until final resolution of the matter.

1           8.    **Maintain Valid License.** Respondent shall, at all times while on probation, maintain  
2 a current and active registration and/or license(s) with BAR, including any period during which  
3 suspension or probation is tolled. If Respondent's registration or license is expired at the time the  
4 decision becomes effective, the registration or license must be renewed by Respondent within 30  
5 days of that date. If Respondent's registration or license expires during a term of probation, by  
6 operation of law or otherwise, then upon renewal Respondent's registration or license shall be  
7 subject to any and all terms and conditions of probation not previously satisfied. Failure to  
8 maintain a current and active registration and/or license during the period of probation shall also  
9 constitute a violation of probation.

10           9.    **Cost Recovery.** Respondent shall pay the Bureau of Automotive Repair \$7,184.52  
11 for the reasonable costs of the investigation and enforcement of case No. 79/21-13045. Costs are  
12 to be paid in 30 monthly payments. The first 29 monthly payments shall be \$239.48 and the final  
13 payment shall be \$239.60. Respondent shall make payment by check or money order payable to  
14 the Bureau of Automotive Repair and shall indicate on the check or money order that it is for cost  
15 recovery payment for case No. 79/21-13045. Any order for payment of cost recovery shall  
16 remain in effect whether or not probation is tolled. Probation shall not terminate until full cost  
17 recovery payment has been made. BAR reserves the right to pursue any other lawful measures in  
18 collecting on the costs ordered and past due, in addition to taking action based upon the violation  
19 of probation.

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

24           11.   **License Surrender.** Following the effective date of a decision that orders a stay of  
25 invalidation or revocation, if Respondent ceases business operations or is otherwise unable to  
26 satisfy the terms and conditions of probation, Respondent may request that the stay be vacated.  
27 Such request shall be made in writing to BAR. The Director and the BAR Chief reserve the right  
28 to evaluate the Respondent's request and to exercise discretion whether to grant the request or

1 take any other action deemed appropriate or reasonable under the circumstances. Upon formal  
2 granting of the request, the Director will vacate the stay order and carry out the disciplinary order  
3 provided in the decision. Respondent may not petition the Director for reinstatement of the  
4 surrendered registration and/or license, or apply for a new registration or license under the  
5 jurisdiction of BAR at any time before the date of the originally scheduled completion of  
6 probation. If Respondent applies to BAR for a registration or license at any time after that date,  
7 Respondent must meet all current requirements for registration or licensure and pay all  
8 outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

9 12. **Actual Suspension.** Automotive Repair Dealer Registration No. ARD266219, Smog  
10 Check Station License No. TC266219, Automotive Repair Dealer Registration No. 250761, Smog  
11 Check Station License No. 250761 and Smog Check Inspector (EO) License No. 154238 all  
12 issued to Respondent Amir Saifullah Shah are suspended for 5 consecutive days beginning on the  
13 effective date of the Decision and Order.

14 **IT IS HEREBY FURTHER ORDERED:** The STAR Certifications of Station License No. TC  
15 266219 and Station License No. TC 250761, both issued to Respondent Amir Saifullah Shah, are  
16 hereby suspended under the following terms and conditions:

17 1. **Suspension.** Respondent's STAR certifications shall be Suspended for a period of 90  
18 consecutive days beginning on the effective date of the Decision and Order. During the period of  
19 suspension, Respondent shall cease advertising as a STAR station and shall cover or remove all  
20 STAR signage. During the period of suspension, Respondent shall not perform any repairs under  
21 the Consumer Assistance Program.

22 2. **Automatic Reinstatement.** Upon successful completion of the 90-day suspension,  
23 Respondent's STAR Certifications shall be fully restored without reapplication for a STAR  
24 certification.

25 3. **Posting of Sign.** During the period of suspension, Respondent shall prominently post  
26 a sign or signs, provided by BAR, indicating the beginning and ending dates of the suspension  
27 and indicating the reason for the suspension. The sign or signs shall be conspicuously displayed  
28

1 in a location or locations open to and frequented by customers. The location(s) of the sign(s) shall  
2 be approved by BAR and shall remain posted during the entire period of actual suspension.

3 ACCEPTANCE

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
5 discussed it with my attorney, William Ferreira. I understand the stipulation and the effect it will  
6 have on my Automotive Repair Dealer Registrations, Smog Check Station Licenses, and Smog  
7 Check Inspector (EO) License. I enter into this Stipulated Settlement and Disciplinary Order  
8 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
9 Director of the Department of Consumer Affairs.

10  
11 DATED: 3-7-23 Amir Shah  
12 AMIR SAIFULLAH SHAH  
13 Respondent  
14

15 I have read and fully discussed with Respondent Amir Saifullah Shah, the terms and  
16 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
17 I approve its form and content.

18  
19 DATED: 3-7-23 William Ferreira  
20 WILLIAM FERREIRA  
21 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 the Department of Consumer Affairs.

DATED: 2/7/23

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
CHAR SACHSON  
Supervising Deputy Attorney General

  
JUSTIN R. SURBER  
Deputy Attorney General  
*Attorneys for Complainant*

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