

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

In the Matter of the Accusation Against:

GO GO SMOG & AUTO GLASS
260 Garden Highway, Suite E
Yuba City, CA 95991
GUSTAVO GONZALEZ, OWNER
Automotive Repair Dealer Registration
No. ARD 261602

Smog Check Station License
No. RC 261602

and

IRVIN JESUS YANEZ
1628 South Pointe Drive
Yuba City, CA 95991

Advanced Emission Specialist Technician
License No. EA 631690

Respondents.

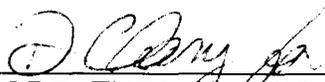
Case No. 79/12-171

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.

This Decision shall become effective 12/26/12.

DATED: NOV 26 2012



DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 LESLIE A. BURGERMYER
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7 *Attorneys for Complainant*

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:

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Yuba City, CA 95991
14 **GUSTAVO GONZALEZ, OWNER**
Automotive Repair Dealer Registration No.
ARD 261602
15 **Smog Check Station License No. RC 261602**

16 and

17 **IRVIN JESUS YANEZ**
18 **1628 South Pointe Drive**
Yuba City, CA 95991
19 **Advanced Emission Specialist Technician**
License No. EA 631690

20 Respondents.

Case No. 79/12-171

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

21
22 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
23 entitled proceedings that the following matters are true:

24 **PARTIES**

25 1. John Wallauch ("Complainant") is the Chief of the Bureau of Automotive Repair
26 ("Bureau"), Department of Consumer Affairs. He brought this action solely in his official
27 capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of
28 California, by Leslie A. Burgermyer, Deputy Attorney General.

1 licensing agency is involved, and shall not be admissible in any other criminal or civil
2 proceeding.

3 CONTINGENCY

4 16. This stipulation shall be subject to approval by the Director of Consumer Affairs or
5 his designee. Respondent Go Go Smog and Respondent Yanez, individually, understand and
6 agree that counsel for Complainant and the staff of the Bureau may communicate directly with
7 the Director and staff of the Department of Consumer Affairs regarding this stipulation and
8 settlement, without notice to or participation by Respondents. By signing the stipulation,
9 Respondent Go Go Smog and Respondent Yanez, individually, understand and agree that he may
10 not withdraw his agreement or seek to rescind the stipulation prior to the time the Director
11 considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and
12 Order, then the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except
13 for this paragraph, it shall be inadmissible in any legal action between the parties, and the
14 Director shall not be disqualified from further action by having considered this matter.

15 17. The parties understand and agree that facsimile copies of this Stipulated Settlement
16 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
17 effect as the originals.

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

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

27 ///

28 ///

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Automotive Repair Dealer Registration Number ARD261602 and Smog Check Station License Number RC261602 issued to Respondent Gustavo Gonzalez, doing business as Go Go Smog & Auto Glass (“Respondent Go Go”) are revoked. The revocation of Advanced Emission Specialist Technician License Number EA152083 issued to Respondent Irvin Jesus Yanez (“Respondent Yanez”) is revoked. However, the Automotive Repair Dealer Registration Number ARD261602 and Smog Check Station License Number RC261602 and Advanced Emission Specialist Technician License Number EA152083 are stayed, and each is placed on probation for three (3) years, on the following terms and conditions.

1. Actual Suspension.

a. Automotive Repair Dealer Registration Number ARD261602 and Smog Check Station License Number RC261602 issued to Respondent Go Go are suspended for fifteen (15) consecutive days from the effective date of the decision.

b. Advanced Emission Specialist Technician License Number EA152083 issued to Respondent Yanez is suspended for fifteen (15) consecutive days from the effective date of the decision.

2. Obey All Laws. Respondent Go Go and Respondent Yanez shall comply with all statutes, regulations and rules governing automotive inspections, estimates and repairs.

3. Post Sign. Respondent Go Go shall post a prominent sign at Go Go Smog and Respondent Yanez shall post a prominent sign at his place of employment (the signs will be provided by the Bureau) indicating the beginning and ending dates of their respective suspensions and indicating the reasons for the suspension. The signs shall be conspicuously displayed in a location open to and frequented by customers and shall remain posted during the entire period of actual suspension.

4. Reporting. Respondent Go Go and Respondent Yanez, or their authorized representative, must report in person or in writing as prescribed by the Bureau, on a schedule set by the Bureau, but no more frequently than each quarter, on the methods used and success achieved in maintaining compliance with the terms and conditions of probation.

1 5. **Report Financial Interest.** Within thirty (30) days of the effective date of this
2 action, Respondents shall each report any financial interest which any partners, officers, or
3 owners of the Respondent Go Go facility may have in any other business required to be registered
4 pursuant to Section 9884.6 of the Business and Professions Code.

5 6. **Random Inspections.** Respondents shall provide Bureau representatives unrestricted
6 access to inspect all vehicles (including parts) undergoing repairs, up to and including the point of
7 completion.

8 7. **Jurisdiction.** If an accusation or petition to revoke probation is filed against
9 Respondent Go Go or Respondent Yanez during the term of probation, then the Director of the
10 Department of Consumer Affairs shall have continuing jurisdiction over this matter until the final
11 decision on the accusation or petition to revoke probation, and the period of probation shall be
12 extended until such decision.

13 8. **Violation of Probation.** Should the Director determine that Respondent Go Go or
14 Respondent Yanez has failed to comply with the terms and conditions of probation, then the
15 Director may, after giving notice and opportunity to be heard, revoke the Automotive Repair
16 Dealer Registration Number ARD261602 or the Smog Check Station License Number RC
17 261602, or both, issued to Respondent Go Go, or the Advanced Emission Specialist Technician
18 License Number EA631690 issued to Respondent Yanez.

19 9. **Continuing Education Courses.** During the period of probation, Respondent Yanez,
20 at his own expense, shall attend and successfully complete a BAR Certified 68 Hour Technician
21 Training Course in diagnosis and repair of emission systems failures and engine performance,
22 applicable to the class of license held by Respondent Yanez. Said course shall be completed and
23 proof of completion submitted to the Bureau within sixty (60) days of the effective date of this
24 decision and order. If proof of completion of the course is not furnished to the Bureau within the
25 sixty (60) day period, then Respondent Yanez's Advanced Emission Specialist License Number
26 EA631690 shall be immediately suspended until such proof is received.

27 10. **Cost Recovery.** Respondent Go Go shall pay cost recovery to the Bureau for its
28 investigation and enforcement costs in this matter in the amount of \$8,646.95. Payment to the

1 Bureau shall be paid in twenty-four (24) equal monthly installments and the full amount of cost
2 recovery shall be received no later than twelve (12) months before probation terminates. Failure
3 to complete payment of cost recovery within this time frame shall constitute a violation of
4 probation which may subject Respondent Go Go's Automotive Repair Dealer Registration
5 Number ARD261602 and Smog Check Station License Number RC261602 to outright
6 revocation. However, the Director or his/her designee at the Bureau may elect to continue
7 probation until such time as reimbursement of the entire cost recovery amount has been made to
8 the Bureau.

9 **ACCEPTANCE**

10 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
11 stipulation and the effect it will have on my Automotive Repair Dealer Registration License
12 Number ARD261602 and Smog Check Station License Number RC261602. I enter into this
13 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
14 to be bound by the Decision and Order of the Director of Consumer Affairs.

15
16 DATED: 9-19-2012 *Gustavo Gonzalez*
17 ~~GUSTAVO GONZALEZ~~, OWNER, GO GO SMOG &
18 AUTO GLASS
Respondent

19 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
20 stipulation and the effect it will have on my Advanced Emission Specialist Technician License
21 Number EA631690. I enter into this Stipulated Settlement and Disciplinary Order voluntarily,
22 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of
23 Consumer Affairs.

24
25 DATED: _____
26 IRVIN JESUS YANEZ
27 Respondent
28

1 the Bureau shall be paid in twenty-four (24) equal monthly installments and the full amount of
2 cost recovery shall be received no later than twelve (12) months before probation terminates.
3 Failure to complete payment of cost recovery within this time frame shall constitute a violation of
4 probation which may subject Respondent Go Go's Automotive Repair Dealer Registration
5 Number ARD261602 and Smog Check Station License Number RC261602 to outright
6 revocation. However, the Director or his/her designee at the Bureau may elect to continue
7 probation until such time as reimbursement of the entire cost recovery amount has been made to
8 the Bureau.

9 ACCEPTANCE

10 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
11 stipulation and the effect it will have on my Automotive Repair Dealer Registration License
12 Number ARD261602 and Smog Check Station License Number RC261602. I enter into this
13 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
14 to be bound by the Decision and Order of the Director of Consumer Affairs.

15
16 DATED: _____

17 GUSTAVO GONZALEZ, OWNER, GO GO SMOG &
18 AUTO GLASS
Respondent

19 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
20 stipulation and the effect it will have on my Advanced Emission Specialist Technician License
21 Number EA631690. I enter into this Stipulated Settlement and Disciplinary Order voluntarily,
22 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of
23 Consumer Affairs.

24
25 DATED: 9/12/12 _____

26 IRVIN JESUS YANEZ
27 Respondent
28

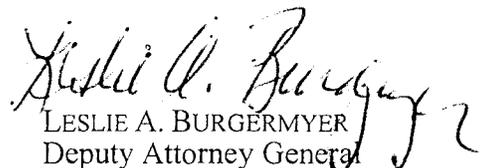
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ENDORSEMENT

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

DATED: 9/12/12

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General


LESLIE A. BURGERMYER
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 79/12-171

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3 LESLIE A. BURGERMYER
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7 *Attorneys for Complainant*

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10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
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14 **Yuba City, CA 95991**
GUSTAVO GONZALEZ, OWNER
Automotive Repair Dealer Registration No.
15 **ARD 261602**
Smog Check Station License No. RC 261602,

A C C U S A T I O N

S M O G C H E C K

16 **and**

17 **IRVIN JESUS YANEZ**
1628 South Pointe Drive
18 **Yuba City, CA 95991**
Advanced Emission Specialist Technician
19 **License No. EA 631690**

20 Respondents.
21

22 Complainant alleges:

23 **PARTIES**

24 1. John Wallauch ("Complainant") brings this Accusation solely in his official capacity
25 as the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

26 **Automotive Repair Dealer Registration**

27 2. On or about April 15, 2010, the Bureau issued Automotive Repair Dealer Registration
28 Number ARD 261602 ("registration") to Gustavo Gonzalez ("Respondent Go Go"), doing

1 business as Go Go Smog & Auto Glass. The registration will expire on March 31, 2013, unless
2 renewed.

3 **Smog Check Station License**

4 3. On or about April 19, 2010, the Bureau issued Smog Check Station License Number
5 RC 261602 ("station license") to Respondent Go Go. The station license will expire on March
6 31, 2013, unless renewed.

7 **Advanced Emission Specialist Technician License**

8 4. On or about January 25, 2010, the Bureau issued Advanced Emission Specialist
9 Technician License Number EA 631690 ("technician license") to Irvin Jesus Yanez ("Respondent
10 Yanez"). The technician license was in full force and effect at all times relevant to the charges
11 brought herein and will expire on December 31, 2013, unless renewed.

12 **STATUTORY PROVISIONS**

13 5. Section 9884.7 of the Business and Professions Code ("Code") states, in pertinent
14 part:

15 (a) The director, where the automotive repair dealer cannot show there
16 was a bona fide error, may deny, suspend, revoke, or place on probation the
17 registration of an automotive repair dealer for any of the following acts or omissions
18 related to the conduct of the business of the automotive repair dealer, which are done
19 by the automotive repair dealer or any automotive technician, employee, partner,
20 officer, or member of the automotive repair dealer.

21 (1) Making or authorizing in any manner or by any means whatever any
22 statement written or oral which is untrue or misleading, and which is known, or which
23 by the exercise of reasonable care should be known, to be untrue or misleading.

24 (4) Any other conduct that constitutes fraud.

25 (b) Except as provided for in subdivision (c), if an automotive repair
26 dealer operates more than one place of business in this state, the director pursuant to
27 subdivision (a) shall only suspend, revoke, or place on probation the registration of
28 the specific place of business which has violated any of the provisions of this chapter.
This violation, or action by the director, shall not affect in any manner the right of the
automotive repair dealer to operate his or her other places of business.

(c) Notwithstanding subdivision (b), the director may suspend, revoke, or
place on probation 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.

///

1 6. Code section 118, subdivision (b) states:

2 The suspension, expiration, or forfeiture by operation of law of a license
3 issued by a board in the department, or its suspension, forfeiture, or cancellation by
4 order of the board or by order of a court of law, or its surrender without the written
5 consent of the board, shall not, during any period in which it may be renewed,
6 restored, reissued, or reinstated, deprive the board of its authority to institute or
7 continue a disciplinary proceeding against the licensee upon any ground provided by
8 law or to enter an order suspending or revoking the license or otherwise taking
9 disciplinary action against the licensee on any such ground.

10 7. Code section 9884.13 provides, in pertinent part, that the expiration of a valid
11 registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary
12 proceeding against an automotive repair dealer or to render a decision invalidating a registration
13 temporarily or permanently.

14 8. Code section 477 provides, in pertinent part, that "Board" includes "bureau,"
15 "commission," "committee," "department," "division," "examining committee," "program," and
16 "agency." "License" includes certificate, registration or other means to engage in a business or
17 profession regulated by the Code.

18 9. Section 44002 of the Health and Safety Code provides, in pertinent part, that the
19 Director has all the powers and authority granted under the Automotive Repair Act for enforcing
20 the Motor Vehicle Inspection Program.

21 10. Section 44072.2 of the Health and Safety Code states, in pertinent part:

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

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

28 (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.

 11. Section 44072.6 of the Health and Safety Code provides, in pertinent part, that the
 expiration or suspension of a license by operation of law, or by order or decision of the Director

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1 of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive
2 the Director of jurisdiction to proceed with disciplinary action.

3 12. Section 44072.8 of the Health and Safety Code states:

4 When a license has been revoked or suspended following a hearing under
5 this article, any additional license issued under this chapter in the name of the
6 licensee may be likewise revoked or suspended by the director.

6 **COST RECOVERY**

7 13. Code section 125.3 provides, in pertinent part, that a Board may request the
8 administrative law judge to direct a licentiate found to have committed a violation or violations of
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case.

11 **UNDERCOVER OPERATION – DECEMBER 21, 2011**

12 14. On or about December 21, 2011, a Bureau undercover operator drove a Bureau-
13 documented 2006 Chevrolet Silverado to Respondent Go Go's facility and requested a smog
14 inspection. The vehicle could not pass the visual portion of a smog inspection because the
15 vehicle's exhaust gas recirculation ("EGR") system was missing. Respondent Yanez performed
16 the smog inspection and issued electronic Certificate of Compliance No. OI740274C for that
17 vehicle. The operator paid \$50 for the smog inspection and received a copy of Invoice No.
18 002691 and the Vehicle Inspection Report ("VIR").

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Misleading Statements)**

21 15. Respondent Go Go has subjected his registration to discipline under Code section
22 9884.7, subdivision (a)(1), in that on or about December 21, 2011, he made statements which he
23 knew or which by exercise of reasonable care he should have known were untrue or misleading
24 when he issued electronic Certificate of Compliance No. OI740274C for the 2006 Chevrolet
25 Silverado, certifying that the vehicle was in compliance with applicable laws and regulations
26 when, in fact, the vehicle's EGR system was missing.

27 ///

28 ///

1 a. **Section 3340.35, subdivision (c):** Respondent Go Go issued electronic Certificate of
2 Compliance No. OI740274C even though that vehicle had not been inspected in accordance with
3 section 3340.42 of that Code.

4 b. **Section 3340.42:** Respondent Go Go failed to conduct the required smog tests and
5 inspections on that vehicle in accordance with the Bureau's specifications.

6 **FIFTH CAUSE FOR DISCIPLINE**

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

8 19. Respondent Go Go has subjected his station license to discipline under Health and
9 Safety Code section 44072.2, subdivision (d), in that on or about December 21, 2011, regarding
10 the 2006 Chevrolet Silverado, he committed acts involving dishonesty, fraud or deceit whereby
11 another was injured by issuing electronic Certificate of Compliance No. OI740247C for that
12 vehicle without performing a bona fide inspection of the emission control devices and systems on
13 the vehicle, thereby depriving the People of the State of California of the protection afforded by
14 the Motor Vehicle Inspection Program.

15 **SIXTH CAUSE FOR DISCIPLINE**

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

17 20. Respondent Yanez has subjected his technician license to discipline under Health and
18 Safety Code section 44072.2, subdivision (a), in that on or about December 21, 2011, regarding
19 the 2006 Chevrolet Silverado, he violated sections of that Code, as follows:

20 a. **Section 44012, subdivision (a):** Respondent Yanez failed to determine that all
21 emission control devices and systems required by law were installed and functioning correctly in
22 accordance with test procedures.

23 b. **Section 44012, subdivision (f):** Respondent Yanez failed to perform emission
24 control tests on that vehicle in accordance with procedures prescribed by the department.

25 c. **Section 44032:** Respondent Yanez failed to perform tests of the emission control
26 devices and systems on that vehicle in accordance with section 44012 of that Code.

27 ///

28 ///

1 (failure to perform a visual/functional check of emission control devices) and California Code of
2 Regulations, title 16, ("Regulation"), section 3340.35, subdivision (c) (issuing a certificate of
3 compliance to a vehicle improperly tested). Respondent Go Go issued a certificate of compliance
4 to a Bureau vehicle with a missing positive crankcase ventilation system. The Bureau assessed a
5 civil penalty of \$1,000. Respondent Go Go complied with this citation on September 27, 2010.

6 b. On November 2, 2010, the Bureau issued Citation No. C2011-0550 to Respondent Go
7 Go against his station license for violations of Health and Safety Code section 44012, subdivision
8 (f) (failure to perform a visual/functional check of emission control devices) and Regulation,
9 section 3340.35, subdivision (c) (issuing a certificate of compliance to a vehicle improperly
10 tested). Respondent Go Go issued a certificate of compliance to a Bureau vehicle equipped with
11 an unapproved adjustable fuel pressure regulator. The Bureau assessed a civil penalty of \$1,500.
12 Respondent Go Go complied with this citation on January 7, 2011.

13 c. On May 13, 2011, the Bureau issued Citation No. C2011-1240 to Respondent Go Go
14 against his station license for violations of Health and Safety Code section 44012, subdivision (f)
15 (failure to perform a visual/functional check of emission control devices). Respondent Go Go
16 issued a certificate of compliance to a Bureau vehicle with a non-functional malfunction indicator
17 lamp. The Bureau assessed a civil penalty of \$1,500. Respondent Go Go appealed this citation
18 on June 30, 2011. Respondent Go Go paid the citation on January 30, 2012, and withdrew the
19 appeal on February 2, 2012.

20 d. On July 28, 2010, the Bureau issued Citation No. M2011-0105 to Respondent Yanez
21 against his technician license for violations of Health and Safety Code section 44032, (qualified
22 technicians shall perform tests of emission control systems and devices in accordance with
23 section 44012 of that Code) and California Code of Regulations, title 16, ("Regulation") section
24 3340.30, subdivision (a) (qualified technicians shall inspect, test, and repair vehicles in
25 accordance with sections 44012 and 44035 of the Health and Safety Code, and Regulation section
26 3340.42). Respondent Yanez issued a certificate of compliance to a Bureau vehicle with a
27 missing positive crankcase ventilation system. Respondent Yanez was required to attend an 8-
28 hour training course. Respondent Yanez complied with this citation on August 14, 2010.

1 e. On November 2, 2010, the Bureau issued Citation No. M2011-0551 to Respondent
2 Yanez against his technician license for violations of Health and Safety Code section 44032,
3 (qualified technicians shall perform tests of emission control systems and devices in accordance
4 with section 44012 of that Code) and California Code of Regulations, title 16, ("Regulation")
5 section 3340.30, subdivision (a) (qualified technicians shall inspect, test, and repair vehicles in
6 accordance with sections 44012 and 44035 of the Health and Safety Code, and Regulation section
7 3340.42). Respondent Yanez issued a certificate of compliance to a Bureau vehicle equipped
8 with an unapproved adjustable fuel pressure regulator. Respondent Yanez was required to attend
9 a 16-hour training course. Respondent Yanez complied with this citation on December 14, 2010.

10 f. On May 13, 2011, the Bureau issued Citation No. M2011-1241 to Respondent Yanez
11 against his technician license for violations of Health and Safety Code section 44032, (qualified
12 technicians shall perform tests of emission control systems and devices in accordance with
13 section 44012 of that Code). Respondent Yanez issued a certificate of compliance to a Bureau
14 vehicle with a non-functional malfunction indicator lamp. Respondent Yanez was required to
15 attend a 68-hour training course. Respondent Yanez appealed this citation on June 28, 2011;
16 however, Respondent Yanez withdrew the appeal and completed the training on January 30,
17 2012.

18 OTHER MATTERS

19 24. Under Code section 9884.7, subdivision (c), the director may invalidate temporarily
20 or permanently or refuse to validate, the registrations for all places of business operated in this
21 state by Gustavo Gonzalez, upon a finding that he has, or is, engaged in a course of repeated and
22 willful violations of the laws and regulations pertaining to an automotive repair dealer.

23 25. Under Health and Safety Code section 44072.8, if Smog Check Station License
24 Number RC 261602, issued to Gustavo Gonzalez doing business as Go Go Smog & Auto Glass,
25 is revoked or suspended, any additional license issued under this chapter in the name of said
26 licensee may be likewise revoked or suspended by the director.

27 26. Under Health and Safety Code section 44072.8, if Advanced Emission Specialist
28 Technician License Number EA 631690, issued to Irvin Jesus Yanez, is revoked or suspended,

1 any additional license issued under this chapter in the name of said licensee may be likewise
2 revoked or suspended by the director.

3 PRAYER

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Director of Consumer Affairs issue a decision:

- 6 1. Revoking, suspending or placing on probation Automotive Repair Dealer Registration
7 Number ARD 261602, issued to Gustavo Gonzalez doing business as Go Go Smog & Auto
8 Glass;
- 9 2. Revoking, suspending or placing on probation any other automotive repair dealer
10 registration issued to Gustavo Gonzalez;
- 11 3. Revoking or suspending Smog Check Station License Number RC 261602, issued to
12 Gustavo Gonzalez doing business as Go Go Smog & Auto Glass;
- 13 4. Revoking or suspending any additional license issued under Chapter 5 of the Health
14 and Safety Code in the name of Gustavo Gonzalez;
- 15 5. Revoking or suspending Advanced Emission Specialist Technician License Number
16 EA 631690, issued to Irvin Jesus Yanez;
- 17 6. Revoking or suspending any additional license issued under Chapter 5 of the Health
18 and Safety Code in the name of Irvin Jesus Yanez;
- 19 7. Ordering Gustavo Gonzalez and Irvin Jesus Yanez to pay the Bureau of Automotive
20 Repair the reasonable costs of the investigation and enforcement of this case, pursuant to
21 Business and Professions Code section 125.3; and,
- 22 8. Taking such other and further action as deemed necessary and proper.

23
24
25 DATED: June 21 2012


JOHN WALLAUCH
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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