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8
9 **BEFORE THE**
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. 79/14-111

13 **PAYLESS SMOG CHECK**
14 **VICTOR MANUEL GALAVIZ, OWNER**
15 **703 S. Euclid Avenue**
Ontario, CA 91762
16 **Automotive Repair Dealer Reg. No. ARD 270964**
Smog Check Test Only Station License No. TC
270964

ACCUSATION

(Smog Check)

17 **-and-**

18 **VICTOR MANUEL GALAVIZ**
19 **11045 ½ Roswell Avenue**
Pomona, CA 91766
20 **Advanced Emission Specialist Technician**
21 **License No. EA 634264 (to be redesignated upon**
renewal as EO 634264 and/or EI 634264)

22 Respondent.

23
24 Complainant alleges:

25 **PARTIES**

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

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Payless Smog Check

2. On or about November 27, 2012, the Director of Consumer Affairs ("Director") issued Automotive Repair Dealer Registration Number ARD 270964 (hereinafter "registration") to Payless Smog Check ("Respondent or Respondent Payless"), with Victor Manuel Galaviz ("Respondent or Respondent Galaviz"), owner. Respondent's registration was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2014, unless renewed.

3. On or about December 7, 2012, the Director issued Smog Check, Test Only, Station License Number TC 270964 to Respondent Payless. Respondent's smog check, test only, station license was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2014, unless renewed.

Victor Manuel Galaviz

4. On or about May 14, 2012, the Director issued Advanced Emission Specialist Technician License Number EA 634264 ("technician license") to Victor Manuel Galaviz ("Respondent Galaviz or Galaviz"). Respondent Galaviz's technician license is due to expire on July 31, 2014. Upon timely renewal of the license, the license will be re-designated as EO 634264 and/or EI 634264.¹

JURISDICTION

5. Business and Professions Code ("Bus. & Prof. Code") section 9884.7 provides that the Director may revoke an automotive repair dealer registration.

6. Bus. & Prof. Code section 9884.13 provides, in pertinent part, that the expiration of a valid registration shall not deprive the Director of jurisdiction to proceed with a disciplinary proceeding against an automotive repair dealer or to render a decision temporarily or permanently invalidating (suspending or revoking) a registration.

¹ Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28, 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced Emission Specialist Technician (EA) license and Basic Area Technician (EB) license to Smog Check Inspector (EO) license and/or Smog Check Repair Technician (EI) license.

1 10. Bus. & Prof. Code section 477 provides, in pertinent part, that "Board" includes
2 "bureau," "commission," "committee," "department," "division," "examining committee,"
3 "program," and "agency." "License" includes certificate, registration or other means to engage in
4 a business or profession regulated by the Bus. & Prof. Code.

5 11. Health & Saf. Code section 44072.2 states, in pertinent part:

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

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

12

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

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

17

18 (f) Aids or abets unlicensed persons to evade the provisions of this
19 chapter . . .

20 12. Health & Saf. Code section 44072.8 states that when a license has been revoked or
21 suspended following a hearing under this article, any additional license issued under this chapter
22 in the name of the licensee may be likewise revoked or suspended by the director.

23 REGULATORY PROVISIONS

24 13. California Code of Regulations ("CCR"), title 16, section 3340.24, subdivision (c),
25 states: "[T]he bureau may suspend or revoke the license of or pursue other legal action against a
26 licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a
27 certificate of noncompliance."

28 14. CCR, title 16, section 3340.30, subdivision (a), states that a licensed smog technician
shall at all times "[i]nspect, 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."

1 Payless, the operator requested a smog inspection and the operator was given a written estimate
2 of \$50 for the smog inspection. Later, Respondent Galaviz informed the operator that the vehicle
3 failed the inspection for ignition timing out of manufacturer's specifications. The operator paid
4 \$40.00 and received a copy of an unnumbered invoice and the Vehicle Inspection Report
5 ("VIR").

6 21. On or about June 11, 2013, the operator took the Bureau's 1989 Ford back to
7 Respondent's shop. When he arrived at the station, he spoke with a younger Hispanic female
8 later identified as Blanca Barrera ("Blanca"). The operator told Blanca about the 1989 Ford
9 having failed the earlier smog test for ignition timing. Blanca told the operator that Respondent
10 Payless could re-test the truck for \$10. He was then given a written estimate.

11 22. After the test was completed, the operator paid Blanca \$10 for the re-test and he
12 received a copy of an unnumbered invoice and the VIR indicating that the 1989 Ford had passed
13 the smog test. The second VIR identified Galaviz as the repair technician. That same day,
14 electronic smog Certificate of Compliance No. [REDACTED] was issued for the vehicle.

15 23. On or about June 27, 2013, the Bureau re-inspected the vehicle and found that that the
16 EGR valve and EGR valve position sensor that had been previously marked, remained intact. The
17 Bureau concluded that the 1989 Ford was not in a condition that would allow it to pass a properly
18 conducted California Smog Check Vehicle Inspection BAR 97 Two-Speed Idle ("TSI") Test.

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Untrue or Misleading Statements)**

21 24. Respondent Payless's registration is subject to disciplinary action pursuant to Bus. &
22 Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized statements
23 which it knew or in the exercise of reasonable care should have known to be untrue or
24 misleading, as follows:

25 a. Respondent Galaviz certified under penalty of perjury on the June 11, 2013, VIR that
26 he performed the smog inspection on the Bureau's 1989 Ford in accordance with all Bureau
27 requirements. In fact, the vehicle's EGR valve was inoperative, which rendered the vehicle
28 unable to pass a valid smog inspection.

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SECOND CAUSE FOR DISCIPLINE

(Fraud)

25. Respondent Payless's registration is subject to disciplinary action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(4), in that Respondent committed an act which constitutes fraud by issuing an electronic smog certificate of compliance for the Bureau's 1989 Ford without performing a bona fide inspection of the emission control devices and systems on the vehicle, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

THIRD CAUSE FOR DISCIPLINE

(Violations of the Motor Vehicle Inspection Program)

26. Respondent Payless's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to comply with provisions of that Code in the following material respects:

a. **Section 44012:** Respondent Payless failed to ensure that the emission control tests were performed on the Bureau's 1989 Ford in accordance with procedures prescribed by the department.

b. **Section 44015:** Respondent Payless issued an electronic smog certificate of compliance for the Bureau's 1989 Ford without ensuring that the vehicle was properly tested and inspected to determine if it was in compliance with Health & Saf. Code section 44012.

FOURTH CAUSE FOR DISCIPLINE

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

27. Respondent Payless's smog check station license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with provisions of California Code of Regulations, title 16, as follows:

a. **Section 3340.35, subdivision (c):** Respondent Payless issued an electronic smog certificate of compliance for the Bureau's 1989 Ford even though the vehicle had not been inspected in accordance with California Code of Regulations, title 16, section 3340.42.

1 VIR for the previously failed smog test. The operator was never given any written estimate for the
2 smog test. After the smog test on the 1995 Chevrolet was completed, the operator was given the
3 VIR for the passing smog test but no final invoice. That same day, electronic smog Certificate of
4 Compliance No. [REDACTED] was issued for the vehicle.

5 34. On or about June 19, 2013, the Bureau performed a smog inspection on the vehicle
6 and found that the vehicle failed and exceeded the limits of oxides of nitrogen at 15 mph and 25
7 mph as a gross polluter. Further the EGR tamper indicator was intact and the EGR system defect
8 had not been corrected. The oxygen sensor circuit tamper seal was also intact. The Bureau
9 concluded that the 1995 Chevrolet could not pass a properly performed smog check inspection
10 while these two defects were present and that the 1995 Chevrolet was not tested according to
11 Bureau requirements.

12 **TWELFTH CAUSE FOR DISCIPLINE**

13 **(Untrue or Misleading Statements)**

14 35. Respondent Payless's registration is subject to disciplinary action pursuant to Bus. &
15 Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized statements
16 which it knew or in the exercise of reasonable care should have known to be untrue or
17 misleading, as follows:

18 a. Respondent Payless's technician, Respondent Galaviz, certified under penalty of
19 perjury on the VIR dated June 18, 2013, that the Bureau's 1995 Chevrolet pickup had passed
20 inspection and was in compliance with applicable laws and regulations, and that he performed the
21 inspection in accordance with all Bureau requirements. In fact, the vehicle's EGR system had
22 previously been disabled and the oxygen sensor circuit had been modified. These defects caused
23 the 1995 Chevrolet to fail the tail pipe emissions portion of the smog test as a gross polluter.

24 **THIRTEENTH CAUSE FOR DISCIPLINE**

25 **(Failure to Provide Customer with Copy of Signed Document)**

26 36. Respondent Payless's registration is subject to disciplinary action pursuant to Bus. &
27 Prof. Code section 9884.7, subdivision (a)(3), and Bus. & Prof. Code section 9884.7, subdivision
28 (a)(6) in that Respondent failed to ensure that the operator was provided with a copy of the initial

1 written estimate as soon as the operator signed the document, thereby failing to comply with the
2 provisions of the Automotive Repair Act and the regulations adopted pursuant to it.

3 **FOURTEENTH CAUSE FOR DISCIPLINE**

4 **(Fraud)**

5 37. Respondent Payless's registration is subject to disciplinary action pursuant to Bus. &
6 Prof. Code section 9884.7, subdivision (a)(4), in that Respondent committed an act which
7 constitutes fraud by issuing an electronic smog certificate of compliance for the Bureau's 1995
8 Chevrolet without performing a bona fide inspection of the emission control devices and systems
9 on the vehicle, thereby depriving the People of the State of California of the protection afforded
10 by the Motor Vehicle Inspection Program.

11 **FIFTEENTH CAUSE FOR DISCIPLINE**

12 **(Violations of the Motor Vehicle Inspection Program)**

13 38. Respondent Payless's smog check station license is subject to disciplinary action
14 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to
15 comply with provisions of that Code in the following material respects:

16 a. **Section 44012:** Respondent Payless failed to ensure that the emission control tests
17 were performed on the Bureau's 1995 Chevrolet in accordance with procedures prescribed by the
18 department.

19 b. **Section 44015:** Respondent Galaviz issued an electronic smog certificate of
20 compliance for the Bureau's 1995 Chevrolet pickup without ensuring that the vehicle was
21 properly tested and inspected to determine if it was in compliance with Health & Saf. Code
22 section 44012.

23 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

26 39. Respondent Payless's smog check station license is subject to disciplinary action
27 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to
28 comply with provisions of California Code of Regulations, title 16, as follows:

1 a. **Section 3340.35, subdivision (c):** Respondent Galaviz issued an electronic smog
2 certificaté of compliance for the Bureau's 1995 Chevrolet even though the vehicle had not been
3 inspected in accordance with California Code of Regulations, title 16, section 3340.42.

4 b. **Section 3340.42:** Respondent Payless failed to ensure that the required smog tests
5 were conducted on the Bureau's 1995 Chevrolet in accordance with the Bureau's specifications.

6 **NINETEENTH CAUSE FOR DISCIPLINE**

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

8 40. Respondent Payless's smog check station license is subject to disciplinary action
9 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed
10 an act involving dishonesty, fraud, or deceit whereby another is injured by issuing an electronic
11 smog certificate of compliance for the Bureau's 1995 Chevrolet when, in fact, a bona fide
12 inspection was not performed of the emission control devices and systems on the vehicle, thereby
13 depriving the People of the State of California of the protection afforded by the Motor Vehicle
14 Inspection Program.

15 **TWENTIETH CAUSE FOR DISCIPLINE**

16 **(Violations of the Motor Vehicle Inspection Program)**

17 41. Respondent Galaviz's technician license is subject to disciplinary action pursuant to
18 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent Galaviz failed to comply
19 with section 44012 of that Code, as follows: Respondent Galaviz failed to perform the emission
20 control tests on the Bureau's 1995 Chevrolet in accordance with procedures prescribed by the
21 department.

22 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

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

25 42. Respondent Galaviz's technician license is subject to disciplinary action pursuant to
26 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with
27 provisions of California Code of Regulations, title 16, as follows:

28

1 a. **Section 3340.30, subdivision (a)**: Respondent Galaviz failed to inspect and test the
2 Bureau's 1995 Chevrolet in accordance with Health & Saf. Code sections 44012 and 44035, and
3 California Code of Regulations, title 16, section 3340.42.

4 b. **Section 3340.42**: Respondent Galaviz failed to conduct the required smog tests on
5 the Bureau's 1995 Chevrolet in accordance with the Bureau's specifications.

6 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

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

8 43. Respondent Galaviz's technician license is subject to disciplinary action pursuant to
9 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent Galaviz committed an
10 act involving dishonesty, fraud, or deceit whereby another is injured by issuing an electronic
11 smog certificate of compliance for the Bureau's 1995 Chevrolet when, in fact, a bona fide
12 inspection was not performed of the emission control devices and systems on the vehicle, thereby
13 depriving the People of the State of California of the protection afforded by the Motor Vehicle
14 Inspection Program.

15 **UNDERCOVER OPERATION #3 1999 DODGE**

16 44. On or about July 25, 2013, a representative of the Bureau, acting in an undercover
17 capacity (hereinafter "operator"), took the Bureau's 1999 Dodge to Respondent Payless facility
18 and requested a smog inspection on a vehicle purportedly owned by the undercover operator's co-
19 worker. The vehicle's heated oxygen sensor circuit was modified by the Bureau causing the
20 vehicle to fail the Smog Check Inspection for high Nitrogen Oxide (NOx) emissions.

21 45. Upon arrival at Respondent's shop, the operator was greeted by Respondent's
22 employee Blanca who asked the operator if the 1999 Dodge had ever failed a smog test. The
23 operator told Blanca that the vehicle had failed a smog test two years prior but that the co-worker
24 had someone take care of the issue. Blanca told the operator that Respondent Payless would have
25 to fail the vehicle and he could then bring the vehicle back for a re-test and pass the vehicle. The
26 operator asked Blanca if there was anyway the vehicle could pass today and Blanca agreed to
27 pass the vehicle the same day if the operator paid her \$180.00. The operator then completed a
28 blank estimate, and signed the estimate, but was never given a copy of the estimate. After the test

1 was completed, the operator paid Blanca \$180 for the smog test. Blanca subsequently gave the
2 operator a VIR indicating that the 1999 Dodge had passed the smog test. The operator asked
3 Blanca for a receipt but she declined and wrote "Paid 18" on the back of the VIR and handed it to
4 the operator. That same day, electronic smog Certificate of Compliance No. [REDACTED] was
5 issued for the vehicle.

6 46. On or about July 25, 2013, the Bureau re-inspected the 1999 Dodge and verified that
7 the oxygen sensor modification was still installed and intact. On or about July 30, 2013, the
8 Bureau performed a smog check inspection on the 1999 Dodge. The 1999 Dodge failed the test
9 due to high NOx emissions. The Bureau concluded that the 1999 Dodge was returned to the
10 Bureau in the same condition it was released to the operator and not in a condition that would
11 have allowed it to pass a properly conducted ASM smog check inspection.

12 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

13 **(Untrue or Misleading Statements)**

14 47. Respondent Payless's registration is subject to disciplinary action pursuant to Bus. &
15 Prof. Code section 9884.7, subdivision (a)(1), in that Respondent made or authorized statements
16 which it knew or in the exercise of reasonable care should have known to be untrue or
17 misleading, as follows:

18 a. Respondent Galaviz certified under penalty of perjury on the July 25, 2013, VIR that
19 he performed the smog inspection on the Bureau's 1999 Dodge in accordance with all Bureau
20 requirements. In fact, the vehicle's oxygen sensor modification was still installed and intact
21 which rendered the vehicle unable to pass a valid smog inspection.

22 **TWENTY FOURTH CAUSE FOR DISCIPLINE**

23 **(Fraud)**

24 48. Respondent Payless's registration is subject to disciplinary action pursuant to Bus. &
25 Prof. Code section 9884.7, subdivision (a)(4), in that Respondent committed an act which
26 constitutes fraud by issuing an electronic smog certificate of compliance for the Bureau's 1999
27 Dodge without performing a bona fide inspection of the emission control devices and systems on
28

1 the vehicle, thereby depriving the People of the State of California of the protection afforded by
2 the Motor Vehicle Inspection Program.

3 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

4 **(Violations of the Motor Vehicle Inspection Program)**

5 49. Respondent Payless's smog check station license is subject to disciplinary action
6 pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that Respondent failed to
7 comply with provisions of that Code in the following material respects:

8 a. **Section 44012:** Respondent Payless failed to ensure that the emission control tests
9 were performed on the Bureau's 1999 Dodge in accordance with procedures prescribed by the
10 department.

11 b. **Section 44015:** Respondent Galaviz issued an electronic smog certificate of
12 compliance for the Bureau's 1999 Dodge without ensuring that the vehicle was properly tested
13 and inspected to determine if it was in compliance with Health & Saf. Code section 44012.

14 **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

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

17 50. Respondent Payless's smog check station license is subject to disciplinary action
18 pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to
19 comply with provisions of California Code of Regulations, title 16, as follows:

20 a. **Section 3340.35, subdivision (c):** Respondent Galaviz issued an electronic smog
21 certificate of compliance for the Bureau's 1999 Dodge even though the vehicle had not been
22 inspected in accordance with California Code of Regulations, title 16, section 3340.42.

23 b. **Section 3340.42:** Respondent Payless failed to ensure that the required smog tests
24 were conducted on the Bureau's 1999 Dodge in accordance with the Bureau's specifications.

25 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

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

27 51. Respondent Payless's smog check station license is subject to disciplinary action
28 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that Respondent committed

1 an act involving dishonesty, fraud, or deceit whereby another is injured by issuing an electronic
2 smog certificate of compliance for the Bureau's 1999 Dodge when, in fact, a bona fide inspection
3 was not performed of the emission control devices and systems on the vehicle, thereby depriving
4 the People of the State of California of the protection afforded by the Motor Vehicle Inspection
5 Program.

6 **TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

7 **(Violations of the Motor Vehicle Inspection Program)**

8 52. Respondent Galaviz's technician license is subject to disciplinary action pursuant to
9 Health & Saf. Code section 44072.2, subdivision (a), in that Respondent Galaviz failed to comply
10 with section 44012 of that Code, as follows: Respondent Galaviz failed to perform the emission
11 control tests on the Bureau's 1999 Dodge in accordance with procedures prescribed by the
12 department.

13 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

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

16 53. Respondent Galaviz's technician license is subject to disciplinary action pursuant to
17 Health & Saf. Code section 44072.2, subdivision (c), in that Respondent failed to comply with
18 provisions of California Code of Regulations, title 16, as follows:

19 a. **Section 3340.30, subdivision (a):** Respondent Galaviz failed to inspect and test the
20 Bureau's 1999 Dodge in accordance with Health & Saf. Code sections 44012 and 44035, and
21 California Code of Regulations, title 16, section 3340.42.

22 b. **Section 3340.42:** Respondent Galaviz failed to conduct the required smog tests on
23 the Bureau's 1999 Dodge in accordance with the Bureau's specifications.

24 **THIRTIETH CAUSE FOR DISCIPLINE**

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

26 54. Respondent Galaviz's technician license is subject to disciplinary action pursuant to
27 Health & Saf. Code section 44072.2, subdivision (d), in that Respondent Galaviz committed an
28 act involving dishonesty, fraud, or deceit whereby another is injured by issuing an electronic

1 smog certificate of compliance for the Bureau's 1999 Dodge when, in fact, a bona fide inspection
2 was not performed of the emission control devices and systems on the vehicle, thereby depriving
3 the People of the State of California of the protection afforded by the Motor Vehicle Inspection
4 Program.

5 **OTHER MATTERS**

6 55. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
7 suspend, revoke, or place on probation the registration for all places of business operated in this
8 state by Respondent Payless, upon a finding that Respondent has, or is, engaged in a course of
9 repeated and willful violations of the laws and regulations pertaining to an automotive repair
10 dealer.

11 56. Pursuant to Health & Saf. Code section 44072.8, if Smog Check, Test Only, Station
12 License Number TC 270964, issued to Respondent Payless, is revoked or suspended, any
13 additional license issued under this chapter in the name of said licensee may be likewise revoked
14 or suspended by the Director.

15 57. Pursuant to Health & Saf. Code section 44072.8, if Advanced Emission Specialist
16 Technician License Number EA 634264, (to be re-designated upon renewal as EO 634264 and/or
17 EI 634264) issued to Respondent Victor Manuel Galaviz, is revoked or suspended, any additional
18 license issued under this chapter in the name of said licensee may be likewise revoked or
19 suspended by the Director.

20 **PRAYER**

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

23 1. Revoking or suspending Automotive Repair Dealer Registration Number ARD
24 270964, issued to Payless Smog Check, Victor Manuel Galaviz, owner;

25 2. Revoking or suspending any other automotive repair dealer registration issued to
26 Payless Smog Check and/or Victor Manuel Galaviz;

27 3. Revoking or suspending Smog Check, Test Only, Station License Number TC
28 270964, issued to Payless Smog Check, Victor Manuel Galaviz, owner;

1 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
2 and Safety Code in the name of Payless Smog Check and/or Victor Manuel Galaviz;

3 5. Revoking or suspending Advanced Emission Specialist Technician License Number
4 EA 634264, (to be designated upon renewal as EO 634264 and/or EI 634264) issued to Victor
5 Manuel Galaviz;

6 6. Revoking or suspending any additional license issued under Chapter 5 of the Health
7 and Safety Code in the name of Victor Manuel Galaviz;

8 7. Ordering Respondent Payless Smog Check, Victor Manuel Galaviz, owner to pay the
9 Director of Consumer Affairs the reasonable costs of the investigation and enforcement of this
10 case, pursuant to Business and Professions Code section 125.3;

11 8. Taking such other and further action as deemed necessary and proper.

12
13 DATED: April 7, 2014



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

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