

1 KAMALA D. HARRIS  
Attorney General of California  
2 KENT D. HARRIS  
Supervising Deputy Attorney General  
3 LESLIE A. BURGERMYER  
Deputy Attorney General  
4 State Bar No. 117576  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5337  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation and Petition to  
Revoke Probation Against:

Case No. 79/15-79

13 **GOLDEN STATE SMOG & REPAIR**  
14 **IRVIN J. YANEZ, AKA**  
15 **IRVIN JESUS YANEZ, OWNER**  
870 Von Geldern Way  
16 Yuba City, CA 95991  
**Automotive Repair Dealer Registration No.**  
**ARD 269328**  
**Smog Check Station License No. RC 269328**

**ACCUSATION AND PETITION TO  
REVOKE PROBATION**

17 **Mailing Address:**

18 **GOLDEN STATE SMOG & REPAIR,**  
19 **IRVIN J. YANEZ, AKA**  
20 **IRVIN JESUS YANEZ, OWNER**  
1488 Knights Row  
Yuba City, CA 95991

21 and

22 **IRVIN JESUS YANEZ, AKA**  
23 **IRVIN J. YANEZ**  
1628 South Pointe Drive  
Yuba City, C 95991  
24 **Smog Check Inspector (EO) License**  
**No. 631690**  
25 **Smog Check Repair Technician (EI) License**  
**No. 631690**  
26 **(formerly Advanced Emission Specialist**  
27 **Technician License No. EA 631690)**

28 Respondents.

1 Patrick Dorais (“Complainant”) alleges:

2 **PARTIES**

3 1. Complainant brings this Accusation and Petition to Revoke Probation solely in his  
4 official capacity as the Chief of the Bureau of Automotive Repair (“Bureau”), Department of  
5 Consumer Affairs.

6 **Automotive Repair Dealer Registration**

7 2. On or about June 5, 2012, the Director of Consumer Affairs (“Director”) issued  
8 Automotive Repair Dealer Registration Number ARD 269328 (“registration”) to Irvin J. Yanez,  
9 also known as Irvin Jesus Yanez (“Respondent”), doing business as Golden State Smog & Repair.  
10 The automotive repair dealer registration was in full force and effect at all times relevant to the  
11 charges brought herein and will expire on June 30, 2015, unless renewed.

12 **Smog Check Station License**

13 3. On or about November 8, 2012, the Director issued Smog Check Station License  
14 Number RC 269328 (“station license”) to Respondent. The smog check station license was in full  
15 force and effect at all times relevant to the charges brought herein and will expire on June 30,  
16 2015, unless renewed.

17 **Smog Check Inspector/Smog Check Repair Technician Licenses**

18 4. On January 25, 2010, the Director issued Advanced Emission Specialist (EA)  
19 Technician License Number 631690 to Respondent. Pursuant to California Code of Regulations,  
20 title 16 (“Regulations”), section 3340.28, subdivision (e), and effective December 10, 2013,  
21 Respondent elected to renew the license as Smog Check Inspector (EO) License No. 631690 and  
22 Smog Check Repair Technician (EI) License No. 631690.<sup>1</sup> The Smog Check Inspector (EO)  
23 License No. 631690 and Smog Check Repair Technician (EI) License No. 631690 were in full  
24

25 <sup>1</sup> Effective August 1, 2012, California Code of Regulations, title 16, sections 3340.28,  
26 3340.29, and 3340.30 were amended to implement a license restructure from the Advanced  
27 Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog  
28 Check Inspector (EO) License and/or Smog Check Repair Technician (EI) License.

1 force and effect at all times relevant to the charges brought herein and will expire on  
2 December 31, 2015, unless renewed.

3 **Prior Disciplinary Action**

4 5. In a disciplinary action entitled *In the Matter of the Accusation Against Go Go Smog*  
5 *& Auto Glass. . . and Irvin Jesus Yanez, Advanced Emission Specialist Technician License No.*  
6 *EA 631690*, Case No. 79/12-171, the Director adopted a Stipulated Settlement and Disciplinary  
7 Order, effective December 20, 2012, revoking Respondent's Advanced Emission Specialist  
8 Technician License. However, the revocation was stayed and Respondent's Advanced Emission  
9 Technician License (which has been renewed as Respondent's Smog Check Inspector (EO)  
10 License No. 631690 and Smog Check Repair Technician (EI) License No. 631690) was placed on  
11 probation for three (3) years with certain terms and conditions.

12 **STATUTORY AND REGULATORY PROVISIONS**

13 6. 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 was a  
16 bona fide error, may deny, suspend, revoke, or place on probation the registration of  
17 an automotive repair dealer for any of the following acts or omissions related to the  
18 conduct of the business of the automotive repair dealer, which are done by the  
19 automotive repair dealer or any automotive technician, employee, partner, officer, or  
20 member of the automotive repair dealer.

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

21 (4) Any other conduct that constitutes fraud.

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

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

27 (c) Notwithstanding subdivision (b), the director may suspend, revoke, or place  
28 on probation the registration for all places of business operated in this state by an

1 automotive repair dealer upon a finding that the automotive repair dealer has, or is,  
2 engaged in a course of repeated and willful violations of this chapter, or regulations  
3 adopted pursuant to it.

4  
5  
6  
7  
8  
9 7. Code section 118, subdivision (b), states:

10 The suspension, expiration, or forfeiture by operation of law of a license issued  
11 by a board in the department, or its suspension, forfeiture, or cancellation by order of  
12 the board or by order of a court of law, or its surrender without the written consent of  
13 the board, shall not, during any period in which it may be renewed, restored, reissued,  
14 or reinstated, deprive the board of its authority to institute or continue a disciplinary  
15 proceeding against the licensee upon any ground provided by law or to enter an order  
16 suspending or revoking the license or otherwise taking disciplinary action against the  
17 licensee on any such ground.

18  
19 8. Code section 9884.13 provides, in pertinent part, that the expiration of a valid  
20 registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary  
21 proceeding against an automotive repair dealer or to render a decision invalidating a registration  
22 temporarily or permanently.

23 9. Code section 477 provides, in pertinent part, that "Board" includes "bureau,"  
24 "commission," "committee," "department," "division," "examining committee," "program," and  
25 "agency." "License" includes certificate, registration or other means to engage in a business or  
26 profession regulated by the Code.

27 10. Health and Safety Code section 44002 provides, in pertinent part, that the Director  
28 has all the powers and authority granted under the Automotive Repair Act for enforcing the  
Motor Vehicle Inspection Program.

11. Health & Safety Code section 44072.2 states, in pertinent part:

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

(a) Violates any section of this chapter [the Motor Vehicle Inspection  
Program (Health and Safety 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.



1 set forth in Table 1, below, certifying that he had tested and inspected those vehicles and that the  
 2 vehicles were in compliance with applicable laws and regulations. In fact, Respondent performed  
 3 the smog inspections using the clean piping method<sup>2</sup> by using the tail pipe emissions of vehicles  
 4 other than the vehicles being certified in order to issue the electronic certificates of compliance.  
 5 The vehicles certified were not in the test bay at the time of the smog inspections.

6 **Table 1**

7 <b>Date and Test Times</b>	<b>Vehicle Certified</b>	<b>Vehicle Actually Tested</b>	<b>Certificate Issued</b>	<b>Details</b>
8 <b>1.</b> 4/10/2014 1316 hours to 1323 hours	2001 Honda Civic license number 4VLC045	Gold Convertible and Black Ford Mustang	PG291257C	Respondent performed the smog inspection.
11 <b>2.</b> 4/10/2014 1455 hours to 1505 hours	1988 Ford F-150 Pickup license number 3P18135	Burgundy Chevrolet Suburban	PG291259C	Respondent performed the smog inspection.
14 <b>3.</b> 4/10/2014 1527 hours to 1534 hours	2002 Chevrolet Corvette license number 5CWL641	White Chevrolet Camaro & Black Ford Mustang	PG291260C	Respondent performed the smog inspection.
17 <b>4.</b> 4/10/2014 1726 hours to 1734 hours	2007 Toyota Corolla license number 6MSV944	Beige Chevrolet Tahoe	PG291262C	Respondent performed the smog inspection.

20 **FIRST CAUSE FOR DISCIPLINE**

21 **(Untrue or Misleading Statements)**

22 18. Respondent's registration is subject to disciplinary action under Code section 9884.7,  
 23 subdivision (a)(1), in that on or about April 10, 2014, Respondent made or authorized statements  
 24 which he knew or in the exercise of reasonable care should have known to be untrue or

25 \_\_\_\_\_  
 26 <sup>2</sup> "Clean piping" is the sampling the (clean) tail pipe emissions and/or the RPM readings  
 27 of another vehicle for the purpose of illegally issuing smog certificates to vehicles that are not in  
 28 compliance or are not present in the smog check area during the time of the certification.

1 misleading. Specifically, Respondent issued Certificates of Compliance, certifying that vehicles  
2 were in compliance with applicable laws and regulations when, in fact, those vehicles had been  
3 clean-piped, as set forth in paragraph 17, above, incorporated herein by reference.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Fraud)**

6 19. Respondent's registration is subject to disciplinary action under Code section 9884.7,  
7 subdivision (a)(4), in that on or about April 10, 2014, Respondent committed acts that constitute  
8 fraud by issuing Certificates of Compliance for vehicles without performing a bona fide  
9 inspection on those vehicles, as set forth in paragraph 17, above, incorporated herein by  
10 reference, thereby depriving the People of the State of California of the protection afforded by the  
11 Motor Vehicle Inspection Program.

12 **THIRD CAUSE FOR DISCIPLINE**

13 **(Violation of the Motor Vehicle Inspection Program)**

14 20. Respondent's station license is subject to disciplinary action under Health & Safety  
15 Code section 44072.2, subdivision (a), in that on or about April 10, 2014, Respondent failed to  
16 comply with the provisions of that Code as regards the vehicles set forth in paragraph 17, above,  
17 incorporated herein by reference, as follows:

18 a. **Section 44012, subdivision (f):** Respondent failed to ensure that the emission  
19 control tests were performed in accordance with the procedures prescribed by the department.

20 b. **Section 44015, subdivision (b):** Respondent issued Certificates of Compliance  
21 without properly testing and inspecting the vehicles to determine if they were in compliance with  
22 Health & Safety Code section 44012.

23 c. **Section 44059:** Respondent falsely represented on the Certificates of Compliance  
24 that the vehicles had been inspected as required when, in fact, they had not.

25 **FOURTH CAUSE FOR DISCIPLINE**

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

27 21. Respondent's station license is subject to disciplinary action under Health & Safety  
28 Code section 44072.2, subdivision (c), in that on or about April 10, 2014, Respondent failed to

1 comply with Regulations as regards the vehicles set forth in paragraph 17, above, incorporated  
2 herein by reference, as follows:

3 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued  
4 Certificates of Compliance for the vehicles without performing a bona fide inspection of the  
5 emission control devices and systems on those vehicles as required by Health & Safety Code  
6 section 44012.

7 b. **Section 3340.35, subdivision (c):** Respondent issued Certificates of Compliance  
8 even though the vehicles had not been inspected in accordance with Regulation section 3340.42.

9 c. **Section 3340.41, subdivision (c):** Respondent entered false information into the EIS  
10 by entering vehicle identification information or emission control system identification data for  
11 vehicles other than the ones being tested.

12 d. **Section 3340.42:** Respondent failed to ensure that the required smog tests were  
13 conducted in accordance with the Bureau's specifications.

14 **FIFTH CAUSE FOR DISCIPLINE**

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

16 22. Respondent's station license is subject to disciplinary action under Health & Safety  
17 Code section 44072.2, subdivision (d), in that on or about April 10, 2014, Respondent committed  
18 a dishonest, fraudulent, or deceitful act whereby another is injured by issuing Certificates of  
19 Compliance for the vehicles set forth in paragraph 17, above, incorporated herein by reference,  
20 when, in fact, those vehicles had not been properly tested and inspected, thereby depriving the  
21 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
22 Program.

23 **SIXTH CAUSE FOR DISCIPLINE**

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

25 23. Respondent's smog check inspector license is subject to disciplinary action under  
26 Health & Safety Code section 44072.2, subdivision (a), in that on or about April 10, 2014,

27 ///

28

1 Respondent failed to comply with section 44012 of that Code as regards the vehicles set forth in  
2 paragraph 17, above, incorporated herein by reference, as follows:

3 a. **Section 44012, subdivision (f):** Respondent failed to determine that all emission  
4 control devices and systems required by law were installed and functioning correctly in  
5 accordance with prescribed test procedures.

6 b. **Section 44032:** Respondent failed to perform tests of the emission control devices  
7 and systems in accordance with Health & Safety Code section 44012, in that the vehicles had  
8 been clean-piped.

9 c. **Section 44059:** Respondent willfully made false entries into the Emission Inspection  
10 System ("EIS") for a Certificate of Compliance by entering vehicle identification information or  
11 emission control information for a vehicle other than the ones being tested.

12 **SEVENTH CAUSE FOR DISCIPLINE**

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

14 24. Respondent's smog check inspector license is subject to disciplinary action under  
15 Health & Safety Code section 44072.2, subdivision (c), in that on or about April 10, 2014,  
16 Respondent failed to comply with Regulations as regards the vehicles set forth in paragraph 17,  
17 above, incorporated herein by reference, as follows:

18 a. **Section 3340.30, subdivision (a):** Respondent failed to inspect and test the vehicles  
19 in accordance with Health & Safety Code section 44012.

20 b. **Section 3340.41, subdivision (c):** Respondent entered false information into the EIS  
21 by entering vehicle identification information or emission control system identification data for a  
22 vehicle other than the ones being tested.

23 c. **Section 3340.42:** Respondent failed to ensure that the required smog tests were  
24 conducted in accordance with the Bureau's specifications.

25 ///

26 ///

27 ///

28

1 **EIGHTH CAUSE FOR DISCIPLINE**

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

3 25. Respondent's technician licenses are subject to disciplinary action under to Health &  
4 Safety Code section 44072.2, subdivision (d), in that on or about April 10, 2014, Respondent  
5 committed a dishonest, fraudulent or deceitful act whereby another is injured by issuing  
6 Certificates of Compliance for the vehicles set forth in paragraph 17, above, incorporated herein  
7 by reference, without performing a bona fide inspection of the emission control devices and  
8 systems on those vehicles, thereby depriving the People of the State of California of the  
9 protection afforded by the Motor Vehicle Inspection Program.

10 **SURVEILLANCE OPERATION – APRIL 30, 2014**

11 26. On or about April 30, 2014, the Bureau performed a surveillance operation at  
12 Respondent Golden State Smog & Repair's facility located at 870 Von Geldern Way, in Yuba  
13 City, California. The surveillance operation and information obtained from the Bureau's VID  
14 revealed that between 1658 hours and 1708 hours, Respondent Irvin J. Yanez, also known as  
15 Irvin Jesus Yanez, ("Respondent") performed a smog inspection on a 2003 Chevrolet Impala,  
16 license number 5BLT435, and issued electronic Certificate of Compliance #PG459235C,  
17 certifying that he had tested and inspected the vehicle and that the vehicle was in compliance with  
18 applicable laws and regulations. In fact, Respondent performed the smog inspection using the  
19 clean piping method by using the tail pipe emissions of a White Chevrolet Camaro and a Black  
20 Ford Mustang to issue the electronic certificate of compliance. The 2003 Chevrolet Impala was  
21 not in the test bay at the time of the smog inspection.

22 **NINTH CAUSE FOR DISCIPLINE**

23 **(Untrue or Misleading Statements)**

24 27. Respondent's registration is subject to disciplinary action under Code section 9884.7,  
25 subdivision (a)(1), in that on or about April 30, 2014, Respondent made or authorized statements  
26 which he knew or in the exercise of reasonable care should have known to be untrue or  
27 misleading. Specifically, Respondent issued a Certificate of Compliance for a 2003 Chevrolet  
28

1 Impala, certifying that the vehicle was in compliance with applicable laws and regulations when,  
2 in fact, the vehicle had been clean-piped.

3 **TENTH CAUSE FOR DISCIPLINE**

4 **(Fraud)**

5 28. Respondent's registration is subject to disciplinary action under Code section 9884.7,  
6 subdivision (a)(4), in that on or about April 30, 2014, Respondent committed an act that  
7 constitutes fraud by issuing a Certificate of Compliance for the 2003 Chevrolet Impala without  
8 performing a bona fide inspection on that vehicle, thereby depriving the People of the State of  
9 California of the protection afforded by the Motor Vehicle Inspection Program.

10 **ELEVENTH CAUSE FOR DISCIPLINE**

11 **(Violation of the Motor Vehicle Inspection Program)**

12 29. Respondent's station license is subject to disciplinary action under Health & Safety  
13 Code section 44072.2, subdivision (a), in that on or about April 30, 2014, Respondent failed to  
14 comply with the provisions of that Code as regards the 2003 Chevrolet Impala, as follows:

- 15 a. **Section 44012, subdivision (f):** Respondent failed to ensure that the emission  
16 control tests were performed in accordance with the procedures prescribed by the department.
- 17 b. **Section 44015, subdivision (b):** Respondent issued a Certificate of Compliance  
18 without properly testing and inspecting the vehicle to determine if it was in compliance with  
19 Health & Safety Code section 44012.
- 20 c. **Section 44059:** Respondent falsely represented on the Certificate of Compliance that  
21 the vehicle had been inspected as required when, in fact, it had not.

22 **TWELFTH CAUSE FOR DISCIPLINE**

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

24 30. Respondent's station license is subject to disciplinary action under Health & Safety  
25 Code section 44072.2, subdivision (c), in that on or about April 30, 2014, Respondent failed to  
26 comply with Regulations as regards the 2003 Chevrolet Impala, as follows:

27 ///

28

1 a. **Section 3340.24, subdivision (c):** Respondent falsely or fraudulently issued a  
2 Certificate of Compliance for the vehicle without performing a bona fide inspection of the  
3 emission control devices and systems on that vehicle as required by Health & Safety Code section  
4 44012.

5 b. **Section 3340.35, subdivision (c):** Respondent issued a Certificate of Compliance  
6 even though the vehicle had not been inspected in accordance with section 3340.42.

7 c. **Section 3340.41, subdivision (c):** Respondent entered false information into the EIS  
8 by entering vehicle identification information or emission control system identification data for a  
9 vehicle other than the one being tested.

10 d. **Section 3340.42:** Respondent failed to ensure that the required smog test was  
11 conducted in accordance with the Bureau's specifications.

12 **THIRTEENTH CAUSE FOR DISCIPLINE**

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

14 31. Respondent's station license is subject to disciplinary action under Health & Safety  
15 Code section 44072.2, subdivision (d), in that on or about April 30, 2014, Respondent committed  
16 a dishonest, fraudulent or deceitful act whereby another is injured by issuing a Certificate of  
17 Compliance for the 2003 Chevrolet Impala when, in fact, it had not been properly tested and  
18 inspected, thereby depriving the People of the State of California of the protection afforded by the  
19 Motor Vehicle Inspection Program.

20 **FOURTEENTH CAUSE FOR DISCIPLINE**

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

22 32. Respondent's smog check inspector license is subject to disciplinary action under  
23 Health & Safety Code section 44072.2, subdivision (a), in that on or about April 30, 2014,  
24 Respondent failed to comply with section 44012 of that Code as regards the 2003 Chevrolet  
25 Impala, as follows:

26 ///

27 ///

28

1 a. **Section 44012, subdivision (f):** Respondent failed to determine that all emission  
2 control devices and systems required by law were installed and functioning correctly in  
3 accordance with prescribed test procedures.

4 b. **Section 44032:** Respondent failed to perform tests of the emission control devices  
5 and systems in accordance with Health & Safety Code section 44012, in that the vehicle had been  
6 clean-piped.

7 c. **Section 44059:** Respondent willfully made false entries into the EIS for a Certificate  
8 of Compliance by entering vehicle identification information or emission control information for  
9 a vehicle other than the one being tested.

10 **FIFTEENTH CAUSE FOR DISCIPLINE**

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

12 33. Respondent's smog check inspector license is subject to disciplinary action under  
13 Health & Safety Code section 44072.2, subdivision (c), in that on or about April 30, 2014,  
14 Respondent failed to comply with Regulations as regards the 2003 Chevrolet Impala as follows:

15 a. **Section 3340.30(a):** Respondent failed to inspect and test the vehicle in accordance  
16 with Health & Safety Code section 44012.

17 b. **Section 3340.41, subdivision (c):** Respondent entered false information into the EIS  
18 by entering vehicle identification information or emission control system identification data for a  
19 vehicle other than the one being tested.

20 c. **Section 3340.42:** Respondent failed to ensure that the required smog test was  
21 conducted in accordance with the Bureau's specifications.

22 **SIXTEENTH CAUSE FOR DISCIPLINE**

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

24 34. Respondent's technician licenses are subject to disciplinary action under Health &  
25 Safety Code section 44072.2, subdivision (d), in that on or about April 30, 2014, Respondent  
26 committed a dishonest, fraudulent or deceitful act whereby another is injured by certifying a  
27 Certificate of Compliance for the 2003 Chevrolet Impala without performing a bona fide  
28

1 inspection of the emission control devices and systems on the vehicle, thereby depriving the  
2 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
3 Program.

4 **PETITION TO REVOKE PROBATION**

5 35. Complainant incorporates by reference as though fully set forth herein the allegations  
6 contained in paragraphs 17, 23 through 25, and 32 through 34, and their subparts, above.

7 36. Condition Number 8 of Respondent's probation states, in pertinent part:

8 Should the Director determine that . . . Respondent Yanez has failed to comply  
9 with the terms and conditions of probation, then the Director may, after giving notice  
10 and opportunity to be heard, revoke the . . . Advanced Emission Specialist Technician  
11 License Number EA631690 issued to Respondent Yanez.

12 37. Grounds exist to revoke Respondent's probation and re-impose the order of  
13 revocation of his Smog Check Inspector License and Smog Check Repair Technician License  
(formerly Advanced Emission Specialist Technician License).

14 **CAUSE TO REVOKE PROBATION**

15 **(Failure to Obey All Laws)**

16 38. Condition 2 of Respondent's probation states, in pertinent part, "[R]espondent Yanez  
17 shall comply with all statutes, regulations and rules governing automotive inspections, estimates  
18 and repairs."

19 39. Respondent's probation is subject to revocation in that he failed to comply with all  
20 statutes, regulations, and rules governing automotive inspections, as set forth above in  
21 paragraphs 17, 23 through 25, and 32 through 34, and subparts, above.

22 **OTHER MATTERS**

23 40. Under Code section 9884.7, subdivision (c), the director may invalidate temporarily  
24 or permanently or refuse to validate, the registrations for all places of business operated in this  
25 state by Irvin J. Yanez, also known as Irvin Jesus Yanez, upon a finding that he has, or is,  
26 engaged in a course of repeated and willful violations of the laws and regulations pertaining to an  
27 automotive repair dealer.



