

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
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) 269-6308
6 Facsimile: (916) 731-2126
E-mail: MichaelB.Brown@doj.ca.gov
7 *Attorneys for Complainant*

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:

Case No. 79/24-22186

13 **DEBORAH KOREL-OWNER DBA EL**
14 **PRIMO SMOG**
15 **17338 Foothill Blvd. Unit C**
16 **Fontana, CA 92335**
17 **Automotive Repair Dealer Registration No.**
18 **ARD 279105**
19 **Smog Check, Test Only, Station License No.**
20 **TC 279105**

ACCUSATION

21 **ALEXANDER SHAMOUN KOREL**
22 **25412 Clovelly Ct.**
23 **Moreno Valley, CA 92553**
24 **Smog Check Inspector License No. EO**
25 **630896**

26 **and**

27 **JOSEPH PAUL MARTINEZ**
28 **27738 Moonridge Dr.**
Sun Valley, CA 92585
Smog Check Station Inspector No. EO
641473

Respondent.

PARTIES

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

1 **Deborah Korel-Owner dba El Primo Smog**

2 **Automotive Repair Dealer Registration**

3 2. On or about January 27, 2015, the Bureau issued Automotive Repair Dealer
4 Registration Number ARD 279105 to Deborah Korel-Owner dba El Primo Smog ("Respondent
5 El Primo Smog"). The Automotive Repair Dealer Registration was in full force and effect at all
6 times relevant to the charges brought herein and will expire on January 31, 2026, unless renewed.

7 **Smog Check, Test Only, Station License**

8 3. On or about March 26, 2015, the Bureau issued Smog Check, Test-Only, Station
9 License Number TC 279105 to Respondent El Primo Smog. The Smog Check, Test-Only,
10 Station License was in full force and effect at all times relevant to the charges brought herein and
11 will expire on January 31, 2026, unless renewed.

12 **STAR Station Certification**

13 4. On or about May 22, 2015, the Bureau certified El Primo Smog as a STAR Station.
14 The certification was suspended on July 23, 2025. If and when reinstated, the certification will
15 remain active unless ARD 279105 and/or TC 279105 is revoked, canceled, becomes delinquent,
16 or the certification is suspended.

17 **Hector Alberto Soto**

18 **Smog Check Inspector License**

19 5. On or about June 20, 2022, the Bureau issued Smog Check Inspector License Number
20 EO 643731 to Hector Alberto Soto ("Inspector Soto"). The Smog Check Inspector License was
21 in full force and effect at all times relevant to the charges brought herein. However, the Smog
22 Check Inspector License was revoked on August 15, 2025.

23 **Alfonso Alexzander Roman**

24 **Smog Check Inspector License**

25 6. On or about October 5, 2018, the Bureau issued Smog Check Inspector License
26 Number EO 641441 to Alfonso Alexzander Roman ("Inspector Roman"). The Smog Check
27 Inspector License was in full force and effect at all times relevant to the charges brought herein.
28 However, the Smog Check Inspector License was revoked on August 12, 2024.

1 **Alexander Shamoun Korel**

2 **Smog Check Inspector License**

3 7. On or about July 11, 2022, the Bureau issued Smog Check Inspector License Number
4 EO 630896 to Alexander Shamoun Korel ("Respondent Korel"). The Smog Check Inspector
5 License was in full force and effect at all times relevant to the charges brought herein and will
6 expire on May 31, 2026, unless renewed.

7 **Joseph Paul Martinez**

8 **Smog Check Inspector License**

9 8. On or about October 19, 2018, the Bureau issued Smog Check Inspector License
10 Number EO 641473 to Joseph Paul Martinez ("Respondent Martinez"). The Smog Check
11 Inspector License was in full force and effect at all times relevant to the charges brought herein
12 and will expire on November 30, 2026, unless renewed.

13 **JURISDICTION**

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

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

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

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

27 ///

28 ///

STATUTORY PROVISIONS

13. Section 9884.7 of the Code states:

(a) The director, if the automotive repair dealer cannot show there was a bona fide error, may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the automotive repair dealer or any automotive technician, employee, partner, officer, or member of the automotive repair dealer:

....

(4) Any other conduct that constitutes fraud.

....

(6) Failure in any material respect to comply with the provisions of this chapter or regulations adopted pursuant to it.

....

(c) Notwithstanding subdivision (b), the director may suspend, revoke, or place on probation the registration for all places of business operated in this state by an automotive repair dealer upon a finding that the automotive repair dealer has, or is, engaged in a course of repeated and willful violations of this chapter, or regulations adopted pursuant to it.

14. Section 44012 of the Health and Safety Code states:

The test at the smog check stations shall be performed in accordance with procedures prescribed by the department and may require loaded mode dynamometer testing in enhanced areas, two-speed idle testing, testing utilizing a vehicle's onboard diagnostic system, or other appropriate test procedures as determined by the department in consultation with the state board. The department shall implement testing using onboard diagnostic systems, in lieu of loaded mode dynamometer or two-speed idle testing, on model year 2000 and newer vehicles only, beginning no earlier than January 1, 2013, and on model-year 1996-99, inclusive, vehicles only, beginning no earlier than January 1, 2025. However, the department, in consultation with the state board, may prescribe alternative test procedures that include loaded mode dynamometer or two-speed idle testing for vehicles with onboard diagnostic systems that the department and the state board determine exhibit operational problems. The department shall ensure, as appropriate to the test method, the following:

(a) Emission control systems required by state and federal law are reducing excess emissions in accordance with the standards adopted pursuant to subdivisions (a) and (c) of Section 44013.

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

(c) For other than diesel-powered vehicles, the vehicle's exhaust emissions of 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

department. In determining how loaded mode and evaporative emissions testing shall be conducted, the department shall ensure that the emission reduction targets for the enhanced program are met.

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

(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 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 the pollutants specified in subdivision (c) and, upon the adoption of applicable standards, measurement of emissions of smoke or particulates, or both.

(f) A visual or functional check is made of emission control devices specified 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 visual or functional check shall be performed in accordance with procedures prescribed by the department.

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

(h) An analysis of pass and fail rates of vehicles subject to an onboard 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 failing their onboard diagnostic test have or would have passed a tailpipe test.

(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 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 requirements of this chapter.

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

....

(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 noncompliance.

16. Section 44032 of the Health and Safety Code states:

No person shall perform, for compensation, tests or repairs of emission control devices or systems of motor vehicles required by this chapter unless the person performing the test or repair is a qualified smog check technician and the test or repair is performed at a licensed smog check station. Qualified smog check technicians shall perform tests of emission control devices and systems in accordance with Section 44012.

///

///

1 17. Section 44059 of the Health and Safety Code states:

2 The willful making of any false statement or entry with regard to a material
3 matter in any oath, affidavit, certificate of compliance or noncompliance, or
4 application form which is required by this chapter or Chapter 20.3 (commencing with
5 Section 9880) of Division 3 of the Business and Professions Code, constitutes perjury
6 and is punishable as provided in the Penal Code.

7 18. Section 44072.2 of the Health and Safety Code states:

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

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

14

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

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

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

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

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

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

28 (1) Clean piping, clean plugging, clean glassing, clean tanking, or any other
fraudulent inspection practice, 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

21. 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.

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

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

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

23. California Code of Regulations, title 16, section 3340.35 states:

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

24. California Code of Regulations, title 16, section 3340.41 states:

....

(c) No person shall enter any vehicle identification information or emission control system identification data for any vehicle other than the one being tested into the EIS or OIS. Nor shall any person enter into the EIS or OIS any false information about the vehicle being tested.

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

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

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

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

On and after March 31, 2010, exhaust emissions from a vehicle subject to this

inspection shall be measured and compared to the emissions standards shown in the Vehicle Look-up Table (VLT) Row Specific Emissions Standards (Cutpoints) Table, dated March 2010, which is hereby incorporated by reference. If the emissions 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.

26. California Code of Regulations, title 16, section 3373, states:

No automotive repair dealer or individual in charge shall, in filling out an estimate, invoice, or work order, or record required to be maintained by section 3340.15(f) of this chapter, withhold therefrom or insert therein any statement or information which will cause any such document to be false or misleading, or where the tendency or effect thereby would be to mislead or deceive customers, prospective customers, or the public.

COST RECOVERY

27. 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 licensee 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

28. During a Board Diagnostic Inspection System inspection ("OIS"), engine operating parameters are retrieved from the vehicle's OBD II system and recorded to the Vehicle Information Database ("VID"). This is accomplished during the functional portion of the OIS Smog Check Inspection by plugging the Data Acquisition Device ("DAD") into the vehicle's Diagnostic Link Connector ("DLC") when prompted by the OIS analyzer screen prompt. Some of the parameters recorded are:

///

///

///

- Engine speed in revolutions per minute (“RPM”).
- The throttle position is measured by a throttle position sensor (“TPS”) mounted onto the throttle shaft. It is measured in a percentage of opening from 0% at idle and near or up to 100% at full throttle.
- Manifold absolute pressure as measured by a manifold air pressure sensor (“MAP”) connected to an intake manifold source, measured in kilo pascals (“kpa”). Typical readings for a normally aspirated engine are as follows: 0 kPa being absolute vacuum, 25kPa to 45kPa at idle, and 101 kpa at full throttle, same as atmospheric pressure at sea level.
- Mass airflow is measured by a mass air flow sensor (“MAF”) mounted in the engine’s air intake tract and measured in grams per second (“gps”).
- Ignition timing is set by the vehicle Powertrain Control Module (“PCM”) based on engine speed and load and is measured in degrees Before Top Dead Center (“BTDC”).

29. During normal engine operation at idle, the engine speed is relatively steady around its target idle speed. With the engine idling, the TPS is steady and at or near 0%. The MAP and/or MAF readings are also steady. For the engine speed to increase, the throttle would have to be opened to increase airflow through the engine. The engine’s management systems supply fuel and spark timing appropriate to any changes in throttle position and engine speed. An increase in throttle, measured by the TPS, which increases engine RPM, would result in corresponding increases in MAF as well as a change in MAP. Stated another way, any movement in the throttle from the idle position will result in an increase of airflow through the engine with corresponding increases in RPM and/or MAF along with changes in MAP.

30. During an OIS Smog Check Inspection, along with other visual and functional inspections, there is an OBD II query portion of the inspection. The OBD II query is performed with the engine idling and, when requested by the OIS analyzer, an elevated or increased engine speed. The increase in engine speed is performed by the smog check inspector by stepping on the throttle pedal or manually opening the throttle resulting in a corresponding increase in engine RPMs by allowing an increase in airflow into the engine.

31. The Bureau Representative conducted a detailed review of the VID data for the Smog Check inspections performed at Respondent El Primo Smog’s facility. The review showed a pattern of vehicles being certified with improbable engine operating parameters not corresponding to normal engine operation. The data collected by the DAD during the OBDII functional test confirmed that an OBD defeat device was used instead of the actual vehicle being

1 tested, which constitutes clean plugging¹. The Bureau Representative included ten (10) vehicles
2 in his report as examples of fraudulent inspections using clean plugging.

3 **Fraudulent Inspection No. 1-2004 Subaru Impreza WRX**

4 32. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
5 The review indicated that on or about March 11, 2023, a 2004 Subaru Impreza WRX was tested,
6 and Certificate of Compliance Number IT489876C was issued by revoked Inspector Soto.

7 33. The Dynamic OBD Data and Dynamic Data Charts data for the 2004 Subaru Impreza
8 WRX showed that between timestamps 206 and 82760, the engine speed was steady at
9 approximately 725 RPM. During this time, the throttle was fixed at 11.8% opening, the MAF
10 was fixed at 2.56 gps, the MAP was fixed at 33 kPa, and the ignition timing advance for the
11 number 1 cylinder was fixed at 11 degrees BTDC. After timestamp 82760, the engine speed
12 accelerated to approximately 1600 RPM. From the time the engine RPM increased off idle to the
13 higher RPMs, the throttle was fixed at the same 11.8% opening, the MAF was fixed at the same
14 2.56 gps, the MAP was fixed at the same 33 kPa, and the ignition timing advance for the number
15 1 cylinder was fixed at the same 11 degrees BTDC.

16 34. During the entire period, the dynamic data was collected, the only parameter that
17 changed was the engine RPM. The throttle position, the MAF, the MAP, and the ignition timing
18 advance readings remained unchanged even though the engine speed was increased. These
19 readings were not characteristic or expected for normal engine operation. The discrepancies in
20 the OIS Test Data proved that the OIS DAD was not connected to the 2004 Subaru Impreza WRX
21 being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

22 **Fraudulent Inspection No. 2-2004 Nissan Armada SE**

23 35. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
24 The review indicated that on or about August 19, 2023, a 2004 Nissan Armada SE was tested, and
25 Certificate of Compliance Number IV499631C was issued by revoked Inspector Soto.

26
27 ¹ Clean Plugging” refers to the use of another vehicle’s properly functioning On Board Diagnostic,
28 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.

1 36. The Dynamic OBD Data and Dynamic Data Charts data for the 2004 Nissan Armada
2 SE showed that between timestamps 168 and 17710, the engine speed was steady at
3 approximately 650 RPM. During this time, the throttle was fixed at .4% opening, the MAF was
4 fixed at 5.99 gps, and the ignition timing advance for the number 1 cylinder was fixed at 13
5 degrees BTDC. After timestamp 17710, the engine speed accelerated to approximately 1550
6 RPM. From the time the engine RPM increased off idle to the higher RPMs, the throttle was
7 fixed at the same .4% opening, the MAF was fixed at the same 5.99 gps, and the ignition timing
8 advance for the number 1 cylinder was fixed at the same 13 degrees BTDC.

9 37. During the entire period, the dynamic data was collected, the only parameter that
10 changed was the engine RPM. The throttle position, the MAF, and the ignition timing advance
11 readings remained unchanged even though the engine speed was increased. These readings were
12 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test
13 Data proved that the OIS DAD was not connected to the 2004 Nissan Armada SE being certified,
14 which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

15 **Fraudulent Inspection No. 3-2005 Nissan Frontier Crew Cab LE**

16 38. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
17 The review indicated that on or about August 19, 2023, a 2005 Nissan Frontier Crew Cab LE was
18 tested, and Certificate of Compliance Number IV499632C was issued by revoked Inspector Soto.

19 39. The Dynamic OBD Data and Dynamic Data Charts data for the 2005 Nissan Frontier
20 Crew Cab LE showed that between timestamps 340 and 17196, the engine speed was steady at
21 approximately 750 RPM. During this time, the throttle was fixed at 3.9% opening, the MAF was
22 fixed at 5.19 gps, and the ignition timing advance for the number 1 cylinder was fixed at 15
23 degrees BTDC. After timestamp 17196, the engine speed accelerated to approximately 1700
24 RPM. From the time the engine RPM increased off idle to the higher RPMs, the throttle was
25 fixed at the same 3.9% opening, the MAF was fixed at the same 5.19 gps, and the ignition timing
26 advance for the number 1 cylinder was fixed at the same 15 degrees BTDC.

27 40. During the entire period, the dynamic data was collected, the only parameter that
28 changed was the engine RPM. The throttle position, the MAF, and the ignition timing advance

1 readings remained unchanged even though the engine speed was increased. These readings were
2 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test
3 Data proved that the OIS DAD was not connected to the 2005 Nissan Frontier Crew Cab LE
4 being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

5 **Fraudulent Inspection No. 4-2001 Pontiac Aztek**

6 41. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
7 The review indicated that on or about September 9, 2023, a 2001 Pontiac Aztek was tested, and
8 Certificate of Compliance Number TM863630C was issued by Respondent Martinez.

9 42. The Dynamic OBD Data and Dynamic Data Charts data for the 2001 Pontiac Aztek
10 showed that between timestamps 22 and 18622, the engine speed was steady at approximately
11 900 RPM. During this time, the throttle was fixed at 0% opening, the MAF was fixed at 3.34 gps,
12 the MAP was fixed at 35 kPa, and the ignition timing advance for the number 1 cylinder was
13 fixed at 15 degrees BTDC. After timestamp 18622, the engine speed accelerated to
14 approximately 1525 RPM. From the time the engine RPM increased off idle to the higher RPMs,
15 the throttle was fixed at the same 0% opening, the MAF was fixed at the same 3.34 gps, the MAP
16 was fixed at the same 35 kPa, and the ignition timing advance for number 1 cylinder was also still
17 fixed at the same 15 degrees BTDC.

18 43. During the entire period, the dynamic data was collected, the only parameter that
19 changed was the engine RPM. The throttle position, the MAF, the MAP and the ignition timing
20 advance readings remained unchanged even though the engine speed was increased. These
21 readings were not characteristic or expected for normal engine operation. The discrepancies in
22 the OIS Test Data proved that the OIS DAD was not connected to the 2001 Pontiac Aztek being
23 certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

24 **Fraudulent Inspection No. 5-2003 Ford F250 Super Duty**

25 44. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
26 The review indicated that on or about September 9, 2023, a 2003 Ford F250 Super Duty was
27 tested, and Certificate of Compliance Number TM863632C was issued by Respondent Martinez.

28 ///

1 45. The Dynamic OBD Data and Dynamic Data Charts data for the 2003 Ford F250
2 Super Duty showed that between timestamps 15 and 21921, the engine speed was steady at
3 approximately 775 RPM. During this time, the throttle was fixed at 20.8% opening, the MAF
4 was fixed at 9.13 gps, and the ignition timing advance for the number 1 cylinder was fixed at 18.5
5 degrees BTDC. After timestamp 21921, the engine speed accelerated to approximately 1900
6 RPM. From the time the engine RPM increased off idle to the higher RPMs, the throttle was
7 fixed at the same 20.8% opening, the MAF was fixed at the same 9.13 gps, and the ignition
8 timing advance for the number 1 cylinder was fixed at the same 18.5 degrees BTDC.

9 46. During the entire period, the dynamic data was collected, the only parameter that
10 changed was the engine RPM. The throttle position, the MAF, and the ignition timing advance
11 readings remained unchanged even though the engine speed was increased. These readings were
12 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test
13 Data proved that the OIS DAD was not connected to the 2003 Ford F250 Super Duty being
14 certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

15 **Fraudulent Inspection No. 6-2005 Subaru Impreza WRX**

16 47. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
17 The review indicated that on or about October 14, 2023, a 2005 Subaru Impreza WRX was tested,
18 and Certificate of Compliance Number TO145433C was issued by revoked Inspector Soto.

19 48. The Dynamic OBD Data and Dynamic Data Charts data for the 2005 Subaru Impreza
20 WRX showed that between timestamps 184 and 17348, the engine speed was steady at
21 approximately 750 RPM. During this time, the throttle was fixed at 12.5% opening, the MAF
22 was fixed at 2.24 gps, the MAP was fixed at 32 kPa, and the ignition timing advance for the
23 number 1 cylinder was fixed at 11 degrees BTDC. After timestamp 17348, the engine speed
24 accelerated to approximately 1750 RPM. From the time the engine RPM increased off idle to the
25 higher RPMs, the throttle was fixed at the same 12.5% opening, the MAF was fixed at the same
26 2.24 gps, the MAP was fixed at the same 32 kPa, and the ignition timing advance for the number
27 1 cylinder was fixed at the same 11 degrees BTDC.

28 ///

1 49. During the entire period, the dynamic data was collected, the only parameter that
2 changed was the engine RPM. The throttle position, the MAF, the MAP, and the ignition timing
3 advance readings remained unchanged even though the engine speed was increased. These
4 readings were not characteristic or expected for normal engine operation. The discrepancies in
5 the OIS Test Data proved that the OIS DAD was not connected to the 2005 Subaru Impreza WRX
6 being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

7 **Fraudulent Inspection No. 7-2006 Chevrolet Avalanche C1500**

8 50. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
9 The review indicated that on or about November 25, 2023, a 2006 Chevrolet Avalanche C1500
10 was tested, and Certificate of Compliance Number IX463318C was issued by revoked Inspector
11 Soto.

12 51. The Dynamic OBD Data and Dynamic Data Charts data for the 2006 Chevrolet
13 Avalanche C1500 showed that between timestamps 26 and 18576, the engine speed was steady at
14 approximately 450 RPM. During this time, the throttle was fixed at 3.9% opening, the MAF was
15 fixed at 4.36 gps, the MAP was fixed at 33 kPa, and the ignition timing advance for the number 1
16 cylinder was fixed at 19 degrees BTDC. After timestamp 18576, the engine speed accelerated to
17 approximately 1775 RPM. From the time the engine RPM increased off idle to the higher RPMs,
18 the throttle was fixed at the same 3.9% opening, the MAF was fixed at the same 4.36 gps, the
19 MAP was fixed at the same 33 kPa, and the ignition timing advance for the number 1 cylinder
20 was fixed at the same 19 degrees BTDC.

21 52. During the entire period, the dynamic data was collected, the only parameter that
22 changed was the engine RPM. The throttle position, the MAF, the MAP, and the ignition timing
23 advance readings remained unchanged even though the engine speed was increased. These
24 readings were not characteristic or expected for normal engine operation. The discrepancies in
25 the OIS Test Data proved that the OIS DAD was not connected to the 2006 Chevrolet Avalanche
26 C1500 being certified, which caused the issuance of a fraudulent Smog Check Certificate of
27 Compliance.

28 ///

Fraudulent Inspection No. 8-2000 Toyota Camry CE

53. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog. The review indicated that on or about February 24, 2024, a 2000 Toyota Camry CE was tested, and Certificate of Compliance Number TS593037C was issued by Respondent Korel.

54. The Dynamic OBD Data and Dynamic Data Charts data for the 2000 Toyota Camry CE showed that between timestamps 130 and 17125, the engine speed was steady at approximately 700 RPM. During this time, the throttle was fixed at 12.2% opening, the MAP was fixed at 25 kPa, and the ignition timing advance for the number 1 cylinder was fixed at 6 degrees BTDC. After timestamp 17125, the engine speed accelerated to approximately 1800 RPM before fluctuating between approximately 1500 RPM and 1800 RPM. From the time the engine RPM increased off idle to the higher RPMs, the throttle was fixed at the same 12.2% opening, the MAP was fixed at the same 25 kPa, and the ignition timing advance for the number 1 cylinder was fixed at the same 6 degrees BTDC.

55. During the entire period, the dynamic data was collected, the only parameter that changed was the engine RPM. The throttle position, the MAP, and the ignition timing advance readings remained unchanged even though the engine speed was increased. These readings were not characteristic or expected for normal engine operation. The discrepancies in the OIS Test Data proved that the OIS DAD was not connected to the 2000 Toyota Camry CE being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

Fraudulent Inspection No. 9-2000 Honda Civic LX

56. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog. The review indicated that on or about March 2, 2024, a 2000 Honda Civic LX was tested, and Certificate of Compliance Number RS973166C was issued by revoked Inspector Roman.

57. The Dynamic OBD Data and Dynamic Data Charts data for the 2000 Honda Civic LX showed that between timestamps 116 and 16803, the engine speed was steady at approximately 750 RPM. During this time, the throttle was fixed at 9.8% opening, the MAP was fixed at 26 kPa, and the ignition timing advance for the number 1 cylinder was fixed at 16.5 degrees BTDC. After timestamp 16803, the engine speed accelerated to approximately 1850

1 RPM. From the time the engine RPM increased off idle to the higher RPMs, the throttle was
2 fixed at the same 9.8% opening, the MAP was fixed at the same 26 kPa, and the ignition timing
3 advance for the number 1 cylinder was fixed at the same 16.5 degrees BTDC.

4 58. During the entire period, the dynamic data was collected, the only parameter that
5 changed was the engine RPM. The throttle position, the MAP, and the ignition timing advance
6 readings remained unchanged even though the engine speed was increased. These readings were
7 not characteristic or expected for normal engine operation. The discrepancies in the OIS Test
8 Data proved that the OIS DAD was not connected to the 2000 Honda Civic LX being certified,
9 which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

10 **Fraudulent Inspection No. 10-2003 Mercedes Benz E 320**

11 59. A Bureau Representative reviewed the OIS Test Data for Respondent El Primo Smog.
12 The review indicated that on or about March 3, 2024, a 2003 Mercedes Benz E 320 was tested,
13 and Certificate of Compliance Number RS973184C was issued by revoked Inspector Roman.

14 60. The Dynamic OBD Data and Dynamic Data Charts data for the 2003 Mercedes Benz
15 E 320 showed that between timestamps 153 and 16750, the engine speed was steady at
16 approximately 725 RPM. During this time, the throttle was fixed at 4.7% opening, the MAF was
17 fixed at 3.88 gps, the MAP was fixed at 31 kPa, and the ignition timing advance for the number 1
18 cylinder was fixed at -16 degrees BTDC. After timestamp 16750, the engine speed accelerated to
19 approximately 2125 RPM before fluctuating between approximately 1575 RPM and 1950 RPM.
20 From the time the engine RPM increased off idle to the higher RPMs, the throttle was fixed at the
21 same 4.7% opening, the MAF was fixed at the same 3.88 gps, the MAP was fixed at the same 31
22 kPa, and the ignition timing advance for the number 1 cylinder was fixed at the same -16 degrees
23 BTDC.

24 61. During the entire period, the dynamic data was collected, the only parameter that
25 changed was the engine RPM. The throttle position, the MAF, the MAP, and the ignition timing
26 advance readings remained unchanged even though the engine speed was increased. These
27 readings were not characteristic or expected for normal engine operation. The discrepancies in
28

1 the OIS Test Data proved that the OIS DAD was not connected to the 2003 Mercedes Benz E 320
2 being certified, which caused the issuance of a fraudulent Smog Check Certificate of Compliance.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Untrue or Misleading Statements)**

5 62. Respondent El Primo Smog' Automotive Repair Registration is subject to discipline
6 pursuant to Code section 9884.7, subdivision (a)(1) and California Code of Regulations, title 16,
7 section 3373, in that between March 11, 2023, through March 3, 2024, Respondent El Primo
8 Smog made or authorized statements which he knew or in the exercise of reasonable care should
9 have known to be untrue or misleading, as follows: Respondent El Primo Smog certified that
10 vehicles 1 through 10, set forth above, had passed inspection and were in compliance with
11 applicable laws and regulations. Respondent El Primo Smog conducted the inspections on the
12 vehicles using the clean plugging method by substituting or using different vehicles or another
13 source during the OBD II functional tests to issue smog certificates of compliance for the ten (10)
14 vehicles and did not test or inspect the ten (10) vehicles as required by Health and Safety Code
15 section 44012. Complainant refers to, and by this reference incorporates, the allegations set forth
16 above in paragraphs 28 through 61, as though fully set forth.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Fraud)**

19 63. Respondent El Primo Smog's Automotive Repair Registration is subject to discipline
20 pursuant to Code section 9884.7, subdivision (a)(4), in that between March 11, 2023, through
21 March 3, 2024, Respondent El Primo Smog committed acts that constitute fraud by issuing
22 electronic smog certificates of compliance for vehicles 1 through 10, set forth above, without
23 performing bona fide inspections of the emission control devices and systems on those vehicles,
24 thereby depriving the People of the State of California of the protection afforded by the Motor
25 Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the
26 allegations set forth above in paragraphs 28 through 61, as though fully set forth.

27 ///

28 ///

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Material Violation of Automotive Repair Act)**

3 64. Respondent El Primo Smog' Automotive Repair Registration is subject to
4 disciplinary action under Code section 9884.7, subdivision (a)(6), in that between March 11,
5 2023, through March 3, 2024, regarding vehicles 1 through 10, set forth above, Respondent El
6 Primo Smog failed in a material respect to comply with the provisions of this chapter or
7 regulations adopted pursuant to it by issuing electronic smog certificates of compliance for the ten
8 (10) vehicles without performing bona fide inspections of the emissions control devices and
9 systems on those vehicles, thereby depriving the People of the State of California of the
10 protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this
11 reference incorporates, the allegations set forth above in paragraphs 28 through 61, as though
12 fully set forth.

13 **FOURTH CAUSE FOR DISCIPLINE**

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

15 65. Respondent El Primo Smog' Smog Check, Test Only Station License is subject to
16 discipline pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between
17 March 11, 2023, through March 3, 2024, regarding vehicles 1 through 10, set forth above,
18 Respondent El Primo Smog failed to comply with the following sections of that Code:

19 a. **Section 44012:** Respondent El Primo Smog failed to ensure that the emission control
20 tests were performed on vehicles 1 through 10, in accordance with procedures prescribed by the
21 department.

22 b. **Section 44015, subdivision (b):** Respondent El Primo Smog issued electronic smog
23 certificates of compliance for vehicles 1 through 10, without ensuring that the vehicles were
24 properly tested and inspected to determine if they were in compliance with Health and Safety
25 Code section 44012.

26 c. **Section 44059:** Respondent El Primo Smog willfully made false entries for the
27 electronic smog certificates of compliance by certifying that those vehicles had been inspected as
28 required when, in fact, they had not.

1 Complainant refers to, and by this reference incorporates, the allegations set forth above in
2 paragraphs 28 through 61, as though fully set forth.

3 **FIFTH CAUSE FOR DISCIPLINE**

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

6 66. Respondent El Primo Smog' Smog Check, Test Only Station License is subject to
7 discipline pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between
8 March 11, 2023, through March 3, 2024, regarding vehicles 1 through 10, set forth above,
9 Respondent El Primo Smog failed to comply with provisions of California Code of Regulations,
10 title 16, as follows:

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

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

18 c. **Section 3340.41, subdivision (c):** Respondent El Primo Smog knowingly entered false
19 information into the emissions inspection system for the ten (10) vehicles identified above.

20 d. **Section 3340.42:** Respondent El Primo Smog failed to conduct the required smog tests
21 and inspections on those vehicles in accordance with the Bureau's specifications.

22 Complainant refers to, and by this reference incorporates, the allegations set forth above in
23 paragraphs 28 through 61, as though fully set forth.

24 **SIXTH CAUSE FOR DISCIPLINE**

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

26 67. Respondent El Primo Smog' Smog Check, Test Only Station License is subject to
27 discipline pursuant to Health and Safety Code sections 44072.2, subdivision (d) in conjunction
28 with 44072.10, subdivision (c), in that between March 11, 2023, through March 3, 2024,

1 regarding vehicles 1 through 10, set forth above, Respondent El Primo Smog committed acts
2 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog
3 certificates of compliance for those vehicles without performing bona fide inspections of the
4 emission control devices and systems on the vehicles, thereby depriving the People of the State of
5 California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
6 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 28
7 through 61, as though fully set forth.

8 **SEVENTH CAUSE FOR DISCIPLINE**

9 **(Violations of the Motor Vehicle Inspection Program – Respondent Martinez)**

10 68. Respondent Martinez's Smog Check Inspector License is subject to disciplinary
11 action under Health and Safety Code section 44072.2, subdivision (a), in that on or about
12 September 9, 2023, regarding vehicles 4 through 5, set forth above, Respondent Martinez violated
13 the following Health and Safety Code sections:

14 a. **Section 44012, subdivision (a):** Respondent Martinez failed to determine that all
15 emission control devices and systems required by law were installed and functioning correctly on
16 the vehicles identified above in accordance with test procedures prescribed by the Bureau.

17 b. **Section 44012, subdivision (f):** Respondent Martinez failed to perform emission
18 control tests on the vehicles identified above in accordance with procedures prescribed by the
19 Bureau.

20 c. **Section 44032:** Respondent Martinez failed to perform tests of the emission control
21 devices and systems on the vehicles identified above in accordance with section 44012 of the
22 Health and Safety Code, in that the vehicles had been clean plugged.

23 d. **Section 44059:** Respondent Martinez willfully made false entries for the electronic
24 certificates of compliance by certifying that the vehicles identified above had been inspected as
25 required when, in fact, they had not.

26 Complainant refers to, and by this reference incorporates, the allegations set forth above in
27 paragraphs 28 through 31 and 41 through 46, as though fully set forth.

28 ///

1 **EIGHTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations Pursuant to the**
3 **Motor Vehicle Inspection Program – Respondent Martinez)**

4 69. Respondent Martinez's Smog Check Inspector License is subject to discipline
5 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that on or about
6 September 9, 2023, regarding vehicles 4 through 5, set forth above, he failed to comply with
7 provisions of California Code of Regulations, title 16, as follows:

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

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

14 c. **Section 3340.41, subdivision (c)**: Respondent Martinez knowingly entered false
15 information into the emissions inspection system for the two (2) vehicles identified above.

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

18 Complainant refers to, and by this reference incorporates, the allegations set forth above in
19 paragraphs 28 through 31 and 41 through 46, as though fully set forth.

20 **NINTH CAUSE FOR DISCIPLINE**

21 **(Dishonesty, Fraud, or Deceit – Respondent Martinez)**

22 70. Respondent Martinez's Smog Check Inspector License is subject to disciplinary
23 action under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
24 and Safety Code section 44072.10, subdivision (c), in that on or about September 9, 2023,
25 regarding vehicles 4 through 5, set forth above, Respondent Martinez committed acts involving
26 dishonesty, fraud, or deceit when he issued electronic smog certificates of compliance for the
27 vehicles without performing bona fide inspections of the emission control devices and systems on
28 those vehicles, thereby depriving the People of the State of California of the protection afforded

1 by the Motor Vehicle Inspection Program. Complainant refers to, and by this reference
2 incorporates, the allegations set forth above in paragraphs 28 through 31 and 41 through 46, as
3 though fully set forth.

4 **TENTH CAUSE FOR DISCIPLINE**

5 **(Violations of the Motor Vehicle Inspection Program – Respondent Korel)**

6 71. Respondent Korel's Smog Check Inspector License is subject to disciplinary action
7 under Health and Safety Code section 44072.2, subdivision (a), in that on or about February 24,
8 2024, regarding vehicle 8, set forth above, Respondent Korel violated the following Health and
9 Safety Code sections:

10 a. **Section 44012, subdivision (a):** Respondent Korel failed to determine that all
11 emission control devices and systems required by law were installed and functioning correctly on
12 the vehicles identified above in accordance with test procedures prescribed by the Bureau.

13 b. **Section 44012, subdivision (f):** Respondent Korel failed to perform emission control
14 tests on the vehicles identified above in accordance with procedures prescribed by the Bureau.

15 c. **Section 44032:** Respondent Korel failed to perform tests of the emission control
16 devices and systems on the vehicles identified above in accordance with section 44012 of the
17 Health and Safety Code, in that the vehicles had been clean plugged.

18 d. **Section 44059:** Respondent Korel willfully made false entries for the electronic
19 certificates of compliance by certifying that the vehicles identified above had been inspected as
20 required when, in fact, they had not.

21 Complainant refers to, and by this reference incorporates, the allegations set forth above in
22 paragraphs 28 through 31 and 53 through 55, as though fully set forth.

23 **ELEVENTH CAUSE FOR DISCIPLINE**

24 **(Failure to Comply with Regulations Pursuant to the**
25 **Motor Vehicle Inspection Program – Respondent Korel)**

26 72. Respondent Korel's Smog Check Inspector License is subject to discipline pursuant
27 to Health and Safety Code section 44072.2, subdivision (c), in that on or about February 24, 2024,
28

1 regarding vehicle 8, set forth above, he failed to comply with provisions of California Code of
2 Regulations, title 16, as follows:

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

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

9 c. **Section 3340.41, subdivision (c)**: Respondent Korel knowingly entered false
10 information into the emissions inspection system for the one (1) vehicle identified above.

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

13 Complainant refers to, and by this reference incorporates, the allegations set forth above in
14 paragraphs 28 through 31 and 53 through 55, as though fully set forth.

15 **TWELFTH CAUSE FOR DISCIPLINE**

16 **(Dishonesty, Fraud, or Deceit – Respondent Korel)**

17 73. Respondent Korel's Smog Check Inspector License is subject to disciplinary action
18 under Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and
19 Safety Code section 44072.10, subdivision (c), in that on or about February 24, 2024, regarding
20 vehicle 8, set forth above, Respondent Korel committed acts involving dishonesty, fraud, or
21 deceit when he issued electronic smog certificates of compliance for the vehicles without
22 performing bona fide inspections of the emission control devices and systems on those vehicles,
23 thereby depriving the People of the State of California of the protection afforded by the Motor
24 Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the
25 allegations set forth above in paragraphs 28 through 31 and 53 through 55, as though fully set
26 forth.

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2
3
4
5
6
7
8
9

10

11
12
13
14
15

16
17
18
19

20
21
22
23

24
25
26
27

28

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 279105, issued to Deborah Korel-Owner dba El Primo Smog;
2. Revoking, suspending, or placing on probation any other automotive repair dealer registration issued in the name of Deborah Korel;
3. Revoking or suspending Smog Check, Test-Only, Station License Number TC 279105, issued to Deborah Korel-Owner dba El Primo Smog;
4. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Deborah Korel;
5. Revoking or suspending Smog Check Inspector License Number EO 630896, issued to Alexander Shamoun Korel;
6. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Alexander Shamoun Korel;
7. Revoking or suspending Smog Check Inspector License Number EO 641473, issued to Joseph Paul Martinez;
8. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Joseph Paul Martinez;
9. Ordering Deborah Korel, Alexander Shamoun Korel, and Joseph Paul Martinez to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3, and if placed on probation, the costs of probation monitoring;

and,

///

///

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DATED: As of digital signature date

Dorais,
Patrick@DCA

Digitally signed by Dorais,
Patrick@DCA
Date: 2025.09.03 11:43:01
-07'00'

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

LA2025602675
Accusation.docx