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

12 In the Matter of the Accusation Against:

13 **JAN DARK MUSA ZAHRA d.b.a.**
14 **ARLINGTON SMOG TEST ONLY**
15 **8970 Arlington Ave**
16 **Riverside, CA 92503**

17 **Automotive Repair Dealer Registration No.**
18 **ARD 269583; Smog Check Station License**
19 **No. TC 269583**

20 **-and-**

21 **MAHMOUD M. KAHIL**
22 **10601 Diana Ave #418**
23 **Riverside, CA 92505**

24 **Smog Check Inspector License No. EO**
25 **141408**

26 Respondents.

Case No. 79/24-22230

DEFAULT DECISION AND ORDER AS
TO RESPONDENT MAHMOUD M.
KAHIL ONLY

[Gov. Code, §11520]

27 **FINDINGS OF FACT**

28 1. On or about July 21, 2025, Complainant Patrick Dorais, in his official capacity as the
Chief of the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs, filed
Accusation Number 79/24-22230 against Jan Dark Musa Zahra, doing business as Arlington
Smog Test Only (Respondent Arlington Smog Test Only) and Mahmoud M Kahil (Respondent

1 Kahil) before the Director of the Department of Consumer Affairs. (Accusation attached as
2 Exhibit A.)

3 2. On or about December 30, 2013, the Bureau issued Smog Check Inspector License
4 Number EO 141408 to Respondent Kahil. The Smog Check Inspector License was in full force
5 and effect at all times relevant to the charges brought in Accusation Number 79/24-22230 and
6 will expire on December 31, 2025, unless renewed.

7 3. On or about July 28, 2025, Respondent Kahil was served by Certified and First Class
8 Mail copies of the Accusation Number 79/24-22230, Statement to Respondent, Notice of
9 Defense, Request for Discovery and discovery statutes (Government Code sections 11507.5,
10 11507.6, and 11507.7) at Respondent Kahil's address of record which, pursuant to Business and
11 Professions Code section 136, is required to be reported and maintained with the Bureau.
12 Respondent Kahil's address of record was and is: 10601 Diana Ave #418, Riverside, CA 92505.

13 4. Service of the Accusation was effective as a matter of law under the provisions of
14 Government Code section 11505, subdivision (c), and/or Business and Professions Code section
15 124.

16 5. Government Code section 11506, subdivision (c), states, in pertinent part:

17 The respondent shall be entitled to a hearing on the merits if the respondent
18 files a notice of defense . . . and the notice shall be deemed a specific denial of all
19 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
20 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
21 discretion may nevertheless grant a hearing.

22 6. The Bureau takes official notice of its records and the fact that Respondent Kahil
23 failed to file a Notice of Defense within 15 days after service upon him of the Accusation, and
24 therefore waived his right to a hearing on the merits of Accusation Number 79/24-22230.

25 7. Government Code section 11520, subdivision (a), states, in pertinent part:

26 If the respondent either fails to file a notice of defense . . . or to appear at the
27 hearing, the agency may take action based upon the respondent's express admissions
28 or upon other evidence and affidavits may be used as evidence without any notice to
respondent

8. Pursuant to its authority under Government Code section 11520, the Director after
having reviewed the proof of service dated July 28, 2025, signed by A. Curiel, finds Respondent

1 Kahil is in default. The Director will take action without further hearing and, based on the
2 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
3 finds that the charges and allegations pertaining to Respondent Kahil in Accusation Number
4 79/24-22230, are separately and severally, found to be true and correct by clear and convincing
5 evidence.

6 **DETERMINATION OF ISSUES**

7 1. Based on the foregoing findings of fact, Respondent Mahmoud M. Kahil has
8 subjected his Smog Check Inspector License Number EO 141408 to discipline.

9 2. The agency has jurisdiction to adjudicate this case by default.

10 3. The Director of the Department of Consumer Affairs is authorized to revoke
11 Respondent Kahil's Smog Check Inspector License based upon the following violations alleged in
12 the Accusation which are supported by the evidence contained in the Default Decision
13 Investigatory Evidence Packet in this case:

14 a. Respondent Kahil's smog check inspector license is subject to discipline pursuant to
15 Health and Safety Code section 44072.2, subdivision (a), in that Respondent Kahil failed to
16 comply with Health and Safety Code section 44012 in a material respect as follows: Respondent
17 Kahil failed to perform the emission control tests on multiple vehicles in accordance with
18 procedures prescribed by the department.

19 b. Respondent Kahil's smog check inspector license is subject to discipline pursuant to
20 Health and Safety Code section 44072.2, subdivision (c), in that Respondent Kahil failed to
21 comply with provisions of the California Code of Regulations, title 16, as follows:

22 i. Section 3340.30, subdivision (a): Respondent Kahil failed to inspect and test
23 multiple vehicles in accordance with Health and Safety Code section 44012.

24 ii. Section 3340.41, subdivision (c): Respondent Kahil entered false information
25 into the EIS.

26 iii. Section 3340.42: Respondent Kahil failed to conduct the required smog tests
27 and inspections on multiple vehicles in accordance with the Bureau's specifications.

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1 c. Respondent Kahil's smog check inspector license is subject to discipline pursuant to
2 Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety
3 Code section 44072.10, subdivision (c), in that Respondent Kahil committed acts involving
4 dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of
5 compliance for multiple vehicles without performing bona fide inspections of the emission
6 control devices and systems on the vehicles, thereby depriving the People of the State of
7 California of the protection afforded by the Motor Vehicle Inspection Program.

8 **ORDER**

9 IT IS SO ORDERED that Smog Check Inspector License Number EO 141408, issued to
10 Respondent Mahmoud M. Kahil, is revoked.

11 Pursuant to Government Code section 11520, subdivision (c), Respondent Kahil may serve
12 a written motion requesting that the Decision be vacated and stating the grounds relied on within
13 seven (7) days after service of the Decision on Respondent Kahil. The motion should be sent to
14 the Bureau of Automotive Repair, ATTN: Patrick Lutfi, 10949 North Mather Boulevard, Rancho
15 Cordova, CA 95670. The agency in its discretion may vacate the Decision and grant a hearing on
16 a showing of good cause, as defined in the statute.

17 This Decision shall become effective on November 25, 2025.

18 It is so ORDERED November 19, 2025.

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20 Original signature on file

21 _____
22 GRACE ARUPO RODRIGUEZ
23 Assistant Deputy Director
24 Division of Legal Affairs
25 Department of Consumer Affairs

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27 DOJ Matter ID:SD2025801792