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

In the Matter of the Accusation Against:

**OSCAR ANTONIO FLORES, DBA
DANIEL SMOG CHECK TEST ONLY**
450 N Waterman Ave., Unit D
San Bernardino, CA 92410

**Automotive Repair Dealer Registration No.
ARD 287850**
**Smog Check, Test-Only, Station License No.
TC 287850**

and

OSCAR ANTONIO FLORES
450 N Waterman Ave., Unit D
San Bernardino, CA 92410

**Smog Check Inspector License No. EO
640105**

Respondent.

Case No. 79/24-15584
OAH No. 2025070132
DEFAULT DECISION AND ORDER
[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about May 28, 2025, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/24-15584 against Oscar Antonio Flores (Respondent), individually and dba Daniel Smog

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

3 2. On or about June 26, 2017, the Bureau of Automotive Repair (Bureau) issued
4 Automotive Repair Dealer Registration No. ARD 287850 to Respondent, dba Daniel Smog
5 Check Test Only. The Automotive Repair Dealer Registration was in full force and effect at all
6 times relevant to the charges brought in Accusation No. 79/24-15584 and will expire on June 30,
7 2026, unless renewed.

8 3. On or about August 10, 2017, the Bureau issued Smog Check, Test-Only, Station
9 License No. TC 287850 to Respondent, dba Daniel Smog Check Test Only. The Smog Check,
10 Test-Only, Station License was in full force and effect at all times relevant to the charges brought
11 in Accusation No. 79/24-15584 and will expire on June 30, 2026, unless renewed.

12 4. On or about October 30, 2017, the Bureau issued a STAR station certification to
13 Respondent, dba Daniel Smog Check Test Only. The STAR station certification was suspended
14 on September 14, 2023.

15 5. On or about March 10, 2017, Bureau issued Smog Check Inspector License Number
16 EO 640105 to Respondent. The Smog Check Inspector License was in full force and effect at all
17 times relevant to the charges brought in Accusation No. 79/24-15584 and will expire on October
18 31, 2026, unless renewed..

19 6. On or about June 3, 2025, Respondent was served by Certified and First Class Mail
20 copies of the Accusation No. 79/24-15584, Statement to Respondent, Notice of Defense, Request
21 for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
22 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
23 section 136, is required to be reported and maintained with the Bureau. Respondent's address of
24 record was and is: 450 N. Waterman Ave. Unit D, San Bernardino, CA 92410.

25 7. Service of the Accusation was effective as a matter of law under the provisions of
26 Government Code section 11505(c) and/or Business and Professions Code section 124.

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1 8. Government Code section 11506(c) states, in pertinent part:

2 (c) The respondent shall be entitled to a hearing on the merits if the respondent
3 files a notice of defense . . . and the notice shall be deemed a specific denial of all
4 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
5 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
6 discretion may nevertheless grant a hearing.

7 9. Respondent initially filed a Notice of Defense, but on October 29, 2025, through his
8 counsel of record Nicole Weil, Respondent formally withdrew his Notice of Defense.

9 Accordingly, the Bureau takes official notice of its records and the fact that Respondent failed to
10 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
11 waived his right to a hearing on the merits of Accusation No. 79/24-15584.

12 10. California Government Code section 11520(a) states, in pertinent part:

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

17 11. Pursuant to its authority under Government Code section 11520, the Director after
18 having reviewed the proof of service dated June 3, 2025, signed by A. Trujillo, and Respondent's
19 Notice of Withdrawal of Notice of Defense, signed by Respondent and his attorney, finds that
20 Respondent is in default. The Director will take action without further hearing and, based on the
21 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
22 finds that the charges and allegations in Accusation No. 79/24-15584, are separately and
23 severally, found to be true and correct by clear and convincing evidence.

24 **DETERMINATION OF ISSUES**

25 1. Based on the foregoing findings of fact, Respondent Oscar Antonio Flores has
26 subjected his Automotive Repair Dealer Registration No. ARD 287850, Smog Check, Test-Only,
27 Station License No. TC 287850 and his Smog Check Inspector License Number EO 640105 to
28 discipline.

1. The agency has jurisdiction to adjudicate this case by default.

2. The Director of the Department of Consumer Affairs is authorized to revoke
Respondent's Automotive Repair Dealer Registration based upon the following violations alleged

1 in the Accusation which are supported by the evidence contained in the Default Decision
2 Investigatory Evidence Packet in this case:

3 a. False/Misleading Statements [Business and Professions Code section 9884.7,
4 subdivision (a)(1)];

5 b. Fraudulent Conduct [Business and Professions Code section 9884.7, subdivision
6 (a)(4)];

7 c. Material Violation of Automotive Repair Act [Business and Professions Code section
8 9884.7, subdivision (a)(6)];

9 d. Violation of Motor Vehicle Inspection Program [Health and Safety Code section
10 44072.2, subdivision (a), in conjunction with Health and Safety Code section 44012 and section
11 44015, subdivision (b), section 44032 and section 44059];

12 e. Violation of Motor Vehicle Inspection Program [Health and Safety Code section
13 44072.2, subdivision (c), in conjunction with California Code of Regulations, title 16, section
14 3340.24, subdivision (c), section 3340.30, subdivision (a), section 3340.35, subdivision (c),
15 section 3340.41, subdivision (c), and section 3340.42]; and

16 f. Dishonesty/Fraud/Deceit [Health and Safety Code section 44072.2, subdivision (d)].

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ORDER

IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 287850, Smog Check, Test-Only, Station License No. TC 287850 and Smog Check Inspector License Number EO 640105, issued to Oscar Antonio Flores, are revoked.

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

This Decision shall become effective on February 20, 2026.

It is so ORDERED February 10, 2026.

Signature on file

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