

**BEFORE THE
REGISTRAR OF CONTRACTORS
CONTRACTORS STATE LICENSE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**PLUMBER HERO, INC., DBA ROOTER
HERO PLUMBING
WILLIAM JOHN BEYERMANN, RME
JOHN CLINTON BERGERON, OFFICER
JOHN AKHOIAN, OFFICER
TAMAR AKHOIAN, OFFICER
11150 Sepulveda Blvd., Suite 2A
Mission Hills, CA 91345**

Contractor's License No. 1028886, A, B, C36
C42

**WILLIAM JOHN BEYERMANN, DBA
MR. ROOTER PLUMBING
17409 Martha St.
Encino, CA 91316**

Contractor's License No. 607668, C36

**JOHN CLINTON BERGERON
269 W. Montecito Avenue
Sierra Madre, CA 91024**

Home Improvement Salesperson
Registration No. 113990 SP

Respondents.

CASE NO. N2019-298

OAH NO. 2021060328

**ORDER TO ADOPT
STIPULATED SETTLEMENT**

The attached Stipulated Settlement is hereby adopted by the Registrar of Contractors as his Decision in the above-entitled matter. The failure to comply with any of the terms and conditions as set forth in the provisions of probation will be deemed a violation of probation.

IT IS FURTHER ORDERED that **PLUMBER HERO INC DBA ROOTER HERO PLUMBING**, License Number **1028886**, on the effective date of this Decision shall have on file a Disciplinary Bond or post a cash deposit in the amount of \$75,000.00, for a period of not less than five years pursuant to Section 7071.8 of the Business and Professions Code. Any suspension for failing to post a disciplinary bond or a cash deposit, or any suspension for any other reason, shall not relieve the Respondent from complying with the terms and conditions of probation. Furthermore, suspension of the license during the period of probation, for any reason under this chapter, will cause the probationary period to be automatically extended in time equal to the length of time that the license is not in a clear and active status.

IT IS FURTHER ORDERED that respondents shall pay the investigative costs in the amount of \$37,195.71, is to be paid within 60 days from the effective date of this Decision.

IT IS FURTHER ORDERED that respondent shall pay restitution within 30 days of the effective date of the Order as detailed in Item 5 of the Stipulated Settlement.

IT IS FURTHER ORDERED that **WILLIAM JOHN BEYERMANN DBA MR. ROOTER PLUMBING**, License Number **607668**, on the effective date of this Decision shall have on file a Disciplinary Bond or post a cash deposit in the amount of \$30,000.00, for a period of not less than five years pursuant to Section 7071.8 of the Business and Professions Code. Any suspension for failing to post a disciplinary bond or a cash deposit, or any suspension for any other reason, shall not relieve the Respondent from complying with the terms and conditions of probation. Furthermore, suspension of the license during the period of probation, for any reason under this chapter, will cause the probationary period to be automatically extended in time equal to the length of time that the license is not in a clear and active status.

IT IS THE responsibility of the respondents, named in this Order, to read and follow the Order. The deadlines for meeting the terms and conditions are based upon the EFFECTIVE DATE of this Decision. No notices or reminders will be sent as to compliance with the terms and conditions. Proof of payments of restitution and payments for the Cost of Investigation and Enforcement if ordered, are to be sent to CSLB, Sacramento Case Management, Post Office Box 26888, Sacramento, CA 95826.

This Decision shall become effective on January 27, 2022.

IT IS SO ORDERED December 27, 2021.



David Fogt
Registrar of Contractors

1 ROH BONTA
Attorney General of California
2 CHAR SACHSON
Supervising Deputy Attorney General
3 MICHAEL B. FRANKLIN
Deputy Attorney General
4 State Bar No. 136524
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 510-3455
6 Facsimile: (415) 703-5480
Attorneys for Complainant

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

10 In the Matter of the Accusation Against:
11
12 **PLUMBER HERO, INC., DBA ROOTER**
13 **HERO PLUMBING**
14 **WILLIAM JOHN BEYERMANN, RME**
15 **JOHN CLINTON BERGERON, OFFICER**
16 **JOHN AKHOIAN, OFFICER**
17 **TAMAR AKHOIAN, OFFICER**
18 11150 Sepulveda Blvd., Suite 2A
19 Mission Hills, CA 91345
20
21 Contractor's License No. 1028886, A, B, C36,
22 C42
23 **WILLIAM JOHN BEYERMANN, DBA**
24 **MR. ROOTER PLUMBING**
25 17409 Martha St.
26 Encino, CA 91316
27
28 Contractor's License No. 607668, C36
29 **JOHN CLINTON BERGERON**
30 269 W. Montecito Avenue
31 Sierra Madre, CA 91024
32
33 Home Improvement Salesperson
34 Registration No. 113990 SP
35
36 Respondents.

Case No. N2019-298
OAH No. 2021060328
**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

1 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
2 entitled proceedings that the following matters are true:

3 PARTIES

4 1. Wood Robinson¹ (Complainant) was the Supervising Special Investigator I of the
5 Contractors State License Board (Registrar). He brought this action solely in his official capacity
6 and is represented in this matter by Rob Bonta, Attorney General of the State of California, by
7 Michael B. Franklin, Deputy Attorney General.

8 2. Plumber Hero, Inc., dba Rooter Hero Plumbing (Respondent Plumber Hero), John
9 Akhoian (Respondent John Akhoian), Tamar Akhoian (Respondent Tamar Akhoian), William
10 John Beyermann (Respondent Beyermann) and John Clinton Bergeron (Respondent Bergeron)
11 are all represented in this proceeding by attorney Bruce D. Rudman, whose address is:
12 6454 Coldwater Canyon Avenue, North Hollywood, CA 91606.

13 3. On or about July 12, 2017, the Registrar of Contractors (Registrar) issued
14 Contractor's License Number 1028886 in Classifications A (General Engineering), B (General
15 Contracting), C36 (Plumbing) and C42 (Sanitation System) to Respondent Plumber Hero. The
16 Contractor's License was in full force and effect at all times relevant to the charges brought herein
17 and will expire on July 31, 2023, unless renewed. At all times referenced herein, Respondent
18 Beyermann was the responsible managing employee (RME). At all times referenced herein
19 beginning on June 21, 2018, Respondent Bergeron was an officer of Respondent Plumber Hero.

20 4. Respondent John Akhoian, also known as Oganes Akhoian is listed as the Chief
21 Executive Officer of Respondent Plumber Hero in the records of the California Secretary of State,
22 effective March 19, 2020. However, Respondent Plumber Hero has not disclosed to the Registrar
23 that Respondent John Akhoian occupies this position. Therefore, Respondent John Akhoian is
24 not a member of the personnel of record for Respondent Plumber Hero.

25 5. Respondent Tamar Akhoian is listed as the Chief Financial Officer of Respondent
26 Plumber Hero in the records of the California Secretary of State, effective March 19, 2020.
27 However, Respondent Plumber Hero has not disclosed to the Registrar that Respondent Tamar

28 ¹ Mr. Robinson has since retired and has been replaced by Thomas Jager.

1 Akhoian occupies this position. Therefore, Respondent Tamar Akhoian is not a member of the
2 personnel of record for Respondent Plumber Hero.

3 6. On or about December 7, 1990, the Registrar issued Contractor License Number
4 607668 in Classification C36 (Plumbing) to Respondent Beyermann, dba Mr. Rooter Plumbing.
5 The Contractor's License expired on December 31, 2020, and has not been renewed.

6 7. On or about June 11, 2018, the Registrar issued Home Improvement Salesperson
7 (H.I.S.) Registration No. 113990 SP to Respondent John Clinton Bergeron. The H.I.S.
8 registration was in full force and effect at all times relevant to the charges brought herein and will
9 expire on June 30, 2022, unless renewed.

10 JURISDICTION

11 8. Accusation No. N2019-298 was filed before the Registrar, and is currently pending
12 against Respondent. The Accusation and all other statutorily required documents were properly
13 served on Respondents on March 25, 2021. Respondents each timely filed a Notice of Defense
14 contesting the Accusation.

15 9. A copy of Accusation No. N2019-298 is attached as exhibit A and incorporated
16 herein by reference.

17 ADVISEMENT AND WAIVERS

18 10. Respondents have carefully read, fully discussed with counsel, and understand the
19 charges and allegations in Accusation No. N2019-298. Respondents have also carefully read,
20 fully discussed with counsel, and understand the effects of this Stipulated Settlement and
21 Disciplinary Order.

22 11. Respondents are fully aware of their legal rights in this matter, including the right to a
23 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
24 the witnesses against them; the right to present evidence and to testify on their own behalf; the
25 right to the issuance of subpoenas to compel the attendance of witnesses and the production of
26 documents; the right to reconsideration and court review of an adverse decision; and all other
27 rights accorded by the California Administrative Procedure Act and other applicable laws.

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1 12. Respondents voluntarily, knowingly, and intelligently waive and give up each and
2 every right set forth above.

3 **CULPABILITY**

4 13. Respondents understand and agree that the charges and allegations in Accusation No.
5 N2019-298, if proven at a hearing, constitute cause for imposing discipline upon their
6 Contractor's Licenses and H.I.S. Registration.

7 14. For the purpose of resolving the Accusation without the expense and uncertainty of
8 further proceedings, Respondents agree that, at a hearing, Complainant could establish a factual
9 basis for the charges in the Accusation, and that Respondents hereby give up their right to contest
10 those charges.

11 15. Respondents agree that their Contractor's Licenses and H.I.S. Registration are subject
12 to discipline and they agree to be bound by the Registrar's probationary terms as set forth in the
13 Disciplinary Order below.

14 **RESERVATION**

15 16. The admissions made by Respondents herein are only for the purposes of this
16 proceeding, or any other proceedings in which the Registrar of Contractors, Contractors State
17 License Board, or other professional licensing agency is involved, and shall not be admissible in
18 any other criminal or civil proceeding.

19 **CONTINGENCY**

20 17. This stipulation shall be subject to approval by the Registrar of Contractors or the
21 Registrar's designee. Respondents understand and agree that counsel for Complainant and the
22 staff of the Contractors' State License Board may communicate directly with the Registrar
23 regarding this stipulation and settlement, without notice to or participation by Respondents or
24 their counsel. By signing the stipulation, Respondents understand and agree that they may not
25 withdraw this agreement or seek to rescind the stipulation prior to the time the Registrar considers
26 and acts upon it. If the Registrar fails to adopt this stipulation as its Decision and Order, the
27 Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this
28

1 paragraph, it shall be inadmissible in any legal action between the parties, and the Registrar shall
2 not be disqualified from further action by having considered this matter.

3 18. The parties understand and agree that Portable Document Format (PDF) and facsimile
4 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
5 signatures thereto, shall have the same force and effect as the originals.

6 19. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
7 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
8 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
9 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
10 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
11 writing executed by an authorized representative of each of the parties.

12 20. In consideration of the foregoing admissions and stipulations, the parties agree that
13 the Registrar may, without further notice or formal proceeding, issue and enter the following
14 Disciplinary Order:

15 **DISCIPLINARY ORDER**

16 IT IS HEREBY ORDERED that Contractor's License No. 1028886 issued to Respondent
17 Plumber Hero, Contractor's License No. 607668 issued to Respondent Beyermann, and H.I.S.
18 Registration No. 113990 SP issued to Respondent Bergeron are all revoked. However, the
19 revocations are stayed and Contractor's License No. 1028886, Contractor's License No. 607668,
20 and H.I.S. Registration No. 113990 SP are placed on probation for five (5) years on the following
21 terms and conditions.

22 1. **Obey All Laws.** Respondents shall comply with all federal, state and local laws,
23 including all building laws and uniform codes, governing the activities of a licensed contractor in
24 California.

25 2. **Interviews with Special Investigator.** Respondents and any of Respondents'
26 personnel of record shall appear in person for interviews with the Registrar or designee upon
27 request and reasonable notice during the probationary period.

28 3. **Completion of Probation.** Upon successful completion of probation, the

1 Contractor's Licenses and I.L.S. Registration will be fully restored.

2 4. **Violation of Probation.** If Respondents violate probation or any condition of
3 probation in any respect, the Registrar, after giving notice and opportunity to be heard, may
4 revoke probation and impose the disciplinary order that is stayed. If an accusation or petition to
5 revoke probation is filed against Respondents during the probationary period, then the Registrar
6 shall have continuing jurisdiction of this matter until the subsequent matter is final, and the period
7 of probation and all the conditions of probation in this matter shall be extended until the
8 subsequent matter is final. If there is an order to make restitution or pay cost recovery and
9 Respondents fails to comply with the restitution or cost recovery order and make a payment, the
10 Registrar may immediately lift the stay and reimpose the disciplinary order without giving
11 Respondents an opportunity to be heard.

12 5. **Restitution.** Respondents, jointly and severally, shall pay restitution to homeowners
13 as follows:

14 a. D.S.: \$23,769.11. Payment shall be made within 30 days after effective date of
15 the Decision and Order.

16 b. M.H.: \$26,347.51. Payment shall be made within 30 days after effective date of
17 the Decision and Order.

18 c. J.W.: \$16,654.55. Payment shall be made within 30 days after effective date of
19 the Decision and Order.

20 d. B.J.I.: \$21,682.10. Payment shall be made within 30 days after effective date of
21 the Decision and Order.

22 e. J.D. (for R.D. project): \$35,891.70. Payment shall be made within 30 days after
23 effective date of the Decision and Order.

24 f. M.L.: \$15,273.00. Payment shall be made within 30 days after effective date of
25 the Decision and Order.

26 g. C.C.: \$4,904.00. Payment shall be made within 30 days after effective date of the
27 Decision and Order.

28 h. R.H.: \$13,063.00. Payment shall be made within 30 days after effective date of

1 the Decision and Order.

2 i. R.C.: \$5,347.00. Payment shall be made within 30 days after effective date of the
3 Decision and Order.

4 j. T.N.: \$8,736.00. Payment shall be made within 30 days after effective date of the
5 Decision and Order.

6 Respondents shall directly submit these payments to the homeowners and shall file proof of
7 each payment with the Contractors State License Board Case Management Probation Monitor at
8 P.O. Box 26000, Sacramento, CA 95827. Failure to submit proof to the Registrar or designee of
9 each payment of restitution to the victims shall automatically terminate the stay of the order of
10 revocation and Respondents' licenses shall be revoked effective thirty (30) days from the due date
11 of the delinquent payment without further notice or hearing

12 6. - **Disciplinary Bond- Respondent Plumber Hero.** Not later than the effective date of
13 the decision, Respondent Plumber Hero shall file or have on file a disciplinary contractor's bond
14 in the sum of \$75,000.00. The disciplinary bond is in addition to, may not be combined with, and
15 does not replace any other type of contractor's bond. The disciplinary bond shall remain on file
16 with the registrar for a period of at least two years and for such additional time as the registrar
17 may determine, as required by Business and Professions Code section 7071.8.

18 7. **Disciplinary Bond- Respondent Beyermann.** Not later than the effective date of
19 the decision, Respondent Beyermann shall file or have on file a disciplinary contractor's bond in
20 the sum of \$30,000.00. The disciplinary bond is in addition to, may not be combined with, and
21 does not replace any other type of contractor's bond. The disciplinary bond shall remain on file
22 with the registrar for a period of at least two years and for such additional time as the registrar
23 may determine, as required by Business and Professions Code section 7071.8.

24 8. **Production of Documents.** Respondents shall submit copies of documents directly
25 related to construction operations to the Registrar or designee upon demand during the
26 probationary period.

27 9. **Personnel Changes.** Respondent Plumber Hero agrees to make the following
28 changes to its members of personnel:

1 a. Within 30 days of the effective date of the Decision and Order, Respondent John
2 Akhoian will apply to be the responsible qualifying officer (RMO).

3 b. Disassociate Respondent Beyermann as RME once Respondent John Akhoian
4 qualifies as RMO.

5 c. Within 30 days of the effective date of the Decision and Order, associate
6 Respondent Tamar Akhoian as an officer or, in the alternative, remove Respondent Tamar
7 Akhoian from the Secretary of State records for Respondent Plumber Hero.

8 10. **Cost Recovery.** Respondents, jointly and severally, shall pay to the Registrar
9 pursuant to Business and Professions Code section 125.3 the costs of investigation and
10 enforcement in this matter in the amount of \$37,195.71. Payment shall be made within 60 days
11 after effective date of the Decision and Order.

12 ACCEPTANCE

13 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
14 discussed it with my attorney, Bruce D. Rudman. I understand the stipulation and the effect it
15 will have on my Contractor's License. I enter into this Stipulated Settlement and Disciplinary
16 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
17 of the Registrar of Contractors, Contractors State License Board.

18 DATED: 12-7-21

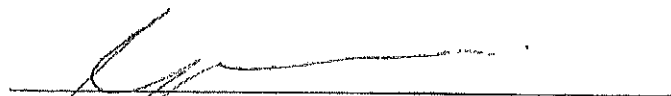

19 JOHN AKHOIAN, UNDISCLOSED OFFICER OF
20 RESPONDENT PLUMBER HERO
Respondent John Akhoian

21 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
22 discussed it with my attorney, Bruce D. Rudman. I understand the stipulation and the effect it
23 will have on my Contractor's License. I enter into this Stipulated Settlement and Disciplinary
24 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
25 of the Registrar of Contractors, Contractors State License Board.


26 DATED: 12-7-21


27 TAMAR AKHOIAN, UNDISCLOSED OFFICER OF
28 RESPONDENT PLUMBER HERO
Respondent Tamar Akhoian

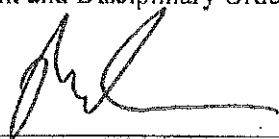
1 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
2 discussed it with my attorney, Bruce D. Rudman. I understand the stipulation and the effect it
3 will have on my Contractor's License. I enter into this Stipulated Settlement and Disciplinary
4 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
5 of the Registrar of Contractors, Contractors State License Board.

6
7 DATED: 12/7/2021 
8 WILLIAM JOHN BEYERMANN, RME FOR
9 RESPONDENT PLUMBER HERO AND SOLE
10 OWNER OF CONTRACTOR'S LICENSE NO.
11 607668
12 *Respondent Beyermann*

13 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
14 discussed it with my attorney, Bruce D. Rudman. I understand the stipulation and the effect it
15 will have on my Contractor's License. I enter into this Stipulated Settlement and Disciplinary
16 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
17 of the Registrar of Contractors, Contractors State License Board.

18 DATED: 12-7-21 
19 JOHN CLINTON BERGERON, OFFICER FOR
20 RESPONDENT PLUMBER HERO HOLDER OF
21 H.I.S. REGISTRATION NO. 113990 SP
22 *Respondent Bergeron*

23 I have read and fully discussed with Respondents the terms and conditions and other
24 matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form
25 and content.

26 DATED: 12/8/2021 
27 BRUCE D. RUDMAN
28 *Attorney for Respondents*

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Registrar of Contractors, Contractors State License Board.

DATED: 12/8/2021

Respectfully submitted,

ROB BONTA
Attorney General of California
CHAR SACHSON
Supervising Deputy Attorney General

Michael B. Franklin

MICHAEL B. FRANKLIN
Deputy Attorney General
Attorneys for Complainant

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