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9 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**
12

13 In the Matter of the Accusation Against:

Case No. 79/22-13874

14 **MAFREDI GROUP, INC., DBA SUPREME**
AUTOMOTIVE SERVICE; VICTOR
15 **CALIZ, President/Secretary/Treasurer**
12205 S. Prairie Avenue, Unit A
16 **Hawthorne, CA 90250**

ACCUSATION

17 Automotive Repair Dealer Registration No.
ARD 283831
18 Smog Check Station License No. RC 283831
Lamp Station License No. LS 283831, class A
19 Brake Station License No. BS 283831, class C

20 **and**

21 **VICTOR CALIZ**
11945 Birch Avenue
22 **Hawthorne, CA 90250**

23 Smog Check Inspector License No. EO 27468
Smog Check Repair Technician License No. EI
24 27468
Lamp Adjuster License No. LA 27468, class A
25 Brake Adjuster License No. BA 27468, class C

26 Respondent.
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PARTIES

1 1. Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as
2 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs.

3 2. On or about June 8, 2016, the Bureau of Automotive Repair (Bureau) issued
4 Automotive Repair Dealer Registration Number ARD 283831 to Mafredi Group, Inc., dba
5 Supreme Automotive Service, Victor Caliz – President/Secretary/Treasurer (Respondent
6 Mafredi). The Automotive Repair Dealer Registration was in full force and effect at all times
7 relevant to the charges brought herein and will expire on June 30, 2023, unless renewed.
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9 3. On or about July 12, 2016, the Bureau issued Smog Check Station License Number
10 RC 283831 to Respondent Mafredi. The Smog Check Station License was in full force and effect
11 at all times relevant to the charges brought herein and will expire on June 30, 2023, unless
12 renewed.

13 4. On or about July 12, 2016, the Bureau issued Lamp Station License Number LS
14 283831, class A, to Respondent Mafredi. The Lamp Station License was in full force and effect
15 at all times relevant to the charges brought herein and will expire on June 30, 2023, unless
16 renewed.

17 5. On or about July 12, 2016, the Bureau issued Brake Station License Number BS
18 283831, class C, to Respondent Mafredi. The Brake Station License was in full force and effect
19 at all times relevant to the charges brought herein and will expire on June 30, 2023, unless
20 renewed.

21 6. In 1997, the Bureau issued Advanced Emission Specialist Technician License Number
22 EA 27468 to Victor Caliz (Respondent Caliz). Respondent Caliz's Advanced Emission Specialist
23 Technician License was due to expire on November 30, 2012, however, was cancelled on October 22,
24 2012. Pursuant to California Code of Regulations, title 16, section 3340.28, subdivision (e)¹, the
25 license was renewed, pursuant to Respondent Caliz's election, as Smog Check Inspector License
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27 ¹ Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,
28 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced
Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog
Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

1 Number EO 27468 and Smog Check Repair Technician License Number EI 27468, effective October
2 22, 2012. Respondent Caliz's Smog Check Inspector License was in full force and effect at all times
3 relevant to the charges brought herein and will expire on November 30, 2024, unless renewed.

4 Respondent Caliz's Smog Check Repair Technician License was in full force and effect at all times
5 relevant to the charges brought herein and expired on November 30, 2022.

6 7. In 2003, the Bureau issued Lamp Adjuster License Number LA 27468, class A, to
7 Respondent Caliz. The Lamp Adjuster License was in full force and effect at all times relevant to
8 the charges brought herein and will expire on November 30, 2023, unless renewed.

9 8. In 2003, the Bureau issued Brake Adjuster License Number BA 27468, class C, to
10 Respondent Caliz. The Brake Adjuster License was in full force and effect at all times relevant to
11 the charges brought herein and will expire on November 30, 2023, unless renewed.

12 **JURISDICTION**

13 9. Business and Professions Code ("Code") section 9884.7 provides that the Director
14 may revoke an automotive repair dealer registration.

15 10. Section 9884.13 of the Code provides, in pertinent part, that the expiration of a
16 valid registration shall not deprive the director or chief of jurisdiction to proceed with a
17 disciplinary proceeding against an automotive repair dealer or to render a decision invalidating a
18 registration temporarily or permanently.

19 11. Health and Safety Code section 44002 provides, in pertinent part, that the Director
20 has all the powers and authority granted under the Automotive Repair Act for enforcing the
21 Motor Vehicle Inspection Program.

22 12. Section 44072.6 of the Health and Safety Code provides, in pertinent part, that the
23 expiration or suspension of a license by operation of law, or by order or decision of the Director
24 of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive
25 the Director of jurisdiction to proceed with disciplinary action.

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1 (b) Motor vehicles are preconditioned to ensure representative and stabilized
operation of the vehicle's emission control system.

2 (c) For other than diesel-powered vehicles, the vehicle's exhaust emissions of
3 hydrocarbons, carbon monoxide, carbon dioxide, and oxides of nitrogen in an idle
mode or loaded mode are tested in accordance with procedures prescribed by the
4 department. In determining how loaded mode and evaporative emissions testing shall
be conducted, the department shall ensure that the emission reduction targets for the
5 enhanced program are met.

6 (d) For other than diesel-powered vehicles, the vehicle's fuel evaporative
system and crankcase ventilation system are tested to reduce any nonexhaust sources
7 of volatile organic compound emissions, in accordance with procedures prescribed by
the department.

8 (e) For diesel-powered vehicles, a visual inspection is made of emission
control devices and the vehicle's exhaust emissions are tested in accordance with
9 procedures prescribed by the department, that may include, but are not limited to,
onboard diagnostic testing. The test may include testing of emissions of any or all of
10 the pollutants specified in subdivision (c) and, upon the adoption of applicable
standards, measurement of emissions of smoke or particulates, or both.

11 (f) A visual or functional check is made of emission control devices specified
12 by the department, including the catalytic converter in those instances in which the
department determines it to be necessary to meet the findings of Section 44001. The
13 visual or functional check shall be performed in accordance with procedures
prescribed by the department.

14 (g) A determination as to whether the motor vehicle complies with the
15 emission standards for that vehicle's class and model-year as prescribed by the
department.

16 (h) An analysis of pass and fail rates of vehicles subject to an onboard
17 diagnostic test and a tailpipe test to assess whether any vehicles passing their onboard
diagnostic test have, or would have, failed a tailpipe test, and whether any vehicles
18 failing their onboard diagnostic test have or would have passed a tailpipe test.

19 (i) The test procedures may authorize smog check stations to refuse the testing
of a vehicle that would be unsafe to test, or that cannot physically be inspected, as
20 specified by the department by regulation. The refusal to test a vehicle for those
reasons shall not excuse or exempt the vehicle from compliance with all applicable
21 requirements of this chapter.

22 15. Section 44015 of the Health and Safety Code states:

23

24 (b) If a vehicle meets the requirements of Section 44012, a smog check station
licensed to issue certificates shall issue a certificate of compliance or a certificate of
25 noncompliance.

26 16. Section 44059 of the Health and Safety Code states:

27 The willful making of any false statement or entry with regard to a material
matter in any oath, affidavit, certificate of compliance or noncompliance, or
28 application form which is required by this chapter or Chapter 20.3 (commencing with

Section 9880) of Division 3 of the Business and Professions Code, constitutes perjury and is punishable as provided in the Penal Code.

17. Section 44072.2 of the Health and Safety Code states:

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

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

....

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

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

18. Section 44072.8 of the Health and Safety Code states:

When a license has been revoked or suspended following a hearing under this article, any additional license issued under this chapter in the name of the licensee may be likewise revoked or suspended by the director.

19. Section 44072.10 of the Health and Safety Code, subdivision (c) states:

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

(1) Clean piping, as defined by the department.

(2) Tampering with a vehicle emission control system or test analyzer system.

(3) Tampering with a vehicle in a manner that would cause the vehicle to falsely pass or falsely fail an inspection.

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

REGULATORY PROVISIONS

20. California Code of Regulations, title 16, section 3340.24, states:

....

(c) The bureau may suspend or revoke the license of or pursue other legal action against a licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a certificate of noncompliance.

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1 21. California Code of Regulations, title 16, section 3340.30, states:

2 A licensed smog check inspector and/or repair technician shall comply with the
3 following requirements at all times while licensed:.

4 (a) Inspect, test and repair vehicles, as applicable, in accordance with section
5 44012 of the Health and Safety Code, section 44035 of the Health and Safety Code,
6 and section 3340.42 of this article..

7 22. California Code of Regulations, title 16, section 3340.35, subdivision (c) states:

8 (c) A licensed station shall issue a certificate of compliance or noncompliance
9 to the owner or operator of any vehicle that has been inspected in accordance with the
10 procedures specified in section 3340.42 of this article and has all the required
11 emission control equipment and devices installed and functioning correctly.

12 23. California Code of Regulations, title 16, section 3340.42, states:

13 Smog check inspection methods are prescribed in the Smog Check Manual,
14 referenced by section 3340.45.

15 (a) All vehicles subject to a smog check inspection, shall receive one of the
16 following test methods:

17 (1) A loaded-mode test shall be the test method used to inspect 1976 - 1999
18 model-year vehicle, except diesel-powered, registered in the enhanced program areas
19 of the state. The loaded-mode test shall measure hydrocarbon, carbon monoxide,
20 carbon dioxide and oxides of nitrogen emissions, as contained in the bureau's
21 specifications referenced in subsection (a) of Section 3340.17 of this article. The
22 loaded-mode test shall use Acceleration Simulation Mode (ASM) test equipment,
23 including a chassis dynamometer, certified by the bureau.

24 On and after March 31, 2010, exhaust emissions from a vehicle subject to this
25 inspection shall be measured and compared to the emissions standards shown in the
26 Vehicle Look-up Table (VLT) Row Specific Emissions Standards (Cutpoints) Table,
27 dated March 2010, which is hereby incorporated by reference. If the emissions
28 standards for a specific vehicle are not included in this table then the exhaust
emissions shall be compared to the emissions standards set forth in TABLE I or
TABLE II, as applicable. A vehicle passes the loaded-mode test if all of its measured
emissions are less than or equal to the applicable emission standards specified in the
applicable table.

(2) A two-speed idle mode test shall be the test method used to inspect 1976 -
1999 model-year vehicles, except diesel-powered, registered in all program areas of
the state, except in those areas of the state where the enhanced program has been
implemented. The two-speed idle mode test shall measure hydrocarbon, carbon
monoxide and carbon dioxide emissions at high RPM and again at idle RPM, as
contained in the bureau's specifications referenced in subsection (a) of Section
3340.17 of this article. Exhaust emissions from a vehicle subject to this inspection
shall be measured and compared to the emission standards set forth in this section and
as shown in TABLE III. A vehicle passes the two-speed idle mode test if all of its
measured emissions are less than or equal to the applicable emissions standards
specified in Table III.

(3) An OBD-focused test, shall be the test method used to inspect gasoline-powered vehicles 2000 model-year and newer, and diesel-powered vehicles 1998 model-year and newer. The OBD test failure criteria are specified in section 3340.42.2.

(b) In addition to subsection (a), all vehicles subject to the smog check program shall receive the following:

(1) A visual inspection of emission control components and systems to verify the vehicle's emission control systems are properly installed.

(2) A functional inspection of emission control systems as specified in the Smog Check Manual, referenced by section 3340.45, which may include an OBD test, to verify their proper operation.

(c) The bureau may require any combination of the inspection methods in sections (a) and (b) under any of the following circumstances:

(1) Vehicles that the department randomly selects pursuant to Health and Safety Code section 44014.7 as a means of identifying potential operational problems with vehicle OBD systems.

(2) Vehicles identified by the bureau as being operationally or physically incompatible with inspection equipment.

(3) Vehicles with OBD systems that have demonstrated operational problems.

(d) Pursuant to section 39032.5 of the Health and Safety Code, gross polluter standards are as follows:

(1) A gross polluter means a vehicle with excess hydrocarbon, carbon monoxide, or oxides of nitrogen emissions pursuant to the gross polluter emissions standards included in the tables described in subsection (a), as applicable.

(2) Vehicles with emission levels exceeding the emission standards for gross polluters during an initial inspection will be considered gross polluters and the provisions pertaining to gross polluting vehicles will apply, including, but not limited to, sections 44014.5, 44015, and 44081 of the Health and Safety Code.

(3) A gross polluting vehicle shall not be passed or issued a certificate of compliance until the vehicle's emissions are reduced to or below the applicable emissions standards for the vehicle included in the tables described in subsection (a), as applicable. However, the provisions described in section 44017 of the Health and Safety Code may apply.

(4) This subsection applies in all program areas statewide to vehicles requiring inspection pursuant to sections 44005 and 44011 of the Health and Safety Code.

COST RECOVERY

24. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee 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, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

FACTUAL ALLEGATIONS

25. A Bureau representative conducted a review of Supreme Automotive Service BAR-OIS smog check inspection records from the Vehicle Identification Database (VID). The review showed numerous vehicles that have been certified at Supreme Automotive Service with different e-VINS, with incorrect vehicle communication protocol² and incorrect Parameter Identification³ (PID) count. This confirmed that the vehicles received smog certificates were not tested during the OBD II functional test, therefore the vehicles that received smog certificates were fraudulently tested during the smog inspection using the clean plugging method.⁴ All of the following inspections were performed by Respondent Caliz. The following chart illustrates the clean plugging activities of Respondents Mafredi and Caliz between March 2022 and September 2022.

Table 1

Test No.	Test Date	Vehicle Certified & License No.	Certificate no.	Technician License No.	OIS Test Data Details
1.	03/04/2022	2000 Chrysler Sebring JXI 4MOF604	SM992028C	Victor Caliz EO 27468	Comm. Protocol: JVPW (Expected: I914) PID Count: 22 (Expected: 16 3) Vin No.: Not reported (Expected e-VIN: None expected)

² Protocol is simply the language used to communicate with a vehicle's computer(s). Protocol is a communication interface. This automated determination of the communication interface, or protocol, is built into the Data Acquisition Device (DAD) unit. This automatic function identifies five (5) protocols used by vehicles manufactured and sold in the United States that are subject to the Smog Check program.

³ Parameter Identifications (PIDs) are data points reported by the OBD II computer to the scan tool or BAR OIS.

⁴ Clean Plugging refers to the use of another vehicle's properly functioning On Board Diagnostic, generation II, (OBD II) system, or another source, to generate passing diagnostic readings for the purpose of issuing fraudulent smog Certificates of Compliance to vehicles that are not in smog compliance and/or not present for testing.

2.	04/21/2022	2003 BMW 745 LI 8JNT270	SO844084C	Victor Caliz EO 27468	Comm. Protocol: JVPW (Expected: KWPF) PID Count: 22 (Expected: 23 1 or 23 7) Vin No.: Not reported (Expected e-VIN: Not expected)
3.	07/25/2022	2007 Lincoln Town Car Executive 8RON517	SU030289C	Victor Caliz EO 27468	Comm. Protocol: JVPW (Expected: ICAN11bt5) PID Count: 22 (Expected: 47) Vin No.: Not reported (Expected e-VIN: 1L1FM88WX7Y631532)
4.	08/25/2022	2001 Ford Mustang UGAVGOD	SW072414C	Victor Caliz EO 27468	Comm. Protocol: JVPW (Expected: JPWM) PID Count: 22 (Expected: 21) Vin No.: Not reported (Expected e-VIN: 1FAFP444X1F133203)
5.	09/08/2022	2003 Audi A4 1.8T Quattro 9CIS159	SW647905C	Victor Caliz EO 27468	Comm. Protocol: JPWM (Expected: KWPF or KWPS) PID Count: 16 (Expected: 18 or 18 5) Vin No.: Not reported (Expected e-VIN: None expected)
6.	09/23/2022	2005 Honda Accord LX 5LTR741	SW647936C	Victor Caliz EO 27468	Comm. Protocol: JPWM (Expected: I914) PID Count: 16 (Expected: 21) Vin No.: Not reported (Expected e-VIN: JHMCM56445C007174)

7.	09/28/2022	2004 Toyota Camry Solara SE 8SDL957	SY197601C	Victor Caliz EO 27468	Comm. Protocol: JPWM (Expected: I914) PID Count: 16 (Expected: 17) Vin No.: Not reported (Expected e-VIN: None expected)
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FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements)

26. Respondent Mafredi's Automotive Repair Registration is subject to discipline pursuant to Code section 9884.7, subdivision (a)(1), in that between March 2022 and September 2022, Respondent Mafredi made or authorized statements which it knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondent Mafredi certified that vehicles 1 through 7, set forth above in Table 1, had passed inspection and were in compliance with applicable laws and regulations. In fact, Respondent Mafredi conducted the inspections on the vehicles using the clean plugging method by substituting or using different vehicles or another source during the OBD II functional tests in order to issue smog certificates of compliance for the seven (7) vehicles, and did not test or inspect the seven (7) vehicles as required by Health and Safety Code section 44012.

SECOND CAUSE FOR DISCIPLINE

(Fraud)

27. Respondent Mafredi's Automotive Repair Registration is subject to discipline pursuant to Code section 9884.7, subdivision (a)(4), in that between March 2022 and September 2022, Respondent Mafredi committed acts which constitute fraud by issuing electronic smog certificates of compliance for vehicles 1 through 7, set forth above in Table 1, without performing bona fide inspections of the emission control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with the Motor Vehicle Inspection Program)**

3 28. Respondent Mafredi's Smog Check Station License is subject to discipline pursuant
4 to Health and Safety Code section 44072.2, subdivision (a), in that between March 2022 and
5 September 2022, regarding vehicles 1 through 7, set forth above in Table 1, Respondent Mafredi
6 failed to comply with the following sections of that Code:

7 a. **Section 44012:** Respondent Mafredi failed to ensure that the emission control tests were
8 performed on vehicles 1 through 7, in accordance with procedures prescribed by the department.

9 b. **Section 44015, subdivision (b):** Respondent Mafredi issued electronic smog
10 certificates of compliance for vehicles 1 through 7, without ensuring that the vehicles were
11 properly tested and inspected to determine if they were in compliance with Health and Safety
12 Code section 44012.

13 c. **Section 44059:** Respondent Mafredi willfully made false entries for the electronic smog
14 certificates of compliance by certifying that those vehicles had been inspected as required when,
15 in fact, they had not.

16 **FOURTH CAUSE FOR DISCIPLINE**

17 **(Failure to Comply with Regulations Pursuant to the**
18 **Motor Vehicle Inspection Program)**

19 29. Respondent Mafredi's Smog Check Station License is subject to discipline pursuant
20 to Health and Safety Code section 44072.2, subdivision (c), in that between March 2022 and
21 September , regarding vehicles 1 through 7, set forth above in Table 1, Respondent Mafredi failed
22 to comply with provisions of California Code of Regulations, title 16, as follows:

23 a. **Section 3340.24, subdivision (c):** Respondent Mafredi falsely or fraudulently issued
24 electronic smog certificates of compliance for those vehicles without performing bona fide
25 inspections of the emission control devices and systems on the vehicles as required by Health and
26 Safety Code section 44012.

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b. **Section 3340.35, subdivision (c)**: Respondent Mafredi issued electronic smog certificates of compliance even though those vehicles had not been inspected in accordance with section 3340.42 of that Code.

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

FIFTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

30. Respondent Mafredi's Smog Check Station License is subject to discipline pursuant to Health and Safety Code sections 44072.2, subdivision (d) and 44072.10, subdivision (c), in that between March 2022 and September 2022, regarding vehicles 1 through 7, set forth above in Table 1, Respondent Mafredi committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog certificates of compliance for those vehicles 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

(Violations of the Motor Vehicle Inspection Program)

31. Respondent Caliz's Smog Check Inspector License and Smog Check Repair Technician License are subject to discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between March 2022 and September 2022, regarding vehicles 1 through 7, set forth above in Table 1, he failed to comply with section 44012 of that Code in a material respect, as follows: Respondent Caliz failed to perform the emission control tests on those vehicles in accordance with procedures prescribed by the department.

SEVENTH CAUSE FOR DISCIPLINE

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

32. Respondent Caliz's Smog Check Inspector License and Smog Check Repair Technician License are subject to discipline pursuant to Health and Safety Code section 44072.2,

subdivision (c), in that between March 2022 and September 2022, regarding vehicles 1 through 7, set forth above in Table 1, he failed to comply with provisions of California Code of Regulations, title 16, as follows:

a. **Section 3340.24, subdivision (c)**: Respondent Caliz falsely or fraudulently issued electronic smog certificates of compliance without performing bona fide inspections of the emission control devices and systems on those vehicles as required by Health and Safety Code section 44012.

b. **Section 3340.30, subdivision (a)**: Respondent Caliz failed to inspect and test those vehicles in accordance with Health and Safety Code sections 44012.

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

EIGHTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud or Deceit)

33. Respondent Caliz's Smog Check Inspector License and Smog Check Repair Technician License are subject to discipline pursuant to Health and Safety Code sections 44072.2, subdivision (d) and 44072.10, subdivision (c), in that between March 2022 and September 2022, regarding vehicles 1 through 7, set forth above in Table 1, he committed acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog certificates of compliance without performing bona fide inspections of the emission control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

NINTH CAUSE FOR DISCIPLINE

34. Respondent Mafredi's brake and lamp station licenses are subject to discipline under Code section 9889.3, subdivision (d), in that between March 2022 and September 2022, regarding vehicles 1 through 7, set forth above in Table 1, Respondent Mafredi committed acts involving dishonesty, fraud, or deceit whereby another was injured.

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1 **TENTH CAUSE FOR DISCIPLINE**

2 35. Respondent Caliz's brake and lamp adjuster licenses are subject to discipline under
3 Code section 9889.3, subdivision (d), in that between March 2022 and September 2022, regarding
4 vehicles 1 through 7, set forth above in Table 1, Respondent Caliz committed acts involving
5 dishonesty, fraud, or deceit whereby another was injured.

6 **DISCIPLINE CONSIDERATIONS**

7 36. To determine the degree of discipline, if any, to be imposed on Respondent Caliz,
8 Complainant alleges that on or about June 23, 2008, in a prior action, the Bureau issued Citation
9 Number M2008-1119 with an order for Respondent Caliz to complete an eight-hour training
10 course. The Citation alleged that Respondent Caliz issued a Certificate of Compliance to a
11 Bureau undercover vehicle with a missing AIR system. That Citation is now final and is
12 incorporated by reference as if fully set forth.

13 **OTHER MATTERS**

14 37. Pursuant to Code section 9884.7, subdivision (c), the director may suspend revoke,
15 or place on probation the registrations for all places of business operated in this state by Mafredi
16 Inc., Victor Caliz – President/Secretary/Treasurer, upon a finding that said Respondent Mafredi
17 has, or is, engaged in a course of repeated and willful violations of the laws and regulations
18 pertaining to an automotive repair dealer.

19 38. Pursuant to Health and Safety Code section 44072.8, if Smog Check Station License
20 Number RC 283831 issued to Mafredi Inc. dba Supreme Automotive Service, Victor Caliz –
21 President/Secretary/Treasurer, is revoked or suspended, any additional license issued under
22 Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the name of said licensee may be
23 likewise revoked or suspended by the director.

24 39. Pursuant to Code section 9889.9, if Lamp Station License Number LS 283831, class
25 A, issued to Mafredi Inc. dba Supreme Automotive Service, Victor Caliz –
26 President/Secretary/Treasurer, is revoked or suspended, any additional license issued under
27 Articles 5 and 6 of Chapter 20.3 of the Code in the name of said licensees may be likewise
28 revoked or suspended by the director.

40. Pursuant to Code section 9889.9, if Brake Station License Number BS 283831, class C, issued to Mafredi Inc. dba Supreme Automotive Service, Victor Caliz – President/Secretary/Treasurer is revoked or suspended, any additional license issued under Articles 5 and 6 of Chapter 20.3 of the Code in the name of said licensees may be likewise revoked or suspended by the director.

41. Pursuant to Health and Safety Code section 44072.8, if Smog Check Inspector License Number EO 27468 and Smog Check Repair Technician License Number EI 27468 (formerly Advanced Emission Specialist Technician License Number EA 2768), issued to Victor Caliz, is revoked or suspended, any additional license issued under this Chapter 5 of Part 5 of Div 26 of the Health and Safety Code in the name of said licensee may be likewise revoked or suspended by the director.

42. Pursuant to Code section 9889.9, if Lamp Adjuster License Number LA 27468, class A, issued to Victor Caliz, is revoked or suspended, any additional license issued under Articles 5 and 6 of Chapter 20.3 of the Code in the name of said licensee may be likewise revoked or suspended by the director.

43. Pursuant to Code section 9889.9, if Brake Adjuster License Number BA 27468, class C, issued to Victor Caliz, is revoked or suspended, any additional license issued under Articles 5 and 6 of Chapter 20.3 of the Code in the name of said licensee may be likewise revoked or suspended by the director.

PRAYER

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

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 283831, issued to Mafredi Group, Inc. dba Supreme Automotive Service, Victor Caliz – President/Secretary/Treasurer;

2. Revoking, suspending, or placing on probation any other automotive repair dealer registration issued to Mafredi Group, Inc.;

1 3. Revoking or suspending Smog Check Station License Number RC 283831, issued to
2 Mafredi Group, Inc. dba Supreme Automotive Service, Victor Caliz –
3 President/Secretary/Treasurer;

4 4. Revoking or suspending Brake Station License Number BS 283831, class C, issued to
5 Mafredi Group, Inc. dba Supreme Automotive Service, Victor Caliz –
6 President/Secretary/Treasurer;

7 5. Revoking or suspending Lamp Station License Number LS 283831, class A, issued to
8 Mafredi Group, Inc. dba Supreme Automotive Service, Victor Caliz –
9 President/Secretary/Treasurer;

10 6. Revoking or suspending Smog Check Inspector License Number EO 27468, issued to
11 Victor Caliz;

12 7. Revoking or suspending Smog Check Repair Technician License Number EI 27468,
13 issued to Victor Caliz;

14 8. Revoking or suspending Brake Adjuster License Number BA 27468, class C, issued
15 to Victor Caliz;

16 9. Revoking or suspending Lamp Adjuster License Number LA 27468, class A, issued
17 to Victor Caliz;

18 10. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
19 Division 26 of the Health and Safety Code in the name of Victor Caliz;

20 11. Revoking or suspending any additional license issued under Articles 5 and 6 of
21 Chapter 20.3 of Division 3 of the Code in the name of Victor Caliz;

22 12. Ordering Mafredi Group, Inc. dba Supreme Automotive Service and Victor Caliz to
23 pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement
24 of this case, pursuant to Business and Professions Code section 125.3; and

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

DATED: As of Digital Signature Date

PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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