

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

In the Matter of the Accusation Against:

**SMOG PROS TEST ONLY,
RAMON ESTRADA JR., OWNER**
13136 Paramount Blvd.
South Gate, CA 90280

Automotive Repair Dealer Registration No.
ARD 284940
Smog Check, Test Only, Station License No.
TC 284940

RAMON ESTRADA JR.
8020 Birchcrest Road, Apt. C107
Downey, CA 90240

Smog Check Inspector License No. EO
636166

EDGAR ANTONIO PEREZ
1248 W. 73rd Street
Los Angeles, CA 90044

Smog Check Inspector License No. EO
638034

Respondents.

Case No. 79/16-18732

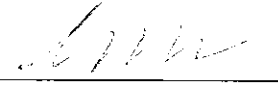
OAH No. 2017050492

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter, only as to respondent SMOG PROS TEST ONLY.

This Decision shall become effective November 30, 2017.

DATED: 10/23/17



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

1 XAVIER BECERRA
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 ZACHARY T. FANSELOW
Deputy Attorney General
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Attorneys for Complainant

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FOR THE BUREAU OF AUTOMOTIVE REPAIR
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Case No. 79/16-18732

OAH No. 2017050492

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO
RESPONDENT SMOG PROS TEST
ONLY, ONLY**

24 Respondents.
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1 IT IS HEREBY STIPULATED AND AGREED by and between the parties¹ to the above-
2 entitled proceedings that the following matters are true:

3 **PARTIES**

4 1. Patrick Dorais (“Complainant”) is the Chief of the Bureau of Automotive Repair
5 (“Bureau”). He brought this action solely in his official capacity and is represented in this matter
6 by Xavier Becerra, Attorney General of the State of California, by Zachary T. Fanselow, Deputy
7 Attorney General.

8 2. Respondent Smog Pros Test Only, with Ramon Estrada Jr. as the owner, is
9 represented in this proceeding by attorney Dale Van Camp, whose address is: 23901 Calabasas
10 Road, Suite 1063, Calabasas, California 91302-1542.

11 3. On or about September 27, 2016, the Bureau of Automotive Repair issued
12 Automotive Repair Dealer Registration Number ARD 284940 to Smog Pros Test Only, with
13 Ramon Estrada Jr. as the owner (“Respondent”). The Automotive Repair Dealer Registration was
14 in full force and effect at all times relevant to the charges brought in Accusation No. 79/16-
15 18732, was suspended on April 17, 2017, and will expire on September 30, 2017, unless renewed.

16 4. On or about October 7, 2016, the Bureau of Automotive Repair issued Smog Check
17 Test Only Station License Number TC 284940 to Respondent. The Smog Check Test Only
18 Station License was in full force and effect at all times relevant to the charges brought in
19 Accusation No. 79/16-18732, was suspended on April 17, 2017, and will expire on September 30,
20 2017, unless renewed.

21 **JURISDICTION**

22 5. Accusation No. 79/16-18732 was filed before the Director, and is currently pending
23 against Respondent. The Accusation and all other statutorily required documents were properly
24 served on Respondent on April 28, 2017. Respondent timely filed his Notice of Defense
25 contesting the Accusation.

26 _____
27 ¹ The parties to this stipulation are the Bureau of Automotive Repair and Respondent
28 Smog Pros Test Only. Respondent Edgar Antonio Perez and Respondent Ramon Estrada Jr., in
his personal capacity as a smog check inspector, are not parties to this stipulation.

1 prior to the time the Director considers and acts upon it. If the Director fails to adopt this
2 stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of
3 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
4 the parties, and the Director shall not be disqualified from further action by having considered
5 this matter.

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

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

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

18 **DISCIPLINARY ORDER**

19 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration Number ARD
20 284940 and Smog Check Test Only Station License Number TC 284940 issued to Smog Pros
21 Test Only, with Ramon Estrada Jr. as the owner, are revoked.

22 1. The revocation of Respondent's Automotive Repair Dealer Registration and Smog
23 Check Test Only Station License shall constitute the imposition of discipline against Respondent.
24 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
25 license history with the Bureau of Automotive Repair.

26 2. Respondent shall lose all rights and privileges as a licensed automotive repair dealer
27 and smog check test only station in California as of the effective date of the Director's Decision
28 and Order.

1 3. Respondent shall cause to be delivered to the Bureau his pocket license and, if they
2 were issued, wall certificates on or before the effective date of the Decision and Order.

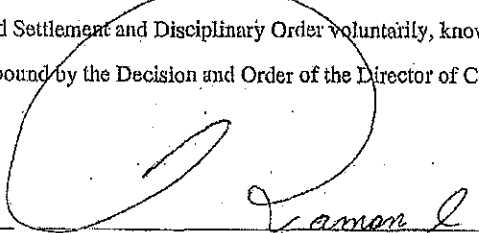
3 4. If Respondent ever applies for licensure or petitions for reinstatement in the State of
4 California, the Bureau shall treat it as a new application for licensure. Respondent must comply
5 with all the laws, regulations, and procedures for licensure in effect at the time the application or
6 petition is filed, and all of the charges and allegations contained in Accusation No. 79/16-18732
7 shall be deemed to be true, correct, and admitted by Respondent when the Director determines
8 whether to grant or deny the application or petition.

9 5. Respondent shall pay the Bureau, pursuant to Business and Professions Code section
10 125.3, the costs of investigation and enforcement in this matter in the amount of \$6,130.00 before
11 applying for a new or reinstated license. Respondent Smog Pros and Edgar Antonio Perez are
12 both jointly and severally liable for repayment of this cost recovery. Ramon Estrada Jr. is exempt
13 from paying this cost recovery in his personal capacity pursuant to the renewal of his Smog
14 Check Inspector License number EO 636166, which is not being disciplined as part of this
15 stipulation.

16 ACCEPTANCE

17 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
18 discussed it with my attorney, Dale Van Camp. I understand the stipulation and the effect it will
19 have on my Automotive Repair Dealer Registration, and Smog Check, Test Only, Station
20 License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly,
21 and intelligently, and agree to be bound by the Decision and Order of the Director of Consumer
22 Affairs.

23
24 DATED: 5 | 30 | 17


SMOG PROS TEST ONLY,
RAMON ESTRADA, JR., OWNER
Respondent Smog Pros

1 I have read and fully discussed with Respondent Smog Pros Test Only, with Ramon Estrada
2 Jr. as the owner, the terms and conditions and other matters contained in the above Stipulated
3 Settlement and Disciplinary Order. I approve its form and content.

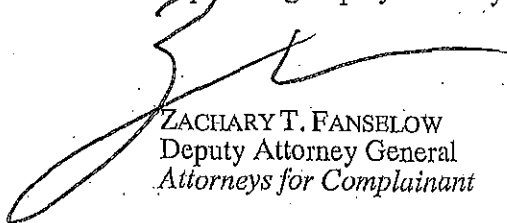
4
5 DATED: May 30, 2017 
6 DALE VAN CAMP
7 *Attorney for Respondent*

8 **ENDORSEMENT**

9 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
10 submitted for consideration by the Director of Consumer Affairs

11 Dated: 5/30/17

12 Respectfully submitted,
13 XAVIER BECERRA
14 Attorney General of California
15 MARC D. GREENBAUM
16 Supervising Deputy Attorney General

17 
18 ZACHARY T. FANSELOW
19 Deputy Attorney General
20 *Attorneys for Complainant*

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