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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:

Case No. 79/11-54

12 **VICTOR HUGO DELEON**  
227 W. Imperial Highway, Apt. #C  
13 Los Angeles, CA 90061  
Advanced Emission Specialist Technician  
14 License No. EA 145370

**A C C U S A T I O N**

SMOG CHECK

15 Respondent.  
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17 Complainant alleges:

18 **PARTIES**

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

21 **Advanced Emission Specialist Technician License**

22 2. On a date uncertain in 2002, the Bureau of Automotive Repair issued Advanced  
23 Emission Specialist Technician License Number EA 145370 ("technician license") to Victor  
24 Hugo Deleon ("Respondent"). The technician license was in full force and effect at all times  
25 relevant to the charges brought herein and will expire on October 31, 2012, unless renewed.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)

3 11. Respondent has subjected his technician license to discipline under Health and Safety  
4 Code section 44072.2, subdivision (c), in that on or about May 17, 2010, regarding the 1991  
5 Toyota pickup, he violated sections of the California Code of Regulations, title 16, as follows:

6 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued  
7 electronic Certificate of Compliance No. WJ711276 without performing a bona fide inspection of  
8 the emission control devices and systems on that vehicle as required by Health and Safety Code  
9 section 44012.

10 b. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test that vehicle  
11 in accordance with Health and Safety Code section 44012.

12 c. **Section 3340.41, subdivision (c):** Respondent entered false information into the  
13 Emission Inspection System for electronic Certificate of Compliance No. WJ711276 by entering  
14 "Pass" for the visual portion of the inspection even though the vehicle could not pass the visual  
15 portion of the smog inspection because the vehicle's air suction valve was missing.

16 d. **Section 3340.42:** Respondent failed to conduct the required smog tests and  
17 inspections on those vehicles in accordance with the Bureau's specifications.

18 THIRD CAUSE FOR DISCIPLINE

19 (Dishonesty, Fraud or Deceit)

20 12. Respondent has subjected his technician license to discipline under Health and Safety  
21 Code section 44072.2, subdivision (d), in that on or about May 17, 2010, he committed acts  
22 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic  
23 Certificate of Compliance No. WJ711276 for the 1991 Toyota pickup without performing a bona  
24 fide inspection of the emission control devices and systems on that vehicle, thereby depriving the  
25 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
26 Program.

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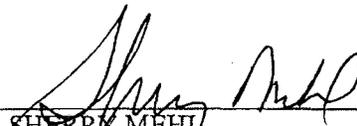
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1           3.     Ordering Victor Hugo Deleon to pay the Bureau of Automotive Repair the reasonable  
2 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
3 Code section 125.3; and,

4           4.     Taking such other and further action as deemed necessary and proper.

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6  
7 DATED:        1-14-16

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

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