

**BEFORE THE DIRECTOR
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF AUTOMOTIVE REPAIR
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

H & R SMOG CHECK & AUTO REPAIR

CESAR TRUJILLO, Owner

715 E. Mill Street
San Bernardino, CA 92408

Mailing Address:

143 Chant St.

Perris, CA 92571

Automotive Repair Dealer Registration

No. ARD 207580

Smog Check Station License No. RC 207580

Official Lamp Station License No. LS 207580

Official Brake Station License No. BS 207580

and

HECTOR ALAN TRUJILLO

715 E. Mill Street

San Bernardino, CA 92408

Advanced Emission Specialist Technician

License No. EA 151444

Brake Adjuster License No. BA 151444

Lamp Adjuster License No. LA 151444

Respondents.

Case No. 79/11-19

OAH No. L-2010120509

DECISION

The attached Stipulated Revocation and Disciplinary Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter only as to respondent Hector Alan Trujillo, Advanced Emission Specialist Technician License No. EA 151444, Brake Adjuster License No. BA 151444, and Lamp Adjuster License No. LA 151444.

This Decision shall become effective _____

4/19/12

DATED: March 13, 2012



DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 MICHAEL BROWN
Deputy Attorney General
4 State Bar No. 231237
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2095
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E-mail: MichaelB.Brown@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
9 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 79/11-19

12 **H & R SMOG CHECK & AUTO REPAIR**
13 **CESAR TRUJILLO, OWNER**

OAH No. L-2010120509

14 **715 E. Mill Street**
15 **San Bernardino, CA 92408**

STIPULATED REVOCATION AND
DISCIPLINARY ORDER

16 **Mailing Address:**

17 **143 Chant St.**
18 **Perris, CA 92571**
19 **Automotive Repair Dealer Reg. No. ARD**
20 **207580**
21 **Smog Check Station License No. RC 207580**
22 **Official Lamp Station License No. LS**
23 **207580**
24 **Official Brake Station License No. BS**
25 **207580**

26 **and**

27 **HECTOR ALAN TRUJILLO**
28 **715 E. Mill Street**
San Bernardino, CA 92408
Advanced Emission Specialist Technician
License No. EA 151444
Brake Adjuster License No. BA 151444
Lamp Adjuster License No. LA 151444

Respondents.

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1 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
2 proceeding that the following matters are true:

3 PARTIES

4 1. Sherry Mehl (Complainant) is the Chief of the Bureau of Automotive Repair. She
5 brought this action solely in her official capacity and is represented in this matter by Kamala D.
6 Harris, Attorney General of the State of California, by Michael Brown, Deputy Attorney General.

7 2. Hector Alan Trujillo (Respondent Hector Trujillo) is represented in this proceeding
8 by attorney Miles Clark III, whose address is Clark, Clark & Associates, 10370 Hemet Street,
9 Suite 220, Riverside, CA 92503.

10 **Advanced Emission Specialist Technician License**

11 3. In or about 2005, the Bureau of Automotive Repair issued Advanced Emission
12 Specialist Technician License No. EA 151444 to Respondent Hector Trujillo. The Advanced
13 Emission Specialist Technician License was in full force and effect at all times relevant to the
14 charges brought herein and expired on March 31, 2011, and has not been renewed.

15 **Brake Adjuster License**

16 4. In or about 2005, the Bureau of Automotive Repair issued Brake Adjuster License
17 No. BA 151444 to Respondent Hector Trujillo. The Brake Adjuster License was in full force and
18 effect at all times relevant to the charges brought herein and will expire on March 31, 2013,
19 unless renewed.

20 **Lamp Adjuster License**

21 5. In or about 2007, the Bureau of Automotive Repair issued Lamp Adjuster License
22 No. LA 151444 to Respondent Hector Trujillo. The Lamp Adjuster License was in full force and
23 effect at all times relevant to the charges brought herein and expired on October 4, 2011, and has
24 not been renewed.

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JURISDICTION

6. Accusation No. 79/11-19 was filed before the Director of Consumer Affairs (Director), for the Bureau of Automotive Repair (Bureau), and is currently pending against Respondent Hector Trujillo. The Accusation and all other statutorily required documents were properly served on Respondent Hector Trujillo on October 20, 2010. Respondent Hector Trujillo timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 79/11-19 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

7. Respondent Hector Trujillo has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 79/11-19. Respondent Hector Trujillo also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Revocation and Disciplinary Order.

8. Respondent Hector Trujillo is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondent Hector Trujillo voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

10. Respondent Hector Trujillo admits the truth of each and every charge and allegation in Accusation No. 79/11-19.

11. Respondent Hector Trujillo agrees that his Advanced Emission Specialist Technician License EA 151444, Brake Adjuster License No. BA 151444 and Lamp Adjuster License No. LA 151444 are subject to discipline and he agrees to be bound by the Director of Consumer Affairs imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

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12. This stipulation shall be subject to approval by the Director of Consumer Affairs or her designee. Respondent Hector Trujillo understands and agrees that counsel for Complainant and the staff of the Bureau of Automotive Repair may communicate directly with the Director and staff of the Department of Consumer Affairs regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent Hector Trujillo understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated Revocation and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that facsimile copies of this Stipulated Revocation and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

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

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Director may, without further notice or formal proceeding, issue and enter the following Order:

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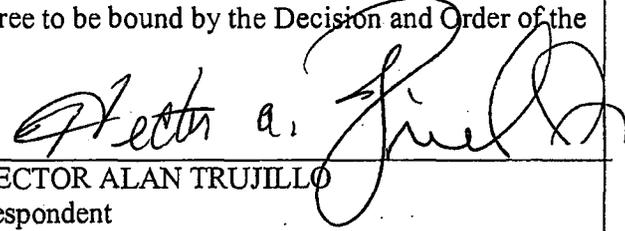
ORDER

IT IS HEREBY ORDERED that Advanced Emission Specialist Technician License EA 151444, Brake Adjuster License No. BA 151444 and Lamp Adjuster License No. LA 151444 issued to Respondent Hector Trujillo are revoked.

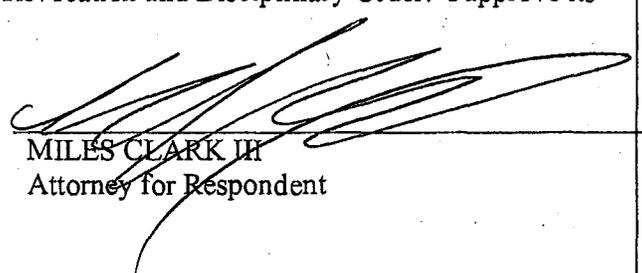
Respondent Hector Trujillo shall be held jointly and severally responsible for payment of the total investigative and enforcement costs incurred in this case amounting to \$12,838.70. These costs shall be deferred until reapplication for any registration or license the Bureau issues. The payments must be tendered to: Bureau of Automotive Repair, Enforcement Division, 10240 Systems Parkway; Sacramento, CA 95827.

ACCEPTANCE

I have carefully read the above Stipulated Revocation and Disciplinary Order and have fully discussed it with my attorney, Miles Clark III. I understand the stipulation and the effect it will have on my Advanced Emission Specialist Technician License, Brake Adjuster License and Lamp Adjuster License. I enter into this Stipulated Revocation and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer Affairs.

DATED: 01/06/12 
HECTOR ALAN TRUJILLO
Respondent

I have read and fully discussed with Respondent Hector Trujillo the terms and conditions and other matters contained in this Stipulated Revocation and Disciplinary Order. I approve its form and content.

DATED: 1-6-12 
MILES CLARK III
Attorney for Respondent

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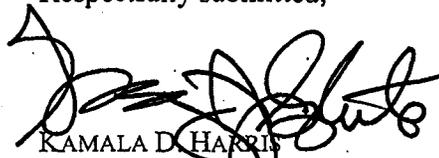
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ENDORSEMENT

The foregoing Stipulated Revocation and Disciplinary Order is hereby respectfully submitted for consideration by the Director of Consumer Affairs.

Dated: January 19th, 2011

Respectfully submitted,



KAMALA D. HARRIS
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney
General
MICHAEL BROWN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 79/11-19

1 EDMUND G. BROWN JR.
Attorney General of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 GREGORY J. SALUTE
Supervising Deputy Attorney General
4 State Bar No. 164015
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Attorneys for Complainant
7

8 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
9 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
STATE OF CALIFORNIA
10

11 In the Matter of the Accusation Against:
12 **H & R SMOG CHECK & AUTO REPAIR**
CESAR TRUJILLO, OWNER
13 **715 E. Mill Street**
San Bernardino, CA 92408
14 **Mailing Address:**
143 Chant St.
15 **Perris, CA 92571**
Automotive Repair Dealer Reg. No. ARD 207580
16 **Smog Check Station License No. RC 207580**
Official Lamp Station License No. LS 207580
17 **Official Brake Station License No. BS 207580**

Case No. 79/11-19

ACCUSATION
(Smog Check)

18 **and**

19 **HECTOR ALAN TRUJILLO**
715 E. Mill Street
20 **San Bernardino, CA 92408**
Advanced Emission Specialist Technician License
21 **No. EA 151444**
Brake Adjuster License No. BA 151444
22 **Lamp Adjuster License No. LA 151444**

23 Respondents.

24
25 Complainant alleges:

26 **PARTIES**

27 1. Sherry Mehl ("Complainant") brings this Accusation solely in her official capacity as
28 the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

1 **H & R Smog Check & Auto Repair; Cesar Trujillo, Owner**

2 2. In or about 1999, the Director of Consumer Affairs ("Director") issued Automotive
3 Repair Dealer Registration Number ARD 207580 (hereinafter "registration") to Cesar Trujillo
4 ("Respondent Cesar Trujillo"), owner of H & R Smog Check & Auto Repair. Respondent's
5 registration was in full force and effect at all times relevant to the charges brought herein and will
6 expire on October 31, 2010, unless renewed.

7 3. On or about November 17, 1999, the Director issued Smog Check Station License
8 Number RC 207580 to Respondent Cesar Trujillo. Respondent's smog check station license was
9 in full force and effect at all times relevant to the charges brought herein and will expire on
10 October 31, 2010, unless renewed.

11 4. On or about October 2, 2003, the Director issued Official Lamp Station License
12 Number LS 207580 (hereinafter "lamp station license") to Respondent Cesar Trujillo.
13 Respondent's lamp station license was in full force and effect at all times relevant to the charges
14 brought herein and will expire on October 31, 2010, unless renewed.

15 5. On or about October 2, 2003, the Director issued Official Brake Station License
16 Number BS 207580 (hereinafter "brake station license") to Respondent Cesar Trujillo.
17 Respondent's brake station license was in full force and effect at all times relevant to the charges
18 brought herein and will expire on October 31, 2010, unless renewed.

19 **Hector Alan Trujillo**

20 6. In or about 2005, the Director issued Advanced Emission Specialist Technician
21 License Number EA 151444 (hereinafter "technician license") to Hector Alan Trujillo
22 ("Respondent Hector Trujillo"). Respondent's technician license was in full force and effect at all
23 times relevant to the charges brought herein and will expire on March 31, 2011, unless renewed.

24 7. In or about 2005, the Director issued Brake Adjuster License Number BA 151444 to
25 Respondent Hector Trujillo. Respondent's brake adjuster license was in full force and effect at all
26 times relevant to the charges brought herein and will expire on March 31, 2013, unless renewed.

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1 “program,” and “agency.” “License” includes certificate, registration or other means to engage in
2 a business or profession regulated by the Bus. & Prof. Code.

3 19. Health & Saf. Code section 44072.2 states, in pertinent part:

4 The director may suspend, revoke, or take other disciplinary action
5 against a license as provided in this article if the licensee, or any partner, officer, or
6 director thereof, does any of the following:

7 (a) Violates any section of this chapter [the Motor Vehicle Inspection
8 Program (Health and Saf. Code § 44000, et seq.)] and the regulations adopted
9 pursuant to it, which related to the licensed activities.

10

11 (c) Violates any of the regulations adopted by the director pursuant to
12 this chapter.

13 (d) Commits any act involving dishonesty, fraud, or deceit whereby
14 another is injured . . .

15 20. Health & Saf. Code section 44072.10 states, in pertinent part:

16

17 (c) The department shall revoke the license of any smog check technician
18 or station licensee who fraudulently certifies vehicles or participates in the fraudulent
19 inspection of vehicles. A fraudulent inspection includes, but is not limited to, all of
20 the following:

21

22 (4) Intentional or willful violation of this chapter or any regulation,
23 standard, or procedure of the department implementing this chapter . . .

24 21. Health & Saf. Code section 44072.8 states that when a license has been revoked or
25 suspended following a hearing under this article, any additional license issued under this chapter
26 in the name of the licensee may be likewise revoked or suspended by the director.

27 **COST RECOVERY**

28 22. Bus. & Prof. Code section 125.3 provides, in pertinent part, that a Board may request
the administrative law judge to direct a licentiate found to have committed a violation or
violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
and enforcement of the case.

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VID DATA REVIEW

23. On or about April 12, 2010, the Bureau initiated an investigation against Respondent Cesar Trujillo based on a review of information from the Bureau's Vehicle Information Database ("VID"), which indicated that Respondent may be engaging in fraudulent smog check activities.

24. On or about April 14, 2010, a representative of the Bureau conducted a detailed review of VID data for all smog inspections performed at Respondent Cesar Trujillo's facility for the period of January 21, 2010, through January 29, 2010. The representative found that the 13 vehicles identified below recorded the same diagnostic trouble code (hereinafter "code") during the OBD II tests¹ regardless of the make or model of the vehicle. The representative obtained information indicating that the code was not applicable to any of the vehicles. The VID data also showed that Respondent Hector Trujillo performed the inspections on all of the vehicles.

25. The Bureau concluded that Respondent Hector Trujillo had performed the smog inspections on the 13 vehicles using a different vehicle(s) during the OBD II tests, a method known as "clean plugging",² resulting in the issuance of fraudulent certificates of compliance for the vehicles.

Date & Time of Inspection	Vehicle Certified & License or VIN No.	Certificate No.
1. 01/21/2010 09:58 – 10:07	1997 Ford Expedition; License No. 3TIX654	WF981508C
2. 01/25/2010 13:53 – 13:59	1999 Acura Integra; License No. 4JUN514	WF981536C

¹ The On Board Diagnostics (OBD II) functional test is an automated function of the BAR-97 analyzer. During the OBD II functional test, the technician is required to connect an interface cable from the BAR-97 analyzer to a Diagnostic Link Connector (DLC) which is located inside the vehicle. Through the DLC, the BAR-97 analyzer automatically retrieves information from the vehicle's on-board computer about the status of the readiness indicators, trouble codes, and the MIL (malfunction indicator light). If the vehicle fails the OBD II functional test, it will fail the overall inspection.

² Clean-plugging is the use of the OBD II readiness monitor status and stored fault code (trouble code) status of a passing vehicle for the purpose of illegally issuing a smog certificate to another vehicle that is not in compliance due to a failure to complete the minimum number of self tests, known as monitors, or due to the presence of a stored fault code that indicates an emission control system or component failure.

Date & Time of Inspection	Vehicle Certified & License No.	Certificate No.
3. 01/25/2010 15:32 – 15:37	1999 Honda Civic; License No. 5ESN321	WF981541C
4. 01/25/2010 16:32 – 16:47	1999 Nissan Altima; License No. 6KRG050	WF981542C
5. 01/26/2010 13:12 – 13:16	2000 Nissan Maxima; License No. 6DNV930	WF981546C
6. 01/26/2010 14:46 – 14:52	2001 Honda Accord; VIN #1HGCG66531A047566	WF981548C
7. 01/27/2010 17:09 – 17:17	2003 Toyota Celica; License No. 4ZYP290	WH049608C
8. 01/27/2010 17:25 – 17:30	2001 Ford Mustang; License No. 4UVJ458	WH049609C
9. 01/28/2010 13:53 – 14:00	2001 Ford Expedition; License No. 6CBB760	WH049613C
10. 01/29/2010 09:58 – 10:03	2001 Ford Taurus; License No. 6GLR650	WH049620C
11. 01/29/2010 13:08 – 13:13	2001 Nissan Sentra; License No. 4PTE831	WH049626C
12. 01/29/2010 14:29 – 14:37	1998 Honda Accord; VIN #1HGCG3252WA008012	WH049628C
13. 01/29/2010 15:06 – 15:25	1999 Nissan Maxima; VIN #JN1CA21D6XT820120	WH049629C

FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

26. Respondent Cesar Trujillo's registration is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized statements which he knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondent Cesar Trujillo's smog check technician, Respondent Hector Trujillo, certified that vehicles 1 through 13, identified in paragraph 25 above, had passed inspection and were in compliance with applicable laws and regulations. In fact, Respondent Hector Trujillo conducted the inspections on the vehicles using clean-plugging methods in that he substituted or used a different vehicle(s) during the OBD II functional tests in order to issue smog certificates of compliance for the vehicles, and did not test or inspect the vehicles as required by Health & Saf. Code section 44012.

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FOURTH CAUSE FOR DISCIPLINE
**(Failure to Comply with Regulations Pursuant
to the Motor Vehicle Inspection Program)**

29. Respondent Cesar Trujillo's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with provisions of California Code of Regulations, title 16, as follows:

- a. **Section 3340.24, subdivision (c)**: Respondent falsely or fraudulently issued electronic smog certificates of compliance for vehicles 1 through 13, identified in paragraph 25 above.
- b. **Section 3340.35, subdivision (c)**: Respondent issued electronic smog certificates of compliance for vehicles 1 through 13, identified in paragraph 25 above, even though the vehicles had not been inspected in accordance with section 3340.42.
- c. **Section 3340.42**: Respondent failed to ensure that the required smog tests were conducted on vehicles 1 through 13, identified in paragraph 25 above, in accordance with the Bureau's specifications.

FIFTH CAUSE FOR DISCIPLINE
(Dishonesty, Fraud or Deceit)

30. Respondent Cesar Trujillo's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed dishonest, fraudulent or deceitful acts whereby another is injured by issuing electronic smog certificates of compliance for vehicles 1 through 13, identified in paragraph 25 above, without performing bona fide inspections of the emission control devices and systems on the vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

SIXTH CAUSE FOR DISCIPLINE
(Fraud)

31. Respondent Cesar Trujillo's brake and lamp station licenses are subject to disciplinary action pursuant to Bus. & Prof. Code section 9889.3, subdivision (d), in that

1 Respondent committed dishonest, fraudulent or deceitful acts whereby another is injured, as set
2 forth in paragraphs 27 and 30 above.

3 **SEVENTH CAUSE FOR DISCIPLINE**

4 **(Violations of the Motor Vehicle Inspection Program)**

5 32. Respondent Hector Trujillo's technician license is subject to disciplinary action
6 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to
7 comply with section 44012 of that Code in a material respect, as follows: Respondent failed to
8 perform the emission control tests on vehicles 1 through 13, identified in paragraph 25 above, in
9 accordance with procedures prescribed by the department.

10 **EIGHTH CAUSE FOR DISCIPLINE**

11 **(Failure to Comply with Regulations Pursuant
12 to the Motor Vehicle Inspection Program)**

13 33. Respondent Hector Trujillo's technician license is subject to disciplinary action
14 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to
15 comply with provisions of California Code of Regulations, title 16, as follows:

16 a. **Section 3340.24, subdivision (c)**: Respondent falsely or fraudulently issued
17 electronic smog certificates of compliance for vehicles 1 through 13, identified in paragraph 25
18 above.

19 b. **Section 3340.30, subdivision (a)**: Respondent failed to inspect and test vehicles 1
20 through 13, identified in paragraph 25 above, in accordance with Health & Saf. Code sections
21 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

22 c. **Section 3340.42**: Respondent failed to conduct the required smog tests on vehicles 1
23 through 13, identified in paragraph 25 above, in accordance with the Bureau's specifications.

24 **NINTH CAUSE FOR DISCIPLINE**

25 **(Dishonesty, Fraud or Deceit)**

26 34. Respondent Hector Trujillo's technician license is subject to disciplinary action
27 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed
28 dishonest, fraudulent, or deceitful acts whereby another is injured by issuing electronic smog

1 certificates of compliance for vehicles 1 through 13, identified in paragraph 25 above, without
2 performing bona fide inspections of the emission control devices and systems on the vehicles,
3 thereby depriving the People of the State of California of the protection afforded by the Motor
4 Vehicle Inspection Program.

5 **TENTH CAUSE FOR DISCIPLINE**

6 **(Fraud)**

7 35. Respondent Hector Trujillo's brake and lamp adjuster licenses are subject to
8 disciplinary action pursuant to Bus. & Prof. Code section 9889.3, subdivision (d), in that
9 Respondent committed dishonest, fraudulent or deceitful acts whereby another is injured, as set
10 forth in paragraph 34 above.

11 **OTHER MATTERS**

12 36. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
13 suspend, revoke, or place on probation the registration for all places of business operated in this
14 state by Respondent Cesar Trujillo, owner of H & R Smog Check & Auto Repair, upon a finding
15 that Respondent has, or is, engaged in a course of repeated and willful violations of the laws and
16 regulations pertaining to an automotive repair dealer.

17 37. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Station License
18 Number RC 207580, issued to Cesar Trujillo, owner of H & R Smog Check & Auto Repair, is
19 revoked or suspended, any additional license issued under this chapter in the name of said
20 licensee may be likewise revoked or suspended by the director.

21 38. Pursuant to Bus. & Prof. Code section 9889.9, if Official Lamp Station License
22 Number LS 207580, issued to Cesar Trujillo, owner of H & R Smog Check & Auto Repair, is
23 revoked or suspended, any additional license issued under Articles 5 and 6 of Chapter 20.3 of the
24 Bus. & Prof. Code in the name of said licensee may be likewise revoked or suspended by the
25 Director.

26 39. Pursuant to Bus. & Prof. Code section 9889.9, if Official Brake Station License
27 Number BS 207580, issued to Cesar Trujillo, owner of H & R Smog Check & Auto Repair, is
28 revoked or suspended, any additional license issued under Articles 5 and 6 of Chapter 20.3 of the

1 Bus. & Prof. Code in the name of said licensee may be likewise revoked or suspended by the
2 Director.

3 40. Pursuant to Health & Saf. Code section 44072.8, if Advanced Emission Specialist
4 Technician License Number EA 151444, issued to Hector Alan Trujillo, is revoked or suspended,
5 any additional license issued under this chapter in the name of said licensee may be likewise
6 revoked or suspended by the director.

7 41. Pursuant to Bus. & Prof. Code section 9889.9, if Brake Adjuster License Number
8 BA 151444, issued to Hector Alan Trujillo, is revoked or suspended, any additional license issued
9 under Articles 5 and 6 of Chapter 20.3 of the Bus. & Prof. Code in the name of said licensee may
10 be likewise revoked or suspended by the Director.

11 42. Pursuant to Bus. & Prof. Code section 9889.9, if Lamp Adjuster License Number
12 LA 151444, issued to Hector Alan Trujillo, is revoked or suspended, any additional license issued
13 under Articles 5 and 6 of Chapter 20.3 of the Bus. & Prof. Code in the name of said licensee may
14 be likewise revoked or suspended by the Director.

15 **PRAYER**

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
17 and that following the hearing, the Director of Consumer Affairs issue a decision:

18 1. Revoking or suspending Automotive Repair Dealer Registration Number
19 ARD 207580, issued to Cesar Trujillo, owner of H & R Smog Check & Auto Repair;

20 2. Revoking or suspending any other automotive repair dealer registration issued to
21 Cesar Trujillo;

22 3. Revoking or suspending Smog Check Station License Number RC 207580, issued to
23 Cesar Trujillo, owner of H & R Smog Check & Auto Repair;

24 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
25 and Safety Code in the name of Cesar Trujillo;

26 5. Revoking or suspending Official Lamp Station License Number LS 207580, issued to
27 Cesar Trujillo, owner of H & R Smog Check & Auto Repair;

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1 6. Revoking or suspending Official Brake Station License Number BS 207580, issued to
2 Cesar Trujillo, owner of H & R Smog Check & Auto Repair;

3 7. Revoking or suspending any additional license issued under Articles 5 and 6 of
4 Chapter 20.3 of the Business and Professions Code in the name of Cesar Trujillo;

5 8. Revoking or suspending Advanced Emission Specialist Technician License Number
6 EA 151444, issued to Hector Alan Trujillo;

7 9. Revoking or suspending any additional license issued under Chapter 5 of the Health
8 and Safety Code in the name of Hector Alan Trujillo;

9 10. Revoking or suspending Brake Adjuster License Number BA 151444, issued to
10 Hector Alan Trujillo;

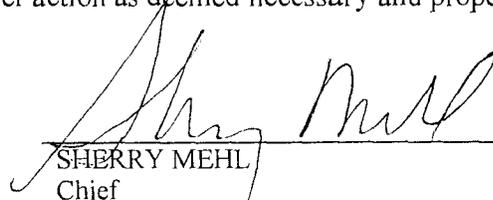
11 11. Revoking or suspending Lamp Adjuster License Number LA 151444, issued to
12 Hector Alan Trujillo;

13 12. Revoking or suspending any additional license issued under Articles 5 and 6 of
14 Chapter 20.3 of the Business and Professions Code in the name of Hector Alan Trujillo;

15 13. Ordering Cesar Trujillo, owner of H & R Smog Check & Auto Repair, and Hector
16 Alan Trujillo to pay the Director of Consumer Affairs the reasonable costs of the investigation
17 and enforcement of this case, pursuant to Business and Professions Code section 125.3;

18 14. Taking such other and further action as deemed necessary and proper.

19
20 DATED: 9/13/10



SHERRY MEHL
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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