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8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **LEA AUTO REPAIR**
13 **LEANDRA ELIZABETH TEJADA, Owner**
14 7601 Broadway
Los Angeles, Ca. 90003

15 Automotive Repair Dealer Reg. No. AB 187495
16 Smog Check Station License No. RB 187495

17 and

18 **TITO HUGO SORIANO CARBAJAL a.k.a.**
19 **TITO H. SORIANO**
43827 Adler Avenue,
20 Lancaster, Ca. 93534

21 Advanced Emission Specialist Technician
22 License No. EA 145691

23 Respondents.

Case No. 79/07-52

OAH No. 2007040897

FIRST AMENDED ACCUSATION

[SMOG CHECK]

24 Complainant alleges:

25 **PARTIES**

26 1. Sherry Mehl ("Complainant") brings this Accusation solely in her official
27 capacity as the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer
28

1 Affairs.

2 **Automotive Repair Dealer Reg. No. AB 187495**

3 2. On or about February 21, 1996, the Director of Consumer Affairs
4 (Director) issued Automotive Repair Dealer (ARD) Registration Number AB 187495 to Leandra
5 Elizabeth Tejada, owner of Lea Auto Repair (Respondent or Respondent Lea Auto Repair).
6 Respondent Lea Auto Repair's ARD registration will expire on February 28, 2009, unless
7 renewed.

8 **Smog Check Station License No. RB 187495**

9 3. On or about April 30, 1996, the Director issued Smog Check Station
10 License Number RB 187495 to Respondent Lea Auto Repair. Respondent Lea Auto Repair's
11 smog check station license will expire on February 28, 2009, unless renewed.

12 **Advanced Emission Specialist Technician License No. EA 145691**

13 4. On or about August 29, 2002, the Director issued Advanced Emission
14 Specialist Technician License Number EA 145691 to Tito Hugo Soriano Carbajal a.k.a. Tito H.
15 Soriano (Respondent Soriano). Respondent Soriano's advanced emission specialist technician
16 license was in full force and effect at all times relevant to the charges brought herein and will
17 expire on January 31, 2009, unless renewed.

18 **JURISDICTION**

19 5. Business and Professions Code ("Code") section 9884.7 provides that the
20 Director may invalidate an automotive repair dealer registration.

21 6. Code section 9884.13 states, in pertinent part, that the expiration of a valid
22 registration shall not deprive the Director of jurisdiction to proceed with a disciplinary
23 proceeding against an automotive repair dealer or to render a decision invalidating a registration
24 temporarily or permanently.

25 7. Health and Safety Code ("Health & Saf. Code") section 44002 provides, in
26 pertinent part, that the Director has all the powers and authority granted under the Automotive
27 Repair Act for enforcing the Motor Vehicle Inspection Program.

28 8. Health & Saf. Code section 44072.6 provides, in pertinent part, that the

1 expiration or suspension of a license by operation of law, or by order or decision of the Director
2 of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive
3 the Director of jurisdiction to proceed with disciplinary action.

4 STATUTORY AND REGULATORY PROVISIONS

5 Statutory Provisions

6 9. Code section 9884.7 states, in pertinent part:

7 “(a) The director, where the automotive repair dealer cannot show there was
8 a bona fide error, may refuse to validate, or may invalidate temporarily or
9 permanently, the registration of an automotive repair dealer for any of the following
10 acts or omissions related to the conduct of the business of the automotive repair
11 dealer, which are done by the automotive repair dealer or any automotive technician,
12 employee, partner, officer, or member of the automotive repair dealer.

13 “(1) Making or authorizing in any manner or by any means whatever any
14 statement written or oral which is untrue or misleading, and which is known, or
15 which by the exercise of reasonable care should be known, to be untrue or
16 misleading.

17 “(2) Causing or allowing a customer to sign any work order which does
18 not state the repairs requested by the customer or the automobile's odometer
19 reading at the time of repair.

20

21 “(4) Any other conduct which constitutes fraud.

22 “(5) Conduct constituting gross negligence.

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

25 “(7) Any willful departure from or disregard of accepted trade standards
26 for good and workmanlike repair in any material respect, which is prejudicial to another
27 without consent of the owner or his or her duly authorized representative.

28 “(8) Making false promises of a character likely to influence, persuade, or
induce a customer to authorize the repair, service, or maintenance of automobiles.

. . . .

“(c) Notwithstanding subdivision (b), the director may refuse to
validate, or may invalidate temporarily or permanently, 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.”

10. Code section 9884.9, subdivision (a), states, in pertinent part:

1 “The automotive repair dealer shall give to the customer a written
2 estimated price for labor and parts necessary for a specific job. No work shall be
3 done and no charges shall accrue before authorization to proceed is obtained from
4 the customer. No charge shall be made for work done or parts supplied in excess
5 of the estimated price without the oral or written consent of the customer that
6 shall be obtained at some time after it is determined that the estimated price is
7 insufficient and before the work not estimated is done or the parts not estimated
8 are supplied. Written consent or authorization for an increase in the original
9 estimated price may be provided by electronic mail or facsimile transmission from
10 the customer. The bureau may specify in regulation the procedures to be followed
11 by an automotive repair dealer when an authorization or consent for an increase in
12 the original estimated price is provided by electronic mail or facsimile
13 transmission. If that consent is oral, the dealer shall make a notation on the work
14 order of the date, time, name of person authorizing the additional repairs and
15 telephone number called, if any, together with a specification of the additional
16 parts and labor . . .”

17 11. Code section 22, subdivision (a), states:

18 “Board” as used in any provision of this Code, refers to the board in
19 which the administration of the provision is vested, and unless otherwise expressly
20 provided, shall include “bureau,” “commission,” “committee,” “department,”
21 “division,” “examining committee,” “program,” and “agency.”

22 12. Code section 23.7, states, in pertinent part, that a “license” includes
23 “registration” and “certificate.”

24 13. Health & Saf. Code section 44072.2 states, in pertinent part:

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

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

.....

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

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

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

15. Health & Saf. Code section 44012 states:

1 “The test at the smog check stations shall be performed in accordance with procedures
2 prescribed by the department, pursuant to Section 44103, shall require, at a minimum, loaded
3 mode dynamometer testing in enhanced areas, and two-speed testing in all other program areas,
4 and shall ensure all of the following:

5 “(a) Emission control systems required by state and federal law are reducing
6 excess emissions in accordance with the standards adopted pursuant to subdivisions (a) and (c) of
7 Section 44103.

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

10 “(c) For other than diesel-powered vehicles, the vehicle's exhaust emissions of
11 hydrocarbons, carbon monoxide, carbon dioxide, and oxides of nitrogen in an idle mode or
12 loaded mode are tested in accordance with procedures prescribed by the department. In
13 determining how loaded mode and evaporative emissions testing shall be conducted, the
14 department shall ensure that the emission reduction targets for the enhanced program are met.

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

18 “(e) For diesel-powered vehicles, if the department determines that the inclusion
19 of those vehicles is technologically and economically feasible, a visual inspection is made of
20 emission control devices and the vehicle's exhaust emissions in an idle mode or loaded mode are
21 tested in accordance with procedures prescribed by the department. The test may include testing
22 of emissions of any or all of the pollutants specified in subdivision (c) and, upon the adoption of
23 applicable standards, measurement of emissions of smoke or particulates, or both.

24 “(f) A visual or functional check is made of emission control devices specified by
25 the department, including the catalytic converter in those instances in which the department
26 determines it to be necessary to meet the findings of Section 44001. The visual or functional
27 check shall be performed in accordance with procedures prescribed by the department.

28 “(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) 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.”

16. Health & Saf. Code section 44015 states, in pertinent part:

 “(a) A licensed smog check station shall not issue a certificate of compliance, except as
authorized by this chapter, to any vehicle that meets the following criteria:

 “(1) A vehicle that has been tampered with.

1 "Smog check stations and smog check technicians shall conduct tests and
2 inspections in accordance with the bureau's BAR Test Analyzer System Specifications referenced
3 in section 3340.17(a) or the BAR Emissions Inspection System Specifications referenced in
4 section 3340.17(b), whichever is appropriate, and the following:

5 "(a) There shall be two test procedures as follows:

6 "(1) The loaded-mode test method shall be the primary test method used in the
7 enhanced program areas of the state. The loaded-mode test method shall measure hydrocarbon,
8 carbon monoxide, carbon dioxide and oxides of nitrogen emissions. The loaded-mode test
9 equipment shall be Acceleration Simulation Mode (ASM) test equipment, including a chassis
10 dynamometer, certified by the bureau. The loaded-mode test procedures, including the
11 preconditioning procedure, shall only be conducted according to the bureau approved procedures
12 specified in this section and include the following:

13 "(A) Place the vehicle's driving wheels on a chassis dynamometer and properly
14 restrain the vehicle prior to commencing the test.

15 "(B) Exhaust emissions shall be tested and compared to the emission standards set
16 forth in this section and as shown in Table I or Table II, as applicable.

17 "(C) With the vehicle operating, sample the exhaust system in the following
18 sequence:

19 "1. Accelerate the vehicle to the cruise condition as specified by the test
20 procedures.

21 "2. Operate the vehicle long enough to stabilize emission levels.

22 "3. Measure and record emissions (hydrocarbon, carbon monoxide, carbon
23 dioxide, and oxides of nitrogen).

24 "(2) The two-speed idle mode test method shall be used in all program areas of the
25 state, other than the enhanced program areas. The two-speed idle mode test method shall measure
26 hydrocarbon, carbon monoxide and carbon dioxide emissions at high RPM and again at idle
27 RPM, as contained in the bureau's specifications referenced in Section 3340.16.7(a). Exhaust
28 emissions from a vehicle subject to inspection shall be tested and compared to the emission
standards set forth in this section and as shown in Table III.

"(3) All tests shall be performed with the engine at its normal operating
temperature.

"(4) All loaded mode testing shall be conducted in a manner which does not
induce excess emissions to the test.

"(b) There shall be a liquid fuel leak inspection as follows:

"(1) As used in this section, "Liquid fuel leak" means any fuel emanating from a
vehicle's fuel delivery, metering, or evaporation systems in liquid form that has created a visible
drop or more of fuel on a component of a vehicle's fuel delivery, metering, or evaporation system
or has created a fuel puddle on, around, or under a component of a vehicle's fuel delivery,
metering, or evaporation system.

"(2) With the engine running, the smog check technician shall visually inspect the
following components of the vehicle, if they are exposed and visually accessible, for liquid fuel
leaks:

"(A) Gasoline fuel tanks.

- 1 "(B) Gasoline fill pipes, associated hoses and fuel tank connections.
- 2 "(C) Gas caps.
- 3 "(D) External fuel pumps.
- 4 "(E) Fuel delivery and return lines and hoses.
- 5 "(F) Fuel filters.
- 6 "(G) Carburetors.
- 7 "(H) Fuel injectors.
- 8 "(I) Fuel pressure regulators.
- 9 "(J) Charcoal canisters.
- 10 "(K) Fuel vapor hoses.
- 11 "(L) Any valves connected to any other fuel evaporative component.

12 "(3) If a smog check technician detects a liquid fuel leak, the technician shall enter 'F' (Defective) in the 'Fuel Evaporative Controls' category of the visual inspection when prompted by the test analyzer system or emissions inspection system, as appropriate, and the vehicle shall fail the inspection.

13 "(4) Smog check technicians shall indicate on the vehicle inspection report the location of any liquid fuel leak.

14 "(5) The liquid fuel leak inspection required by this section is a visual inspection only. Smog check technicians are not required to perform any disassembly of the vehicle to inspect for liquid fuel leaks. No special tools or equipment, other than a flashlight and mirror, are required and no raising, hoisting or lifting of the vehicle is required.

15 "(6) Expenditures for repairs made at a licensed smog check station to correct liquid fuel leaks detected during a smog check inspection shall be credited toward the repair cost waiver expenditure specified in Section 44017 of the Health and Safety Code, or applied to the repair assistance program co-payment specified in Section 44062.1 of the Health and Safety Code and Section 3394.4 of this chapter.

16 "(7) Nothing in the subsection shall prohibit a technician from refusing to inspect a vehicle or from aborting an inspection if a liquid fuel leak presents a safety hazard.

17 "(8) This subsection shall not apply to vehicles fueled exclusively by compressed natural gas (CNG), liquid natural gas (LNG), or liquid petroleum gas (LPG).

18 "(c) Pursuant to section 39032.5 of the Health and Safety Code, gross polluter standards are as follows:

19 "(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 TABLES I, II or III.

20 "(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, 44017 and 44081 of the Health and Safety Code.

21 "(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 as indicated in TABLES I, II, or III. However, the provisions

1 described in section 44017 of the Health and Safety Code may apply.

2 "(4) This subsection applies in all program areas statewide to vehicles requiring
3 inspection pursuant to sections 44005 and 44011 of the Health and Safety Code.

4 "(5) The gross polluter emission standards in TABLE III shall be used to
5 determine if a vehicle shall be designated as a gross polluter.

6 "(d)(1) In the enhanced program areas, heavy-duty vehicles shall be tested using
7 the loaded-mode testing method as provided in subsection (a)(1), unless:

8 "(A) The vehicle has a drive axle weight that exceeds 5,000 pounds when the
9 vehicle is unloaded, or

10 "(B) The vehicle is classified by the Department of Motor Vehicles as a
11 motorhome, or

12 "(C) The vehicle has a body and/or chassis configuration or modification made for
13 business purposes that renders the vehicle incompatible with loaded-mode testing, or

14 "(D) The emission inspection system prompts the technician to perform the two-
15 speed idle test.

16 "(2) For the purposes of this subsection, the term 'unloaded' shall mean that the
17 vehicle is not currently transporting loads for delivery or is not carrying items of a temporary
18 nature, but excludes items that have been welded, bolted or otherwise permanently affixed to the
19 vehicle, and tools, supplies, parts, hardware, equipment or devices of a similar nature that are
20 routinely carried in or on the vehicle in the performance of the work for, which the vehicle is
21 primarily used.

22 "(3) For the purposes of this subsection, modifications that render a vehicle
23 incompatible with loaded-mode testing shall not include any tire, wheel, body or chassis
24 modifications made for other than business purposes.

25 "(4) If it is determined that a heavy-duty vehicle cannot be subjected to a loaded-
26 mode test for any of the reasons set forth in paragraphs (A) through (D) of subsection (d)(1), the
27 technician shall perform a two-speed idle test. The technician shall also note on the final invoice
28 the justification for the performance of a two-speed idle test."

23. Regulation 3353 subdivision (a) states:

24 "No work for compensation shall be commenced and no charges shall accrue
25 without specific authorization from the customer in accordance with the following
26 requirements:

27 (a) Estimate for Parts and Labor. Every dealer shall give to each customer a
28 written estimated price for parts and labor for a specific job."

24. Regulation 3356, subdivision (a), states:

25 "The invoice shall show the dealer's registration number and the
26 corresponding business name and address. If the dealer's telephone number is
27 shown, it shall comply with the requirements of Subsection 3371(b) of this

1 chapter. In addition, the invoice shall describe all service work done, including all
2 warranty work, and shall separately identify each part in such a manner that the
3 customer can understand what was purchased, also stating whether the part was
4 new, used, reconditioned, rebuilt, or an OEM crash part, or a non-OEM
5 aftermarket crash part. The dealer shall give the customer a legible copy of the
6 invoice and shall retain a legible copy as part of the dealer's records.”

7 25. Regulation 3373 states:

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

13 **Cost Recovery**

14 26. Bus. & Prof. Code section 125.3 provides, in pertinent part, that a Board
15 may request the administrative law judge to direct a licentiate found to have committed a
16 violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the
17 investigation and enforcement of the case.

18 **UNDERCOVER VEHICLE OPERATION #1: APRIL 7, 2006**

19 27. On or about April 7, 2006, an undercover operator with the Bureau
20 (undercover operator) took the Bureau's 1997 Honda Accord, California License #3UNL341 to
21 Respondent Lea Auto Repair's smog check facility, Lea Auto Repair, located in Los Angeles,
22 California. The catalytic converter on the vehicle had been modified by the Bureau so that the
23 vehicle would be unable to lawfully pass a California Smog Check Vehicle Inspection BAR-97
24 Acceleration Simulation Mode (ASM) test. The vehicle was also equipped with a hidden
25 videotape recording device. The undercover operator requested a smog inspection on the vehicle.
26 Jorge Tejada, (Tejada) manager of Respondent Lea Auto Repair's facility, had the undercover
27 operator complete a work order and sign the work order while the vehicle was in the smog
28 inspection area. The undercover operator did not receive a copy of the work order. An individual
employed by Respondent named "Manuel" (Manuel) told the undercover operator that the
Bureau's 1997 Honda Accord had failed the smog inspection twice and that the catalytic
converter on the vehicle needed to be replaced. The undercover operator told Tejada that he
wanted the 1997 Honda repaired so that it would pass a smog inspection and asked Tejada what

1 repairs were necessary. Tejada told the undercover operator that a "universal catalytic converter"
2 would be installed in the vehicle and that a hole would be drilled into this catalytic converter so
3 that an oxygen sensor could be installed. The undercover operator asked Tejada if the catalytic
4 converter was needed and he replied that it was.

5 Tejada further told the undercover operator that the cost of the repairs would be \$200.00
6 which included the smog inspection. Tejada also told the undercover operator that he would
7 have to leave the vehicle at the shop for two hours to be repaired. The Bureau undercover
8 operator told Tejada to repair the vehicle. The Bureau undercover operator then left the vehicle at
9 Respondent Lea Auto Repair's facility and returned to Respondent Lea Auto Repair later that
10 day.

11 28. When the Bureau undercover operator returned to Respondent's facility,
12 he was informed by an employee named "Hugo" (Hugo) that the catalytic converter that was
13 installed on the 1997 Honda was not like the original factory installed unit and that the catalytic
14 converter would have to be replaced in two years. The Bureau undercover operator paid Tejada
15 \$200.00 and received from Tejada a copy of an invoice dated "4/7/06" in the amount of
16 "\$206.60", a vehicle inspection report (VIR) and a business card. The invoice given to the
17 undercover operator was different than the one he had completed earlier and he never received a
18 copy of the earlier work order that he had completed. The VIR given to the undercover operator
19 indicated that Respondent Soriano tested and inspected the vehicle and issued electronic Smog
20 Certificate of Compliance #GC999765.

21 29. A review of the undercover videotape revealed that during an official
22 smog inspection of the 1997 Honda, employees of Respondent were observed manipulating the
23 vehicle's distributor by loosening the mounting bolts on the distributor base and manually
24 rotating the distributor back and forth. During this test, Respondent's employees were also
25 observed to be re-tightening the mounting bolts on the distributor. Moreover, an employee of
26 Respondent was also observed during the same official smog inspection disconnecting the PCV
27 vacuum hose from the valve and spraying an unknown substance into the PCV vacuum hose.

28

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Untrue or Misleading Statements)**

3 30. Respondent Lea Auto Repair's ARD registration is subject to disciplinary
4 action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that on or about April
5 7, 2006, Respondent Lea Auto Repair made or authorized statements which it knew, or in the
6 exercise of reasonable care, should have known to be untrue or misleading, as follows:

7 a. Respondent Lea Auto Repair through the actions of Respondent Soriano
8 certified under penalty of perjury on the vehicle inspection report that the smog inspection on the
9 Bureau's 1997 Honda Accord was performed in accordance with all Bureau requirements. In
10 fact, Respondent Lea Auto Repair through the actions of Respondent Tejada and/or Respondent
11 Soriano was aware of, or should have known in the exercise of reasonable care, that the
12 installation of a non-approved replacement catalytic converter would cause the 1997 Honda
13 Accord's vehicle emission control system to be modified and the vehicle to not be On Board
14 Diagnostic II (OBD II)^{1/} compliant for the State of California.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Fraud)**

17 31. Respondent Lea Auto Repair's ARD registration is subject to disciplinary
18 action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(4), in that Respondent Lea
19 Auto Repair through its employee Respondent Soriano committed an act which constitutes fraud
20 by issuing an electronic smog certificate of compliance for the Bureau's 1997 Honda Accord
21 which was not in compliance with the laws and regulations pertaining to California emissions
22 standards, thereby depriving the People of the State of California of the protection afforded by
23 the Motor Vehicle Inspection Program.

24
25 1. The On Board Diagnostics (OBDII) functional test is an automated function of the BAR-97
26 analyzer. During the OBDII functional test, the technician is required to connect an interface cable from
27 the BAR 97-analyzer to a Diagnostic Link Connector (DLC) which is located inside the vehicle.
28 Through the DLC, the BAR-97 analyzer automatically retrieves information from the vehicle's on-board
computer about the status of the readiness indicators, trouble codes, and the MIL (malfunction indicator
light). If the vehicle fails the OBDII functional test, it will fail the overall inspection.

1 smog certificate of compliance for the Bureau's 1997 Honda Accord which was
2 not in compliance with the laws and regulations pertaining to California emissions
3 standards, failed to perform emission control tests on the Bureau's 1997 Honda
4 Accord in accordance with procedures prescribed by the department.

5 **FIFTH CAUSE FOR DISCIPLINE**

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

7 34. Respondent Lea Auto Repair's smog check station license is subject to
8 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that on or
9 about April 7, 2006, Respondent Lea Auto Repair failed to comply with the following sections of
10 that Code:

11 a. **Section 44012:** In manipulating the vehicle's distributor by loosening the
12 mounting bolts on the distributor base and manually rotating the distributor back
13 and forth Respondent Lea Auto Repair failed to conduct the required smog test on
14 the Bureau's 1997 Honda Accord in accordance with the Bureau's specifications.
15 Likewise, Respondent Lea Auto Repair failed to conduct the required smog test
16 on the Bureau's 1997 Honda Accord in accordance with the Bureau's
17 specifications by disconnecting the PCV vacuum hose from the valve and
18 spraying an unknown substance into the PCV vacuum hose. Moreover,
19 Respondent Lea Auto Repair in issuing an electronic smog certificate of
20 compliance for the Bureau's 1997 Honda Accord which was not in compliance
21 with the laws and regulations pertaining to California emissions standards, failed
22 to perform emission control tests on the Bureau's 1997 Honda Accord in
23 accordance with procedures prescribed by the department.

24 b. **Section 44015:** Respondent Lea Auto Repair through the actions of
25 Respondent Soriano issued an electronic smog certificate of compliance for the
26 Bureau's 1997 Honda Accord without properly testing and inspecting the vehicle
27 to determine if it was in compliance with Health & Saf. Code section 44012.

28 c. **Section 44016:** Respondent Lea Auto Repair through the actions of Respondent

1 Soriano installed a catalytic converter that is not approved and was not in
2 accordance with specifications and procedures established by the Bureau.
3 d. **Section 44059:** Respondent Lea Auto Repair through the actions of
4 Respondent Soriano willfully made false entries on the vehicle inspection report,
5 as set forth in paragraphs 27-28 above, in order to issue an electronic smog
6 certificate of compliance for the Bureau's 1997 Honda Accord.

7 **SIXTH CAUSE FOR DISCIPLINE**

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

10 35. Respondent Lea Auto Repair's smog check station license is subject to
11 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that on or
12 about April 7, 2006, Respondent Lea Auto Repair failed to comply with the following sections of
13 California Code of Regulations:

14 a. **Title 16, Section 3340.24, subdivision (c):** Respondent Soriano on behalf
15 of Respondent Lea Auto Repair falsely or fraudulently issued an electronic smog
16 certificate of compliance for the Bureau's 1997 Honda Accord.

17 b. **Title 16, Section 3340.35, subdivision (c):** Respondent Soriano on behalf
18 of Respondent Lea Auto Repair issued an electronic smog certificate of
19 compliance for the Bureau's 1997 Honda Accord even though the vehicle was not
20 in compliance with the laws and regulations pertaining to California emissions
21 standards.

22 c. **Title 16, Section 3340.42:** In manipulating the vehicle's distributor by
23 loosening the mounting bolts on the distributor base and manually rotating the
24 distributor back and forth Respondent Lea Auto Repair failed to conduct the
25 required smog test on the Bureau's 1997 Honda Accord in accordance with the
26 Bureau's specifications. Likewise, Respondent Lea Auto Repair failed to conduct
27 the required smog test on the Bureau's 1997 Honda Accord in accordance with the
28 Bureau's specifications by disconnecting the PCV vacuum hose from the valve
and spraying an unknown substance into the PCV vacuum hose. Moreover,

1 Respondent Lea Auto Repair in issuing an electronic smog certificate of
2 compliance for the Bureau's 1997 Honda Accord which was not in compliance
3 with the laws and regulations pertaining to California emissions standards, failed
4 to perform emission control tests on the Bureau's 1997 Honda Accord in
5 accordance with procedures prescribed by the department.

6 d. **Title 16, Sections 3353 subdivision (a) and 3356, subdivision (a):**

7 Respondent Lea Auto Repair's invoices contained the incorrect business name.
8 Further, Respondent Lea Auto Repair failed to provide the Bureau's undercover
9 operator with an estimate or copy of a signed invoice prior to commencing the
10 smog inspection on the Bureau's 1997 Honda Accord.

11 **SEVENTH CAUSE FOR DISCIPLINE**

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

13 36. Respondent Lea Auto Repair's smog check station license is subject to
14 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that on or
15 about April 7, 2006, Respondent Lea Auto Repair through the actions of its employee,
16 Respondent Soriano, committed a dishonest, fraudulent or deceitful act whereby another is
17 injured by issuing an electronic smog certificate of compliance for the Bureau's 1997 Honda
18 Accord which was not in compliance with the laws and regulations pertaining to California
19 emissions standards, thereby depriving the People of the State of California of the protection
20 afforded by the Motor Vehicle Inspection Program.

21 **EIGHTH CAUSE FOR DISCIPLINE**

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

23 37. Respondent Soriano's advanced emission specialist technician license is
24 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in
25 that on or about April 7, 2006, Respondent Soriano failed to comply with the following sections
26 of that Code:

27 a. **Section 44012:** Respondent Soriano failed to perform emission control
28 tests on the Bureau's 1997 Honda Accord in accordance with procedures

1 prescribed by the department.

2 b. **Section 44059:** Respondent Soriano willfully made false entries on the
3 vehicle inspection report, as set forth in paragraphs 27-28 above, in order to issue
4 an electronic smog certificate of compliance for the Bureau's 1997 Honda Accord.

5 **NINTH CAUSE FOR DISCIPLINE**

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

8 38. Respondent Soriano's advanced emission specialist technician license is
9 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in
10 that on or about April 7, 2006, Respondent Soriano failed to comply with the following sections
11 of California Code of Regulations:

12 a. **Title 16, Section 3340.24, subdivision (c):** Respondent Soriano falsely
13 or fraudulently issued an electronic smog certificate of compliance for the
14 Bureau's 1997 Honda Accord.

15 b. **Title 16, Section 3340.30, subdivision (a):** Respondent Soriano failed to
16 inspect and test the Bureau's 1997 Honda Accord in accordance with Health &
17 Saf. Code sections 44012 and 44035, and California Code of Regulations, title
18 16, section 3340.42.

19 c. **Title 16, Section 3340.42:** Respondent Soriano failed to conduct the
20 required smog tests on the Bureau's 1997 Honda Accord in accordance with the
21 Bureau's specifications.

22 **TENTH CAUSE FOR DISCIPLINE**

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

24 39. Respondent Soriano's advanced emission specialist technician license is
25 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d),
26 in that on or about April 7, 2006, Respondent Soriano committed a dishonest, fraudulent or
27 deceitful act whereby another is injured by issuing an electronic smog certificate of compliance
28 for the Bureau's 1997 Honda Accord which was not in compliance with the laws and regulations

1 pertaining to California emissions standards, thereby depriving the People of the State of
2 California of the protection afforded by the Motor Vehicle Inspection Program.

3 **UNDERCOVER OPERATION #2: AUGUST 3, 2006**

4 40. On or about August 3, 2006, an undercover operator with the Bureau took
5 the Bureau's 1988 Toyota pick-up truck California license #3K66245 to Respondent Lea Auto
6 Repair's smog check facility located in Los Angeles, California. A Bureau representative had,
7 prior to August 3, 2006, installed a defective #2 vacuum switch on the vehicle causing this
8 vehicle to fail the emissions portion of a smog inspection. The Bureau undercover operator
9 requested a smog inspection on the vehicle and signed a copy of a work order for the inspection.
10 The undercover operator was not provided with a copy of the work order. After the smog
11 inspection was completed, the Bureau operator was told by Mr. Tejada that the vehicle had not
12 passed the smog inspection. The undercover operator was further told by Mr. Tejada that Mr.
13 Tejada could make the Toyota pass the inspection after Mr. Tejada makes an adjustment to the
14 vehicle. Mr. Tejada further told the undercover operator that the adjustment was necessary for
15 the vehicle to pass a smog inspection. After the repairs were complete, the undercover operator
16 paid Mr. Tejada \$125.00 and received an invoice dated August 3, 2006 in the amount of
17 \$125.00 and a Vehicle Inspection Report (VIR) dated August 3, 2006 with certificate of
18 compliance #HB575048 printed on it.

19 **ELEVENTH CAUSE FOR DISCIPLINE**

20 **(Untrue or Misleading Statements)**

21 41. Respondent Lea Auto Repair's ARD registration is subject to disciplinary
22 action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that on or about
23 August 3, 2006, Respondent made or authorized statements which he knew, or in the exercise of
24 reasonable care, should have known to be untrue or misleading, as follows:

25 a. Respondent Lea Auto Repair through the actions of employee Tejada
26 represented to the Bureau's undercover operator that the 1988 Toyota Pick-Up truck needed "an
27 adjustment" in order to pass the smog inspection. Moreover, Respondent Lea Auto Repair,
28 through the actions of its employees, represented to the Bureau undercover operator through its

1 invoice that the vehicle's carburetor had been adjusted. In fact, the vehicle's carburetor had not
2 been adjusted and the only repair necessary to have been performed in order for this vehicle to
3 have passed the California ASM Smog Check was to replace the vehicle's defective #2 vacuum
4 switch with a properly functioning one which was not done.

5 b. Respondent Lea Auto Repair, through the actions of Respondent Soriano,
6 certified under penalty of perjury on the vehicle inspection report that the vehicle passed the
7 BAR 97 ASM test when in fact the vehicle was not in a condition to pass a BAR 97 ASM Test
8 due to the fact that the vehicle emits excessive hydrocarbons (HC) and carbon monoxide (CO)
9 emissions above the state of California's gross polluter standards.

10 **TWELFTH CAUSE FOR DISCIPLINE**

11 **(Fraud)**

12 42. Respondent Lea Auto Repair's ARD registration is subject to disciplinary
13 action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(4), in that on or about
14 August 3, 2006, Respondent Lea Auto Repair through its employee Respondent Soriano
15 committed an act which constitutes fraud by issuing an electronic smog certificate of compliance
16 for the Bureau's 1988 Toyota Pick-Up Truck which was not in compliance with the laws and
17 regulations pertaining to California emissions standards, thereby depriving the People of the
18 State of California of the protection afforded by the Motor Vehicle Inspection Program.

19 **THIRTEENTH CAUSE FOR DISCIPLINE**

20 **(Violations of the Code)**

21 43. Respondent Lea Auto Repair's ARD registration is subject to disciplinary
22 action pursuant to Code section 9884.7, subdivision (a)(6), in that it violated the provisions of
23 the Code, as follows:

24 a. **Section 9884.9 subdivision (a):** On or about August 3, 2006 Respondent Lea
25 Auto Repair failed to give to the Bureau's undercover operator a copy of the
26 written estimated price for labor and parts necessary for the repairs made to the
27 Bureau's 1997 Honda Accord.
28

1 electronic smog certificate of compliance for the Bureau's 1988 Toyota Pick-Up
2 Truck even though the vehicle had not been inspected in accordance with section
3 3340.42.

4 c. **Section 3340.42:** Respondent Soriano failed to conduct the required smog
5 tests on the Bureau's 1988 Toyota Pick-Up Truck in accordance with the
6 Bureau's specifications.

7 d. **Sections 3353 subdivision (a) and 3356, subdivision (a):** Respondent
8 Lea Auto Repair's invoices given to the Bureau's undercover operator on or
9 about August 3, 2006 contain the incorrect business name. Further, Respondent
10 Lea Auto Repair failed to provide the Bureau's undercover operator with an
11 estimate or copy of a signed invoice prior to commencing the smog inspection on
12 the Bureau's 1988 Toyota Pick-Up Truck.

13 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

15 46. Respondent Lea Auto Repair's smog check station license is subject to
16 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that on or
17 about August 3, 2006, Respondent Lea Auto Repair through the actions of its employee,
18 Respondent Soriano, committed a dishonest, fraudulent or deceitful act whereby another is
19 injured by issuing an electronic smog certificate of compliance for the Bureau's 1988 Toyota
20 Pick-Up Truck which was not in compliance with the laws and regulations pertaining to
21 California emissions standards, thereby depriving the People of the State of California of the
22 protection afforded by the Motor Vehicle Inspection Program.

23 **SEVENTEENTH CAUSE FOR DISCIPLINE**

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

25 47. Respondent Soriano's advanced emission specialist technician license is
26 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in
27 that on or about August 3, 2006, Respondent Soriano failed to comply with the following
28 sections of that Code:

1 a. **Section 44012:** Respondent Soriano failed to perform emission control
2 tests on the Bureau's 1988 Toyota Pick-Up Truck in accordance with
3 procedures prescribed by the department.

4 b. **Section 44059:** Respondent Soriano willfully made false entries on the
5 vehicle inspection report, as set forth in paragraph 39 above, in order to
6 issue an electronic smog certificate of compliance for the Bureau's 1988
7 Toyota Pick-Up Truck.

8 **EIGHTEENTH CAUSE FOR DISCIPLINE**

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

11 48. Respondent Soriano's advanced emission specialist technician license is
12 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in
13 that on or about August 3, 2006, Respondent failed to comply with the following sections of
14 California Code of Regulations, title 16:

15 a. **Section 3340.24, subdivision (c):** Respondent Soriano falsely or
16 fraudulently issued an electronic smog certificate of compliance for the Bureau's
17 1988 Toyota Pick-Up Truck.

18 b. **Section 3340.30, subdivision (a):** Respondent Soriano failed to inspect
19 and test the Bureau's 1988 Toyota Pick-Up Truck in accordance with Health &
20 Saf. Code sections 44012 and 44035, and California Code of Regulations, title
21 16, section 3340.42.

22 c. **Section 3340.42:** Respondent Soriano failed to conduct the required
23 smog tests on the Bureau's 1988 Toyota Pick-Up Truck in accordance with the
24 Bureau's specifications.

25 **NINETEENTH CAUSE FOR DISCIPLINE**

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

27 49. Respondent Soriano's advanced emission specialist technician license is
28 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d).

1 in that on or about August 3, 2006, Respondent Soriano committed a dishonest, fraudulent or
2 deceitful act whereby another is injured by issuing an electronic smog certificate of compliance
3 for the Bureau's 1988 Toyota Pick-Up Truck which was not in compliance with the laws and
4 regulations pertaining to California emissions standards, thereby depriving the People of the
5 State of California of the protection afforded by the Motor Vehicle Inspection Program.

6 **UNDERCOVER OPERATION #3: 1987 BUICK**

7 50. On or about August 8, 2006, an undercover operator with the Bureau took
8 the Bureau's 1987 Buick California license #2GQF763 to Respondent Lea Auto Repair's facility
9 located in Los Angeles, California. As part of its documentation, the Bureau mis-adjusted the
10 throttle position sensor (TPS) on the vehicle, rendering the vehicle incapable of passing a smog
11 inspection. The Bureau undercover operator requested a smog inspection on the vehicle and
12 signed a copy of a work order for the inspection. The undercover operator was not provided
13 with a copy of the work order. After the smog inspection was completed, the Bureau operator
14 was told by Mr. Tejada that the vehicle had not passed the smog inspection because "the carb
15 was giving out too much gas and the idle was too high." The undercover operator was told by
16 Mr. Tejada that the 1987 Buick needed an adjustment and that he (Mr. Tejada) was almost
17 finished with the adjustment. Approximately five minutes later, the undercover operator was
18 told by Mr. Tejada that the vehicle was ready and had passed the smog inspection. The
19 undercover operator paid Mr. Tejada \$90.00 for the inspection and received a VIR dated August
20 8, 2006 with certificate of compliance #HB643837 printed on it. She did not receive a copy of
21 the work order that she had completed earlier nor any invoice for services rendered by
22 Respondent Lea Auto Repair.

23 **TWENTIETH CAUSE FOR DISCIPLINE**

24 **(Untrue or Misleading Statements)**

25 51. Respondent Lea Auto Repair's ARD registration is subject to disciplinary
26 action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(1), in that on or about
27 August 8, 2006, Respondent made or authorized statements which he knew, or in the exercise of
28 reasonable care, should have known to be untrue or misleading, as follows:

1 a. Respondent Lea Auto Repair through the actions of employee Tejada
2 represented to the Bureau's undercover operator that the 1987 Buick needed "an adjustment" in
3 order to pass the smog inspection. In fact, the only repair necessary to have been performed in
4 order for this vehicle to have passed the California ASM Smog Check was to adjust the throttle
5 position sensor voltage from 2.20 volts to the manufacturer's specification of .46 volts and
6 installation of a TPS adjusting screw retention plug or screw thread locking compound which
7 was not performed. Likewise, despite the representation by Respondent Lea Auto Repair's
8 employee that an adjustment had been made, as evidenced by an unbroken Electronic Spark
9 Timing (EST) four wire connector tamper indicator, the engine ignition timing was not properly
10 checked.

11 b. Respondent Lea Auto Repair, through the actions of Respondent Soriano,
12 certified under penalty of perjury on the vehicle inspection report that the 1987 Buick passed the
13 BAR 97 ASM test when in fact the vehicle was not in a condition to pass a BAR 97 ASM Test
14 due to the fact that the vehicle emitted excessive hydrocarbons (HC) and carbon monoxide (CO)
15 emissions above the State of California's gross polluter standards.

16 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

17 **(Fraud)**

18 52. Respondent Lea Auto Repair's ARD registration is subject to disciplinary
19 action pursuant to Bus. & Prof. Code section 9884.7, subdivision (a)(4), in that on or about
20 August 8, 2006, Respondent Soriano on behalf of Respondent Lea Auto Repair committed an
21 act which constitutes fraud by issuing an electronic smog certificate of compliance for the
22 Bureau's 1987 Buick which was not in compliance with the laws and regulations pertaining to
23 California emissions standards, thereby depriving the People of the State of California of the
24 protection afforded by the Motor Vehicle Inspection Program.

25 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

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

27 53. Respondent Lea Auto Repair's smog check station license is subject to
28 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that on or

1 about August 8, 2006, Respondent Soriano on behalf of Respondent Lea Auto Repair failed to
2 comply with the following sections of that Code:

- 3 a. **Section 44012:** Respondent Lea Auto Repair through the actions of
4 Respondent Soriano failed to perform emission control tests on the Bureau's
5 1987 Buick in accordance with procedures prescribed by the department.
- 6 b. **Section 44015:** Respondent Lea Auto Repair through the actions of
7 Respondent Soriano issued an electronic smog certificate of compliance for the
8 Bureau's 1987 Buick without properly testing and inspecting the vehicle to
9 determine if it was in compliance with Health & Saf. Code section 44012.
- 10 c. **Section 44059:** Respondent Lea Auto Repair through the actions of
11 Respondent Soriano willfully made false entries on the vehicle inspection report,
12 as set forth in paragraph 49 above, in order to issue an electronic smog certificate
13 of compliance for the Bureau's 1987 Buick.

14 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

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

17 54. Respondent Lea Auto Repair's smog check station license is subject to
18 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that on or
19 about August 8, 2006, Respondent Soriano on behalf of Respondent Lea Auto Repair failed to
20 comply with the following sections of California Code of Regulations, title 16:

- 21 a. **Section 3340.24, subdivision (c):** Respondent Lea Auto Repair through
22 the actions of Respondent Soriano falsely or fraudulently issued an electronic
23 smog certificate of compliance for the Bureau's 1987 Buick.
- 24 b. **Section 3340.35, subdivision (c):** Respondent Lea Auto Repair through
25 the actions of Respondent Soriano issued an electronic smog certificate of
26 compliance for the Bureau's 1987 Buick even though the vehicle had not been
27 inspected in accordance with section 3340.42.
- 28 c. **Section 3340.42:** Respondent Lea Auto Repair through the actions of

1 Respondent Soriano failed to conduct the required smog tests on the Bureau's
2 1987 Buick in accordance with the Bureau's specifications.

3 d. Sections 3353 subdivision (a) and 3356, subdivision (a): Respondent
4 Lea Auto Repair failed to provide the Bureau's undercover operator with an
5 estimate or copy of a signed invoice prior to commencing the smog inspection on
6 the Bureau's 1987 Buick.

7 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

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

9 55. Respondent Lea Auto Repair's smog check station license is subject to
10 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in that on or
11 about August 8, 2006, Respondent Soriano on behalf of Respondent Lea Auto Repair committed
12 a dishonest, fraudulent or deceitful act whereby another is injured by issuing an electronic smog
13 certificate of compliance for the Bureau's 1987 Buick which was not in compliance with the
14 laws and regulations pertaining to California emissions standards, thereby depriving the People
15 of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

16 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

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

18 56. Respondent Soriano's advanced emission specialist technician license is
19 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in
20 that on or about August 8, 2006, Respondent Soriano failed to comply with the following
21 sections of that Code:

22 a. Section 44012: Respondent Soriano failed to perform emission control
23 tests on the Bureau's 1987 Buick in accordance with procedures
24 prescribed by the department.

25 b. Section 44059: Respondent Soriano willfully made false entries on the
26 vehicle inspection report, as set forth in paragraph above, in order to
27 issue an electronic smog certificate of compliance for the Bureau's 1987
28 Buick.

1 **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

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

4 57. Respondent Soriano's advanced emission specialist technician license is
5 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (c), in
6 that on or about August 8, 2006, Respondent failed to comply with the following sections of
7 California Code of Regulations, title 16:

8 a. **Section 3340.24, subdivision (c)**: Respondent Soriano falsely or
9 fraudulently issued an electronic smog certificate of compliance for the Bureau's
10 1987 Buick.

11 b. **Section 3340.30, subdivision (a)**: Respondent Soriano failed to inspect
12 and test the Bureau's 1987 Buick in accordance with Health & Saf. Code sections
13 44012 and 44035, and California Code of Regulations, title 16, section 3340.42.

14 c. **Section 3340.42**: Respondent Soriano failed to conduct the required smog
15 tests on the Bureau's 1987 Buick in accordance with the Bureau's specifications.

16 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

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

18 58. Respondent Soriano's advanced emission specialist technician license is
19 subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d),
20 in that on or about August 8, 2006, Respondent Soriano committed a dishonest, fraudulent or
21 deceitful act whereby another is injured by issuing an electronic smog certificate of compliance
22 for the Bureau's 1987 Buick which was not in compliance with the laws and regulations
23 pertaining to California emissions standards, thereby depriving the People of the State of
24 California of the protection afforded by the Motor Vehicle Inspection Program.

25
26 **OTHER MATTERS**

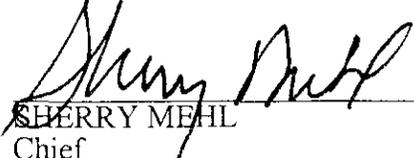
27 59. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the
28 Director may refuse to validate, or may invalidate temporarily or permanently, the registrations

1 Carbajal a.k.a. Tito H. Soriano;

2 6. Ordering Respondent Leandra Elizabeth Tejada, individually and as
3 owner of owner of Lea Auto Repair, and Tito Hugo Soriano Carbajal a.k.a. Tito H. Soriano, to
4 pay the Director of Consumer Affairs the reasonable costs of the investigation and enforcement
5 of this case, pursuant to Business and Professions Code section 125.3;

6 7. Taking such other and further action as deemed necessary and proper.

7 DATED: 4/28/08

8 
9 SHERRY MEHL
10 Chief
11 Bureau of Automotive Repair
12 Department of Consumer Affairs
13 State of California

14 Complainant

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