

**DEPARTMENT ENFORCEMENT NUMBER: M23-050210**

**RESPONDENTS:** Marvin Rivera / Dreams Unlimited  
87 Santa Fe Avenue  
Fresno, CA 93727

**PUBLIC RESOURCES CODE (PRC) SECTIONS VIOLATED:** 42991(a)

**VIOLATION PERIOD:** May 2, 2023, through March 15, 2024

**TOTAL PENALTY:** \$500

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## **SETTLEMENT AGREEMENT AND ADMINISTRATIVE DECISION FOR PENALTIES**

### **I. Terms of Settlement**

A. Marvin Rivera, on behalf of himself and as an authorized representative of the business known as Dreams Unlimited (collectively, Dreams Unlimited), and the California Department of Resources Recycling and Recovery (CalRecycle) enter into this Settlement Agreement to resolve the allegations by CalRecycle that Dreams Unlimited violated the above-referenced provisions of the Used Mattress Recovery and Recycling Act (the Mattress Stewardship Law, PRC sections 42985 through 42994).

B. Dreams Unlimited understands that it has the right to an administrative hearing through which it may contest CalRecycle's allegations and the imposition of penalties against it. Dreams Unlimited has chosen to waive that right.

C. Dreams Unlimited consents to CalRecycle issuing an administrative decision adopting the terms and conditions of this Settlement Agreement as a valid, legally issued administrative decision (the Decision, below) against Dreams Unlimited.

D. Dreams Unlimited understands that it has the right to consult with a lawyer and has had the opportunity to do so.

E. This Settlement Agreement and the Decision constitute the entire understanding between Dreams Unlimited and CalRecycle concerning the current allegations against Dreams Unlimited. However, this Settlement Agreement and the Decision do not preclude enforcement of the Mattress Stewardship Law with respect to violations occurring outside the Violation Period identified above.

F. **The total penalty against Dreams Unlimited is \$500.**

G. This Settlement Agreement and the Decision have no effect on any obligations, including past due remittances, that Dreams Unlimited may owe to Mattress Recycling Council California, LLC (MRC).

### **II. Stipulated Factual Findings and Total Penalty**

A. Dreams Unlimited and CalRecycle stipulate that Dreams Unlimited violated Public Resources Code section 42991(a) by failing to submit its annual report for 2022 on or before May 1, 2023. It did not submit that report until March 15, 2024.

B. Dreams Unlimited and CalRecycle further stipulate that a total penalty of \$500 is appropriate for all violations of the Act that occurred during the Violation Period. The total penalty of \$500 shall be immediately payable upon execution of this Settlement Agreement by Dreams Unlimited.

C. The stipulations provided in paragraphs A and B are conditioned on Dreams Unlimited paying the \$500 penalty. Until this condition is satisfied, CalRecycle reserves the right not to issue the Decision and may initiate administrative proceedings for determination of additional penalties.

THE UNDERSIGNED KNOWINGLY AND VOLUNTARILY ENTER INTO THE ABOVE SETTLEMENT AGREEMENT AND STIPULATE TO THE ABOVE ADMINISTRATIVE DECISION AND PENALTY

**DREAMS UNLIMITED  
MATTRESS**

By: Signature - Marvin Rivera  
Marvin Rivera, Owner

Date: 5/13/24

**MARVIN RIVERA**

By: Signature - Marvin Rivera  
Marvin Rivera

Date: 5/13/24

**CALRECYCLE**

By: Digital Signature - Mark de Bie  
Mark de Bie, Deputy Director

Date: May 13, 2024

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**DECISION FOR PENALTIES**

CalRecycle adopts the above Stipulated Factual Findings and Total Penalty as a decision of CalRecycle. CalRecycle files this decision pursuant to its authority to impose administrative civil penalties on retailers who violate the Act (Pub. Resources Code sections 42985 *et seq.*) and its authority to issue a decision by settlement pursuant to Government Code section 11415.60. (Pub. Resources Code sections 42993.1 and 42993.2; *see also* Title 14 of the California Code of Regulations (“14 CCR”) sections 18970 and 18971.)

**IT IS SO ORDERED:**

Dated: May 13, 2024

By: Digital Signature - Mark de Bie  
Mark de Bie  
Deputy Director