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

11 In the Matter of the Accusation Against:

Case No. N2014-386

12 **MOR CAZAKOV, Sole Owner**
6501 Varna Avenue
13 Van Nuys, CA 91401

A C C U S A T I O N

14 Contractor's License No. 994904,

15 Respondent.

16 **NINJA PLUMBER INC**
6501 Varna Avenue
17 Van Nuys, CA 91401
18 **MATEUSZ SIEMASZKO, RMO,**
MOR CAZAKOV, OFFICER

19 Contractor's License No. 1002800,

20 Affiliated Party.

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24 Complainant alleges:

25 **PARTIES**

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

1 “(a) Provide for the immediate complete suspension by the licensee of all operations as a
2 contractor during the period fixed by the decision.

3 “(b) Permit the licensee to complete any or all contracts shown by competent evidence
4 taken at the hearing to be then uncompleted.

5 “(c) Impose upon the licensee compliance with such specific conditions as may be just in
6 connection with its operations as a contractor disclosed at the hearing, and may further provide
7 that until such conditions are complied with, no application for restoration of the suspended or
8 revoked licensee shall be accepted by the Registrar.”

9 9. Sections 7097 and 7098 provide that when any license has been suspended or revoked
10 following a hearing, the Registrar may suspend or revoke any additional license issued in the name
11 of the licensee or for which the licensee furnished qualifying experience and appearance under the
12 provisions of 7068, without further notice.

13 10. Section 7106.5 provides that the expiration, cancellation, forfeiture, or suspension of
14 a license by operation of law or by order or decision of the registrar, or a court of law, or the
15 voluntary surrender of the license shall not deprive the registrar of jurisdiction to proceed with any
16 investigation of or action or disciplinary proceeding against the license, or to render a decision
17 suspending or revoking the license.

18 11. Section 7121 states:

19 “A person who has been denied a license for a reason other than failure to document
20 sufficient satisfactory experience for a supplemental classification for an existing license, or who
21 has had his or her license revoked, or whose license is under suspension, or who has failed to
22 renew his or her license while it was under suspension, or who has been a partner, officer, director,
23 manager, or associate of any partnership, corporation, limited liability company, firm, or
24 association whose application for a license has been denied for a reason other than failure to
25 document sufficient satisfactory experience for a supplemental classification for an existing license,
26 or whose license has been revoked, or whose license is under suspension, or who has failed to
27 renew a license while it was under suspension, and while acting as a partner, officer, director,
28 manager, or associate had knowledge of or participated in any of the prohibited acts for which the

1 license was denied, suspended, or revoked, shall be prohibited from serving as an officer, director,
2 associate, partner, manager, qualifying individual, or member of the personnel of record of a
3 licensee, and the employment, election, or association of this type of person by a licensee in any
4 capacity other than as a nonsupervising bona fide employee shall constitute grounds for
5 disciplinary action."

6 12. Section 7121.5 states:

7 "A person who was the qualifying individual on a revoked license, or of a license under
8 suspension, or of a license that was not renewed while it was under suspension, shall be prohibited
9 from serving as an officer, director, associate, partner, manager, or qualifying individual of a
10 licensee, whether or not the individual had knowledge of or participated in the prohibited acts or
11 omissions for which the license was revoked, or suspended, and the employment, election, or
12 association of that person by a licensee shall constitute grounds for disciplinary action."

13 STATUTORY PROVISIONS

14 13. Section 498 states that "[a] board may revoke, suspend, or otherwise restrict a license
15 on the ground that the licensee secured the license by fraud, deceit, or knowing misrepresentation
16 of a material fact or by knowingly omitting to state a material fact."

17 14. Section 7112 states that "[o]mission or misrepresentation of a material fact by an
18 applicant or a licensee in obtaining, or renewing a license, or in adding a classification to an
19 existing license constitutes a cause for disciplinary action."

20 COST RECOVERY / RESTITUTION

21 15. Section 125.3 provides that the Registrar may request the administrative law judge to
22 direct a licentiate found to have committed a violation or violations of the licensing act to pay a
23 sum not to exceed the reasonable costs of the investigation and enforcement of the case.

24 16. Government Code section 11519, subdivision (d), provides that the Registrar may
25 require restitution of damages suffered as a condition of probation in the event probation is
26 ordered.

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1 LICENSE APPLICATION

2 17. On or about February 11, 2014, the Board received an application for a Contractor's
3 License from Respondent (Respondent). On or about February 7, 2014, Respondent certified
4 under penalty of perjury to the truthfulness of all statements, answers, and representations in the
5 application. Respondent was issued a license.

6 18. **Experience Certification.** Respondent filed with the Board a Certification of Work
7 Experience with his license application. On or about February 7, 2014, Ronn J. Berger certified
8 under penalty of perjury, under the laws of the State of California, in his Work Experience and
9 Certification Statement for Respondent that he had direct knowledge of Respondent's work
10 covering 6 years and 8 months of plumbing contractor journeyman-level or higher experience
11 Ronn J. Berger was the qualifier of Profound Systems, Inc. an Arizona Contractor in
12 classifications of low voltage communications systems and electrical.

13 19. A Board investigation was initiated to obtain verifiable documentation of
14 Respondent's work experience. Respondent's experience certifier failed to provide verifiable
15 documentation to the Board upon its request to the certifier on Respondent's license application.
16 Respondent provided income documents from others than his experience certifier to substantiate
17 the application's required plumber journeyman work experience. The documentation provided
18 failed to provide four years of required experience.

19 20. **Criminal History.** Respondent answered "Yes" to Question No. 11 on his license
20 application that he had a criminal history. On the Disclosure Statement of his criminal history filed
21 with the Board, Respondent admitted to having one criminal conviction in 2001, and failed to
22 inform the Board of having a second criminal conviction in 2003. Respondent's criminal history is
23 as follows:

24 21. On or about August 31, 2001, Respondent was convicted of one misdemeanor count
25 of violating Arizona Revised Statute (ARS) 13-3415A [possession of drug paraphernalia] in the
26 criminal proceeding entitled *People of the State of Arizona v. Mor Cazakov* (Cons. Ct. Mohave
27 County, 2003, No. M-0844-CR-2001-01320). The Court placed Respondent on two years
28 probation, and ordered him to pay a \$600.00 fine.

1 when he failed to inform the Board of having two misdemeanor convictions.

2 **THIRD CAUSE FOR DISCIPLINE**

3 **(Misstatement on License Application - Discipline by the Department of Real Estate)**

4 27. Respondent is subject to disciplinary action under sections 498 and 7112, in that
5 Respondent secured his license by fraud, deceit, or knowing misrepresentation of a material fact
6 when he answered "No" to Question No. 12 in his application for licensure. Respondent failed to
7 disclose the revocation of his Real Estate License to the Board.

8 **OTHER MATTERS**

9 28. Pursuant to sections 7097 and 7098, if license No. 994904 issued to Respondent is
10 suspended or revoked, the Registrar may suspend or revoke, without notice, any other license
11 issued in the name of Mor Cazakov or for which Mor Cazakov furnished the qualifying experience
12 and appearance.

13 29. Pursuant to sections 7121 and / or 7121.5, if discipline is imposed on license
14 No. 994904 issued to Respondent, Mor Cazakov shall be prohibited from serving as an officer,
15 director, associate, partner, manager, or qualifying individual, or member of the personnel of
16 record of a licensee of any licensee during the time the discipline is imposed, and any licensee
17 which employs, elects, or associates Mor Cazakov shall be subject to disciplinary action.

18 **PRAYER**

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
20 and that following the hearing, the Registrar issue a decision:

21 **As to Mor Cazakov, Sole Owner**

22 1. Revoking or suspending Contractor's License No. 994904 issued to Mor Cazakov,
23 Sole Owner;

24 2. Prohibiting Mor Cazakov from serving as an officer, director, associate, partner, or
25 qualifying individual of any licensee during the period that discipline is imposed on license No.
26 994904, issued to Mor Cazakov, Sole Owner;

27 3. Revoking or suspending any other license for which Mor Cazakov is furnishing the
28 qualifying experience or appearance;

1 4. Ordering Mor Cazakov, Sole Owner to pay the Registrar her costs in the investigation
2 and enforcement of the case according to proof at the hearing, pursuant to section 125.3;

3 5. Ordering Mor Cazakov, Sole Owner to provide the Registrar with a listing of all
4 contracting projects in progress and the anticipated completion date of each;

5 As to Ninja Plumber Inc

6 6. Revoking or suspending Contractor's License No. 1002800 issued to Ninja Plumber
7 Inc, Mateusz Siemaszko, RMO, Mor Cazakov, Officer;

8 7. Prohibiting Mor Cazakov from serving as an officer, director, associate, partner, or
9 qualifying individual of any licensee during the period that discipline is imposed on license No.
10 1002800, issued to Ninja Plumber Inc, Mateusz Siemaszko, RMO, Mor Cazakov, Officer;

11 8. Revoking or suspending any other license for which Mor Cazakov is furnishing the
12 qualifying experience or appearance;

13 9. Ordering Ninja Plumber Inc, Mateusz Siemaszko, RMO, Mor Cazakov, Officer to
14 provide the Registrar with a listing of all contracting projects in progress and the anticipated
15 completion date of each; and

16 As to All

17 10. Taking such other and further action as deemed necessary and proper.
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19

20 DATED: March 18, 2016 Heather Henderson

21 *for* WOOD ROBINSON
22 Enforcement Supervisor I
23 Contractors' State License Board
24 Department of Consumer Affairs
25 State of California
26 *Complainant*

22 **FILED**

23 **MAR 18 2016**

24 **CSLB DSS**

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