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

13 In the Matter of the Accusation Against:

Case No. M-172768

14 **MHAS COMPANIES, INC. DBA**  
15 **MATTRESS EXPRESS CALI;**  
16 **MANPREET HAYER, PRINCIPAL;**  
17 **AMRITPAL SARAN, PRINCIPAL**  
1811 Douglas Blvd., Ste 8A  
Roseville, CA 95661

**ACCUSATION**

**Furniture and Bedding Retailer No. 172768**

Respondent.

19  
20  
21 **PARTIES**

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

25 2. On or about May 18, 2017, the Bureau issued Furniture and Bedding Retailer Number  
26 172768 to MHAS Companies, Inc. dba Mattress Express Cali; Manpreet Hayer and Amritpal  
27 Saran, Principals (Respondent). The Furniture and Bedding Retailer License expired May 31,  
28 2021 and was renewed September 23, 2022; and then expired May 3, 2023 and was renewed

1 October 3, 2023. Otherwise, the Furniture and Bedding Retailer License was in full force and  
2 effect at all times relevant to the charges brought herein and will expire on May 31, 2025, unless  
3 renewed.

4 3. Respondent filed a fictitious business name statement in the County Placer, No. 17-  
5 00205 on January 31, 2017, which expired January 31, 2022, and has not been renewed.

6 Respondent also filed a fictitious business name statement in the County of Placer, No. 17-00486  
7 on March 7, 2017, which expired March 7, 2022, and has not been renewed.

### 8 JURISDICTION

9 4. This Accusation is brought before the Director of the Department of Consumer  
10 Affairs (Director) for the Bureau under the authority of the following laws. All section references  
11 are to the Business and Professions Code (Code) unless otherwise indicated.

12 5. Code section 22, subdivision (a), states:

13 "Board" as used in any provision of this Code, refers to the board in which the  
14 administration of the provision is vested, and unless otherwise expressly provided,  
15 shall include "bureau," "commission," "committee," "department," "division,"  
16 "examining committee," "program," and "agency."

16 6. Code section 118 states:

17 (a) The withdrawal of an application for a license after it has been filed with a  
18 board in the department shall not, unless the board has consented in writing to such  
19 withdrawal, deprive the board of its authority to institute or continue a proceeding  
20 against the applicant for the denial of the license upon any ground provided by law or  
21 to enter an order denying the license upon any such ground.

22 (b) The suspension, expiration, or forfeiture by operation of law of a license  
23 issued by a board in the department, or its suspension, forfeiture, or cancellation by  
24 order of the board or by order of a court of law, or its surrender without the written  
25 consent of the board, shall not, during any period in which it may be renewed,  
26 restored, reissued, or reinstated, deprive the board of its authority to institute or  
27 continue a disciplinary proceeding against the licensee upon any ground provided by  
28 law or to enter an order suspending or revoking the license or otherwise taking  
disciplinary action against the licensee on any such ground.

(c) As used in this section, "board" includes an individual who is authorized by  
any provision of this code to issue, suspend, or revoke a license, and "license"  
includes "certificate," "registration," and "permit."

7. Code section 17918 states, in pertinent part:

No person transacting business under a fictitious business name contrary to the

1 provisions of this chapter, or his assignee, may maintain an action upon or on account  
2 of any contract made, or transaction had, in the fictitious business name in any court  
3 of this state until the fictitious business name statement has been executed, filed, and  
4 published as required by this chapter.<sup>1</sup>

5 ...

6 8. Code section 19031 states that the duty of enforcing and administering this chapter,  
7 Chapter 3.1 (commencing with Section 19225), and Chapter 20 (commencing with Section 9800)  
8 of Division 3 is vested in the chief who is responsible to the director therefor.

9 9. Code section 19209 states that, except as otherwise required to comply with the  
10 provisions of Article 9.5 of this chapter, the proceedings in any hearing or disciplinary action  
11 under this chapter shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title  
12 2 of the Government Code.

13 10. Code section 19210 states:

14 After a hearing, a license may be suspended, revoked, reprimanded, or placed  
15 on probation for a violation of any of the provisions of this chapter or of the rules and  
16 regulations of the bureau, or for a violation of Article 1 (commencing with Section  
17 17500) of Chapter 1 of Part 3 of Division 7 of the Business and Professions Code,  
18 relating to false or misleading advertising; provided, however, that the license of a  
19 wholesaler or retailer shall not be suspended in the absence of a finding that the  
20 wholesaler or retailer knowingly offered for sale or sold articles not conforming to the  
21 requirements of this chapter or the rules and regulations of the bureau.

22 In any order of suspension or revocation, the bureau may impose conditions  
23 relative to the disposition of articles not conforming to the requirements of this  
24 chapter or the rules and regulations of the bureau, or may impose conditions relative  
25 to the completion or fulfillment of any orders or contracts entered into prior to the  
26 date of the hearing.

27 11. California Code of Regulations, title 4, (“CCR”) section 1379 states:

28 In reaching a decision on a disciplinary action under the Administrative  
Procedure Act (Government Code Section 11400 et seq.), the bureau shall consider  
the disciplinary guidelines entitled “Bureau of Home Furnishings and Thermal  
Insulation's Disciplinary Guidelines (January 2019)” which are hereby incorporated  
by reference. Deviation from these guidelines and orders, including the standard  
terms of probation, is appropriate where the bureau in its sole discretion determines  
that the facts of the particular case warrant such a deviation--for example: the  
presence of mitigating factors; the age of the case; evidentiary problems.

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<sup>1</sup> Pursuant to Code section 17900, the purpose of Code section 17918 is to protect those  
dealing with persons or entities doing business under fictitious names; the filing of a fictitious  
business name certificate is designed to make available to the public the identities of persons  
doing business under the fictitious name.

1 **STATUTORY PROVISIONS**

2 12. Code section 119 states:

3 Any person who does any of the following is guilty of a misdemeanor:

4 (a) Displays or causes or permits to be displayed or has in the person’s  
5 possession either of the following:

6 (1) A canceled, revoked, suspended, or fraudulently altered license.

7 (2) A fictitious license or any document simulating a license or purporting to be  
8 or have been issued as a license.

9 (b) Lends the person’s license to any other person or knowingly permits the use  
10 thereof by another.

11 (c) Displays or represents any license not issued to the person as being the  
12 person’s license.

13 (d) Fails or refuses to surrender to the issuing authority upon its lawful written  
14 demand any license, registration, permit, or certificate which has been suspended,  
15 revoked, or canceled.

16 (e) Knowingly permits any unlawful use of a license issued to the person.

17 (f) Photographs, photostats, duplicates, manufactures, or in any way reproduces  
18 any license or facsimile thereof in a manner that it could be mistaken for a valid  
19 license, or displays or has in the person’s possession any such photograph, photostat,  
20 duplicate, reproduction, or facsimile unless authorized by this code.

21 (g) Buys or receives a fraudulent, forged, or counterfeited license knowing that  
22 it is fraudulent, forged, or counterfeited. For purposes of this subdivision, fraudulent  
23 means containing any misrepresentation of fact.

24 As used in this section, “license” includes “certificate,” “permit,” “authority,”  
25 and “registration” or any other indicia giving authorization to engage in a business or  
26 profession regulated by this code or referred to in Section 1000 or 3600.

27 13. Code section 125.9 states:

28 Any person who does any of the following is guilty of a misdemeanor:

(a) Except with respect to persons regulated under Chapter 11 (commencing  
with Section 7500), any board, bureau, or commission within the department, the State  
Board of Chiropractic Examiners, and the Osteopathic Medical Board of California, may  
establish, by regulation, a system for the issuance to a licensee of a citation which may  
contain an order of abatement or an order to pay an administrative fine assessed by the  
board, bureau, or commission where the licensee is in violation of the applicable licensing  
act or any regulation adopted pursuant thereto.

(b) The system shall contain the following provisions:

...

1 (5) Failure of a licensee to pay a fine or comply with an order of abatement, or  
2 both, within 30 days of the date of assessment or order, unless the citation is being  
3 appealed, may result in disciplinary action being taken by the board, bureau, or  
4 commission. Where a citation is not contested and a fine is not paid, the full amount  
5 of the assessed fine shall be added to the fee for renewal of the license. A license  
6 shall not be renewed without payment of the renewal fee and fine.

7 14. Code section 9855.1, subdivision (a), states:

8 It shall be unlawful for any person to act as a service contractor in this state  
9 unless that person first registers with the bureau in accordance with the provisions of  
10 this chapter and maintains a valid registration.

11 15. Code section 19049 states:

12 It shall be unlawful for any person to engage in a business regulated by this  
13 chapter unless, at the time of so doing, he or she holds a valid, unexpired license to  
14 engage in that business, in compliance with the provisions of this chapter.

15 16. Code section 19051 states:

16 Every upholstered-furniture retailer, unless they hold an importer's license, a  
17 furniture and bedding manufacturer's license, a wholesale furniture and bedding  
18 dealer's license, a custom upholsterer's license, or a retail furniture and bedding  
19 dealer's license shall hold a retail furniture dealer's license.

20 (a) This section does not apply to a person whose sole business is designing  
21 and specifying for interior spaces, and who purchases specific amenable upholstered  
22 furniture items on behalf of a client, provided that the furniture is purchased from an  
23 appropriately licensed importer, wholesaler, or retailer. This section does not apply to  
24 a person who sells "used" and "antique" furniture as defined in Sections  
25 19008.1 and 19008.2.

26 (b) This section does not apply to a person who is licensed as a home medical  
27 device retail facility by the State Department of Public Health, provided that the  
28 furniture is purchased from an appropriately licensed importer, wholesaler, or retailer.

17. Code section Code 19055 states:

Every bedding retailer, unless they hold an importer's license, an upholstered-  
furniture and bedding manufacturer's license, a wholesale upholstered-furniture and  
bedding dealer's license, or a retail furniture and bedding dealer's license, shall hold a  
retail bedding dealer's license.

(a) This section does not apply to a person whose sole business is designing and  
specifying for interior spaces, and who purchases specific amenable bedding items on  
behalf of a client, provided that the bedding is purchased from an appropriately  
licensed importer, wholesaler, or retailer.

(b) This section does not apply to a person who is licensed as a home medical  
device retail facility by the State Department of Public Health, provided that the  
bedding is purchased from an appropriately licensed importer, wholesaler, or retailer.

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18. Code section 19061 states:

Every person doing business at the same address under more than one firm name is subject to the license provisions for each firm name.

19. Code section 19150 states:

Every person who falsely advertises or misrepresents in any way any merchandise coming under the provisions of this chapter either directly or indirectly by any medium of advertising, including false statements made on the recognized California State labels or any other label or tag attached to the merchandise in question, is guilty of a violation of this chapter.

20. Code section 19200 states:

The Chief or inspector shall have access to the premises, equipment, materials, partly finished and finished articles and records of any person subject to the provisions of this chapter.

21. Code section 19206 states:

No person shall interfere with, obstruct or otherwise hinder any inspector of the bureau or of the department's Division of Investigation in the performance of his or her duties.

22. Code section 19211 states:

Any person who has been denied a license, or who has had their license revoked, or whose license is under suspension, or who has failed to renew their license while it was under suspension, or any person who has been a member of any limited liability company or of any partnership, or an officer or director of any corporation, or an officer or person acting in a managerial capacity of any firm or association, whose license has been revoked, or whose license is under suspension, or who has failed to renew a license while it was under suspension, and while acting as a member, officer, director, or person acting in a managerial capacity, participated in any of the prohibited acts for which the license was suspended, or revoked, shall be prohibited from serving as a member of any licensed limited liability company or of any licensed partnership, or as an officer or director of any licensed corporation, or as an officer or person acting in a managerial capacity of any licensed firm or association, and the employment, election, or association of a person in this capacity by a licensee shall constitute grounds for disciplinary action against the licensee.

**REGULATORY PROVISIONS**

23. Title 4, California Code of Regulations (CCR), section 1300 states:

For the purposes of Sections 19150 and 19210 of the act, false or misleading advertising includes but is not limited to advertising, within the meaning of Section 17500 et seq. of the Business and Professions Code, which violates any provision of this article.

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24. CCR section 1300.1 states:

In determining whether advertising is false or misleading it shall be considered in its entirety and as it would be read by the persons to whom it is designed to appeal. It shall be considered to be misleading if it tends to deceive the public or impose upon credulous or ignorant persons.

25. CCR section 1304.1 states:

The term "Bait and Switch Advertising" means an alluring but insincere offer to sell a product or service which the advertiser in truth does not intend or want to sell. The purpose thereof is to switch consumers from buying the advertised merchandise, in order to sell something else, usually at a higher price or on a basis more advantageous to the advertiser. Bait and switch advertising of any article subject to the provisions of the Home Furnishings Act shall be deemed to be false and misleading. Practices which shall be considered as evidence of unlawful bait and switch advertising include but are not limited to the following:

(a) Refusal to show the product advertised;

...

(c) Failure to have available at all outlets listed in the advertisement sufficient quantities of the product to meet reasonable anticipated demands;

...

(e) Showing or demonstrating a defective product unusable or impractical for the purposes implied in the advertisement;

(f) Accepting a deposit for the product and then switching the purchaser to a higher priced item;

(g) Failure to make deliveries within a reasonable time or to make a refund.

26. CCR section 1308 states:

No article which is imperfect, irregular, a second or damaged shall be advertised in any manner which represents, or implies that the article is free from defects or is of the same grade or quality of the article as usually and customarily offered for sale in the regular course of business.

27. CCR section 1310 states:

No article shall be advertised by means of the terms "custom made," "custom-built," "custom-grade," "made-to-order," or any term of similar import, unless the article has been or will be made to the order and specifications of a particular ultimate user. An article does not meet the requirements of this section merely because the customer has a choice of coverings.

28. CCR section 1313 states:

For the purpose of the Home Furnishings Act and of these regulations, the terms "guarantee" and "warranty" have like meanings. No advertisement shall contain

1 any false or misleading representation concerning the nature, extent, duration, terms  
2 or cost of a guarantee of an article subject to the provisions of the Home Furnishings  
3 Act.

4 29. CCR section 1314 states:

5 All guarantees shall be in writing and shall be displayed or a copy thereof  
6 delivered to the customer prior to the sale of any article of furniture or bedding  
7 represented to be covered by a guarantee. A guarantee shall be deemed false and  
8 misleading unless it conspicuously and clearly discloses in writing the following:

9 (a) The nature and extent of the guarantee including a description of all parts,  
10 characteristics or properties covered by or excluded from the guarantee, the duration  
11 of the guarantee, and what must be done by a claimant before the guarantor will fulfill  
12 his obligation (such as returning the product and paying service or labor charges).

13 (b) The manner in which the guarantor will perform. The guarantee shall state  
14 all conditions and limitations, and exactly what the guarantor will do under the  
15 guarantee, such as repair, replacement or refund. If the guarantor or recipient of the  
16 guarantee has an option as to what may satisfy the guarantee, this must be clearly  
17 stated.

18 (c) The guarantor's identity and address shall be clearly revealed in any  
19 documents evidencing the guarantee.

### 20 **COST RECOVERY**

21 30. Code section 125.3, subdivision (a), states, in pertinent part, that the Board may  
22 request the administrative law judge to direct a licensee found to have committed a violation or  
23 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
24 and enforcement of the case, with failure of the licensee to comply subjecting the license to not  
25 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs  
26 may be included in a stipulated settlement.

### 27 **GENERAL ALLEGATIONS**

28 31. Respondent has been in the home furnishing business since 2017. In that time,  
Respondent has been the subject of at least: 14 complaints on Respondent's website; 20  
complaints with the Better Business Bureau; 62 complaints on Yelp; 60 complaints on Google  
Reviews; and, 11 citations by the Bureau. These complaints include: failure to maintain licenses;  
selling service agreements without a license; using unlawful business names; making false or  
misleading statements to consumers and credit agencies; false advertising; bait-and-switch tactics;  
providing defective products; failing to deliver products; failure to issue refunds; selling non-



1 conforming products as new; failing to provide guarantees in writing; and, failing to provide  
2 records, failing to allow access to premises, and obstructing the Bureau in its statutory duties.

3 32. Throughout Respondent's tenure in business, the Bureau has made multiple attempts  
4 to educate and assist Respondent towards lawful compliance, to no avail. Rather, Respondent has  
5 continued and, indeed, exacerbated its transgressions and intransigence, as set forth specifically  
6 below. During its investigation, the Bureau determined Respondent was commonly advertising  
7 and operating under the unregistered name Mattress and Furniture Express.

8 **FIRST CAUSE FOR DISCIPLINE**

9 (Operating Under More Than One Firm Name)

10 33. Respondent is subject to disciplinary action under Code section 19061, in that  
11 Respondent was operating with more than one firm name, as set forth in paragraph 32,  
12 incorporated herein.

13 **CONSUMER M.G. FACTUAL ALLEGATIONS**

14 34. Consumer M.G. filed complaint HM 2020-324 with the Bureau that, on or about July  
15 11, 2020 (while Respondent's license was not valid), she purchased a five-piece sofa from  
16 Respondent, to be delivered the following day. Respondent delivered the wrong furniture. After  
17 delays, Respondent picked up the furniture, but only delivered three pieces of the original order.  
18 Approximately two weeks later, with no response from Respondent, M.G. requested that  
19 Respondent pick up the partial delivery and cancel the order. Respondent refused and threatened  
20 legal action. M.G. attempted to cancel the purchase on her credit card, but Respondent  
21 misrepresented the delivery date and the credit card charge remained.

22 35. M.G. alleged Respondent engaged in deceptive practices and made  
23 misrepresentations by, among other things, selling products it does not have in stock without  
24 informing customers and misrepresenting to customers that purchases will be delivered the day  
25 after purchase. M.G. brought a lawsuit against Respondent for the return of her payment of  
26 \$3,758.98 in the Superior Court of California, County of Placer, case number RSC 0025884.  
27 Judgment was entered against Respondent for that sum, plus costs, and a judicial order was issued  
28 for Respondent to pick up its partial delivery.

1 **SECOND CAUSE FOR DISCIPLINE**

2 (Operating Without a Valid License)

3 36. Respondent is subject to disciplinary action under Code sections 19049 and 19051, in  
4 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2, 34  
5 and 35, incorporated herein.

6 **THIRD CAUSE FOR DISCIPLINE**

7 (Bait and Switch Advertising)

8 37. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
9 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
10 set forth in paragraphs 34 and 35, incorporated herein.

11 **FOURTH CAUSE FOR DISCIPLINE**

12 (Imperfects, Irregulars, Seconds, or Damaged)

13 38. Respondent is subject to disciplinary action under CCR section 1308, in that  
14 Respondent advertised or implied that imperfect, irregular, a second or damaged articles were free  
15 from defects or were of the same grade or quality of the article as usually and customarily offered  
16 for sale in the regular course of business, as set forth in paragraphs 34 and 35, incorporated  
17 herein.

18 **FIFTH CAUSE FOR DISCIPLINE**

19 (False Advertising/Misrepresentation)

20 39. Respondent is subject to disciplinary action under Code section 19150, in that  
21 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
22 Code, as set forth in paragraphs 33 and 34, incorporated herein.

23 **CONSUMER Q.M. FACTUAL ALLEGATIONS**

24 40. Consumer Q.M. filed a complaint with the Bureau on March 19, 2022, complaining  
25 that he purchased two child-sized mattress and bedroom sets from Respondent on December 12,  
26 2021 (while Respondent’s license was not valid). Respondent never delivered the furniture and  
27 Q.M. tried to cancel the order. Respondent refused to cancel the order.

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1 **SIXTH CAUSE FOR DISCIPLINE**

2 (Operating Without a Valid License)

3 41. Respondent is subject to disciplinary action under Code sections 19049 and 19055, in  
4 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2 and  
5 40, incorporated herein.

6 **SEVENTH CAUSE FOR DISCIPLINE**

7 (Bait and Switch Advertising)

8 42. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
9 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
10 set forth in paragraph 40, incorporated herein.

11 **CONSUMER R.C. FACTUAL ALLEGATIONS**

12 43. Consumer R.C. filed a complaint with the Bureau on April 1, 2022, complaining that  
13 on or about March 25, 2022 (while Respondent's license was not valid), she purchased and later  
14 cancelled an order for a bedframe and mattress from Respondent. Consumer R.C. later  
15 discovered that Respondent attempted to open three loans in her name without her authorization.

16 **EIGHTH CAUSE FOR DISCIPLINE**

17 (Operating Without a Valid License)

18 44. Respondent is subject to disciplinary action under Code sections 19049 and 19055, in  
19 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2 and  
20 43, incorporated herein.

21 **NINTH CAUSE FOR DISCIPLINE**

22 (Bait and Switch Advertising)

23 45. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
24 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
25 set forth in paragraph 43, incorporated herein.

26 **CONSUMER E.C. FACTUAL ALLEGATIONS**

27 46. Consumer E.C. filed a complaint with the Bureau on March 19, 2022, complaining  
28 that he purchased a custom couch and ottoman from Respondent on or about November 25, 2022.

1 Respondent delivered a non-conforming couch and never delivered the ottoman. Respondent  
2 refused to deliver a conforming couch without an additional \$1,000.00 payment for removal of  
3 the non-conforming couch. Records and evidence relating to the transaction show Respondent  
4 used multiple firm names, including, but not limited to, Mattress and Furniture Express. E.C.  
5 brought a lawsuit against Respondent for the return of his payment of \$4,040.98 in the Superior  
6 Court of California, County of Placer, case number RSC 0027168. Judgment was entered against  
7 Respondent for that sum, plus costs.

8 **TENTH CAUSE FOR DISCIPLINE**

9 (Operating Under More Than One Firm Name)

10 47. Respondent is subject to disciplinary action under Code section 19061, in that  
11 Respondent was operating on more than one firm name, as set forth in paragraph 46, incorporated  
12 herein.

13 **ELEVENTH CAUSE FOR DISCIPLINE**

14 (Bait and Switch Advertising)

15 48. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
16 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
17 set forth in paragraph 46, incorporated herein.

18 **TWELFTH CAUSE FOR DISCIPLINE**

19 (“Custom Made” Violations)

20 49. Respondent is subject to disciplinary action under CCR section 1310, in that  
21 Respondent advertised as “custom made” merchandise that was not made to the order and  
22 specifications of consumer E.C., as set forth in paragraph 46, incorporated herein.

23 **THIRTEENTH CAUSE FOR DISCIPLINE**

24 (False Advertising/Misrepresentation)

25 50. Respondent is subject to disciplinary action under Code section 19150, in that  
26 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
27 Code, as set forth in paragraph 46, incorporated herein.

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1 **CONSUMER S.R. FACTUAL ALLEGATIONS**

2 51. Consumer S.R. filed a complaint with the Bureau on July 3, 2023, complaining that  
3 she purchased a leather sectional sofa from Respondent on or about June 11, 2023 (while  
4 Respondent’s license was not valid), but was not provided the documentation related to the  
5 financing and purchase, among other things. During the Bureau’s investigation of the complaint,  
6 it was established that Respondent was selling service contract warranties without a Bureau  
7 registration, and, on information and belief, continuous to operate without a Bureau registration.

8 **FOURTEENTH CAUSE FOR DISCIPLINE**

9 (Operating Without a Valid Registration and License)

10 52. Respondent is subject to disciplinary action under Code sections 19049, 19051 and  
11 9855.1, in that Respondent did not have a valid registration and/or license to conduct business, as  
12 set forth in paragraphs 2 and 51, incorporated herein.

13 **CONSUMER V.K. FACTUAL ALLEGATIONS**

14 53. Consumer V.K. filed a complaint with the Bureau on August 4, 2023, complaining  
15 that, on or about July 15, 2023 (while Respondent’s license was not valid), he saw Respondent’s  
16 advertisement for a five-piece sectional sofa for \$699.00 and verified with Respondent that the  
17 item was available. Upon arrival at Respondent’s store, Respondent refused to sell the sofa for  
18 \$699.00, but offered instead a different sofa for \$3,800.03; Consumer V.K. agreed on the  
19 condition that Respondent provide a written guarantee that the sofa was all leather. After the sale,  
20 Respondent failed to produce any guarantee or other records regarding the sale. That same day,  
21 consumer V.K. tried to cancel the contract, but Respondent refused; 45 days later, Respondent  
22 delivered a non-conforming sofa.

23 54. The Bureau investigated the complaint and found that Respondent operated and  
24 advertised under a different name, falsely advertised prices, falsely advertised about prices per  
25 unit, used bait and switch tactics, failed to produce records, and failed to apply for a service  
26 contract seller’s license. On November 30, 2023, the Bureau issued Citation Number HM 2023-  
27 169 for violations of Code Sections 17500, 17500.5, subdivision (a), 17500.5, subdivision (b),

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1 17504, subdivision (a), 19061, 19150, 19200, and 9855.1, subdivision (a). Respondent did not  
2 comply with the order of abatement and pay the citation when due, and has not done so to date.

3 **FIFTEENTH CAUSE FOR DISCIPLINE**

4 (Operating Without a Valid Registration and License)

5 55. Respondent is subject to disciplinary action under Code sections 9855.1, subdivision  
6 (a), 19049 and 19051, in that Respondent did not have a valid registration and/or license to  
7 conduct business, as set forth in paragraphs 2, 53 and 54, incorporated herein.

8 **SIXTEENTH CAUSE FOR DISCIPLINE**

9 (Failure to Comply With Order of Abatement and Pay Fine)

10 56. Respondent is subject to disciplinary action under Code section 125.9, subdivision  
11 (b)(5), in that Respondent failed to comply with the order of abatement and pay the fine imposed  
12 by Citation Number HM 2023-169, as set forth in paragraph 54, incorporated herein.

13 **CONSUMER A.S. FACTUAL ALLEGATIONS**

14 57. Consumer A.S. filed a complaint with the Bureau on August 30, 2023, complaining  
15 that, on May 26, 2023 (while Respondent's license was not valid), he purchased a white leather  
16 sofa for delivery from Respondent for \$5,000.00. Respondent delivered a non-conforming sofa,  
17 which A.S. refused. Thereafter, Respondent refused to exchange the sofa or issue a refund.

18 **SEVENTEENTH CAUSE FOR DISCIPLINE**

19 (Operating Without a Valid License)

20 58. Respondent is subject to disciplinary action under Code sections 19049 and 19051, in  
21 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2 and  
22 57, incorporated herein.

23 **EIGHTEENTH CAUSE FOR DISCIPLINE**

24 (Bait and Switch Advertising)

25 59. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
26 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
27 set forth in paragraph 57, incorporated herein.

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1 **CONSUMER M.A. FACTUAL ALLEGATIONS**

2 60. Consumer M.A. filed a complaint with the Bureau on August 31, 2023, complaining  
3 that, on or about August 22, 2023 (while Respondent’s license was not valid), unbeknownst to  
4 him and without his authorization, Respondent made misstatements on his credit application and  
5 falsified his income in order to sell him, on credit, a \$6,500.00 reclining chair for delivery.  
6 Respondent delivered two chairs and refused to take one of the chairs back or issue a refund. The  
7 Bureau followed-up in the consumer complaint and, on or about March 14, 2024, Respondent  
8 failed to produce records, employee identifying and contact information, and refused to allow the  
9 Bureau access to its warehouse, therefore obstructing its investigation.

10 **NINETEENTH CAUSE FOR DISCIPLINE**

11 (Operating Without a Valid License)

12 61. Respondent is subject to disciplinary action under Code sections 19049 and 19051, in  
13 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2 and  
14 60, incorporated herein.

15 **TWENTIETH CAUSE FOR DISCIPLINE**

16 (Bait and Switch Advertising)

17 62. Respondent is subject to disciplinary action under CCR 1304.1, subdivision (g), in  
18 that Respondent failed to make deliveries within a reasonable time or to make a refund, as set  
19 forth in paragraph 60, incorporated herein.

20 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

21 (Denial of Access)

22 63. Respondent is subject to disciplinary action under Code section 19200, in that  
23 Respondent denied the Bureau access to premises, equipment, material, articles, and/or records,  
24 as set forth in paragraph 60, incorporated herein.

25 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

26 (Obstructing and Investigation)

27 64. Respondent is subject to disciplinary action under Code section 19206, in that  
28 Respondent obstructed a Bureau investigation, as set forth in paragraph 60, incorporated herein.





1 of \$6,468.20 in the Superior Court of California, County of Placer, case number RSC 0027128.  
2 Judgment was entered against Respondent for that sum, plus costs, and a judicial order issued for  
3 Respondent to pick up its partial delivery.

4 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

5 (Imperfects, Irregulars, Seconds, or Damaged)

6 69. Respondent is subject to disciplinary action under CCR section 1308, in that  
7 Respondent advertised or implied that imperfect, irregular, a second or damaged articles were free  
8 from defects or were of the same grade or quality of the article as usually and customarily offered  
9 for sale in the regular course of business, as set forth in paragraph 68, incorporated herein.

10 **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

11 (Bait and Switch Advertising)

12 70. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
13 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
14 set forth in paragraph 68, incorporated herein.

15 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

16 (False Advertising/Misrepresentation)

17 71. Respondent is subject to disciplinary action under Code section 19150, in that  
18 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
19 Code, as set forth in paragraph 68, incorporated herein.

20 **CONSUMER J.G. AND R.G. FACTUAL ALLEGATIONS**

21 72. On or about December 10, 2022 (while Respondent's license was not valid),  
22 consumers J.G. and R.G. purchased a sectional sofa advertised and represented as a La-Z-Boy  
23 product for approximately \$5,862.66. Upon delivery, the sectional sofa was not a La-Z-Boy  
24 product and was broken and/or incomplete. Respondent refused to correct deficiencies, replace  
25 the item, or issue a refund. The consumers brought a lawsuit against Respondent for the return of  
26 their payment of \$5,862.66 in the Superior Court of California, County of Placer, case number  
27 RSC 0027037. Judgment was entered against Respondent for that sum, plus costs, and a judicial  
28 order was issued for Respondent to pick up its delivery.

1 **TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

2 (Operating Without a Valid License)

3 73. Respondent is subject to disciplinary action under Code sections 19049 and 1951, in  
4 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2 and  
5 72, incorporated herein.

6 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

7 (Bait and Switch Advertising)

8 74. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
9 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
10 set forth in paragraph 72, incorporated herein.

11 **THIRTIETH CAUSE FOR DISCIPLINE**

12 (Imperfects, Irregulars, Seconds, or Damaged)

13 75. Respondent is subject to disciplinary action under CCR section 1308, in that  
14 Respondent advertised or implied that imperfect, irregular, a second or damaged articles were free  
15 from defects or were of the same grade or quality of the article as usually and customarily offered  
16 for sale in the regular course of business, as set forth in paragraph 72, incorporated herein.

17 **THIRTY-FIRST CAUSE FOR DISCIPLINE**

18 (False Advertising/Misrepresentation)

19 76. Respondent is subject to disciplinary action under Code section 19150, in that  
20 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
21 Code, as set forth in paragraph 72, incorporated herein.

22 **CONSUMER A.B. FACTUAL ALLEGATIONS**

23 77. On or about May 2, 2023 (while Respondent's license was not valid), consumer A.B.  
24 purchased a dining room table, six chairs, a mattress and an adjustable base from Respondent for  
25 approximately \$5,398.79. Respondent never delivered the items. Respondent refused to correct  
26 deficiencies, replace the items, or issue a refund. The consumer brought a lawsuit against  
27 Respondent for the return of their payment of \$5,398.79 in the Superior Court of California,

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1 County of Placer, case number RSC 0027063. The case was settled for delivery of the items  
2 pursuant to the agreement or payment of \$5,398.79.

3 **THIRTY-SECOND CAUSE FOR DISCIPLINE**

4 (Operating Without a Valid License)

5 78. Respondent is subject to disciplinary action under Code sections 19049, 19051 and  
6 19055, in that Respondent did not have a valid license to conduct business, as set forth in  
7 paragraphs 2 and 77, incorporated herein.

8 **THIRTY-THIRD CAUSE FOR DISCIPLINE**

9 (Bait and Switch Advertising)

10 79. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
11 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
12 set forth in paragraph 77, incorporated herein.

13 **THIRTY-FOURTH CAUSE FOR DISCIPLINE**

14 (False Advertising/Misrepresentation)

15 80. Respondent is subject to disciplinary action under Code section 19150, in that  
16 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
17 Code, as set forth in paragraph 77, incorporated herein.

18 **CONSUMER H.F. FACTUAL ALLEGATIONS**

19 81. On or about December 11, 2018, H.F. purchased a bedroom set for approximately  
20 \$1,916.25. Upon delivery, the bedroom set was incomplete, missing parts and unusable.  
21 Respondent refused to correct deficiencies, replace the item, or issue a refund. H.F. brought a  
22 lawsuit against Respondent for the return of his payments to Respondent in the Superior Court of  
23 California, County of Sacramento, case number 19SC00964. That case was settled.

24 **THIRTY-FIFTH CAUSE FOR DISCIPLINE**

25 (Bait and Switch Advertising)

26 82. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
27 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
28 set forth in paragraph 81, incorporated herein.

1 **THIRTY-SIXTH CAUSE FOR DISCIPLINE**

2 (Imperfects, Irregulars, Seconds, or Damaged)

3 83. Respondent is subject to disciplinary action under CCR section 1308, in that  
4 Respondent advertised or implied that imperfect, irregular, a second or damaged articles were free  
5 from defects or were of the same grade or quality of the article as usually and customarily offered  
6 for sale in the regular course of business, as set forth in paragraph 81, incorporated herein.

7 **THIRTY-SEVENTH CAUSE FOR DISCIPLINE**

8 (False Advertising/Misrepresentation)

9 84. Respondent is subject to disciplinary action under Code section 19150, in that  
10 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
11 Code, as set forth in paragraph 81, incorporated herein.

12 **CONSUMER O.L. FACTUAL ALLEGATIONS**

13 85. On or about May 28, 2020, consumer O.L. purchased a mattress for approximately  
14 \$1,470.00. The mattress was not delivered and O.L. telephoned Respondent to cancel the sale.  
15 Respondent refused. Respondent thereafter delivered a different non-conforming mattress. The  
16 consumer brought a lawsuit against Respondent for the return of her payment of \$1,470.00 in the  
17 Superior Court of California, County of Sacramento, case number 20SC01951. The court entered  
18 judgment in favor of the consumer and against Respondent for \$2,571.00 plus costs.

19 **THIRTY-EIGHTH CAUSE FOR DISCIPLINE**

20 (Bait and Switch Advertising)

21 86. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
22 (g) in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
23 set forth in paragraph 85, incorporated herein.

24 **THIRTY-NINTH CAUSE FOR DISCIPLINE**

25 (False Advertising/Misrepresentation)

26 87. Respondent is subject to disciplinary action under Code section 19150, in that  
27 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
28 Code, as set forth in paragraph 85, incorporated herein.



1 **FORTY-SECOND CAUSE FOR DISCIPLINE**

2 (Operating Without a Valid License)

3 92. Respondent is subject to disciplinary action under Code sections 19049 and 19051, in  
4 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2 and  
5 91, incorporated herein.

6 **FORTY-THIRD CAUSE FOR DISCIPLINE**

7 (Bait and Switch Advertising)

8 93. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
9 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
10 set forth in paragraph 91, incorporated herein.

11 **FORTY-FOURTH CAUSE FOR DISCIPLINE**

12 (False Advertising/Misrepresentation)

13 94. Respondent is subject to disciplinary action under Code section 19150, in that  
14 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
15 Code, as set forth in paragraph 91, incorporated herein.

16 **CONSUMER F.S. FACTUAL ALLEGATIONS**

17 95. On or about July 15, 2023 (while Respondent's license was not valid), consumer F.S.  
18 purchased a genuine leather sofa with charging ports and a 5-year warranty for approximately  
19 \$4,650.48. Respondent delivered a non-conforming non-leather sofa with inoperable charging  
20 ports. Respondent would not provide paperwork regarding the purchase or the warranty, refused  
21 to deliver a conforming sofa, and refused to issue a refund. Respondent produced a copy of the  
22 consumer's acceptance of the delivery, which the consumer stated was a forgery. The consumer  
23 brought a lawsuit against Respondent for the return of her payment in the Superior Court of  
24 California, County of Sacramento, case number 20SC01595. The court entered judgment in favor  
25 of the consumer in the amount of \$1,500.00 plus costs.

26 96. Consumer F.S. filed a complaint with the Bureau on September 5, 2023. The Bureau  
27 issued two citations: (1) Citation Number HM 2024-3 in the amount of \$1,500.00 for violations  
28 of Code sections 19061, 1304.1, 1308, and 1314, subdivisions (a), (b) and (c), and (2), which

1 Citation has not been paid, and (2) Citation Number IC2024-5 in the amount of \$250.00, for  
2 violation of Code section 98.551, subdivision (a). Respondent did not pay Citation Number HM  
3 2024-3 by the date required, and has not paid the citation to date.

4 **FORTY-FIFTH CAUSE FOR DISCIPLINE**

5 (Operating Without a Valid License)

6 97. Respondent is subject to disciplinary action under Code sections 19049 and 19051, in  
7 that Respondent did not have a valid license to conduct business, as set forth in paragraphs 2, 95  
8 and 96, incorporated herein.

9 **FORTY-SIXTH CAUSE FOR DISCIPLINE**

10 (Bait and Switch Advertising)

11 98. Respondent is subject to disciplinary action under CCR section 1304.1, subdivision  
12 (g), in that Respondent failed to make deliveries within a reasonable time or to make a refund, as  
13 set forth in paragraph 95, incorporated herein.

14 **FORTY-SEVENTH CAUSE FOR DISCIPLINE**

15 (Imperfects, Irregulars, Seconds, or Damaged)

16 99. Respondent is subject to disciplinary action under CCR section 1308, in that  
17 Respondent advertised or implied that imperfect, irregular, a second or damaged articles were free  
18 from defects or were of the same grade or quality of the article as usually and customarily offered  
19 for sale in the regular course of business, as set forth in paragraph 95, incorporated herein.

20 **FORTY-EIGHTH CAUSE FOR DISCIPLINE**

21 (False and Misleading Guarantee/Failure to Disclose)

22 100. Respondent is subject to disciplinary action under CCR section 1314, subdivisions  
23 (a), (b) and (c), in that Respondent failed to properly and lawfully disclose and provide guarantee  
24 information, as set forth in paragraph 95, incorporated herein.

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1 **FORTY-NINTH CAUSE FOR DISCIPLINE**

2 (False Advertising/Misrepresentation)

3 101. Respondent is subject to disciplinary action under Code section 19150, in that  
4 Respondent falsely advertised or misrepresented merchandise coming under the provisions of the  
5 Code, as set forth in paragraph 95, incorporated herein.

6 **FIFTIETH CAUSE FOR DISCIPLINE**

7 (Failure to Comply With Citation Order of Abatement and Pay Fine)

8 102. Respondent is subject to disciplinary action under Code section 125.9, subdivision  
9 (b)(5), in that Respondent failed to comply with the order of abatement and pay the fine imposed  
10 by Citation Number HM 2024-3, as set forth in paragraph 96, incorporated herein.

11 **DISCIPLINE CONSIDERATIONS**

12 103. To determine the degree of discipline, if any, to be imposed on Respondent,  
13 Complainant alleges that on or about October 17, 2016, in a prior action, the Bureau of  
14 Household Goods and Services issued Notice of Violation NV 2016-071495 for violation of Code  
15 section 19049 (operating without a valid license) without fine or penalty.

16 104. To determine the degree of discipline, if any, to be imposed on Respondent,  
17 Complainant alleges that on or about May 3, 2017, in a prior action, the Bureau of Household  
18 Goods and Services issued Citation Number i5 2017-151 for violation of Code section 19049  
19 (operating without a valid license) and ordered Respondent to pay a penalty of \$500.00. That  
20 Citation is now final. Respondent paid the Citation.

21 105. To determine the degree of discipline, if any, to be imposed on Respondent,  
22 Complainant alleges that on or about July 27, 2023, in a prior action, the Bureau of Household  
23 Goods and Services issued Citation Number HM 2023-120 for violations of Code sections 19049  
24 (operating without a valid license), 19051 (operating without a valid license – upholstered  
25 furniture retailer), and 19055 (operating without a valid license – bedding retailer) and ordered  
26 Respondent to pay a penalty of \$500.00. That Citation is now final. Respondent has not paid the  
27 Citation.

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1           3.     Ordering MHAS Companies, Inc. dba Mattress Express Cali; Manpreet Hayer and  
2 Amritpal Saran, principals, to pay the Bureau of Household Goods and Services the reasonable  
3 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
4 Code section 125.3; and, if placed on probation, the costs of probation monitoring; and,

5           4.     Taking such other and further action as deemed necessary and proper.

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DATED: October 22, 2024

*Justin Paddock*  
\_\_\_\_\_  
Bureau Chief  
Bureau of Household Goods and Services  
Department of Consumer Affairs  
State of California  
*Complainant*

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