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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/Petition to
Revoke Probation Against:

JOSSUE BALTAZAR RAMIREZ
807 E. 95th Street
Los Angeles, CA 90002

Smog Check Inspector License No. EO
640836

Respondent.

Case No. 79/23-8353

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about October 23, 2023, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation/Petition to Revoke Probation No. 79/23-8353 against Jossue Baltazar Ramirez (Respondent) before the Director of the Department of Consumer Affairs. (Accusation/Petition to Revoke Probation attached as Exhibit A.)

1 2. On or about January 5, 2018, the Bureau of Automotive Repair (Bureau) issued Smog
2 Check Inspector License No. EO 640836 to Respondent. The Smog Check Inspector License was
3 in full force and effect at all times relevant to the charges brought in Accusation/Petition to
4 Revoke Probation No. 79/23-8353. The Smog Check Inspector License expired on September
5 30, 2023, and has not been renewed. This lapse in licensure, however, pursuant to Business and
6 Professions Code section 118(b) and/or agency-specific statute does not deprive the Bureau of its
7 authority to institute or continue this disciplinary proceeding.

8 3. On or about October 25, 2023, Respondent was served by Certified and First Class
9 Mail copies of the Accusation/Petition to Revoke Probation No. 79/23-8353, Statement to
10 Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government
11 Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant
12 to Business and Professions Code section 136, is required to be reported and maintained with the
13 Bureau. Respondent's address of record was and is: 807 E. 95th Street, Los Angeles, CA 90002.

14 4. Service of the Accusation/Petition to Revoke Probation was effective as a matter of
15 law under the provisions of Government Code section 11505(c) and/or Business and Professions
16 Code section 124.

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

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

23 6. The Bureau takes official notice of its records and the fact that Respondent failed to
24 file a Notice of Defense within 15 days after service upon him of the Accusation/Petition to
25 Revoke Probation, and therefore waived his right to a hearing on the merits of
26 Accusation/Petition to Revoke Probation No. 79/23-8353.

27 7. California Government Code section 11520(a) states, in pertinent part:

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

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ORDER

IT IS SO ORDERED that Smog Check Inspector License No. EO 640836, issued to Respondent Jossue Baltazar Ramirez, is 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: William D. Thomas, 10949 N. Mathew 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.

This Decision shall become effective on February 1, 2024.

It is so ORDERED January 29, 2024

Signed Copy on File

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

66380453.DOCX
DOJ Matter ID:LA2023603247

Attachment:
Exhibit A: Accusation/Petition to Revoke Probation