

Agenda: Item 7

Taxi Commission v. American Cab Co.: Disciplinary Hearing for
Medallion # 82 for Violations of 4.A.1, 4.A.3, 4.A.4, 4.C.1, and MPC §
1124 [ACTION]

CITY AND COUNTY OF
SAN FRANCISCO



TAXI COMMISSION
MAYOR GAVIN C. NEWSOM

PAUL GILLESPIE, PRESIDENT
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER
TOM ONETO, COMMISSIONER
MIN PAEK, COMMISSIONER
R. JAMES SLAUGHTER, COMMISSIONER
SUSAN SUVAL, COMMISSIONER

**TAXI COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**ORDER TO APPEAR
NOTICE OF ADMINISTRATIVE
ACTION ON PERMIT**

TO American Cab Co.

BUSINESS Luxor Cab

LOCATION 2230 Jerrold Avenue, San Francisco CA 94124

YOU ARE HEREBY NOTIFIED THAT THE ANNEXED COMPLAINT HAS BEEN FILED WITH THE TAXI COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, AND YOU ARE HEREBY CITED TO APPEAR IN PERSON BEFORE SAID TAXI COMMISSION ON

Tuesday, August 26, 2008 AT 6:30 PM

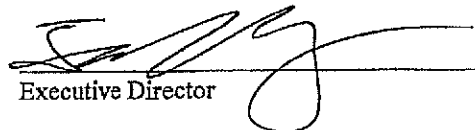
IN ROOM 400, CITY HALL, #1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA TO SHOW CAUSE WHY YOUR PERMITS:

Public Passenger Vehicle Permit #82

HERETOFORE GRANTED TO YOU, SHOULD NOT BE SUBJECTED TO THE ADMINISTRATIVE ACTION AND FOR THE REASONS SET FORTH IN SAID COMPLAINT.

BY ORDER OF THE TAXI COMMISSION,

SAN FRANCISCO, CA July 21, 2008
Date


Executive Director

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**SAN FRANCISCO TAXI COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

COMPLAINT

1. Complaint is hereby made against AMERICAN CAB COMPANY, INC., Permit Holder # 82, that said Permit Holder has conducted itself in a disorderly manner and violated provisions of the Municipal Police Code and the Taxi Commission Rules & Regulations as described below.

2. Municipal Police Code (MPC) § 1090(a) provides as follows:

(a) Revocation for Cause. Any permit issued under this Article may be suspended or revoked by the Taxi Commission for good cause after a noticed hearing. "Good cause" hereunder shall include, but shall not be limited to, the following:

(ix) The permittee violated any applicable statute, ordinance, rule or regulation pertaining to the operation or licensing of the vehicles and services regulated by this Article, including any rules and regulations enacted by the Executive Director pursuant to this Article.

Upon a showing of good cause, the Taxi Commission shall have discretion to suspend or revoke a permit as set forth above, except that a suspension and/or revocation shall be mandatory in the circumstances described in subparts (i) through (vi) above.

3. The following facts are taken from the original Summary Suspension complaint and San Francisco Police Department (SFPD) Case # 080634691, attached as Exhibits A and B respectively. After a routine traffic stop was made on a Luxor Cab driver operating vehicle # 82, it was revealed that this vehicle was operated by an unlicensed and unpermitted driver known as Raj Kumar.

1 3. Subsequent investigation revealed that the vehicle was leased to Jasvir Singh Bains, for
2 whom a separate administrative complaint has been brought. Mr. Bains has a lease with American
3 Cab Co. for operation of the vehicle, but does not have a lease with Luxor Cab company. Mr. Bains
4 illegally leased the vehicle to Ricky Kumar, a driver who is not associated with Luxor Cab. Ricky
5 Kumar then leased the vehicle to Raj Kumar, his relative – an unlicensed, unpermitted driver who
6 presented a fake identification to the police.

7
8 4. Mr. Simon Wong, the Vice President of American Cab Co. and its agent and representative
9 for Taxi Commission-related matters, submitted to an interview on June 26, 2008 with Sgt. Ron
10 Reynolds of the SFPD Taxi Detail and Investigator Scott Leon of the Taxi Commission. Mr. Wong
11 stated that he was the person in charge of medallion # 82 and other pre-K medallions which are
12 owned by American Cab Co. His mother is the president of the board of American Cab Co. Inc.
13 and he runs the business on behalf of his family.

14 5. Mr. Wong stated that he leased medallion # 82 to Jasvir Singh Bains beginning February 4,
15 2005. Mr. Bains has had the lease continuously since that time. Mr. Bains pays him \$3,725 per
16 month; the lease provides that Mr. Bains must operate the taxicab vehicle in compliance with all
17 rules and regulations. Mr. Wong had no knowledge of how the vehicle was actually being operated
18 or whether it was actually being operated in accordance with all rules and regulations. Mr. Wong
19 claimed he did not know Raj Kumar. Sgt. Reynolds noted that Mr. Wong had not filed a copy of
20 his lease with Mr. Bains with the Taxi Commission as required by statute.

21
22 6. As a medallion holder, American Cab Co. is charged with operating its medallions in
23 compliance with the rules and regulations and the Municipal Police Code, pursuant to Rules 4.A.1
24 and 4.A.3. Its agent has indicated he had no knowledge that the vehicle was being operated
25 illegally, but this is not an excuse since the requirement inures to medallion holders themselves.
26 Rule 4.A.4 also provides that a contract with a color scheme does not relieve a medallion holder of
27 responsibility for ensuring compliance with the rules. American Cab Co. has violated these Rules
28 because it has not taken steps to ensure its medallions were operating legally. The medallion was

1 operated in violation of Rule 4.C.1 (three layers of leasing) and by an unlicensed, unpermitted
2 operator in violation of MPC § 1078 and other rules.
3

4 7. MPC § 1124 provides that permittees shall file a copy of any existing leases with the Taxi
5 Commission office. American Cab Co. has not filed a copy of any lease it holds with Mr. Bains or
6 with Luxor Cab, if one exists, for use of the color scheme.

7
8 8. American Cab Co. has violated Rules 4.A.1, 4.A.3, 4.A.4, 4.C.1, MPC § 1124, and
9 permitted its medallion to be operated in violation of a host of rules, including, most egregiously,
10 allowing an unpermitted and unlicensed individual to drive a San Francisco taxicab. A fact-finding
11 hearing is scheduled for August 26, 2008 at 6:30 pm in Room 400 of City Hall, 1 Dr. Carlton B.
12 Goodlett Place, San Francisco, CA 94102. American Cab Co. has the right to be represented by
13 legal counsel. The Commission shall present Sgt. Ron Reynolds as a witness and if other witnesses
14 are necessary, may notify the defendant according to MPC § 1188.
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GAVIN NEWSOM
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



HEATHER J. FONG
CHIEF OF POLICE

COMPLAINT

RECEIVED

JUN 27 2008

STATE OF CALIFORNIA
City & County of San Francisco

ANALYTIC
INVESTIGATION

Complaint is hereby made against: **Simon Wong # 82**

Engaged in the business of: **Medallion holder**

At the address of 525 Jones St., San Francisco, in the said City & County, that the said business was conducted by Simon Wong in an unlawful, disorderly and improper manner as follows, to wit:

On 06/17/2008, at 1908 hrs, Luxor Taxicab # 82 (California license plate 7Y98694) was traveling south bound on Cabrillo St., approaching 12th Ave. The Luxor cab then drove through the intersection at approximately 10-15 MPH. 12th Ave and Cabrillo has a posted stop sign that requires all vehicles come to a complete stop before proceeding through the intersection. The driver of Luxor taxicab # 82 violated California Vehicle Code section 22450.

California Vehicle Code 22450 (a) states:

The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection or railroad grade crossing shall stop at a limit line, if marked, otherwise before entering the crosswalk on the near side of the intersection.

Police officer Malcolm Fong, who was in police uniform and driving a marked police unit saw the Luxor taxicab run through the stop sign. He immediately started to follow the taxicab. Officer Fong made traffic stop on Luxor taxicab # 82 and discovered that Kumar/Raj was driving the taxicab. Officer Fong requested Kumar to present various proper documents. Officer Fong discovered that Kumar did not have the following required documents; a taxi badge, company photo ID, a current A card or a valid California Drivers License.

Municipal Police Code 1089 (g) states:

In addition the permits required by this section, shall be furnished to each licensed driver of a taxicab, or other motor vehicle for hire, upon the presentation of a driver's annual permit granted by the Chief of Police, a badge of such form and style as the Tax Collector may prescribe, with the license number of such driver thereon, which must, under penalty of revocation of the license, be constantly and conspicuously displayed on the outside of the driver's clothing when engaged in his or her employment, and shall only be worn by the person to whom the badge is issued.

Municipal Police Code 1077(a) states:

Rules and Regulations: The Taxi Commission from time to time shall, after a noticed public hearing, adopt such rules and regulations to effect the purposes of this Article as are not in conflict where within.

S.F. Taxicab/Ramped Taxi Rules and Regulations 6.B.5 states:

Every taxicab driver, while operating a taxicab vehicle shall have in their possession a three inch by five inch laminated identification card with a photograph of the driver's face, a minimum of one and one-half inches in width by two inches in length, displayed conspicuously at all times in a manner that is easily readable by any passenger in the taxicab vehicle. The card must include the photograph of the driver, the driver's badge number and the color scheme of the taxicab vehicle.

California Vehicle Code 12500 (a) states:

A person may not drive a motor vehicle upon a highway, unless the person then holds a valid driver's license issued under this code, except those persons who are expressly exempted under this code.

The driver of Luxor taxicab # 82 was Raj Kumar. He presented a Luxor Cab identification card with the number 54572 on it. Officer Fong examined the driver's picture on the identification card and discovered that the card didn't belong to Kumar. (At a later meeting with Luxor, John Lazar stated that the identification card was fraudulent.) Officer Fong asked Kumar for his badge, A-card and photo ID. Kumar stated those items were at home and that Luxor Cab Co told him it was ok to drive without these items. Officer Fong called Luxor Cab Co. and spoke to dispatcher Bill # 103. Dispatcher Bill was asked if Kumar was one of their drivers. Bill stated they had no record of Kumar ever driving for Luxor and did not know who that person was. Bill stated that Kumar did not have Luxor's permission to drive for them. Bill stated that if the company knew a driver didn't have a badge or identification card they would never let them leave the yard.

California Vehicle Code 31 states:

No person shall give, either orally or in writing, information to a peace officer while in the performance of his duties under the provisions of this code when such person knows that the information is false.

Officer Fong confronted Kumar on his misstatements and advised him it was a crime to lie to a peace officer. Kumar stated that the owner of Medallion # 82, a Mr. Singh (possible Jasvir Singh Bains) let him drive Luxor # 82 and allowed him to use Singh's Luxor's identification card. Officer Fong then inspected Kumar's waybill and discovered the way bill wasn't an official Luxor's waybill. Kumar admitted that the waybill wasn't filled out correctly.

Municipal Police Code 1138 states:

Drivers of taxicabs and motorized rickshaws shall keep an accurate and legible waybill.

Officer Fong checked the DMV record for Kumar and discovered that his license had been suspended and revoked. Since Kumar was an unlicensed driver, Officer Fong arraigned to have Luxor come and retrieve the taxicab # 82.

On 06/26/2008 Investigator Scott Leon of the SF Taxi Commission and Sgt. Reynolds of the S.F. Taxi Detail met with Simon Wong and John Lazar. Wong is the person in charge of medallion 82 and John Lazar is the President of Luxor Cab Co. Mr. Wong stated that he leased medallion #82 to Jasvir Bains on 02/04/05. Bains has had the lease since that time. Bains pays him 3,725.00 a month for the medallion. Wong stated that the lease states that Bains must comply with all the laws and regulations of the Taxi Commission. Sgt. Reynolds asked Wong if he knew where the vehicle was being shift changed, who were the drivers operating medallion #82, where the way bills were stored and if all the drivers were legally permitted and licensed drivers? Wong stated he did not know. Sgt. Reynolds asked John Lazar if they knew Raj Kumar, they both said no. Lazar stated Raj Kumar doesn't work for Luxor and they have no record of him. Sgt. Reynolds asked Wong if he had a copy of the lease with Bains and if he would fax it to the Taxi Detail since the Police department didn't have a copy on file. Wong stated he would comply.

Municipal Police Code 1124 states:

Provided that a taxicab permit is operated in compliance with all other applicable statues, laws, rules and regulations, a taxicab permit tee may operate his or her permit by authorizing another to drive or operate pursuant to said permit under any otherwise lawful lease, employment, or other agreement. A true and correct copy of such lease, employment, or other agreement shall be filed by the permit holder with the Chief of Police within 10 days of the execution of that agreement. Nothing in this Section shall be deemed to modify, limit or excuse the obligations of any permit tee pursuant to the provisions of Section 1123 of this article.

S.F. Taxicab/Ramped Taxi Rules and Regulations 4.A.1. states:

Every licensed Medallion Holder shall comply with the provisions of the Charter, Police Code, Planning Code and Traffic Code of the City and County of San Francisco, The California Vehicle Code, California Worker's Compensation Laws and these Taxicab Regulations. The provision of all ordinances and regulations applicable at the San Francisco International Airport, San Francisco City and County Department of Agriculture and Weights and Measures, and all other governmental jurisdictions through which the permit holders traverse.

S.F. Taxicab/Ramped Taxi Rules and Regulations 4.A.3. states:

Every Medallion Holder shall ensure that their taxicab, color scheme holder, dispatch service and business operations adhere to all requirements set forth in both these regulations and the San Francisco Municipal Police Code. Failure to comply may result in administrative action.

Municipal Police Code 1090(a) (vii) states:

(a) Revocation for Cause. Any permit issued under this article may be suspended or revoked by the Police Commission for good cause after a noticed hearing. "Good cause" hereunder shall include, but shall not be limited to, the following:

(vii) The permit tee violated the Traffic Code of the City and County of San Francisco or the Vehicle Code or related laws of the State of California.

Municipal Police Code 1090(c) states:

(c) Suspension by the Chief of Police. The Chief of Police may suspend summarily any permit issued under this Article pending a disciplinary hearing before the Police Commission when in the opinion of said Chief of Police the public health or safety requires such summary suspension, Any affected permit tee shall be given notice of such summary suspension in writing delivered to said permit tee in person or by registered letter.

Taxicab/Ramped Taxi Rules and Regulations 6.A. 1. states:

Every licensed permit holder shall comply with the provisions of the Charter, Police Code, Planning Code and Traffic Code of the City and County of San Francisco.

The California Vehicle Code, California Worker's Compensation Laws and these Taxicab Regulations. The provisions of all ordinances and regulations applicable to the San Francisco International Airport, San Francisco City and County Department of Agriculture and Weights and Measures and all other governmental jurisdictions thought which the permit holders traverse.


The SFPD Taxi Detail believes that Mr. Bains demonstrated irresponsible criminal behavior and poor judgment regarding his allowing an unlicensed taxicab driver operate a vehicle for hire in San Francisco. The District Attorney is currently reviewing this case to see if criminal charges will be filed against Raj Kumar. Mr. Simon Wong is to ensure that anyone leasing his medallion shall adhere to all the requirements set fourth in the San Francisco Municipal Police Code and failure to comply may result in administrative action. Therefore, the Taxi Detail requested that the Taxi Commission start administrative disciplinary proceedings against Simon Wong, Raj Kumar and Jasvir Bains for; illegally operating a vehicle for hire in the City and County of San Francisco, for allowing an unlicensed driver to operate a Luxor taxicab, being a danger to public safety, criminal behavior, and for not being in compliance with the Taxicab/Ramped Taxi Rules and Regulations, the San Francisco Municipal Police Code and the California Vehicle Code.

Dated: June 26, 2008


Sgt. Ron Reynolds
O.I.C. Taxicab Detail



Dated: June 26, 2008

Approved by:  Lt 4020
Lt. Jeanne Schlotz # 4020
Commanding Officer Permits Bureau

Dated: June 26, 2008

Approved by: 
~~Scott Lerner~~
Jordanna Thigpen
Acting Executive Director
Taxicab Commission

Supporting Documents:

- 1) SFPD Incident Report # 080634691

Jun. 17. 2008 11:29PM

No. 0104 P. 1

San Francisco Police Department INCIDENT REPORT

080634691

Report Type: Initial

Incident Number 080-634-691	Occurrence from Date/Time 6/17/08 19:08	Occurrence to Date/Time 6/17/08 20:22	Reported Date/Time 6/17/08 19:09	CAD Number 081693189
Type of Incident Permit Violation, Taxi -30090, Driving, License Suspended or Revoked -85018				
Location of Occurrence 12 TH AV At Intersection with/Premise type CABRILLO ST. Street, (Not Sidewalk)				
Confidential Report? <input type="checkbox"/>	Arrest Made? <input checked="" type="checkbox"/>	Suspect Known? <input type="checkbox"/>	Suspect Unknown? <input type="checkbox"/>	Non-Suspect Incident? <input type="checkbox"/>
Domestic Violence? <input type="checkbox"/> (Type of Weapon Used)				Reporting Unit 3G61K
Location Sent ON-VIEW				
How Cleared? <input type="checkbox"/>	Reported to Bureau	Name	Star	Date/Time
7				
Elder Victim? <input type="checkbox"/>	Gang Related? <input type="checkbox"/>	Juvenile Subject? <input type="checkbox"/>	Prejudice Based? <input type="checkbox"/>	

080634691

I declare under penalty of perjury, this report of 6 pages is true and correct, based on my personal knowledge, or is based on information and belief following an investigation of the events and parties involved.

PROP 115 CERTIFIED 5 YEAR/POST Signature: [Signature] 1559

Reporting Officer Fong, Malcolm S	Star 859	Station Richmond Station	Watch 1100-2100	Date 6/17/08 23:06:53
Reviewing Officer <u>[Signature]</u>	STAR 2096	Station 6	Watch J	Date 6/17/08
OIC	STAR	Station	Watch	Date

Related Case: _____ Assigned to: 2G200 Assigned by: _____
Copies to: 2G200 4B300 Add'l Copies: _____

REPORTER

Code R	Name (Last, First Middle) SFPD #859,	City	State	Zip Code
Day Phone (415) 888-8000	Type Work	Home Address	City SAN FRANCISCO	State CA
Night Phone	Type	Work Address 481- 8TH AVE.	City SAN FRANCISCO	State CA
DOB / Age	DOB Unk. <input type="checkbox"/>	or age between and	Race	Sex
Height	Weight	Hair Color	Eye Color	ID Type Jurisd. ID No.
Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>	293 PC Notification <input type="checkbox"/>	Star	Follow-up Form YES <input type="checkbox"/>
				Statement YES <input type="checkbox"/>
Relationship to Subject Stranger/None				
School (if Juvenile)	Injury/Treatment	Other Information (if Interpreter Needed Specify Language)		

RECEIVED

CITED

Code C	Name (Last, First Middle) KUMAR, RAJ	City SAN FRANCISCO	State CA	Zip Code 94403-
Day Phone	Type	Home Address SAN FRANCISCO SAN MATEO	City SAN FRANCISCO	State CA
Night Phone	Type	Work Address TAXI COMMISSION	City SAN FRANCISCO	State CA
DOB Unknown <input type="checkbox"/>	Date of Birth	Age	or age between and	Race U
Sex M	Height 5'08	Weight 160	Hair Color BLK	Eye Color BRO
SFNO U075219	J/D# (if Juvi.)	ID Type/Jurisdiction/Number	ID Type/Jurisdiction/Number	ID Type/Jurisdiction/Number
Book Section #1	Book Section #2	Book Section #3	Book Section #4	Book Section #5
Warrant #	Court #	Action #	Dept	Enroute to
				CWB Check NEG. CABLE
				Star 659
Warrant Violation(s)			Bail	Mirandized Star <input type="checkbox"/>
			Date	Time
			Statement	<input type="checkbox"/>
Citation # 005273273	Violation(s) 22450(a) VC., 1089(g) & 1089(h) MPC		Appear Date/Time 8/4/08 08:00	Location of Appearance HOJ, RM 475
Book/Cite Approval SGT. LEE	Star 2171	Mass Arrest Code	M X-Rays <input type="checkbox"/>	School (if Juvenile) #62116
				<input type="checkbox"/> CA Form Booked Copy Attached

Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tattoos
24 VC 1000(a) & 1085(d)(6) B.5 MPC, 8/5/08 0800, HOJ, RM 475. CONTINUE ON NARR.

Jun. 17. 2008 11:30PM

No. 0104 P. 2

080634691

San Francisco Police Department
PROPERTY LISTINGS

E 1	Code/No EVD 1	Item Description LUXOR PHOTO ID CARD				Brand LUXOR	Model	
	Serial No. 54572	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity 1	Value TBD	
	Seized by (Star) 859	From Where LUXOR CAB #82 (U-VEH.)						
	Additional Description/Identifying Numbers							
E 2	Code/No EVD 2	Item Description NATIONAL TAXI CAB SUPPLY CO. SF. FORM 7 WAY BILL				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity 1	Value TBD	
	Seized by (Star) 659	From Where LUXOR CAB #82 (U-VEH.)						
	Additional Description/Identifying Numbers IN C-KUMAR'S NAME.							
E 3	Code/No EVD 3.	Item Description DMV DL PRINT OUT				Brand DMV	Model	
	Serial No. U5168196	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity 2 PGS.	Value TBD	
	Seized by (Star)	From Where CO. G						
	Additional Description/Identifying Numbers DRIVER'S LICENSE RECORD AS OF 6/17/08, OF C-KUMAR.							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							

Jun. 17. 2008 11:30PM

No. 0104 P. 3

San Francisco Police Department VEHICLE INFORMATION

080634691

VEHICLE CODES: B-BOOSTED; D-DAMAGED; F-USED FELONY; T-TOWED; U-USED OTHER; V-VANDALIZED; X-STRIPPED

VEHICLE INFORMATION	Code	Plate No.	State	Reg Yr	Plate Type	VIN No.
	U	7Y98894	CA	2008	CO	2FAFP71W14X170804
	Veh Year	Make	Model			
	2004	Ford	CROWN VICTORIA			
	Style	Color	Plates/VIN Match?	Plates Missing?		
Sedan, 4 door	White	<input checked="" type="checkbox"/>	FRONT <input type="checkbox"/> REAR <input type="checkbox"/>			
OWNER	Condition (Check all that apply)					
	APPARENTLY DRIVABLE <input checked="" type="checkbox"/> BURNED? <input type="checkbox"/> DAMAGED? <input type="checkbox"/> STRIPPED? <input type="checkbox"/> N/A					
	Crime Scene Tech. Notified?	387 Form Given to Owner?	Tow Approved By (Name)	Star	Towed to (Name/Address)	Tow Check (Name) Star
	<input type="checkbox"/>	<input type="checkbox"/>				
	Hold For	Other Information				
	RELEASED TO LUXOR CAB CO. TOW TRUCK.					
	Registered Owner Business Name/Last Name, First Name				Residence Phone	
	LUXOR CAB				(415) 282-4141	
	Residence Address	City	State	Zip	Business Phone	
	2230 JERROLD ST.	SAN FRANCISCO	CA	94124		

VEHICLE INFORMATION	Code	Plate No.	State	Reg Yr	Plate Type	VIN No.
	Veh Year	Make	Model			
	Style	Color	Plates/VIN Match?	Plates Missing?		
		<input type="checkbox"/>	FRONT <input type="checkbox"/> REAR <input type="checkbox"/>			
OWNER	Condition (Check all that apply)					
	APPARENTLY DRIVABLE <input type="checkbox"/> BURNED? <input type="checkbox"/> DAMAGED? <input type="checkbox"/> STRIPPED? <input type="checkbox"/>					
	Crime Scene Tech. Notified?	387 Form Given to Owner?	Tow Approved By (Name)	Star	Towed to (Name/Address)	Tow Check (Name) Star
	<input type="checkbox"/>	<input type="checkbox"/>				
	Hold For	Other Information				
	Registered Owner Business Name/Last Name, First Name				Residence Phone	
	Residence Address	City	State	Zip	Business Phone	

VEHICLE INFORMATION	Code	Plate No.	State	Reg Yr	Plate Type	VIN No.
	Veh Yr	Make	Model			
	Style	Color	Plates/VIN Match?	Plates Missing?		
		<input type="checkbox"/>	FRONT <input type="checkbox"/> REAR <input type="checkbox"/>			
OWNER	Condition (Check all that apply)					
	APPARENTLY DRIVABLE <input type="checkbox"/> BURNED? <input type="checkbox"/> DAMAGED? <input type="checkbox"/> STRIPPED? <input type="checkbox"/>					
	Crime Scene Tech. Notified?	387 Form Given to Owner?	Tow Approved By (Name)	Star	Towed to (Name/Address)	Tow Check (Name) Star
	<input type="checkbox"/>	<input type="checkbox"/>				
	Hold For	Other Information				
	RELEASED TO LUXOR CAB CO. TOW TRUCK.					
	Registered Owner Business Name/Last Name, First Name				Residence Phone	
	Residence Address	City	State	Zip	Business Phone	

Jun. 17. 2008 11:30PM.

No. 0104 P. 4

San Francisco Police Department
NARRATIVE

080634691

OTHER INFORMATION CONTINUED: CITE # 005273295, 1138 MPC 14601.5A & 14601.1A VC,
8/8/08 0800,HOJ RM 475.

NARRATIVE:

ON THE ABOVE DATE AND TIME, I WAS ON DUTY, IN FULL UNIFORM, DRIVING A MARKED POLICE VEHICLE. I WAS TRAVELING E/B ON CABRILLO ST., APPROACHING 12TH AVE. I STOPPED FOR THE STOP SIGN AT THE INTERSECTION. BE ADVISED, THIS IS A FOUR WAY STOP SIGN INTERSECTION.

I SAW A LUXOR CAB, TRAVELING S/B ON 12TH AVE., APPROACHING THE INTERSECTION AT CABRILLO. THE LUXOR CAB RAN THROUGH THE STOP SIGN AT APPROXIMATELY 10-15 MPH., FAILING TO COME TO A COMPLETE STOP FOR THE STOP SIGN, AND DROVE RIGHT PAST ME. I INITIATED A TRAFFIC STOP ON THE LUXOR CAB, #82.

I REQUESTED THE DRIVER'S DRIVERS LICENSE, REGISTRATION, PROOF OF INSURANCE, A-CARD, AND WAY BILL. I NOTICED AT THIS TIME, THAT THE DRIVER DID NOT HAVE HIS BADGE ON HIS OUTER MOST GARMENT, AND HAD NO PHOTO ID DISPLAYED. I ASKED THE DRIVER WHERE HIS BADGE WAS AND HIS PHOTO ID. THE DRIVER TOLD ME THAT HE LEFT HIS BADGE AT HOME, AND SHOWED ME E1-PHOTO ID. UPON EXAMINATION OF THE PHOTO ID HE SHOWED ME, I ASKED HIM IF THIS WAS HIS PHOTO ID. HE TOLD ME THAT IT WAS NOT HIM, BUT THE OWNER OF THE CABS. THE PHOTO DID RESEMBLE THE DRIVER.

I ADVISED THE DRIVER OF 31 VC, FALSE AND MISLEADING INFORMATION TO A PEACE OFFICER DURING A TRAFFIC STOP. I ASKED THE DRIVER IF HE UNDERSTOOD 31 VC, AND HE TOLD ME HE UNDERSTOOD.

I ASKED THE DRIVER TO PRODUCE THE ITEMS I HAD REQUESTED. THE DRIVER PRODUCED A DRIVER'S LICENSE, REGISTRATION, PROOF OF INSURANCE, AND THE WAY BILL. I IDENTIFIED THE DRIVER AS C-KUMAR.

I ASKED KUMAR WHERE HIS A-CARD AND PHOTO ID WERE. KUMAR TOLD ME THAT THESE ITEMS WERE AT HOME, ALONG WITH HIS BADGE. I ASKED HIM IF LUXOR CAB CO. KNEW HE WAS DRIVING WITHOUT THESE ITEMS, AND KNEW THAT HE WAS DRIVING THEIR CAB. KUMAR TOLD ME THAT LUXOR CAB CO. DID KNOW THAT HE WAS DRIVING THEIR CAB, #82, AND THAT THEY KNEW HE HAD FORGOTTEN THESE ITEMS AT HOME, AND THEY TOLD HIM IT WAS OK TO DRIVE STILL.

I MADE A COMPUTER CHECK OF KUMAR'S DRIVER'S LICENSE, AND I DISCOVERED THAT IT WAS SUSPENDED AND REVOKED. I AGAIN ADVISED KUMAR OF 31 VC, FALSE /MISLEADING INFORMATION TO A PEACE OFFICER DURING A TRAFFIC STOP. KUMAR AGAIN TOLD ME THAT HE UNDERSTOOD 31 VC.

I ASKED KUMAR IF HE KNEW HIS LICENSE WAS SUSPENDED/REVOKED. HE TOLD ME THAT HE DID NOT KNOW HIS LICENSE WAS SUSPENDED/REVOKED. I ASKED KUMAR IF HE STILL LIVED ON S. NORFOLK IN SAN MATEO. HE TOLD ME THAT HE DOES STILL LIVE THERE.

I TOLD KUMAR THAT HE HAS VIOLATED 31 VC, THAT HE DID KNOW, THAT A PEACE

Jun. 17. 2008 11:30PM

OFFICER HAD SERVED HIM WRITTEN NOTICED(SEE E3- DL PRINT OUT, SUSPENSION EFFECTIVE 4/24/07), AND THAT HE JUST GAVE ME FALSE / MISLEADING INFORMATION.

SINCE KUMAR WAS DRIVING A CAB, PER DEPARTMENT POLICY, I CONTACTED THE CAB COMPANY, AT LUXOR CAB CO., I SPOKE WITH DISPATCHER BILL, #103, AND ADVISED HIM OF THE SITUATION, AND REQUESTED THAT HE HAVE A REPRESENTATIVE RESPOND TO TAKE CUSTODY OF THE CAB FROM ME, DUE TO KUMAR'S SUSPENSION /REVOCATION.

DISPATCHER BILL ASKED ME WHO WAS DRIVING THE CAB, AND WHAT WAS THE DRIVERS LICENSE NUMBER OF THE DRIVER. I RELAYED THE INFORMATION REQUESTED TO DISPATCHER BILL. HE ADVISED ME THAT HE HAD NO RECORD OF THAT PERSON DRIVING FOR LUXOR CAB, AND DID NOT KNOW WHO THIS PERSON WAS. DISPATCHER BILL TOLD ME THAT THE PERSON I HAD DRIVING THE CAB DID NOT HAVE LUXOR'S CAB PERMISSION TO DRIVE FOR THEM. HE FURTHER TOLD ME THAT EVEN IF HE WAS A DRIVER FOR HIS COMPANY, THEY WOULD NEVER LET THEIR DRIVER'S LEAVE AND DRIVE A CAB FOR THEM WITHOUT A BADGE OR PHOTO ID WITH THEM, PER THE MPC CODE. DISPATCHER BILL TOLD ME THAT HE WOULD BE SENDING OUT HIS OWN TOW TRUCK TO PICK UP THE CAB.

I QUESTIONED KUMAR FURTHER, ADVISING HIM THAT HE HAS VIOLATED 31 VC NUMEROUS TIMES, AND THAT LUXOR CAB HAD NO KNOWLEDGE OF HIM DRIVING FOR THEM. KUMAR TOLD ME THAT THE OWNER OF THE MEDALLION, A MR. SINGH(POSS. JASVIR SINGH BAINS, THE L/O OF THE U-VEH.), LET HIM DRIVE AND USE HIS PHOTO ID. I ADVISED KUMAR THAT THE CAB COMPANY NEEDED TO KNOW THAT HE WAS DRIVING THE CAB, DUE TO THE FACT THAT HE WAS DRIVING USING THEIR NAME, AND NOT THE L/O OF THE VEHICLE'S NAME. I ASKED KUMAR IF HE WAS USING SINGH'S NAME, IMPERSONATING HIM DRIVING, SINCE HE TRIED TO PASS HIMSELF OFF AS THE PERSON IN THE PHOTO ID(E1) HE HAD HANDED ME. KUMAR DID NOT ANSWER ME.

UPON INSPECTION OF KUMAR'S WAY BILL(E2), I DISCOVERED THAT IT WASN'T FILLED OUT CORRECTLY, AND WAS INCOMPLETE(COPY ATTACHED). I QUESTIONED KUMAR ON HIS INCOMPLETE WAY BILL, AND HE TOLD ME HE KNEW IT WAS NOT FILLED OUT CORRECTLY.

I ASKED KUMAR WHEN HIS A-CARD HAD EXPIRED OR WHEN DID HE APPLY FOR HIS A-CARD. KUMAR TOLD ME THAT HIS A-CARD WAS CURRENT, AND THAT HE HAD APPLIED FOR IT RECENTLY, ABOUT A MONTH AGO. HE TOLD ME HE HAD BEEN DRIVING A CAB FOR THE LAST 2 YEARS OFF AND ON, BUT COULD NOT TELL ME WHEN HE HAD LAST APPLIED FOR HIS A-CARD. I ADVISED HIM THAT PER MY INFORMATION CHART, HE WAS TO HAVE APPLIED/RENEWED HIS A-CARD PRIOR TO FEB. 1ST OF EACH YEAR. KUMAR TOLD ME HE DID NOT KNOW THAT.

I CITED KUMAR FOR FAILING TO COME TO A COMPLETE STOP FOR THE STOP SIGN, NO BADGE, NO A-CARD, FALSE/MISLEADING INFORMATION TO A PEACE OFFICER, UNPERMITTED DRIVER OF A CAB, NO PHOTO ID DISPLAYED/USING SOME ONE ELSE'S PHOTO ID, WAY BILL INCOMPLETE, AND FOR 2 CURRENT AND ACTIVE SUSPENSIONS/ REVOCATIONS OF HIS DRIVER'S LICENSE.

I COMPLETED DMV FORM 310 AND SERVED C-KUMAR OF HIS SECOND SUSPENSION/REVOCATION OF HIS DRIVER'S LICENSE. I CONFISCATED C-KUMAR'S DRIVER'S LICENSE, AND SENT IT ALONG WITH FORM DMV 310 TO DMV.

I BOOKED E1-E3 AT CO. G. A TOW TRUCK ARRIVED AT THE SCENE, UNDER THE DIRECTION OF THE LUXOR CAB CO., AND TOOK CUSTODY OF THE CAB, #82. COPIES OF

Jun. 17. 2008 11:31PM

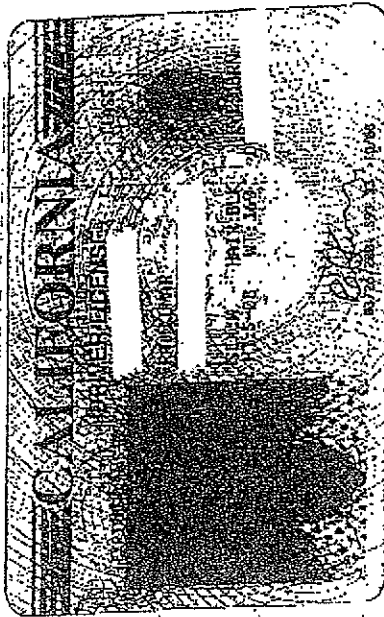
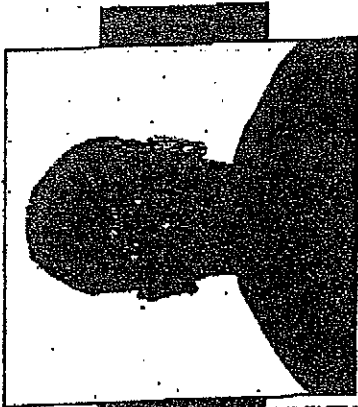
No. 0104 P. 6

E1-E3 ATTACHED. COPY OF C-KUMAR'S DL ATTACHED. COPIES OF CITATIONS ISSUED
ATTACHED. COPY DMV 310 FORM ATTACHED.

LUXOR CABS

54572

SAN FRANCISCO TAXI DRIVER



PROOF OF SERVICE BY MAIL

I declare that:

I am employed by the City and County of San Francisco, State of California.

I am over the age of eighteen years and not a party to the within cause. My business address is San Francisco Taxicab Commission, 25 Van Ness Avenue, Room 420, San Francisco, California 94102

On July 3, 2008, I served the within, **the Complaint and Order to Appear**, upon the permit holder in said cause, by placing a true copy thereof enclosed in email and in a sealed envelope with postage fully prepaid, in the United States mail at San Francisco, California, addressed as follows:

Simon Wong
Barry Slatt Mortgage Company
1350 Old Bayshore Hwy, Suite 450
Burlingame, CA 94010

Simonw@slatt.com

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on July 3, 2008 at San Francisco, California.



Tamara Odisho
Executive Secretary





"Simon Wong"
<simonw@slatt.com>

06/26/2008 03:31 PM

Please respond to
<simonw@slatt.com>

To <tamara.odisho@sfgov.org>

cc

bcc

Subject Medallion 82

History

This message has been forwarded.

I have stipulated with the taxi commission that I waive my notice requirement of 10 days. This depends on the approval of the executive director to be heard at the Taxi Cab Commission meeting on July 8th.

If you have any questions, please do not hesitate to email or call.

Thank you,

Simon V. Wong

Loan Originator | Barry S. Slatt Mortgage Co.

1350 Old Bayshore Hwy., Suite 450

Burlingame, CA 94010

(650) 342-6755 ext. 213 | (650) 342-3964 fax

(415) 722-7073 mobile

simonw@slatt.com



SAN FRANCISCO POLICE DEPARTMENT *TAXICAB DETAIL*

June 26, 2008

Mr. Simon Wong
American Cab Company.
525 Jones St.
San Francisco, CA 94102
415-722-7073

Subject: Summary Suspension of Public Vehicle for Hire Permit/Medallion # 82.

Dear Mr. Wong:

Pursuant to Sec. 1090 (c) (viii) of the Municipal Police Code, NOTICE IS HEREBY GIVEN that on: June 18, 2008, the SFPD Taxicab Detail has summarily suspended your Taxi Medallion #82.

You have the right to appeal this suspension to the Taxicab Commission. Written notice of appeal must be filed with the Director of the Taxicab Commission at 25 Van Ness, Room 420, San Francisco, California 94102, within ten (10) DAYS AFTER RECEIPT OF THIS LETTER. You are entitled to a hearing on your appeal within thirty (30) days after the filing of the notice of Appeal.


YOU ARE HEREBY ORDERED to immediately surrender taxi medallion 82 to the Taxicab Detail within 5 days of receipt of this notice.

Should you have any questions or need further information, please contact the Taxi Commission at (415) 503-2180.

Attachments:

- 1) Copy of SFPD 080634691

Sincerely,


Sgt Ron Reynolds
Officer in Charge
San Francisco Police Taxi Detail

06/26/08
Date


Permit Holder

PROOF OF SERVICE BY MAIL

I declare that:

I am employed by the City and County of San Francisco, State of California.

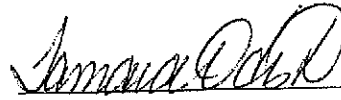
I am over the age of eighteen years and not a party to the within cause. My business address is San Francisco Taxicab Commission, 25 Van Ness Avenue, Room 420, San Francisco, California 94102

On August 20, 2008, I served the within, **the Complaint and Order to Appear**, upon the permit holder in said cause, by placing a true copy thereof enclosed in email and in a sealed envelope with postage fully prepaid, in the United States mail at San Francisco, California, addressed as follows:

Simon Wong
Barry Slatt Mortgage Company
1350 Old Bayshore Hwy, Suite 450
Burlingame, CA 94010

Simonw@slatt.com

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on August 20, 2008 at San Francisco, California.



Tamara Odisho
Executive Secretary

