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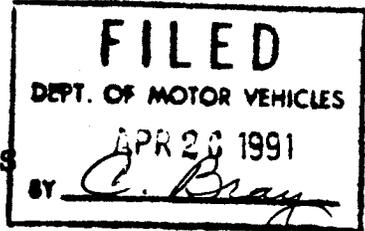
APR 30 1991

New Motor Vehicle Board



STATE OF CALIFORNIA

DEPARTMENT OF MOTOR VEHICLES



In the Matter of the Accusation of)
 HASSEN IMPORTS PARTNERSHIP,)
 A CALIFORNIA LIMITED PARTNERSHIP,)
 dba WEST COVINA MITSUBISHI/WEST)
 COVINA YUGO,)
 and)
 HASSEN IMPORTS, INC.)
 GENERAL PARTNER AND REAL PARTY IN)
 INTEREST,)
 Respondent.)

CASE NO. D-3740

ORDER MODIFYING ORDER
AFTER REMAND
NUNC PRO TUNC

Pursuant to the Stipulation of the parties, good cause appearing therefor, Subdivisions (a) and (b) of the ORDER AFTER REMAND are deleted and the following are substituted therefor:

(a) Dealer's license and special plates shall be suspended for thirty (30) days and during said periods Respondents shall not exercise any of the privileges granted under the license and special plates as follows:

(1) One period of five (5) consecutive days, from April 3 through April 7, 1991, and

(2) One period of twenty-five (25) consecutive days, from April 30 through May 24, 1991.

(b) The periods set forth in (a)(1) and (2), above, shall constitute the thirty (30) days during which Respondent's license shall be suspended pursuant to the ORDER AFTER REMAND, dated April 1, 1991.

DATED: APR 26 1991.

FRANK S. ZOLIN
 Director

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APR 30 1991

DEPARTMENT OF MOTOR VEHICLES LEGAL OFFICE

New Motor Vehicle Board

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FILED DEPT. OF MOTOR VEHICLES APR 26 1991 BY C. Bray

1 OCHOA & SILLAS
HERMAN SILLAS
2 State Bar No.: 30281
Tokai Bank Building
3 Penthouse
530 West Sixth Street
4 Los Angeles, California 90014
Telephone: (213) 622-9170

5 Attorneys for Respondents
6 HASSEN IMPORTS PARTNERSHIP,
HASSEN IMPORTS, INC.

BEFORE THE
DEPARTMENT OF MOTOR VEHICLES
STATE OF CALIFORNIA

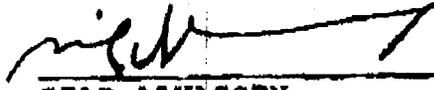
In the Matter of the Accusation of Case No. D-3740
HASSEN IMPORTS PARTNERSHIP, STIPULATION AND WAIVER
A CALIFORNIA LIMITED PARTNERSHIP, TO MODIFY ORDER AFTER
dba WEST COVINA MITSUBISHI/WEST REMAND
COVINA YUGO,
and
HASSEN IMPORTS, INC.
GENERAL PARTNER AND REAL PARTY IN
INTEREST, Respondents.

RECITALS

The Department of Motor Vehicles, hereinafter referred to as
"DMV", and Hassen Imports, a limited partnership doing business as
West Covina Mitsubishi and West Covina Yugo, hereinafter referred to
as "Respondents," desire to modify the Order After Remand, dated
April 1, 1991, Sections (a) (1), (2), (3), and (b), to reflect the
thirty (30) day period during which the Dealer's license and special
plates shall be suspended. DMV and Respondents now enter into the
following Stipulation and Waiver.

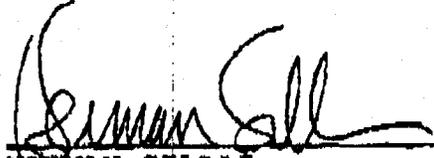
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DATED: APRIL 24, 1991



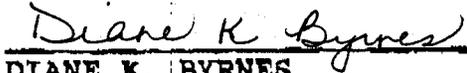
ZIAD ALHASSEN
President, Hassen Imports, Inc./
Hassen Imports Partnership

DATED: 4-24-91



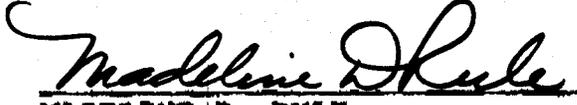
HERMAN SILLAS
Attorney for Hassen Imports,
Inc./ Hassen Imports
Partnership

DATED: 4-25-91



DIANE K. BYRNES
Investigative Prosecutions
Unit Manager
Department of Motor Vehicles

DATED: 4-25-91



MADELINE D. RULE
Staff Counsel
Department of Motor Vehicles

(nod-s-w)

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NEW MOTOR VEHICLE BOARD
1507 - 21st Street, Suite 330
Sacramento, California 95814
Telephone: (916) 445-1888

STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD

In the Matter of the Appeal of)	
)	
HASSEN.IMPORTS PARTNERSHIP, dba)	Appeal No. A-124-90
WEST COVINA MITSUBISHI/WEST COVINA)	
YUGO and HASSEN IMPORTS, INC.,)	
)	
Appellants,)	
)	
vs.)	ORDER ADOPTING
)	STIPULATED DECISION
DEPARTMENT OF MOTOR VEHICLES,)	
)	
Respondent.)	
)	

TO: Herman Sillas, Esq.
Attorney for Appellant
Ochoa & Sillas
Tokai Bank Building, Penthouse
530 West Sixth Street
Los Angeles, California 90014

Marilyn Schaff, Esq., Madeline Rule, Esq.
Attorneys for Respondent
Department of Motor Vehicles
Legal Office
Post Office Box 932382
Sacramento, California 94232-3820

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At its meeting of March 29, 1991 the New Motor Vehicle Board met and considered the Stipulated Decision in the above-referenced matter. After such consideration, the Board adopted the Stipulated Decision as its final order in this matter.

SO ORDERED.

DATED: March 29, 1991

NEW MOTOR VEHICLE BOARD

By John B. Vandenberg
JOHN B. VANDENBERG
President
New Motor Vehicle Board

Hon. Douglas H. Drake

Frank Zolin, Director, DMV
Frank Ketchel, Acting Program Manager
Occupational Licensing, DMV
Legal Office, DMV

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MAR 25 1991

New Motor Vehicle Board

FILED

New Motor Vehicle Board

Date 3-25-91

By TWS

BEFORE THE
NEW MOTOR VEHICLE BOARD

STATE OF CALIFORNIA

In the Matter of the Accusation of:)

A-124-90

HASSEN IMPORTS PARTNERSHIP,
A CALIFORNIA LIMITED PARTNERSHIP,
dba WEST COVINA MITSUBISHI/WEST
COVINA YUGO,

SETTLEMENT AGREEMENT

and
HASSEN IMPORTS, INC.
GENERAL PARTNER AND REAL PARTY IN
INTEREST,

Appellants.

TO THE NEW MOTOR VEHICLE BOARD:

RECITALS

The Department of Motor Vehicles, hereinafter referred to as "DMV", adopted the findings issued by the Administrative Judge in the matter of accusation against Hassen Imports, a limited partnership doing business as West Covina Mitsubishi and West Covina Yugo, hereinafter referred to as "Dealer" Case No. D-3740. DMV ordered a revocation of Dealer's license No. D-22362 on March 2, 1990.

Dealer filed an appeal before the New Motor Vehicle Board, hereinafter referred to as "NMVB", Case No. A-124-90, disputing the basis for the findings of the Administrative Law Judge and the Order of Revocation issued by DMV. Both DMV and Dealer filed briefs with the NMVB.

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1 (c) Stipulate that Respondent waives the right in the
2 entitled matter to a hearing before the New Motor Vehicle
3 Board, reconsideration, any and all appeals and any and all
4 rights which may be afforded pursuant to the Vehicle Code, the
5 Administrative Procedure Act or any other provision of law.

6 (d) Mutually release each other from any and all
7 claims, causes of action and/or accusations known as of the
8 date of this argeement.

9 (e) Stipulate that the following Order may be entered
10 by the New Motor Vehicle Board.

11 ORDER

12 The dealer's license and special plates No. D-22362,
13 heretofore issued to Dealer, HASSEN IMPORTS PARTNERSHIP, A
14 California Limited Partnership, dba WEST COVINA MITSUBISHI/WEST
15 COVINA YUGO, are hereby revoked; said revocation is stayed for
16 a period of thirty (30) months under the following terms and
17 conditions:

18 (a) Dealer's license and special plates shall be
19 suspended for thirty (30) days and during said period(s) Dealer
20 shall not exercise any of the privileges granted under the
21 license and special plates, as follows:

22 (1) Thirty consecutive days, commencing ten days after
23 the effective date of the Order, OR

24 (2) Two periods of fifteen consecutive days each, with
25 the first period commencing ten days after the effective date
26 of the Order and the second period commencing sixty days after
27 the effective date of the Order, OR

1 (3) Six periods of five consecutive days each, as
2 follows:

- 3 . April 3, 4, 5, 6 and 7, 1991,
- 4 . May 6, 7, 8, 9 and 10, 1991,
- 5 . June 5, 6, 7, 8 and 9, 1991,
- 6 . July 3, 4, 5, 6 and 7, 1991,
- 7 . August 5, 6, 7, 8 and 9, 1991, and
- 8 . September 3, 4, 5, 6 and 7, 1991.

9 (b) Dealer shall advise DMV in writing, within five
10 days after the effective date of the Order in this matter,
11 which of the options in (a), above, it desires to exercise. If
12 dealer fails to advise DMV which option it desires, option (1)
13 shall be imposed by DMV.

14 (c) Dealer further agrees that if, in connection with
15 any advertising, representation, or dissemination made to the
16 public or any member thereof during the period(s) of actual
17 suspension, such advertising, representation, or dissemination
18 states or reasonably implies that Dealer's license has been or
19 is suspended for any reason other than by order of the
20 Department, such advertising, representation, or dissemination
21 shall be deemed to be untrue or misleading advertising within
22 the meaning of the Vehicle Code Section 11713(a) and shall also
23 be deemed a violation of the conditions of probation as agreed
24 herein.

25 (d) During the period(s) of actual license suspension,
26 Department employees shall post notices of suspension, in
27 accordance with the provisions of Section 421.00 of Title 13 of
28

1 the California Code of Regulations. Removal of these notices
2 prior to the termination of suspension shall be deemed a
3 violation of the conditions of probation.

4 (e) Dealer shall obey all the laws of the United
5 States, the State of California, or its subdivisions, and the
6 rules and regulations of the Department of Motor Vehicles now
7 or hereafter in effect. If any of Dealer's partners, officers,
8 directors or stockholders, if such stockholders are active in
9 the management, direction or control of Dealer's licensed
10 activity, are convicted of a felony or a crime involving moral
11 turpitude, including a conviction after a plea of not guilty or
12 nolo contendere, such conviction shall be considered a
13 violation of the terms and conditions of any probationary
14 license issued to Dealer.

15 (f) Any license issued to Dealer during a period of
16 thirty (30) months shall be issued as a probationary license
17 and then only if it is determined that Dealer has fully
18 complied with the terms and conditions hereof and that no cause
19 for refusal to issue, suspend or revoke has intervened or
20 exists.

21 (g) Should the Director of Motor Vehicles at any time
22 during the existence of said probationary license, or the
23 renewal thereof, determine upon satisfactory evidence that the
24 Dealer has violated any of the terms and conditions under which
25 said license was issued, the Director may, after notice and
26 hearing, vacate the stay order and reimpose the stayed portion

27 ///

1 of the penalty; and if no such determination is made, the stay
2 shall become permanent.

3 If an Accusation is filed against Dealer during the
4 probationary period, the Director shall have continuing
5 jurisdiction over this matter until the Accusation is resolved
6 and the period of this probation shall be extended until such
7 resolution.

8 (h) Dealer shall permit free and ready access to
9 business records pertaining to the purchase, sale, rental or
10 leasing of vehicles at the request of a departmental
11 investigator during normal business hours and without prior
12 notice.

13 (i) During the period(s) of suspension, Dealer shall
14 pay all dealership employees their salary, wages and benefits
15 at a rate not less than that paid such employees on April 1,
16 1991. Dealer shall not circumvent the effect of this provision
17 by terminating employees or reducing the work hours of
18 employees subsequent to April 1, 1991.

19 (j) Throughout the period specified in (f), above,
20 Tarek Alhassen shall not participate in the management,
21 direction or control, nor be employed in the course of Dealer's
22 licensed activity; provided, however, that Tarek Alhassen shall
23 not be required to divest himself of his stock holdings in the
24 dealership under the terms of this paragraph.

25 (k) Dealer shall pay restitution to those customers who
26 testified against Dealer in the proceedings held before the
27 Administrative Law Judge as a result of the Accusation in this
28

1 matter. Restitution shall be limited to the amounts customers
2 were overcharged, as determined by DMV, and which have not
3 already been reimbursed by Dealer, as set forth in Attachment
4 A. Dealer shall provide to DMV evidence of this restitution
5 within thirty (30) days of the effective date of the Order.
6 Restitution may be conditioned by Dealer upon the customer
7 executing a full release of any and all claims against Dealer,
8 its employees, principals and agents, arising out of the facts
9 leading to the Accusation in this matter. Dealer shall not be
10 required to make restitution to Ralph Mayer, in light of the
11 fact that he has pending a civil action against Dealer seeking
12 damages.

13
14 DATED: MARCH 18, 1991



ZIAD ALHASSEN
President, Hassen Imports, Inc./
Hassen Imports Partner

15
16 DATED: 3-18-91



TAREK ALHASSEN

17
18 DATED: 3-18-91



TARIF ALHASSEN

19
20 DATED: 3-18-91



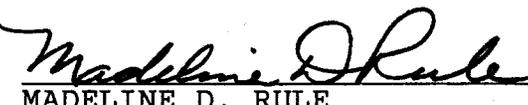
HERMAN SILLAS
Attorney for Respondent

21
22 DATED: 3-18-91



FRANK S. ZOLIN
Director
Department of Motor Vehicles

23
24 DATED: 3-18-91



MADELINE D. RULE
Staff Counsel
Department of Motor Vehicles

RESTITUTION LIST

<u>CUSTOMER NAME</u>	<u>AMOUNT</u>
Adrian Lenyard	\$ 950
Guillermina Magana	600
Carmen Tomenis	307
Theresa Taillon Auman	75
Virginia Gil	313
Luis & Rosa Schettini	518
John Devine	336
Elpidio M. Lopez	410
Leif Blom	313
Samuel B. Johnson	313
Maurice Causly	108
Dee Miles	108
Elenor Ramirez	2,977*
Ella Touhey	<u>400</u>
TOTAL	\$7,728

*This amount shall be reduced to \$1,300 upon showing by Dealer that the subject vehicle was repossessed from Elenor Ramirez.

ATTACHMENT A