

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

In the Matter of the Accusation Against:

SIERRA SMOG & AUTO REPAIR INC. dba SIERRA SMOG AND AUTO REPAIR STEVEN G.

ROWETT, PRES. BETH A. ROWETT, SECRETARY/TRES

402 Grass Valley Highway

Auburn, CA 95603

Automotive Repair Dealer Registration No. ARD 235844

Smog Check Station License No. RC 235844

and

DAMIAN MIGUEL VASQUEZ

17050 Applegate Road

Applegate, CA 95703

Smog Check Inspector License No. EO 642899

Respondents.

Case No. 79/24-2973

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DECISION

The attached Stipulated Settlement and Disciplinary Order as to Sierra Smog & Auto Repair Inc. only is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on April 16, 2025.

IT IS SO ORDERED March 11, 2025.



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

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Attorney General of California
2 DAVID E. BRICE
Supervising Deputy Attorney General
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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. 79/24-2973

13 **SIERRA SMOG & AUTO REPAIR INC.**
14 **dba SIERRA SMOG AND AUTO REPAIR**
15 **STEVEN G. ROWETT, PRES**
16 **BETH A. ROWETT, SECRETARY/TRES**
402 Grass Valley Highway
Auburn, CA 95603

OAH Nos. 2024090698 & 2024090700

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER [SIERRA
SMOG & AUTO REPAIR INC. ONLY]**

17 **Automotive Repair Dealer Registration**
18 **No. ARD 235844**
Smog Check Station License No. RC 235844

19 **and**

20 **DAMIAN MIGUEL VASQUEZ**
17050 Applegate Road
21 Applegate, CA 95703

22 **Smog Check Inspector License**
23 **No. EO 642899**

24 Respondents.

25 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
26 entitled proceedings that the following matters are true:

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1 **PARTIES**

2 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair
3 (Bureau). He brought this action solely in his official capacity and is represented in this matter by
4 Rob Bonta, Attorney General of the State of California, by Phillip L. Arthur, Deputy Attorney
5 General.

6 2. Respondent Sierra Smog & Auto Repair Inc. dba Sierra Smog And Auto Repair
7 (Respondent Sierra) with Steven G. Rowett (Respondent S. Rowett) as President and Beth A.
8 Rowett (Respondent B. Rowett) as Secretary and Treasurer is represented in this proceeding by
9 attorney Ryan Fillmore, whose address is: 555 Capitol Mall, Suite 700, Sacramento, CA 95814.

10 **Automotive Repair Dealer Registration**

11 3. On or about January 1, 2004, the Bureau issued Automotive Repair Dealer Registration
12 Number ARD 235844 to Respondent Sierra. The Automotive Repair Dealer Registration was in
13 full force and effect at all times relevant to the charges brought in Accusation No. 79/24-2973 and
14 will expire on September 30, 2025, unless renewed.

15 **Smog Check Station License**

16 4. On or about October 13, 2004, the Bureau issued Smog Check Station License Number
17 RC 235844 to Respondent Sierra. The Smog Check Station License was in full force and effect
18 at all times relevant to the charges brought in Accusation No. 79/24-2973 and will expire on
19 September 30, 2025, unless renewed.

20 **JURISDICTION**

21 5. Accusation No. 79/24-2973 was filed before the Director of the Department of
22 Consumer Affairs (Director), and is currently pending against Respondents. The Accusation and
23 all other statutorily required documents were properly served on Respondents on August 27,
24 2024. Respondents timely filed their Notices of Defense contesting the Accusation.

25 6. A copy of Accusation No. 79/24-2973 is attached as Exhibit A and incorporated
26 herein by reference.

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1 Department of Consumer Affairs regarding this stipulation and settlement, without notice to or
2 participation by Respondent Sierra or its counsel. By signing the stipulation, Respondent Sierra
3 understands and agrees that it may not withdraw its agreement or seek to rescind the stipulation
4 prior to the time the Director considers and acts upon it. If the Director fails to adopt this
5 stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of
6 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
7 the parties, and the Director shall not be disqualified from further action by having considered
8 this matter.

9 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
10 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
11 signatures thereto, shall have the same force and effect as the originals.

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

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

21 **DISCIPLINARY ORDER**

22 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 235844
23 and Smog Check Station License No. RC 235844, issued to Sierra Smog & Auto Repair Inc. dba
24 Sierra Smog And Auto Repair (Respondent Sierra) with Steven G. Rowett as President and Beth
25 A. Rowett as Secretary and Treasurer, are revoked. However, the revocations are stayed and
26 Respondent Sierra is placed on probation for five (5) years on the following terms and conditions:

27 1. **Actual Suspension.** Automotive Repair Dealer Registration No. ARD 235844 and
28 Smog Check Station License No. RC 235844 issued to Respondent Sierra are suspended for

1 seven consecutive days beginning on the effective date of the Decision and Order.

2 2. **Obey All Laws.** During the period of probation, Respondent Sierra shall comply
3 with all federal and state statutes, regulations, and rules governing all BAR registrations and
4 licenses held by Respondent Sierra.

5 3. **Posting of Sign.** During the period of suspension, Respondent Sierra shall
6 prominently post a sign or signs, provided by BAR, indicating the beginning and ending dates of
7 the suspension and indicating the reason for the suspension. The sign or signs shall be
8 conspicuously displayed in a location or locations open to and frequented by customers. The
9 location(s) of the sign(s) shall be approved by BAR and shall remain posted during the entire
10 period of actual suspension.

11 4. **Quarterly Reporting.** During the period of probation, Respondent Sierra shall
12 report either by personal appearance or in writing as determined by BAR on a schedule set by
13 BAR, but no more frequently than once each calendar quarter, on the methods used and success
14 achieved in maintaining compliance with the terms and conditions of probation.

15 5. **Report Financial Interests.** Respondent Sierra shall, within 30 days of the effective
16 date of the Decision and within 30 days from the date of any request by BAR during the period of
17 probation, report any financial interest which any Respondent Sierra or any partners, officers, or
18 owners of any Respondent Sierra facility may have in any other business required to be registered
19 pursuant to section 9884.6 of the Business and Professions Code.

20 6. **Access to Examine Vehicles and Records.** Respondent Sierra shall provide BAR
21 representatives unrestricted access to examine all vehicles (including parts) undergoing service,
22 inspection, or repairs, up to and including the point of completion. Respondent Sierra shall also
23 provide BAR representatives unrestricted access to all records pursuant to BAR laws and
24 regulations.

25 7. **Tolling of Probation.** If, during probation, Respondent Sierra leaves the jurisdiction
26 of California to reside or do business elsewhere or otherwise ceases to do business in the
27 jurisdiction of California, Respondent Sierra shall notify BAR in writing within 10 days of the
28 dates of departure and return, and of the dates of cessation and resumption of business in

1 California. All provisions of probation other than cost reimbursement requirements, restitution
2 requirements, training requirements, and that Respondent Sierra obey all laws, shall be held in
3 abeyance during any period of time of 30 days or more in which Respondent Sierra is not residing
4 or engaging in business within the jurisdiction of California. All provisions of probation shall
5 recommence on the effective date of resumption of business in California. Any period of time of
6 30 days or more in which Respondent Sierra is not residing or engaging in business within the
7 jurisdiction of California shall not apply to the reduction of this probationary period or to any
8 period of actual suspension not previously completed. Tolling is not available if business or work
9 relevant to the probationary license or registration is conducted or performed during the tolling
10 period.

11 **8. Violation of Probation.** If Respondent Sierra violates or fails to comply with the
12 terms and conditions of probation in any respect, the Director, after giving notice and opportunity
13 to be heard may set aside the stay order and carry out the disciplinary order provided in the
14 decision. Once Respondent Sierra is served notice of BAR's intent to set aside the stay, the
15 Director shall maintain jurisdiction, and the period of probation shall be extended until final
16 resolution of the matter.

17 **9. Maintain Valid License.** Respondent Sierra shall, at all times while on probation,
18 maintain a current and active registration and/or license(s) with BAR, including any period during
19 which suspension or probation is tolled. If Respondent Sierra's registration or license is expired
20 at the time the Decision becomes effective, the registration or license must be renewed by
21 Respondent Sierra within 30 days of that date. If Respondent Sierra's registration or license
22 expires during a term of probation, by operation of law or otherwise, then upon renewal
23 Respondent Sierra's registration or license shall be subject to any and all terms and conditions of
24 probation not previously satisfied. Failure to maintain a current and active registration and/or
25 license during the period of probation shall also constitute a violation of probation.

26 **10. Cost Recovery.** Respondent Sierra shall pay the Bureau of Automotive Repair
27 \$5,701.32 for the reasonable costs of the investigation and enforcement of Case No. 79/24-2973.
28 Respondent Sierra shall make such payment as follows: in 54 consecutive monthly payments of

1 \$105.58 beginning on the effective date of this order. Respondent Sierra shall make payment by
2 check or money order payable to the Bureau of Automotive Repair and shall indicate on the
3 check or money order that it is for cost recovery payment for case no. 79/24-2973. Any order for
4 payment of cost recovery shall remain in effect whether or not probation is tolled. Probation shall
5 not terminate until full cost recovery payment has been made. BAR reserves the right to pursue
6 any other lawful measures in collecting on the costs ordered and past due, in addition to taking
7 action based upon the violation of probation.

8 11. **Completion of Probation.** Upon successful completion of probation, Respondent
9 Sierra's affected registration and/or license will be fully restored or issued without restriction, if
10 Respondent Sierra meets all current requirements for registration or licensure and has paid all
11 outstanding fees, monetary penalties, or cost recovery owed to BAR.

12 12. **License Surrender.** Following the effective date of a decision that orders a stay of
13 invalidation or revocation, if Respondent Sierra ceases business operations or is otherwise unable
14 to satisfy the terms and conditions of probation, Respondent Sierra may request that the stay be
15 vacated. Such request shall be made in writing to BAR. The Director and the BAR Chief reserve
16 the right to evaluate Respondent Sierra's request and to exercise discretion whether to grant the
17 request or take any other action deemed appropriate or reasonable under the circumstances. Upon
18 formal granting of the request, the Director will vacate the stay order and carry out the
19 disciplinary order provided in the decision. Respondent Sierra may not petition the Director for
20 reinstatement of the surrendered registration and/or license, or apply for a new registration or
21 license under the jurisdiction of BAR at any time before the date of the originally scheduled
22 completion of probation. If Respondent Sierra applies to BAR for a registration or license at any
23 time after that date, Respondent Sierra must meet all current requirements for registration or
24 licensure and pay all outstanding fees or cost recovery owed to BAR and left outstanding at the
25 time of surrender.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Ryan Fillmore. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration and Smog Check Station License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of the Department of Consumer Affairs.

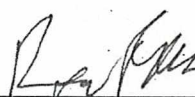
DATED: 02/27/2025


Steve Rowett (Feb 27, 2025 15:50 PST)

SIERRA SMOG & AUTO REPAIR INC.
dba SIERRA SMOG AND AUTO REPAIR
STEVEN G. ROWETT, PRES
BETH A. ROWETT, SECRETARY/TRES
Respondent

I have read and fully discussed with Respondent Sierra Smog & Auto Repair Inc. dba Sierra Smog And Auto Repair (Respondent Sierra) with Steven G. Rowett (Respondent S. Rowett) as President the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 25 Feb. 2025


RYAN FILLMORE
Attorney for Respondent

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DATED: February 28, 2025

ROB BONTA
Attorney General of California
DAVID E. BRICE
Supervising Deputy Attorney General

PHILLIP L. ARTHUR
Deputy Attorney General
Attorneys for Complainant

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