

1 ROB BONTA
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 ASPASIA A. PAPAVALASSILOU
Deputy Attorney General
4 State Bar No. 196360
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 879-0818
Facsimile: (510) 622-2270
7 *Attorneys for Complainant*

8
9 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
10 **FOR THE BUREAU OF HOUSEHOLD GOODS AND SERVICES**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:

Case No. CM 2023-427

14 **BRIAN YOUSOFI dba COMPUTER**
15 **WORLD**

16 37312 Fremont Blvd.
Fremont, CA 94536

17 **Electronic Repair Registration No. E-83891**

18 Respondent.

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20
21 **ACCUSATION**

22 **PARTIES**

23 1. Justin Paddock (Complainant) brings this Accusation solely in his official capacity as
24 the Bureau Chief of the Bureau of Household Goods and Services, Department of Consumer
Affairs.

25 2. On or about December 24, 2007, the Bureau of Household Goods and Services issued
26 Electronic Repair Registration Number E-83891 to Brian Yousofi, doing business as Computer
27 World (Respondent). The Electronic Repair Registration expired on December 31, 2021, and has
28 not been renewed.

1 **JURISDICTION**

2 3. This Accusation is brought before the Director of the Department of Consumer
3 Affairs (Director) for the Bureau of Household Goods and Services, under the authority of the
4 following laws. All section references are to the Business and Professions Code (Code) unless
5 otherwise indicated.

6 **STATUTORY PROVISIONS**

7 4. Section 477 of the Code states:

8 As used in this division:

9 (a) "Board" includes "bureau," "commission," "committee," "department," "division,"
10 "examining committee," "program," and "agency."

11 (b) "License" includes certificate, registration or other means to engage in a business
or profession regulated by this code.

12 5. Section 498 of the Code states:

13 A board may revoke, suspend, or otherwise restrict a license on the ground
14 that the licensee secured the license by fraud, deceit, or knowing
15 misrepresentation of a material fact or by knowingly omitting to state a material
fact.

16 6. Section 118, subdivision (b), of the Code provides that the suspension, expiration,
17 or forfeiture of a registration issued by the Bureau during any period in which the registration
18 may be renewed, restored, reissued, or reinstated, deprive the Bureau of its authority to institute
19 or continue discipline against a licensee.

20 7. Section 9833 of the Code states:

21 A registrant shall notify the bureau in writing, within 30 days, of any
22 change to the information provided by the form specified in Section 9830. A
service dealer shall not be required to notify the bureau of employee changes. The
23 director shall make regulations prescribing the procedure for keeping the
registration information current.

24 8. Section 9840 of the Code states:

25 It shall be unlawful to act as a service dealer without first having registered
26 in accordance with the provisions of this chapter and unless such registration is
currently valid.

1 9. Section 9841 of the Code states, in pertinent part:

2 (a) The director may deny, suspend, revoke, or place on probation the
3 registration of a service dealer for any of the following acts or omissions done by
4 himself or herself or any employee, partner, officer, or member of the service dealer
5 and related to the conduct of his or her business:

6 (1) Making or authorizing any statement or advertisement that is untrue
7 or misleading, and that is known, or which by the exercise of reasonable care
8 should be known, to be untrue or misleading.

9 (2) Making any false promises of a character likely to influence,
10 persuade, or induce a customer to authorize the repair, installation, service, or
11 maintenance of the equipment as specified by this chapter.

12 (3) Any other conduct that constitutes fraud or dishonest dealing.

13 (5) Failure to comply with the provisions of this chapter or any
14 regulation, rule, or standard established pursuant to this chapter.

15 (b) The director may also deny, or may suspend, revoke, or place on
16 probation, the registration of a service dealer if the applicant or registrant, as the
17 case may be, has committed acts or crimes constituting grounds for denial of
18 licensure under Section 480.

19 10. Section 9842 of the Code states:

20 All work done by a service dealer shall be recorded on an invoice in such detail as is
21 required by regulations issued by the director and shall describe all service work done
22 and all parts supplied. If any used parts are supplied, the invoice shall clearly state
23 that fact. One copy shall be given to the customer and one copy shall be retained by
24 the service dealer for a period of at least three years. If a copy of the invoice is
25 provided to the customer in an electronic format, an electronic copy of the invoice
26 shall be retained by the service dealer for the same retention period.

27 11. Section 9844 of the Code states:

28 An initial written estimate for the cost of repair shall be given to the customer before
performing any repairs. The written estimate shall include all costs for parts and
labor, and the service dealer may not charge for work done or parts supplied in excess
of the estimate without the previous consent of the customer. The service dealer may
charge a reasonable fee for services provided in determining the nature of the
malfunction in preparation of a written estimate for repair. The service dealer shall
advise the customer in writing of the amount of the fee prior to a repair made in the
residence, before removal of the consumer goods from the customer's residence, or
upon acceptance of the goods at the repair facility or registered location. This section
shall not prohibit the use of a written estimate in an electronic format.

 12. Section 9847 of the Code states:

 Each service dealer shall maintain all records that are required by the regulations
adopted to carry out the provisions of this chapter for a period of at least three years.
These records shall be open for reasonable inspection by the director or other law
enforcement officials.

1 **COST RECOVERY**

2 13. Section 125.3 of the Code provides, in pertinent part, that the Board may request
3 the administrative law judge to direct a licentiate found to have committed a violation or
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
5 and enforcement of the case, with failure of the licentiate to comply subjecting the license to not
6 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
7 may be included in a stipulated settlement.

8 **FACTUAL BACKGROUND**

9 14. On or about February 12, 2021, the Bureau received a complaint from consumer
10 DK, who alleged that he paid Respondent for a tablet repair, but the repair did not fix the issue
11 and he was not able to charge his tablet. In addition, Respondent never gave DK an estimate or
12 invoice. Respondent subsequently refused to produce his records or to otherwise cooperate with
13 the Bureau investigation regarding the complaint.

14 15. On or about November 6, 2021, the Bureau mailed Respondent a renewal notice
15 for his registration which was due to expire on December 31, 2021. Respondent failed to renew
16 the registration and on or about February 12, 2022, the Bureau mailed Respondent a delinquency
17 notice. Respondent failed to respond to the delinquency notice, and continued operating without
18 a valid registration in defiance of state law.

19 16. On or about August 27, 2022, consumer KP took a damaged laptop to Respondent
20 to replace the motherboard and fan. After approximately a month with the repairs not being
21 made, KP filed a complaint with the Bureau on or about September 28, 2022. Respondent
22 subsequently refused to produce his records or otherwise cooperate with the Bureau's
23 investigation of the complaint.

24 17. On or about October 27, 2022, a Bureau investigator spoke to Respondent who
25 stated he would renew his registration the following day (the investigator had provided a courtesy
26 application and invoice for the renewal). Respondent subsequently failed to renew the
27 registration.
28

1 18. On or about November 2, 2022, the Bureau issued Citation number IC 2022-179 to
2 Respondent for failing to register with the Bureau in violation of Code section 9840.

3 18. On or about February 6, 2023, consumer TL took his laptop to Respondent for
4 repairs. TL later filed a complaint with the Bureau after being dissatisfied with the repairs.
5 Respondent subsequently refused to produce his records or otherwise cooperate with the Bureau
6 investigation regarding the complaint.

7 19. On or about April 4, 2023, the Bureau issued Citation number CM 2023-23 to
8 Respondent for failing to register with the Bureau in violation of Code section 9840.

9 20. On or about June 15, 2023, the Bureau issued Citation number CM 2023-52 to
10 Respondent for failing to register with the Bureau in violation of Code section 9840.

11 21. On or August 4, 2023, the Bureau issued Citation number CM 2023-60 to
12 Respondent for failing to register with the Bureau in violation of Code section 9840.

13 **FIRST CAUSE FOR DISCIPLINE**

14 **(Operating without a License)**

15 22. Respondent has subjected his electronic repair registration to discipline for
16 violation of Code section 9840 in that he operated without a license. The circumstances are set
17 forth in paragraphs 15-22, above.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Failure to Provide Invoice)**

20 23. Respondent has subjected his electronic repair registration to discipline for
21 violation of Code section 9841 in that he failed to provide the consumer with a required invoice.
22 The circumstances are set forth in paragraphs 14-18, above.

23 **THIRD CAUSE FOR DISCIPLINE**

24 **(Failure to Provide Estimate for Repairs, and Charges thereon)**

25 24. Respondent has subjected his electronic repair registration to discipline for
26 violation of Code section 9842 in that he failed to provide the consumer with an estimate for
27 repairs, and charges thereon. The circumstances are set forth in paragraphs 14-18, above.
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1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Failure to Maintain and Provide Records for Inspection)**

3 25. Respondent has subjected his electronic repair registration to discipline for
4 violation of Code section 9847 in that he failed to maintain and provide records for inspection.
5 The circumstances are set forth in paragraphs 14-18, above.

6 **PRAYER**

7 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
8 Accusation, and that following the hearing, the Director of Consumer Affairs issue a decision:

- 9 1. Revoking or suspending Electronic Repair Registration Number E-83891, issued to
10 Brian Yousofi, doing business as Computer World;
- 11 2. Ordering Brian Yousofi, doing business as Computer World, to pay the Bureau of
12 Household Goods and Services the reasonable costs of the investigation and enforcement of this
13 case, pursuant to Business and Professions Code section § 125.3; and,
- 14 3. Taking such other and further action as deemed necessary and proper.

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16
17 DATED: August 27, 2024

Justin Paddock

18 _____
19 Justin Paddock
20 Bureau Chief
21 Bureau of Household Goods and Services
22 Department of Consumer Affairs
23 State of California
24 *Complainant*

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