

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

In the Matter of the Petition to Revoke Probation Against:

MARCELO DANIEL MORALES, SOLE OWNER, dba MARCELOS AUTO REPAIRS

83407 Highway 111 A

Indio, CA 92201

Automotive Repair Dealer Registration No. ARD 179774

Smog Check Station License No. RC 179774

and

MARCELO DANIEL MORALES

43635 Calle Espada

La Quinta, CA 92253

Smog Check Inspector License No. EO 128438

Smog Check Repair Technician License No. EI 128438

Respondents.

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Case No. 79/24-10639

DECISION

The attached Stipulated Revocation of License and Order is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on April 11, 2025.

IT IS SO ORDERED March 4, 2025.

Signature on file
GRACE ARUPO RODRIGUEZ
Assistant Deputy Director
Legal Affairs Division
Department of Consumer Affairs

ROB BONTA
Attorney General of California
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**BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE BUREAU OF AUTOMOTIVE REPAIR
STATE OF CALIFORNIA**

In the Matter of the Petition to Revoke
Probation Against:

Case No. 79/24-10639

**MARCELO DANIEL MORALES,
SOLE OWNER, DBA MARCELOS AUTO
REPAIRS
83407 Highway 111 A
Indio, CA 92201**

STIPULATED REVOCATION OF LICENSE AND ORDER

**Automotive Repair Dealer Registration No.
ARD 179774**

Smog Check Station License No. RC 179774

**MARCELO DANIEL MORALES
43635 Calle Espada
La Quinta, CA 92253**

**Smog Check Inspector License No. EO
128438**

**Smog Check Repair Technician License No.
EI 128438**

Respondents.

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

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PARTIES

1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair (Bureau). Complainant brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by Agustin Lopez, Deputy Attorney General.

2. On January 1, 1994, the Bureau issued Automotive Repair Dealer Registration Number ARD 179774 to Marcelo Daniel Morales, dba Marcelos Auto Repairs (Respondent). The Automotive Repair Dealer Registration expired on August 31, 2022, and was not renewed.

3. On September 7, 1994, the Bureau issued Smog Check and Repair Station License Number RC 179774 to Respondent. The Smog Check and Repair Station License expired on August 31, 2022, and was not renewed.

4. Effective April 18, 2013, under California Code of Regulations, title 16, section 3340.28, subdivision (e), Respondent elected to have Smog Check Repair Technician License No. EI 128438 issued. The Smog Check Repair Technician license expired on June 30, 2021, and was not renewed.

5. Effective April 18, 2013, under California Code of Regulations, title 16, section 3340.28, subdivision (e), Respondent elected to have Smog Check Inspector License No. EO 128438 issued. The Smog Check Inspector license expired on June 30, 2023, and was not renewed.

JURISDICTION

6. On October 24, 2024, Complainant filed Petition to Revoke Probation No. 79/24-10639 was filed before the Director of the Department of Consumer Affairs (Director), State of California, and it is currently pending against Respondent. On October 29, 2024, Complainant properly served the Petition to Revoke Probation and all other statutorily required documents on Respondent. Respondent timely filed his Notice of Defense contesting the Petition to Revoke Probation. A copy of Petition to Revoke Probation No. 79/24-10639 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

7. Respondent has carefully read, and understands the charges and allegations in Petition to Revoke Probation No. 79/24-10639. Respondent also has carefully read, and understands the effects of this Stipulated Revocation of License and Order.

8. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Petition to Revoke Probation; 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 voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

10. Respondent admits the truth of each and every charge and allegation in Petition to Revoke Probation No. 79/24-10639, agrees that cause exists for discipline and hereby surrenders his Automotive Repair Dealer Registration No. ARD 179774, Smog Check and Repair Station License No. RC 179774, Smog Check Repair Technician License No. EI 128438, and Smog Check Inspector License No. EO 128438 for the Bureau's formal acceptance.

11. Respondent understands that by signing this stipulation he enables the Director to issue his order accepting the surrender of his Automotive Repair Dealer, Smog Check and Repair Station, Smog Check Repair Technician, and Smog Check Inspector licenses without further process.

CONTINGENCY

12. This stipulation shall be subject to approval by the Director or the Director's designee. Respondent understands and agrees that counsel for Complainant and the staff of the Bureau of Automotive Repair may communicate directly with the Director and staff regarding this stipulation and order, without notice to or participation by Respondent. By signing the

1 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
2 to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director
3 fails to adopt this stipulation as the Decision and Order, the Stipulated Revocation and
4 Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible
5 in any legal action between the parties, and the Director shall not be disqualified from further
6 action by having considered this matter.

7 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
8 copies of this Stipulated Revocation of License and Order, including PDF and facsimile
9 signatures thereto, shall have the same force and effect as the originals.

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

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

19 **ORDER**

20 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 179774,
21 Smog Check and Repair Station License No. RC 179774, Smog Check Repair Technician
22 License No. EI 128438, and Smog Check Inspector License No. EO 128438 issued to Respondent
23 are surrendered and accepted by the Bureau.

24 1. The surrender of Respondent's registration and licenses, and the acceptance of the
25 surrendered licenses by the Bureau shall constitute the imposition of discipline against
26 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
27 Respondent's license history with the Bureau.

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1 2. Respondent shall lose all rights and privileges as an Automotive Repair Dealer, Smog
2 Check and Repair Station, Smog Check Repair Technician, and Smog Check Inspector licensee in
3 California as of the effective date of the Director's Decision and Order.

4 3. Respondent shall cause to be delivered to the Bureau his pocket licenses and, if
5 issued, his wall certificates on or before the effective date of the Decision and Order.

6 4. If Respondent ever files an application for licensure or a petition for reinstatement in
7 the State of California, the Bureau shall treat it as a petition for reinstatement. Respondent must
8 comply with all the laws, regulations and procedures for reinstatement of a revoked or
9 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
10 contained in Petition to Revoke Probation No. 79/24-10639 shall be deemed to be true, correct
11 and admitted by Respondent when the Director determines whether to grant or deny the petition.

12 5. If Respondent should ever apply or reapply for a new license or certification, or
13 petition for reinstatement of a license, by any other licensing agency in the State of California, all
14 of the charges and allegations contained in Petition to Revoke Probation, No. 79/24-10639 shall
15 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
16 Issues or any other proceeding seeking to deny or restrict licensure. Additionally, Respondent
17 shall pay any cost recovery balance owed to the Bureau prior to reinstatement or reapplication of
18 any license issued by the State of California, including but not limited to the current balance of
19 \$6,202.33.

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ACCEPTANCE

I have carefully read the Stipulated Revocation of License and Order. I understand the stipulation and the effect it will have on my Automotive Repair Dealer, Smog Check and Repair Station, Smog Check Repair Technician, and Smog Check Inspector licenses. I enter into this Stipulated Revocation of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of the Department of Consumer Affairs.

DATED: January 27, 2025

Original signature on file

MARCELO DANIEL MORALES, DBA
MARCELOS AUTO REPAIRS
Respondent

ENDORSEMENT

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

DATED: February 11, 2025

Respectfully submitted,

ROB BONTA
Attorney General of California ERIN
M. SUNSERI
Supervising Deputy Attorney General

Original signature on file

AGUSTIN LOPEZ
Deputy Attorney General
Attorneys for Complainant

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