

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

In the Matter of the Accusation Against:

**RRAT SERVICES, dba ALOHA SMOG, RAMESH THOLLA, PRESIDENT**

2720 Artesia Blvd., Ste. B

Redondo Beach, CA 90278

**Mailing Address:**

11890 Pyxis Cir.

Rancho Cordova, CA 95742

Automotive Repair Dealer Registration No. ARD 281987

Smog Check Test Only Station License No. TC 281987

and

**SAMIR SALIM HADDAD**

6209 Reseda Blvd. Ste 228

Reseda, CA 91355

Smog Check Inspector License No. EO 304144

Smog Check Repair Technician License No. EI 304144,

Respondents.

Case No. 79/18-7316

OAH No. 20119090649

**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 March 23, 2020.

DATED: Feb. 6, 2020

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

1 XAVIER BECERRA  
Attorney General of California  
2 SHAWN P. COOK  
Supervising Deputy Attorney General  
3 ANDREW AMARA  
Deputy Attorney General  
4 State Bar No. 271311  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
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6 Facsimile: (916) 731-2126  
*Attorneys for Complainant*  
7

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

12  
13 In the Matter of the Accusation Against:

14 **RRAT SERVICES, dba ALOHA SMOG,**  
15 **Ramesh Tholla, President**

16 **2720 Artesia Blvd., Ste. B, Redondo Beach,**  
**CA 90278 (Business Address)**  
17 **11890 Pyxis Cir., Rancho Cordova, CA**  
**95742 (Mailing Address)**  
18 **Automotive Repair Dealer No. ARD 281987**  
**Smog Check Station No. TC 281987**

19 **AND**

20 **SAMIR SALIM HADDAD**  
21 **6209 Reseda Blvd., Ste. 228**  
**Reseda, CA 91355**  
22 **Smog Check Inspector No. EO 304144**  
**Smog Check Repair No. EI 304144**

23 Respondents.  
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Case No. 79/18-7316

OAH No. 20119090649

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

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

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2       1.     Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair  
3 (Bureau). He brought this action solely in his official capacity and is represented in this matter by  
4 Xavier Becerra, Attorney General of the State of California, by Andrew Amara, Deputy Attorney  
5 General.

6       2.     Respondent RRAT Services, dba Aloha Smog; Ramesh Tholla (Respondent Aloha  
7 Smog) is represented in this proceeding by attorney William Ferreira, whose address is: San  
8 Francisco Office, 555 California Street, Suite 4925, San Francisco, CA 94104

9       3.     On or about November 10, 2015, the Bureau issued Automotive Repair Dealer  
10 Registration No. ARD 281987 to Respondent Aloha Smog. The Automotive Repair Dealer  
11 Registration was in full force and effect at all times relevant to the charges brought in Accusation  
12 No. 79/18-7316, and will expire on November 30, 2020, unless renewed.

13       4.     On or about January 7, 2016, the Bureau issued Smog Check Test Only Station  
14 License No. TC 281987 to Respondent Aloha Smog. The Smog Check Test Only Station License  
15 was in full force and effect at all times relevant to the charges brought in Accusation No. 79/18-  
16 7316, and will expire on November 30, 2020, unless renewed.

17       5.     On or about April 20, 2016, the Bureau issued STAR Station Certification to  
18 Respondent Aloha Smog.

19       6.     Pursuant to California Code of Regulations, title 16 section 3340.28, subdivision (e),  
20 Samir Salim Haddad's (Respondent Haddad) license was renewed pursuant to his election as  
21 Smog Check Inspector (EO) License No. 304144 and Smog Check Repair Technician (EI)  
22 License No. 304144, effective March 4, 2013. The Smog Check Inspector (EO) License expires  
23 on May 31, 2021, unless renewed. The Smog Check Repair Technician (EI) License expires on  
24 May 31, 2021, unless renewed. Respondent Haddad is represented in this proceeding by attorney  
25 William Ferreira, whose address is listed above.

26       7.     Respondent Aloha Smog and Respondent Haddad may be referred to collectively as  
27 Respondents herein.

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15. Respondents agree that their registration and licenses are subject to discipline and they agree to be bound by the Director's probationary terms as set forth in the Disciplinary Order below.

## RESERVATION

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

### AMENDMENT TO ACCUSATION

17. Complainant agrees and stipulates to amend Accusation No. 79/18-7316 to remove/drop/dismiss the following fraud counts:

- a) Second Cause for Discipline, pg. 11, paragraph 40, as to Respondent Aloha Smog;
- b) Sixth Cause for Discipline, pg. 13, paragraph 44, as to Respondent Aloha Smog;
- c) Ninth Cause for Discipline, pg. 15, paragraph 46, as to Respondent Haddad.

Complainant shall amend, serve, and file the First Amended Accusation, with these fraud counts removed, within 30 days of approval of this stipulation.

## NEW LICENSE APPLICATION

18. A corporate officer of Respondent Aloha Smog recently applied for a license issued by Complainant, and was denied. Complainant agrees and stipulates to allowing that corporate officer to immediately submit a new application, pursuant to Business and Professions Code section 486(a), which allows the Bureau to prescribe an earlier date for re-application.

Complainant does **NOT** stipulate to the outcome of that re-application, but agrees and stipulates that the allegations contained in the subject Accusation shall not be used as a basis for denial.

## CONTINGENCY

19. This stipulation shall be subject to approval by the Director of Consumer Affairs or the Director's designee. Respondents each understand and agree that counsel for Complainant and the staff of the Bureau of Automotive Repair may communicate directly with the Director

1 and staff of the Department of Consumer Affairs regarding this stipulation and settlement,  
2 without notice to or participation by Respondents or their counsel. By signing the stipulation,  
3 Respondents understand and agree that they may not withdraw his agreement or seek to rescind  
4 the stipulation prior to the time the Director considers and acts upon it. If the Director fails to  
5 adopt this stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order  
6 shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
7 between the parties, and the Director shall not be disqualified from further action by having  
8 considered this matter.

9 20. The parties understand and agree that Portable Document Format (PDF) and facsimile  
10 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile  
11 signatures thereto, shall have the same force and effect as the originals.

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

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

21 **DISCIPLINARY ORDER**

22 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 281987  
23 issued on November 10, 2015, and Smog Check Test Only Station License No. TC 281987 issued  
24 to RRAT Services, dba Aloha Smog; and Smog Check Inspector (EO) License No. 304144 and  
25 Smog Check Repair Technician (EI) License No. 304144 issued to Samir Salim Haddad, are each  
26 and both revoked. However, the revocation is stayed and Respondents are placed on probation  
27 for three (3) years on the following terms and conditions.

28 1. **Obey All Laws.** During the period of probation, Respondents shall comply with all

1 federal and state statutes, regulations and rules governing all BAR registrations and licenses held  
2 by Respondent.

3       2.     **Quarterly Reporting.** During the period of probation, Respondents shall report  
4 either by personal appearance or in writing as determined by BAR on a schedule set by BAR, but  
5 no more frequently than once each calendar quarter, on the methods used and success achieved in  
6 maintaining compliance with the terms and conditions of probation.

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

12       4.     **Access to Examine Vehicles and Records.** Respondents shall provide BAR  
13 representatives unrestricted access to examine all vehicles (including parts) undergoing service,  
14 inspection, or repairs, up to and including the point of completion. Respondents shall also provide  
15 BAR representatives unrestricted access to all records pursuant to BAR laws and regulations.

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

1       **6. Violation of Probation.** If Respondents violate or fail to comply with the terms and  
2 conditions of probation in any respect, the Director, after giving notice and opportunity to be  
3 heard may set aside the stay order and carry out the disciplinary order provided in the decision.  
4 Once Respondent is served notice of BAR's intent to set aside the stay, the Director shall maintain  
5 jurisdiction, and the period of probation shall be extended until final resolution of the matter.

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

15       **8. Cost Recovery.** Respondents shall pay the Bureau of Automotive Repair \$6,333.75  
16 for the reasonable costs of the investigation and enforcement of case No. 79/18-7316.  
17 Respondents shall make such payment as follows: eight (8) installment payments, to begin thirty  
18 (30) days after the Bureau's approval of this agreement. Any agreement for a scheduled payment  
19 plan shall require full payment to be completed no later than six (6) months before probation  
20 terminates. Respondents shall make payment by check or money order payable to the Bureau of  
21 Automotive Repair and shall indicate on the check or money order that it is for cost recovery  
22 payment for case No. 79/18-7316. Any order for payment of cost recovery shall remain in effect  
23 whether or not probation is tolled. Probation shall not terminate until full cost recovery payment  
24 has been made. BAR reserves the right to pursue any other lawful measures in collecting on the  
25 costs ordered and past due, in addition to taking action based upon the violation of probation.

26       **9. Completion of Probation.** Upon successful completion of probation, Respondents'  
27 affected registration and/or license will be fully restored or issued without restriction, if  
28 Respondents meet all current requirements for registration or licensure and have paid all

1 outstanding fees, monetary penalties, or cost recovery owed to BAR.

2       **10. License Surrender.** Following the effective date of a decision that orders a stay of  
3 invalidation or revocation, if Respondents cease business operations or are otherwise unable to  
4 satisfy the terms and conditions of probation, Respondents may request that the stay be vacated.  
5 Such request shall be made in writing to BAR. The Director and the BAR Chief reserve the right  
6 to evaluate the Respondent's request and to exercise discretion whether to grant the request or  
7 take any other action deemed appropriate or reasonable under the circumstances. Upon formal  
8 granting of the request, the Director will vacate the stay order and carry out the disciplinary order  
9 provided in the decision. Respondents may not petition the Director for reinstatement of the  
10 surrendered registration and/or license, or apply for a new registration or license under the  
11 jurisdiction of BAR at any time before the date of the originally scheduled completion of  
12 probation. If Respondents apply to BAR for a registration or license at any time after that date,  
13 Respondents must meet all current requirements for registration or licensure and pay all  
14 outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, William Ferreira. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration, and Smog Check Test Only Station License, Smog Check Inspector License, and Smog Check Repair Technician 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:

01/09/2020

  
RRAT SERVICES, DBA ALOHA SMOG, RAMESH  
THOLLA

X G. Raveendran Babu (Secretary)  
By  
(signature and title)  
Respondent

DATED:

1-8-2020

  
SAMIR SALIM HADDAD  
Respondent

I have read and fully discussed with Respondent RRAT Services, dba Aloha Smog and Respondent Samir Salim Haddad the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED:

1-8-20

  
WILLIAM FERREIRA  
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: January 27, 2020

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
SHAWN P. COOK  
Supervising Deputy Attorney General

*Andrew Amara*

ANDREW AMARA  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 79/18-7316**

1. XAVIER BECERRA  
Attorney General of California  
2. SHAWN P. COOK  
Supervising Deputy Attorney General  
3. DANIEL G. ESKUE  
Deputy Attorney General  
State Bar No. 117093  
4. 300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
5. Telephone: (213) 269-6491  
Facsimile: (213) 897-2810  
6. E-mail: Daniel.Eskue@doj.ca.gov  
Attorneys for Complainant

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. 79/18 - 7316

13 **RRAT SERVICES, dba ALOHA SMOG,**  
14 **Ramesh Tholla, President**

**ACCUSATION**

15 **2720 Artesia Blvd., Ste. B, Redondo Beach,**  
16 **CA 90278 (Business Address)**  
17 **11890 Jpyxis Cir., Rancho Cordova, CA**  
18 **95742 (Mailing Address)**  
19 **Automotive Repair Dealer No. ARD 281987**  
20 **Smog Check Station No. TC 281987**

21 **AND**

22 **SAMIR SALIM HADDAD**  
23 **6209 Reseda Blvd., Ste. 228**  
24 **Reseda, CA 91355**  
25 **Smog Check Inspector No. EO 304144**  
26 **Smog Check Repair No. EI 304144**

27 Respondents.

28 Complainant alleges:

**PARTIES**

1. Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs (BAR).
2. On or about November 10, 2015, the Bureau issued Automotive Repair Dealer Registration Number ARD 281987 to RRAT Services, dba Aloha Smog; Ramesh Tholla (Respondent). The Automotive Repair Dealer Registration was in full force and effect at all

1 times relevant to the charges brought herein and will expire on November 30, 2018, unless  
2 renewed.

3 3. On or about January 7, 2016, the Bureau issued Smog Check Test Only Station  
4 License Number TC 281987 to RRAT Services, dba Aloha Smog; Ramesh Tholla (Respondent).  
5 The Smog Check Test Only Station License was in full force and effect at all times relevant to the  
6 charges brought herein and will expire on November 30, 2018, unless renewed.

7 4. In 1997, Advanced Emission Specialist (EA) Technician License No. 304144 was  
8 issued to Samir Salim Haddad, under SB 1997, the biennial Smog Check Program implemented  
9 January 1, 1990. License number EA 304144 was due to expire on May 31, 2013, however, was  
10 cancelled on March 4, 2013. Pursuant to California Code of Regulations, title 16 section 3340.28,  
11 subdivision (e), said license was renewed pursuant to Samir Salim Haddad's election as Smog  
12 Check Inspector (EO) License No. 304144 and Smog Check Repair Technician (EI) License No.  
13 304144, effective March 4, 2013. The Smog Check Inspector (EO) License expires on May 31,  
14 2019. The Smog Check Repair Technician (EI) License expires on May 31, 2019, unless  
15 renewed. The Smog Check Inspector (EO) License and Smog Check Repair Technician (EI)  
16 License were in full force and effect at all times relevant to the charges brought herein.

#### 17 JURISDICTION

18 5. Business and Professions Code (BPC) section 9884.13 provides, in pertinent part, that  
19 the expiration of a valid registration shall not deprive the Director of jurisdiction to proceed with  
20 a disciplinary proceeding against an automotive repair dealer or to render a decision temporarily  
21 or permanently invalidating (suspending or revoking) a registration.

22 6. Health and Safety Code (HSC) section 44002 provides, in pertinent part, that the  
23 Director has all the powers and authority granted under the Automotive Repair Act for enforcing  
24 the Motor Vehicle Inspection Program.

25 7. Section 44072.6 of the HSC provides, in pertinent part, that the expiration or  
26 suspension of a license by operation of law, or by order or decision of the Director of Consumer  
27 Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director  
28 of jurisdiction to proceed with disciplinary action.

STATUTORY PROVISIONS

8. Section 9884.7 of the BPC 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.

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

9 Section 44012 of the HSC provides, in pertinent part, that tests at smog check stations shall be performed in accordance with procedures prescribed by the department.

10 Section 44015, subdivision (b), of the HSC provides that a certificate of compliance shall be issued if a vehicle meets the requirements of HSC section 40012.

11. Section 44032 of the HSC states, in pertinent part, that: (1) no person may perform tests or repairs of emission control devices or systems of motor vehicles required by the Motor Vehicle Inspection Program unless the person performing the test or repair is a licensed qualified smog check technician; and (2) all tests must be conducted in accordance with section 44012 (i.e. Motor Vehicle Inspection Program Requirements).

12. Section 44059 of the HSC provides:

“The willful making of any false statement or entry with regard to a material matter in any oath, affidavit, certificate of compliance or noncompliance, or application form which is required by this chapter or Chapter 20.3 (commencing with Section 9880) of Division 3 of the Business

1 and Professions Code, constitutes perjury and is punishable as provided in the Penal Code.”

2 13. Section 44072.2 of the HSC states, in pertinent part:

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

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

9 \*\*\*

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

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

13 14. Section 44072.8 of the HSC states that when a license has been revoked or suspended  
14 following a hearing under this article, any additional license issued under this chapter in the name  
15 of the licensee may be likewise revoked or suspended by the director.

16 **REGULATORY PROVISIONS**

17 15. California Code of Regulations (CCR), title 16, section 3340.24, subdivision (c),  
18 states:

19 “The bureau may suspend or revoke the license of or pursue other legal action against a  
20 licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a  
21 certificate of noncompliance.”

22 16. CCR, title 16, section 3340.30, subdivision (a), states in pertinent part:

23 “A licensed smog check inspector and/or repair technician shall comply with the following  
24 requirements at all times while licensed:

25 “(a) Inspect, test and repair vehicles, as applicable, in accordance with section 44012 of the  
26 Health and Safety Code, section 44035 of the Health and Safety Code, and section 3340.42 of this  
27 article.

28 17. CCR, title 16, section 3340.35, subdivision (c), states that a licensed smog check

1 station "shall issue a certificate of compliance or noncompliance to the owner or operator of any  
2 vehicle that has been inspected in accordance with the procedures specified in section 3340.42 of  
3 this article and has all the required emission control equipment and devices installed and  
4 functioning correctly."

5 18. CCR, title 16, section 3340.41, subdivision (b), provides: "No person shall enter into  
6 the emissions inspection system any access or qualification number other than as authorized by  
7 the bureau, nor in any way tamper with the emissions inspection system."

8 19. CCR, title 16, section 3340.42, sets forth specific emissions test methods and  
9 procedures which apply to all vehicles inspected in the State of California.

#### 10 COST RECOVERY

11 20. Section 125.3, subdivision (a), of the BPC provides, in pertinent part, that a Board  
12 "may request the administrative law judge to direct a licensee found to have committed violation  
13 or violations of the licensing act to pay a sum not to exceed the reasonable costs of the  
14 investigation and enforcement of the case."

#### 15 SMOG CHECK PROGRAM

16 21. California's Smog Check Program requires the owners of most motor vehicles in the  
17 Enhanced and Basic areas of the State, subject their vehicles to and pass a Smog Check inspection  
18 and receive a Certificate of Compliance every two years when renewing their registration and  
19 also when the vehicle's title is transferred. These inspections are performed by Smog Check  
20 inspectors at Smog Check Stations, both of which are licensed by BAR. The Smog Check  
21 Program is designed and intended to reduce air pollution by identifying and requiring the  
22 repair of polluting motor vehicles.

23 22. The Smog Check inspection in certain Enhanced areas of the State is an Acceleration  
24 Simulation Mode (ASM) test performed using an Emission Inspection System (EIS), also known  
25 as a BAR 97. This is a computer based five-gas analyzer that measures Hydrocarbons (HC),  
26 Carbon Monoxide (CO), Oxides of Nitrogen (NO x), Carbon Dioxide (CO<sub>2</sub>) and Oxygen (O<sub>2</sub>). The  
27 first part of the test is a loaded mode test of the vehicle's tailpipe emissions on a dynamometer.  
28 This puts the vehicle's drive wheels on rollers and the vehicle is driven at speeds of fifteen and

1 twenty-five miles per hour to simulate driving conditions while the emissions are sampled by the  
2 EIS.

3 23. In Basic areas, or depending on a vehicle's configuration (all-wheel drive, traction  
4 control issue), a similar test called a Two Speed Idle (TSI) test is performed, but instead of  
5 applying a load to the vehicle's drive wheels with a dynamometer, the EIS measures the emissions  
6 of HC, CO, O, and CO, at idle as well as 2500 revolutions per minute (RPM).

7 24. The inspector also performs visual and functional tests on the vehicle as outlined in  
8 the Smog Check Manual. The visual inspection of the emission control components verifies the  
9 required emission control devices are present and properly connected. Functional tests are also  
10 performed which, depending on the vehicle, may include checking the ignition timing,  
11 malfunction indicator light (MIL), Exhaust Gas Recirculation (EGR) system, a low-pressure test  
12 of the evaporative emissions controls (LPRET), a visible smoke test, and a pressure test of the gas  
13 cap.

14 25. An On-Board Diagnostics (OBD II) functional test is also performed on most 1996 to  
15 1999 model year vehicles. The inspector is required to connect a test cable from the EIS to a  
16 Diagnostic Link Connector (DLC) which is located in the vehicle's passenger compartment.  
17 Through the DLC, the EIS retrieves information from the vehicle's on-board computer about its  
18 ability to communicate, the status of the 1/M readiness monitors and the MIL light command, as  
19 well as diagnostic trouble codes (DTC). The 1/M readiness monitors tell whether or not the  
20 OBDII system has run a sufficient number of self-tests on the vehicle's emission and engine  
21 control systems. A failure of one or more of the OBD II functional criteria, depending on model  
22 year, will result in the vehicle failing its Smog Check inspection. In addition to reporting the  
23 outcome of the OBDII functional test, the Smog Check inspection results also show DTC's if  
24 there are any in the vehicle's on-board computer memory.

25 26. The inspector enters the results of the visual and functional inspections into the EIS.  
26 The EIS unit makes the determination whether or not the vehicle passes the inspection based on  
27 the results of the tailpipe, visual and functional tests.

28 27. The EIS is connected by telephone modem to BAR's Vehicle Information Database

(VID), which is maintained by a state contractor. If the vehicle passes the visual, functional and tailpipe tests, it passes the overall inspection and a Certificate of Compliance is issued and transmitted electronically to the VID. Additionally, all data gathered during a Smog Check inspection, regardless of the type of inspection, is transmitted to and retained in the VID.

28. Beginning March 9, 2015, California's Smog Check Program was updated to keep pace with advancing vehicle technology. The program update requires use of an On-Board Diagnostic Inspection System (BAR-OIS). BAR-OIS is the Smog Check equipment required in all areas of the State when inspecting most model-year 2000 and newer gasoline and hybrid vehicles and 1998 and newer diesel vehicles subject to the program. The system consists of a certified Data Acquisition Device (DAD), computer, bar code scanner, and printer. The DAD is an On-Board Diagnostic (OBD) scan tool that, when requested by the California BAR-OIS software, retrieves OBD data from the vehicle. All OBD data that the vehicle indicates it supports is requested by the California BAR-OIS software and will be retrieved. Sensitive data, such as vehicle location (GPS) and accident-related information (air bag deployment), is not retrieved. The DAD connects between the BAR-OIS computer and the vehicle's DLC. The DAD is the only BAR-certified component of the BAR-OIS. The California BAR-OIS software requires a continuous Internet connection when performing a Smog Check inspection. The BAR-OIS uses the California BAR-OIS software to communicate with the YID through the Internet connection. The bar code scanner is used to input inspector information, the vehicle identification number (VIN), and Department of Motor Vehicles (DMV) renewal information. The printer provides a Vehicle Inspection Report (VIR) containing inspection results for motorists and a Smog Check Certificate of Compliance number for passing vehicles.

29. Data retrieved, captured and recorded to the YID during a BAR-OIS Smog Check inspection includes; the electronic vehicle identification number (eVIN), which is the digitally stored VIN programmed into the vehicles Powertrain Control Module (PCM); the communication protocol, which is the specific "language" the PCM uses to relay or communicate information to scan tools and other computers or devices such as the BAR-OIS; and the number of Parameter Identifications (PIDs), which is the number of specific data values each PCM reports related to

1 emissions controls.

2 30. The eVIN is required to be programmed into the vehicle's PCM on 2005 and newer  
3 vehicles, and on many occasions was programmed into the on-board computers on earlier model  
4 year vehicles.

5 31. The communication protocol is programmed into the vehicle's on-board computer  
6 during manufacture and does not change. The protocol can be recorded in its basic characters or  
7 in an expanded form that includes additional characters. The basic form is primary and is always  
8 contained within the expanded form.

9 32. PIDs are data points reported by the vehicle on-board computer to a scan tool or  
10 BAR-OIS. Examples of PIDs are engine speed, vehicle speed, engine temperature, and other  
11 input and output values utilized by the vehicle's on-board computer. The PID count is the number  
12 of data points reported by the vehicle's on-board computer and is programmed during  
13 manufacture.

14 33. As with the EIS, inspectors also perform a visual and functional test on the vehicle.  
15 The visual inspection of the emission control components verifies the required emission control  
16 devices are present and properly connected, and a functional test is performed of the MIL. The  
17 BAR-OIS software makes the determination whether or not the vehicle passes the inspection  
18 based on the results of the OBD, visual and functional tests.

19 34. The EIS or BAR-OIS, depending on the test type, prints a VIR, which is a physical  
20 record of the test results and shows the Certificate of Compliance number that was issued if the  
21 vehicle passed the Smog Check inspection. The Smog Check inspector must sign the VIR to  
22 indicate that the inspection was performed within BAR guidelines. Licensed Smog Check  
23 Inspectors are the only persons authorized by the BAR to perform official inspections. They are  
24 issued a license and a personal access code which are used to gain access to the EIS and used to  
25 set up a username and password within the BAR-OIS to perform smog check inspections.  
26 Unauthorized use of another inspector's license, access code, or username and password is  
27 prohibited.  
28

1        35. The VID contains registration data from DMV plus emission standards, vehicle Smog  
2 Check inspections, smog check stations and inspectors, and Certificates of Compliance. The VID  
3 has an internal clock that is set to Pacific Standard Time and records the time and date for each  
4 inspection. Each Certificate of Compliance has a unique control number so that it can be tracked  
5 to determine which Smog Check Station purchased the Certificate of Compliance and to which  
6 vehicle it was issued. The VID receives the Smog Check results immediately following the  
7 inspection. BAR can access the VID to view test data on Smog Check inspections performed at  
8 any Smog Check Station, or search for, retrieve, and print a test record for a particular vehicle  
9 which has been tested. If a vehicle passes the Smog Inspection, the vehicle information and test  
10 results are electronically transmitted to DMV.

11        36. BAR has become aware of methods some Smog Check stations and Smog Check  
12 inspectors use to fraudulently issue smog certificates to vehicles that will not pass a Smog Check  
13 test on their own, or in some instances, are not even present during the time the test is performed.  
14 One such method is "clean plugging." "Clean plugging" is a method by which another vehicle's  
15 properly functioning OBDII system, or another source, is used to generate passing data readings  
16 or diagnostic information for the purpose of fraudulently issuing smog certificates to vehicles that  
17 are not in smog compliance and or not present for testing.

#### 18                    DATA ANALYSIS OF CLEAN PLUGGING ACTIVITIES

19        37. BAR conducted a detailed review of the VID data for Smog Check inspections  
20 performed at Aloha Smog. The review showed a pattern of vehicles being certified with a  
21 different eVIN. The data for the vehicles also contains different communication protocols, and  
22 different PID amounts. This confirms the vehicles receiving smog certificates were not tested  
23 during the OBD II functional test, which constitutes clean plugging.

24        38. The review into the Smog Check activities at Aloha Smog confirmed four (4)  
25 Smog Check Certificates of Compliance were fraudulently issued to vehicles using the clean  
26 plugging method. The investigation revealed that the data related to certain vehicles certified by  
27 Respondent Samir Salim Haddad contained a pattern of unmistakable discrepancies between the  
28 information transmitted during the inspections and documented information known about the

subject vehicles. Specifically, the representative compared the data received from the certified vehicles to data from vehicles of the same year, make, and model and determined that the data from at least four (4) of the certified vehicles contained unmistakable discrepancies, including the transmission of incorrect eVIN data, incorrect vehicle communication protocols and an incorrect number of PID counts. In addition, all four vehicles failed to report their expected eVIN numbers. These documented discrepancies confirm that, in performing the inspections at issue, Respondents engaged in the illegal activity known as clean plugging in order to issue fraudulent certificates of compliance for the vehicles. The following chart (Table 1) illustrates the documented clean plugging activities by Respondents during the period reviewed.

TABLE 1

Date	Vehicle/VIN	Certificate Number	Test Details
3/6/17	2009 Ford Econoline E250 Van	QI036687C	Certificate issued under EO 304144 (Haddad), eVIN not reported, communication protocol transmitted as JPWM (expected protocol was ICAN11bt5), PID count transmitted was 20 (expected PID count was 47). <sup>1</sup>
4/13/17	2009 Toyota Camry SE	ZT187648C	Certificate issued under EO 304144 (Haddad), wrong eVIN transmitted, OIS test data shows that a 2007 Toyota Avalon XL was used to generate the smog certificate for the subject 2009 Toyota Camry SE.

<sup>1</sup> On February 12, 2018, a subsequent smog check test was performed on the subject 2009 Ford Econoline E250 Van. This time the eVIN was correctly transmitted (1FTNE24W89DA53049), as was the expected protocol (ICAN11bt5) and the expected PID count (47), which proves the 3/6/17 smog certificate was issued fraudulently by Aloha Smog.

5/22/17	2011 Toyota Tundra Double Cab SR5	ZV421545C	Certificate issued under EO 304144 (Haddad), wrong eVIN transmitted, OIS test data shows that a 2007 Toyota 4Runner SR5 was used to generate the smog certificate for the subject 2009 Toyota Camry SE.
6/27/17	2007 Honda Accord EX	ZX604634C	Certificate issued under EO 304144 (Haddad), wrong eVIN transmitted <sup>2</sup> , communication protocol transmitted as iCAN29bt5 (expected protocol was I914), PID count transmitted was 39 (expected PID count was 21).

## **CAUSES FOR DISCIPLINE SUBJECTING ARD REGISTRATION TO DISCIPLINARY ACTION**

### **FIRST CAUSE FOR DISCIPLINE**

#### **(Untrue or Misleading Statements)**

39. Respondent Aloha Smog has subjected its registration to discipline under BPC section 9884.7, subdivision (a)(1), in that Respondent aloha Smog made or authorized statements which Respondent Aloha Smog knew or in the exercise of reasonable care should have known to be untrue or misleading when issuing electronic smog certificates of compliance for the vehicles set forth in Table 1, above, certifying that those vehicles were in compliance with applicable laws and regulations when, in fact, those vehicles had not been so inspected. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 21 through 38, inclusive, as though set forth fully herein.

### **SECOND CAUSE FOR DISCIPLINE**

#### **(Fraud)**

40. Respondent Aloha Smog has subjected its registration to discipline under BPC section 9884.7, subdivision (a)(4), in that it committed acts which constitute fraud by issuing electronic

<sup>2</sup> The eVIN transmitted during testing corresponds to 2015 Honda CR-V EXL, which has no history of smog testing and does not require testing until 11/14/21, according to DMV records, which proves the 6/27/17 smog certificate was issued fraudulently by Aloha Smog.

1 smog certificates of compliance for the vehicles set forth in Table 1, above, without performing  
2 bona fide inspections of the emission control devices and systems on those vehicles, thereby  
3 depriving the People of the State of California of the protection afforded by the Motor Vehicle  
4 Inspection Program. Complainant refers to, and by this reference incorporates, the allegations  
5 contained in paragraphs 21 through 38, inclusive, as though set forth fully herein.

6  
7 **THIRD CAUSE FOR DISCIPLINE**

8 **(Material Violation of Automotive Repair Act)**

9 41. Respondent Aloha Smog Haddad has subjected its registration to discipline under  
10 BPC section 9884.7, subdivision (a)(6), in that it failed in a "material respect to comply with the  
11 provisions of this chapter or regulations adopted pursuant to it" when issuing electronic smog  
12 certificates of compliance for the vehicles set forth in Table 1, above, without performing bona  
13 fide inspections of the emission control devices and systems on those vehicles, thereby depriving  
14 the People of the State of California of the protection afforded by the Motor Vehicle Inspection  
15 Program. Complainant refers to, and by this reference incorporates, the allegations contained in  
16 paragraphs 21 through 38, inclusive, as though set forth fully herein.

17 **CAUSES FOR DISCIPLINE SUBJECTING SMOG CHECK STATION LICENSE**  
18 **TO DISCIPLINARY ACTION**

19 **FOURTH CAUSE FOR DISCIPLINE**

20 **(Violation of the Motor Vehicle Inspection Program)**

21  
22 42. Complainant refers to, and by this reference incorporates, the allegations contained in  
23 paragraphs 21 through 38, inclusive, as though set forth fully herein. Respondent Aloha Smog  
24 has subjected its station license to discipline under HSC section 44072.2, subdivision (a), in that,  
25 with respect to the vehicles set forth in Table 1, above, Respondent violated the following  
26 sections of the HSC:

27 a. Section 44012: Respondent failed to ensure that the emission control tests were  
28 performed on those vehicles in accordance with procedures prescribed by the department.

1           b.    Section 44015, subdivision (b): Respondent issued electronic smog certificates  
2 of compliance without properly testing and inspecting the vehicles to determine if they were in  
3 compliance with section 44012 of the HSC.

4                                   **FIFTH CAUSE FOR DISCIPLINE**

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

6           43.    Complainant refers to, and by this reference incorporates, the allegations  
7 contained in paragraphs 21 through 38, inclusive, as though set forth fully herein. Respondent  
8 Aloha Smog has subjected its station license to discipline under HSC section 44072.2,  
9 subdivision (c), in that, with respect to the vehicles set forth in Table 1, above, Respondent  
10 violated the following sections of the CCR, title 16:

11           a.    **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued  
12 electronic smog certificates of compliance without performing bona fide inspections of the  
13 emission control devices and systems on those vehicles as required by HSC section 44012.

14           b.    **Section 3340.35, subdivision (c):** Respondent issued electronic smog certificates of  
15 compliance even though those vehicles had not been inspected in accordance with section  
16 3340.42 of the HSC.

17           c.    **Section 3340.42:** Respondent failed to conduct the required smog tests and  
18 inspections on those vehicles in accordance with the Bureau's specifications.  
19

20                                   **SIXTH CAUSE FOR DISCIPLINE**

21                   **(Dishonesty, Fraud and/or Deceit)**

22           44.    Respondent Aloha Smog has subjected its station license to discipline under HSC  
23 section 44072.2, subdivision (d), in that, with respect to the vehicles set forth in Table 1, above,  
24 Respondent committed acts involving dishonesty, fraud, or deceit whereby another was injured  
25 by issuing electronic smog certificates of compliance for those vehicles without performing bona  
26 fide inspections and functional testing of the emission control devices and systems on those  
27 vehicles, thereby depriving the People of the State of California of the protection afforded by the  
28 Motor Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the

1 allegations contained in paragraphs 21 through 38, inclusive, as though set forth fully herein.

2  
3 **CAUSES FOR DISCIPLINE SUBJECTING SMOG CHECK INSPECTOR LICENSE**  
4 **AND SMOG CHECK REPAIR TECHNICIAN LICENSE TO DISCIPLINARY ACTION**

5 **SEVENTH CAUSE FOR DISCIPLINE**

6 **(Violation of the Motor Vehicle Inspection Program)**

7 45. Complainant refers to, and by this reference incorporates, the allegations contained in  
8 paragraphs 21 through 38, inclusive, as though set forth fully herein. Respondent Haddad's has  
9 subjected his smog check inspector and smog check repair technician licenses to discipline under  
10 HSC section 44072.2, subdivision (a), in that, with respect to the vehicles set forth in Table 1,  
above, Respondent violated the following sections of the HSC:

11 a. Section 44012: Respondent failed to ensure that the onboard diagnostic system tests  
12 were performed on those vehicles in accordance with procedures prescribed by the department.

13 b. Section 44015, subdivision (b): Respondent issued electronic smog certificates of  
14 compliance without properly testing and inspecting the vehicles to determine if they were in  
15 compliance with section 44012 of the HSC.

16 c. Section 44032: Respondent failed to perform tests of the onboard diagnostic systems  
17 on those vehicles in accordance with section 44012 of the HSC.

18 d. Section 44059: Respondent willfully made false entries for the electronic smog  
19 certificates of compliance by certifying that those vehicles had been inspected as required when,  
20 in fact, they had not.

21 **EIGHTH CAUSE FOR DISCIPLINE**

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

23 46. Complainant refers to, and by this reference incorporates, the allegations contained in  
24 paragraphs 21 through 38, inclusive, as though set forth fully herein. Respondent Haddad has  
25 subjected his smog check inspector and smog check repair technician licenses to discipline under  
26 HSC section 44072.2, subdivision (c), in that, with respect to the vehicles set forth in Table 1,  
27 above, Respondent violated the following sections of title 16 of the CCR:

28 a. Section 3340.24, subdivision (c): Respondent falsely or fraudulently issued

1 electronic smog certificates of compliance without performing bona fide inspections and  
2 functional testing of the emission control devices and systems on those vehicles as required  
3 by HSC section 44012.

4 b. Section 3340.30, subdivision (a): Respondent failed to inspect and test those  
5 vehicles in accordance with HSC section 44012.

6 c. Section 3340.35, subdivision (c): Respondent issued electronic smog certificates of  
7 compliance even though those vehicles had not been inspected in accordance with section  
8 3340.42 of the HSC.

9 d. Section 3340.41, subdivision (c): Respondent knowingly entered false information  
10 into the EIS about the vehicles being tested.

11 e. Section 3340.42: Respondent failed to conduct the required smog tests and  
12 inspections on those vehicles in accordance with the Bureau's specifications.

#### 13 NINTH CAUSE FOR DISCIPLINE

##### 14 (Dishonesty, Fraud or Deceit)

15 46. Respondent Haddad has subjected his smog check inspector and smog check repair  
16 technician licenses to discipline under HSC section 44072.2, subdivision (d), in that, with respect  
17 to the vehicles set forth in Table 1, above, Respondent committed acts involving dishonesty, fraud  
18 or deceit whereby another was injured by issuing electronic smog certificates of compliance for  
19 those vehicles without performing bona fide inspections and functional testing of the emission  
20 control devices and systems on those vehicles, thereby depriving the People of the State of  
21 California of the protection afforded by the Motor Vehicle Inspection Program. Complainant  
22 refers to, and by this reference incorporates, the allegations contained in paragraphs 21 through  
23 37, inclusive, as though set forth fully herein.

#### 24 DISCIPLINARY CONSIDERATIONS AS TO RESPONDENT ALOHA SMOG

25 47. To determine the degree of discipline as to Respondent Aloha Smog, Complainant  
26 alleges that:

27 a. On May 24, 2016, the Bureau issued Ramesh Tholla and RRAT Services dba Aloha  
28 Smog Administrative Citation #C2016-1 103 with an order of abatement, for his actions in

1 violation of section 44012 of the Health and Safety Code, in that Aloha Smog illegally issued a  
2 certificate of compliance to a vehicle using the BAR-97 when the OIS test was required. A  
3 Citation Service Conference was held on June 22, 2016. The Decision became effective on July  
4 23, 2016.

5 b. On June 23, 2017, the Bureau issued Ramesh Tholla and RRAT Services dba Aloha  
6 Smog Administrative Citation #C2017-1299, for his actions in violation of section 44012 of the  
7 Health and Safety Code, in that Aloha Smog illegally issued a certificate of compliance to a  
8 vehicle using the BAR-97 when the OIS test was required. A Citation Service Conference was  
9 held on August 3, 2017. A formal appeal request was received on August 31, 2017. The appeal is  
10 pending.

11 **DISCIPLINARY CONSIDERATIONS AS TO RESPONDENT SAMIR SALIM**

12 **HADDAD**

13 48. To determine the degree of discipline as to Respondent Samir Salim Haddad,  
14 Complainant alleges that:

15 a. On May 24, 2016, the Bureau issued Samir Salim Haddad, an Administrative Citation  
16 and Order of Abatement # M 2016-1104, for his actions in violation of section 44032 of the  
17 Health and Safety Code, in that Samir Salim Haddad illegally smog check inspected and certified  
18 a vehicle using the BAR-97 when the OIS test was required. A Citation Service Conference was  
19 held on June 28, 2016. The Decision became effective on July 29, 2016.

20 b. On June 23, 2017, the Bureau issued Samir Salim Haddad, an Administrative Citation  
21 and Order of Abatement# M 2017-1305, for his actions in violation of section 44032 of the  
22 Health and Safety Code, in that Samir Salim Haddad illegally Smog Check inspected and  
23 certified a vehicle using the BAR-97 when the OIS test was required. A Citation Service  
24 Conference was held on August 3, 2017. A formal appeal request was received on August 31,  
25 2017. The appeal is pending.

26 **OTHER MATTERS**

27 49. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may  
28 suspend, revoke, or place on probation the registration for all places of business operated in this

1 state by Ramesh Tholla, upon a finding that he has, or is, engaged in a course of repeated and  
2 willful violations of the laws and regulations pertaining to an automotive repair dealer.

3 50. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Station License No.  
4 TC 281987, issued to RRAT Services dba Aloha Smog, or Ramesh Tholla, is revoked or  
5 suspended following a hearing, any additional license issued under Chapter 5 of Part 5 of  
6 Division 26 of the Health and Safety Code in the name of said licensee may be likewise revoked  
7 or suspended by the Director.

8 51. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License  
9 No. EO 304144 and/or Smog Check Repair License No. EI 304144 issued to Samir Salim Haddad  
10 is revoked or suspended following a hearing, any additional license issued under Chapter 5 of  
11 Part 5 of Division 26 of the Health and Safety Code in the name of said licensee may be likewise  
12 revoked or suspended by the Director.

13 **PRAYER**

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

16 1. Revoking or suspending Automobile Repair Dealer Registration Number ARD  
17 281987 issued to RRAT Services dba Aloha Smog, Ramesh Tholla, President;

18 2. Revoking or suspending Smog Check, Test Only, Station License Number TC  
19 281987 issued to RRAT Services dba Aloha Smog, Ramesh Tholla, President;

20 3. Revoking or suspending Smog Check Inspector License Number EO 304144 issued  
21 to Samir Salim Haddad;

22 4. Revoking or suspending Smog Check Repair Technician License Number EI 304144  
23 issued to Samir Salim Haddad;

24 5. Revoking or suspending any and all additional Automotive Repair Dealer  
25 Registrations issued in the name of RRAT Services, pursuant to section 9884.7, subdivision (c),  
26 of the Business and Professions Code;

27 6. Revoking or suspending any and all licenses issued under the Motor Vehicle  
28 Inspection Program (Health & Saf. Code Sec. 44000, et seq.) in the name of RRAT Services,


1 pursuant to section 44072.8 of the Health and Safety Code;

2 7. Revoking or suspending any and all licenses issued under the Motor Vehicle  
3 Inspection Program (Health & Saf. Code Sec. 44000, et seq.) to Samir Salim Haddad, pursuant to  
4 section 44072.8 of the Health and Safety Code;

5 8 Ordering RRAT Services dba Aloha Smog, Ramesh Tholla and/or Samir Salim  
6 Haddad to pay the Bureau of Automotive Repair the reasonable costs of the investigation and  
7 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

8 9 Taking such other and further action as deemed necessary and proper.

9  
10 DATED: October 8, 2018

  
11 PATRICK DORAIS  
12 Chief  
13 Bureau of Automotive Repair  
14 Department of Consumer Affairs  
15 State of California  
16 *Complainant*

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