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8 **BEFORE THE**
9 **REGISTRAR OF CONTRACTORS**
10 **CONTRACTORS' STATE LICENSE BOARD**
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. N2012-502

12 **T I SOURCE INC**
13 **GLEN ALLEN GRUNER, RMO**
14 **JAY ALLEN KNUDSON, CEO/PRES**
4659 Christanson Street
Brentwood, CA 94513,

A C C U S A T I O N

15 Contractor's License No. 850182, B,

16 And

17 **ABG GENERAL CONTRACTORS &**
18 **MANAGEMENT GROUP INC.**
19 **GLEN ALLEN GRUNER, RMO**
20 **JANELL MARIE GRUNER, OFFICER**
P.O. Box 441
21 Brentwood, CA 94513

22 Contractor's License No. 671845, B,

23 And
24
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28

1 **IMAGE CONSTRUCTION &**
2 **MANAGEMENT INC.**

3 **GLEN ALLEN GRUNER, RMO**

4 9020 Brentwood Blvd, Ste A

5 Brentwood, CA 94513,

6 Contractor' s License No. 884380, B,

7 Respondent and Affiliated
8 Parties.

9 Complainant alleges:

10 **PARTIES**

11 1. Wood Robinson (Complainant) brings this Accusation solely in his official capacity
12 as the Enforcement Supervisor I of the Contractors' State License Board, Department of
13 Consumer Affairs.

14 2. On or about November 19, 2004, the Registrar of Contractors issued Contractor' s
15 License Number 850182, B, to T I Source Inc, Glen Allen Gruner, RMO, Jay Allen Knudson,
16 CEO/Pres (Respondent). This Contractor' s License will expire on November 30, 2013, unless
17 renewed.

18 3. On or about May 25, 1993, the Registrar of Contractors issued Contractor' s License
19 Number 671845, B, to ABG General Contractors & Management Group Inc, Glen Allen Gruner,
20 RMO/CEO/Pres, Janell Marie Gruner, Officer (Affiliated Party). The Contractor' s License
21 expired on May 31, 2007 and has not been renewed.

22 4. On or about September 18, 2006, the Registrar of Contractors issued Contractor' s
23 License Number 884380, B, to Image Construction & Management Inc, Glen Allen Gruner,
24 RMO/ CEO/Pres (Affiliated Party). This Contractor' s License will expire on September 30,
25 2014, unless renewed.

26 **JURISDICTION**

27 5. This Accusation is brought before the Registrar of Contractors (Registrar) for the
28 Contractors' State License Board, Department of Consumer Affairs, under the authority of the

1 following laws. All section references are to the Business and Professions Code unless otherwise
2 indicated.

3 STATUTORY PROVISIONS

4 6. Section 7090 of the Business and Professions Code ("Code") provides, in pertinent
5 part, that the Registrar may suspend or revoke any license or registration if the licensee or
6 registrant is guilty of or commits any one or more of the acts or omissions constituting cause for
7 disciplinary action.

8 7. Section 7106.5 of the Code provides, in pertinent part, that the expiration,
9 cancellation, forfeiture, or suspension of a license by operation of law or by order or decision of
10 the registrar, or a court of law, or the voluntary surrender of the license shall not deprive the
11 registrar of jurisdiction to proceed with any investigation of or action or disciplinary proceeding
12 against the license, or to render a decision suspending or revoking the license.

13 8. Section 118(b) of the Code provides, in pertinent part, that the expiration of a license
14 shall not deprive the Registrar of jurisdiction to proceed with a disciplinary action during the
15 period within which the license may be renewed, restored, reissued or reinstated. Under Code
16 section 7076.1, the Registrar may reinstate a cancelled license if the licensee pays all of the fees
17 and meets all of the qualifications and requirements for obtaining an original license.

18 9. Section 7076.5 of the Code provides, in pertinent part, that the inactive status of a
19 license shall not bar any disciplinary action for violating provisions of the Contractors' State
20 License Law (Bus. & Prof. Code, § 7000, et seq.).

21 10. Section 7107 of the Code states that "[a]bandonment without legal excuse of any
22 construction project or operation engaged in or undertaken by the licensee as a contractor
23 constitutes a cause for disciplinary action."

24 11. Section 7110 of the Code states:

25 "Willful or deliberate disregard and violation of the building laws of the state, or of any
26 political subdivision thereof, or of Section 8505 or 8556 of this code, or of Sections 1689.5 to
27 1689.8, inclusive, or Sections 1689.10 to 1689.13, inclusive, of the Civil Code, or of the safety
28 laws or labor laws or compensation insurance laws or Unemployment Insurance Code of the state,

1 or violation by any licensee of any provision of the Health and Safety Code or Water Code,
2 relating to the digging, boring, or drilling of water wells, or Article 2 (commencing with Section
3 4216) of Chapter 3.1 of Division 5 of Title 1 of the Government Code, constitutes a cause for
4 disciplinary action."

5 12. Section 7113 of the Code states that "[f]ailure in a material respect on the part of a
6 licensee to complete any construction project or operation for the price stated in the contract for
7 such construction project or operation or in any modification of such contract constitutes a cause
8 for disciplinary action."

9 13. Section 7159.5 of the Code states:

10 "This section applies to all home improvement contracts, as defined in Section 7151.2,
11 between an owner or tenant and a contractor, whether a general contractor or a specialty
12 contractor, who is licensed or subject to be licensed pursuant to this chapter with regard to the
13 transaction.

14 (a) Failure by the licensee or a person subject to be licensed under this chapter, or by his or
15 her agent or salesperson to comply with the following provisions is cause for discipline:

16 ...

17 (5) Except for a downpayment, the contractor may neither request nor accept payment that
18 exceeds the value of the work performed or material delivered.

19 ... "

20 COST RECOVERY/RESTITUTION

21 14. Section 125.3 of the Code provides, in pertinent part, that the Registrar may request
22 the administrative law judge to direct a licentiate 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.

25 15. Section 11519(d) of the Government Code provides, in pertinent part, that the
26 Registrar may require restitution of damages suffered as a condition of probation in the event
27 probation is ordered.

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- p. Failed to install floor coverings.
- q. Failed to complete the installation of the bathroom.
- r. Failed to complete the installation of the kitchen.
- s. Gas piping installation needed to be completed and pressure tested.
- t. Failed to install a heating system.
- u. Failed to install the water heater.

SECOND CAUSE FOR DISCIPLINE

(Failure to Obtain a Building Permit)

18. Respondent's license is subject to discipline under Code section 7110, in that on the Kleinheinz project, Respondent failed to obtain a building permit prior to starting the Kleinheinz project.

THIRD CAUSE FOR DISCIPLINE

(Failure to Complete the Project for the Contract Price)

19. Respondent's license is subject to discipline under Code section 7113, in that on the Kleinheinz project, Respondent failed in a material respect to complete the project for the contract price and the owner will be required to spend a substantial sum in excess of the contract price to complete the project in accordance with the contract.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Comply with the Provisions of the Contractors' State License Law)

20. Respondent's license is subject to discipline under Code section 7159.5 (a)(5) in that on the Kleinheinz project, Respondent asked for and received funds in excess of the value of the work performed.

OTHER MATTERS

21. Pursuant to sections 7097 and 7098 of the Code, if license number 850182 issued to Respondent is suspended or revoked, the Registrar may suspend or revoke, without notice, any other license issued in the name of Glen Allen Gruner or for which Glen Allen Gruner furnished the qualifying experience and appearance.

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1 Number 850182, issued to T I Source Inc, Glen Allen Gruner, RMO, Jay Allen Knudson,
2 CEO/Pres;

3 3. Revoking or suspending any other license for which Glen Allen Gruner is furnishing
4 the qualifying experience or appearance;

5 4. Ordering restitution of all damages according to proof suffered by Jolene Kleinheinz
6 as a condition of probation in the event probation is ordered;

7 5. Ordering restitution of all damages suffered by Jolene Kleinheinz as a result of
8 Respondent's conduct as a contractor, as a condition of restoration of license Number 850182,
9 issued to T I Source Inc, Glen Allen Gruner, RMO, Jay Allen Knudson, CEO/Pres;

10 6. Ordering Respondent to pay the Registrar of Contractors his costs in the investigation
11 and enforcement of the case according to proof at the hearing, pursuant to Business and
12 Professions Code section 125.3;


13 7. Ordering Respondent to provide the Registrar with a listing of all contracting projects
14 in progress and the anticipated completion date of each;

15 8. Revoking or suspending Contractor's License Number 671845 issued ABG General
16 Contractors & Management Group Inc, Glen Allen Gruner, RMO/CEO/Pres, Janell Marie Gruner,
17 Officer (Affiliated Party);

18 9. Revoking or suspending Contractor's License Number 884380 issued to Image
19 Construction & Management Inc, Glen Allen Gruner, RMO/ CEO/Pres (Affiliated Party);

20 10. Taking such other and further action as deemed necessary and proper.

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22
23 DATED: September 19, 2013


WOOD ROBINSON
Enforcement Supervisor I
Contractors' State License Board
Department of Consumer Affairs
State of California
Complainant

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