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

In the Matter of the Accusation Against**:** **GUAROCUYA GONZALEZ, OWNER, DBA DOMEX MOTOR** 4624 E Olympic Blvd. Los Angeles, CA 90022 Automotive Repair Dealer Registration No. ARD 297971 Smog Check Test and Repair Station License No. RC 297971 Vehicle Safety Systems Station License No. VS 297971 and **GUAROCUYA GONZALEZ** 14355 School St Baldwin Park, CA 91706 Smog Check Inspector License No. EO 139150 Smog Check Repair Technician License No. EI 139150 Vehicle Safety Systems Technician License No. ST 139150 Respondents.	Case No. 77/26-5145 **ACCUSATION**

PARTIES

1. Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as the Chief of the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs.

2. On or about September 11, 2020, the Bureau of Automotive Repair issued Automotive Repair Dealer Registration Number ARD 297971 to Guarocuya Gonzalez, dba Domex Motor (Respondent Domex Motor). The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2026, unless renewed.

3. On or about October 14, 2020, the Bureau of Automotive Repair issued Smog Check, Test-and-Repair, Station License Number RC 297971 to Respondent Domex Motor. The Smog Check, Test-and-Repair, Station License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2026, unless renewed.

4. On or about February 23, 2021, the Bureau certified Respondent Domex Motor as a STAR station. The certification will remain active unless the Automotive Repair Dealer Registration and/or Smog Check Test and Repair Station License is revoked, cancelled, licenses become delinquent, or certification is suspended.

5. On or about July 3, 2024, the Bureau of Automotive Repair issued Vehicle Safety Systems Station License Number VS 297971 to Respondent Domex Motor. The Vehicle Safety Systems Station License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2026, unless renewed.

6. On or about August 10, 2012, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 139150 to Guarocuya Gonzalez (Respondent Gonzalez). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2027, unless renewed.

7. On or about August 10, 2012, the Bureau of Automotive Repair issued Smog Check Repair Technician License Number EI 139150 to Respondent Gonzalez. The Smog Check Repair Technician License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2027, unless renewed.

8. On or about May 16, 2024, the Bureau of Automotive Repair issued Vehicle Safety System Technician License Number ST 139150 to Respondent Gonzalez. The Vehicle Safety System Technician License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2026, unless renewed.

JURISDICTION

9. This Accusation is brought before the Director of the Department of Consumer Affairs (Director) for the Bureau of Automotive Repair, under the authority of the following laws.

10. Business and Professions Code section 118, subdivision (b), provides that suspension, expiration, surrender, or cancellation of a license shall not deprive the Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

11. Business and Professions Code section 9884.7 provides that the Director may revoke an automotive repair dealer registration.

12. Business and Professions Code section 9884.13 provides, in pertinent part, that the expiration of a valid registration shall not deprive the Director of jurisdiction to proceed with a disciplinary proceeding against an automotive repair dealer or to render a decision temporarily or permanently invalidating (suspending or revoking) a registration.

13. Business and Professions Code section 9884.22, subdivision (a), provides:

> (a) Notwithstanding any other provision of law, the director may revoke, suspend, or deny at any time any registration required by this article on any of the grounds for disciplinary action provided in this article. The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

14. Business and Professions Code section 9889.1 provides that the Director may revoke any Vehicle Safety Systems Inspection license issued pursuant to Article 6.5.

15. Business and Professions Code section 9889.7 provides, in pertinent part, that the expiration, suspension, or voluntary surrender of a license by a licensee shall not deprive the Director of jurisdiction to proceed with a disciplinary proceeding against such licensee or to render a decision suspending or revoking such license.

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

17. Health and Safety Code section 44072.6 provides, in pertinent part, that the expiration or suspension of a license by operation of law, or by order or decision of the Director of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive the Director of jurisdiction to proceed with disciplinary action.

STATUTORY PROVISIONS

18. Business and Professions Code section 9884.7 states, in pertinent part:

> (a) The director, if the automotive repair dealer cannot show there was a bona fide error, may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the automotive repair dealer or any automotive technician, employee, partner, officer, or member of the automotive repair dealer:
>
> (1) Making or authorizing in any manner or by any means whatever any statement written or oral which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.
>
> . . . .
>
> (4) Any other conduct that constitutes fraud.
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> . . . .
>
> (6) Failure in any material respect to comply with the provisions of this chapter or regulations adopted pursuant to it.
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> . . . .
>
> (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.
>
> . . . .
>
> (e) For purposes of this section, "fraud" includes, but is not limited to, violations of this chapter involving misrepresentations and all of the following:
>
> (1) Any act or omission that is included within the definition of either "actual fraud" or "constructive fraud," as those terms are defined in Sections 1572 and 1573 of the Civil Code.

(2) A misrepresentation in any manner, whether intentionally false or due to gross negligence, of a material fact.

(3) A promise or representation not made honestly and in good faith.

(4) An intentional failure to disclose a material fact.

(5) Any act in violation of Section 484 of the Penal Code.

19. Business and Professions Code section 9889.3 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:

(a) Violates any section of the Business and Professions Code that relates to his or her licensed activities.

. . .

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

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

. . .

(h) Violates or attempts to violate the provisions of this chapter relating to the particular activity for which he or she is licensed.

. . . .

20. Business and Professions Code section 9888.6, subdivision (a), states:

A licensee shall issue to the owner or driver of a vehicle a certificate of compliance on a form prescribed by the director if, after conducting an inspection of, and any necessary repair to, the safety systems of the vehicle, the licensee determines that the safety systems conform with the inspection criteria and standards adopted by the director.

21. Business and Professions Code section 9889.22 provides:

The willful making of any false statement or entry with regard to a material matter in any oath, affidavit, certificate of compliance or noncompliance, or application form which is required by this chapter or Chapter 5 (commencing with Section 44000) of Part 5 of Division 26 of the Health and Safety Code constitutes perjury and is punishable as provided in the Penal Code.

22. Health and Safety Code section 44072.2, subdivision (d), states that "[t]he 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 . . . [c]ommits any act involving dishonesty, fraud, or deceit whereby another is injured.

REGULATORY PROVISIONS

23. California Code of Regulations, title 16, section 3311.1, states in pertinent part:

(c) Vehicle safety systems technicians shall perform all vehicle safety systems inspections in accordance with the requirements and procedures prescribed in the document entitled "Vehicle Safety Systems Inspection Manual", dated September 2023 [New], which is hereby incorporated by reference.

. . .

(e) The inspection, specified in subdivision (c) of this section, for which a vehicle safety systems inspection station is licensed, shall be performed only in an area of the station the Bureau has approved during the initial on-site licensing inspection referenced in section 3312.1 of this Article. The inspection area shall be within a building and be large enough to accommodate the motor vehicle being inspected. The Bureau shall make an exception to the inspection area requirements of this subdivision by approving a work area adjacent to a building for purposes of inspecting vehicle safety systems on buses, trucks, truck tractors, trailers, and semitrailers during the initial on-site licensing inspection. Any such exception shall be documented on the report of the initial on-site licensing inspection, referenced in section 3312.1 of this Article, by the Bureau's representative and include a description of location and approximate size of the adjacent work area.

. . . .

24. California Code of Regulations, title 16, section 3311.2, subdivision (b), states:

To maintain licensure, all vehicle safety systems inspection stations shall require their employees to comply with the standards and criteria contained in this Article and in Article 6.5 (commencing with section 9888.5) of the Code, and all inspections shall comply with those standards and criteria. The vehicle safety systems inspection station shall be responsible for all inspections conducted in the station by those performing the inspections.

25. California Code of Regulations, title 16, section 3311.3, subdivision (d), states in pertinent part:

A licensed vehicle safety systems technician shall authorize the issuance of an electronic certificate of compliance for any vehicle that has passed a vehicle safety systems inspection, as described in Chapter 1.6 of the Vehicle Safety Systems Inspection Manual, referenced in section 3311.1 of this Article. An electronic certificate of compliance shall consist of:

(1) The certificate of compliance number issued by the Bureau when the vehicle passes the inspection in accordance with this Article;

. . . .

26. California Code of Regulations, title 16, section 3373, states:

No automotive repair dealer or individual in charge shall, in filling out an

estimate, invoice, or work order, or record required to be maintained by section 3340.15(e) of this chapter, withhold therefrom or insert therein any statement or information which will cause any such document to be false or misleading, or where the tendency or effect thereby would be to mislead or deceive customers, prospective customers, or the public.

COST RECOVERY

27. Section 125.3 of the Business and Professions Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licensee to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

CALIFORNIA'S VEHICLE SAFETY SYSTEMS INSPECTION PROGRAM

28. On March 27, 2024, the Bureau's Vehicle Safety Systems Inspection (VSSI) Program began statewide. The new inspection combined and replaced the Bureau's Brake and Lamp inspection programs and added other vehicle safety systems assessments into one comprehensive inspection. The inspection, which is required by California Vehicle Code section 11519, subdivision (a)(3), for reviving a "total loss" vehicle, as deemed by an insurer, to a salvage title, includes an inspection of the following safety systems and areas:

- Lighting System, which consists of checking the condition and operation of original equipment, any replacement and customer added lights, reflectors, and verifying correct headlight alignment.
- Passenger Compartment, which consists of separate inspections of items located in or on the passenger compartment to ensure they are functioning as designed by the manufacturer. Those items, when equipped, include the windshield, windshield wiper(s), mirrors, seats, seatbelts, rear window, and a visual inspection of the Supplemental Restraint System (SRS).
- Tires and Wheels, which is intended to ensure the tires are safe, the wheels are free of cracks and bends that would cause them to be unsafe, and an inspection of the Tire Pressure Monitoring System (TPMS), if equipped. The inspection of the wheels shall include the mounting area and center disc, including the center bore and lug holes.

• Brake System, which consists of partial disassembly and inspection of the vehicle's brakes to ensure that the component parts and systems are functioning properly and comply with manufacturer and component manufacturer specifications (Including, but not limited to, friction material thickness, brake rotor thickness, and brake drum diameter). All wheels must be removed from the vehicle to perform a thorough and complete brake inspection, except in the case of a motorcycle when the disc brake(s) can be inspected without removing the wheel. While removing the wheel, the technician shall inspect for any and all missing, broken, or damaged wheel studs and any and all missing, cross-threaded, or incorrect lug nuts.

• Steering and Suspension Systems, which is a physical and visual inspection that includes all bushings, bearings, ball-type socket joints, arms, rods, struts, bars, subframes, belts, power assist fluids, steering gears, steering columns, shocks, springs, linkages, and steering and suspension related sensors, switches, and wiring.

• Body structure, which is a visual inspection of the vehicle panels, frame/unibody, fuel system, and other components to ensure they are securely fastened, are free of damage affecting functionality, and operate as designed.

29. The inspection requires a road test which consists of a stopping test, a visual inspection of the instrument cluster and any controls, and an evaluation of the control and stability of the vehicle at speed. Additionally, the inspection includes a scan of the vehicle's on-board diagnostics, and a check for open safety recalls for the vehicle. A vehicle with an unrepaired safety recall identified by the NHTSA shall fail the vehicle safety systems inspection.

30. The program requires use of the BAR-Safety Inspection System (BAR-SIS). The BAR-SIS is used by licensed vehicle safety systems technicians to report safety system inspection findings and issue digital certificates of compliance. The BAR-SIS is computer software owned and developed by BAR, and with the BAR's On-Board Diagnostic Inspection System (BAR-OIS) (which is used for Smog Check inspections), is housed on BAR's California Vehicle Inspection System (CAL-VIS). The BAR-SIS consists of a certified Data Acquisition Device (DAD), computer, bar code scanner, and printer. The DAD is an On-Board Diagnostic II (OBD II) scan tool that, when commanded by the BAR-SIS software, retrieves OBD II and safety system data

from OBD II equipped vehicles. The DAD is the only BAR-certified component of the BAR-SIS. The BAR-SIS uses its software to communicate with the VID through an internet connection. The bar code scanner is used to input inspection information such as the Vehicle Identification Number (VIN), and DMV information. The printer provides a Vehicle Safety Report (VSR) containing inspection results for motorists and a Vehicle Safety Systems Certificate of Compliance number for passing vehicles.

31. The BAR-SIS requires the vehicle safety systems technician to indicate if the safety systems and areas of the vehicle requiring inspection have passed or failed the inspection.

32. If a safety system passes inspection, the technician shall record the system as passing and follow the BAR-SIS prompts to enter additional system information specific to the vehicle.

33. If a safety system fails the inspection, the technician shall record the system as failing and follow the BAR-SIS prompts to enter information about the cause of the failure using drop down menus.

34. A vehicle safety systems technician must be biometrically enrolled with BAR and use a biometric device, authenticating their identity, to gain access and report safety system inspection findings in the BAR-SIS. Upon completion of a vehicle safety systems inspection of all required safety systems and areas of the vehicle, pass or fail, the vehicle safety systems technician shall certify under penalty of perjury, under the Laws of the State of California, that they performed the vehicle safety systems inspection in accordance with inspection criteria and standards detailed in the VSSI Manual. That certification must be made with a second biometric authentication.

35. Only a licensed vehicle safety systems technician working in a licensed vehicle safety systems inspection station may perform a vehicle safety systems inspection and authorize the issuance of a certificate of compliance. Vehicle safety systems inspections may only be performed in an area of the station that the Bureau has approved during the initial on-site licensing inspection. The inspection area shall be within a building and be large enough to accommodate the types of motor vehicles being inspected. The Bureau shall make an exception to the inspection area requirements by approving a work area adjacent to a building for purposes

of inspecting vehicle safety systems on buses, trucks, truck tractors, trailers, and semitrailers during the initial on-site licensing inspection. Any such exception shall be documented on the report of the initial on-site licensing inspection by the Bureau's representative and include a description of location and approximate size of the adjacent work area. Licensed stations and technicians must follow the procedures contained in the Vehicle Safety Systems Inspection Manual.

36. The Bureau has become aware of some technicians circumventing the requirements of the VSSI Program. These technicians are entering false results into the CAL-VIS platform for safety systems without performing bona fide inspections thereby issuing fraudulent Vehicle Safety Systems certificates to vehicles that have not been determined to be in compliance and safe to operate on California roadways.

FACTUAL ALLEGATIONS

Initial Station Inspection

37. On or about July 16, 2024, a Bureau representative visited Respondent Domex Motor to conduct a VSSI station initial inspection. During the visit, the Bureau representative advised Respondent Gonzalez that licensed VSSI stations and technicians must follow the procedures contained in the VSSI Manual and that compliance with the Automotive Repair Act is mandatory.

Investigation

38. On or about March 12, 2026, based on a review of confidential Vehicle Safety Systems Inspection data, the Bureau conducted a recorded surveillance of the Vehicle Safety Systems Inspection activity performed at Respondent Domex Motor, which confirmed seven (7) Vehicle Safety Systems Certificates of Compliance were fraudulently issued by Respondent Domex Motor for inspections purportedly performed by Respondent Gonzalez. The facts and circumstances are as follows:

Fraudulent Inspection #1 – 2017 Honda Civic Sport Touring

39. Safety Systems Test Details show that on March 12, 2026, between 0852 hours and 0908 hours, a 2017 Honda Civic Sport Touring, VIN # SHHFK7H98HU412839, no license plate entered, was inspected and Vehicle Safety Systems Certificate of Compliance # JH994822S was

issued by Respondent Domex Motor under Respondent Gonzalez's Vehicle Safety Systems Technician License.

40. However, the Bureau's surveillance reveals that at 0848 hours, a gray Honda Civic with CA license plate # AS01166 arrives and is parked on the right-side area of Respondent Domex Motor. An unidentified individual (driver) exits the gray Honda Civic, allowing access to the vehicle. At 0850 hours, an employee drives the gray Honda Civic into the right-side service bay of Respondent Domex Motor. At 0943 hours, an employee reverses the gray Honda Civic out of the service bay and parks the vehicle on the left side area of Domex Motor. At 0945 hours, the unidentified driver walks towards the gray Honda Civic and then drives away from the facility.

41. At no time between 0848 hours and 0908 hours, did Respondent Gonzalez ever raise or lift the gray 2017 Honda Civic Sport Touring to remove the wheels to inspect or obtain brake measurements nor did he drive the vehicle at any time to perform the road test for obtaining the stopping distance, both of which are required during a Vehicle Safety Systems Inspection. In addition, numerous other mandatory visual and mechanical checks were also not performed, as Respondent Gonzalez failed to open the hatchback and did not visually inspect exterior lights for proper operation. Under these circumstances, Vehicle Safety Systems Certificate of Compliance # JH994822S was fraudulently issued.

Fraudulent Inspection #2 – 2008 Chevrolet Impala LT

42. Safety Test Details show that on March 12, 2026, between 0910 and 0928 hours, a 2008 Chevrolet Impala LT, VIN # 2G1WT55K081303104, no license plate entered, was inspected and Vehicle Safety Systems Certificate of Compliance # JH994823S was issued by Respondent Domex Motor under Respondent Gonzalez's Vehicle Safety Systems Technician License.

43. However, the Bureau's surveillance reveals that at 0835 hours, a silver Chevrolet Impala with CA license plate # 8JSH151 arrives and is parked on the right-side area of Respondent Domex Motor. An unidentified individual (driver) then exits the silver Chevrolet Impala, allowing access to the vehicle. At 0852 hours, an employee drives the silver Chevrolet

Impala into the left-side service bay of Respondent Domex Motor. At 0904 hours, an employee backs the silver Chevrolet Impala out of the left-side service bay and parks the vehicle across the right-side service bay, blocking the roll-up door opening. At 0928 hours, an employee moves the silver Chevrolet Impala away from the area of the right-side service bay, and ultimately parks the vehicle on the left side area of Respondent Domex Motor. At 0930 hours, the driver is provided paperwork, who then walks to the silver Chevrolet Impala and drives away from the facility.

44. At no time between 0835 hours and 0928 hours, did Respondent Gonzalez ever raise or lift the silver 2008 Chevrolet Impala LT to remove the wheels to inspect or obtain brake measurements, nor did he drive the vehicle at any time to perform the road test for obtaining the stopping distance, both of which are required during a Vehicle Safety Systems Inspection. In addition, numerous other mandatory visual and mechanical checks were also not performed, as Respondent Gonzalez failed to open all the doors, the trunk, and did not visually inspect exterior lights for proper operation. Under these circumstances, Vehicle Safety Systems Certificate of Compliance # JH994823S was fraudulently issued.

45. On March 10, 2026, just two (2) days prior to this fraudulent certification, Respondent Domex Motor performed an inspection on the same 2008 Chevrolet Impala LT under Respondent Gonzalez's Vehicle Safety Systems Technician License. The vehicle failed the inspection due to multiple Overall Safety Systems Inspection Results, including back-up lights not illuminating and faulty front sway bar bushings.

Fraudulent Inspection #3 – 2010 Nissan Altima SR

46. Safety Test Details show that on March 12, 2026, between 0946 hours and 1005 hours, a 2010 Nissan Altima SR, VIN # 1N4BL2EP4AC158591, no license plate entered, was inspected and Vehicle Safety Systems Certificate of Compliance # JH994824S was issued by Respondent Domex Motor under Respondent Gonzalez's Vehicle Safety Systems Technician License.

47. However, the Bureau's surveillance reveals that at 0923 hours, a dark blue Nissan Altima with CA license plate # 6MQW387 arrives and is parked on the right-side area of Respondent Domex Motor. An unidentified individual (driver) then exits the dark blue Nissan

Altima, allowing access to the vehicle. At 0944 hours, an employee drives the dark blue Nissan Altima into the right-side service bay. At 1005 hours, an employee moves the dark blue Nissan Altima by reversing the vehicle and ultimately parks the vehicle on the left side area of Respondent Domex Motor. The driver is provided paperwork, who then walks to the dark blue Nissan Altima and drives away from the facility.

48. At no time between 0923 hours and 1005 hours, did Respondent Gonzalez ever raise or lift the dark blue 2010 Nissan Altima SR to remove the wheels to inspect or obtain brake measurements, nor did he drive the vehicle at any time to perform the road test for obtaining the stopping distance, both of which are required for the Vehicle Safety Systems Inspection. In addition, other mandatory visual and mechanical checks were also not performed, as Respondent Gonzalez failed to open the trunk and did not visually inspect exterior lights for proper operation. Under these circumstances, Vehicle Safety Systems Certificate of Compliance # JH994824S was fraudulently issued.

Fraudulent Inspection #4 – 2026 Cadillac Escalade ESV Sport

49. Safety Test Details show that on March 12, 2026, between 1021 hours and 1037 hours, a 2026 Cadillac Escalade ESV Sport, VIN # 1GYS9NKL5TR263999, no license plate entered, was inspected and Vehicle Safety Systems Certificate of Compliance # JH994825S was issued by Respondent Domex Motor under Respondent Gonzalez's Vehicle Safety Systems Technician License.

50. However, the Bureau's surveillance reveals that at 0907 hours, a white Cadillac Escalade with temporary CA license plate # EM79H03 arrives and is parked on the right-side area of Respondent Domex Motor. An unidentified individual (driver) then exits the white Cadillac Escalade, allowing access to the vehicle. At 0909 hours, an employee drives the white Cadillac Escalade into the left-side service bay of Respondent Domex Motor. At 0914 hours, an employee reverses the white Cadillac Escalade out of the service bay and parks the vehicle on the right-side area of Respondent Domex Motor. At 1007 hours, an employee moves the white Cadillac Escalade and parks the vehicle across the right-side service bay blocking the roll-up door opening. At 1047 hours, an employee moves the white Cadillac Escalade and parks the vehicle

on the left-side area of Respondent Domex Motor. At 1051 hours, the driver walks toward the white Cadillac Escalade and then drives away from the facility.

51. At no time between 0907 hours and 1037 hours, did Respondent Gonzalez ever raise or lift the white 2026 Cadillac Escalade ESV Sport to remove the wheels to inspect or obtain brake measurements, nor did he drive the vehicle at any time to perform the road test for obtaining the stopping distance, both of which are required for the Vehicle Safety Systems Inspection. In addition, numerous other mandatory visual and mechanical checks were also not performed as Respondent Gonzalez failed to open all the doors, the hood, and did not visually inspect exterior lights for proper operation. Under these circumstances, Vehicle Safety Systems Certificate of Compliance # JH994825S was fraudulently issued.

Fraudulent Inspection #5 – 2013 Mercedes Benz E 350

52. Safety Test Details show that on March 12, 2026, between 1125 hours and 1150 hours, a 2013 Mercedes-Benz E 350, VIN # WDDHF5KB1DA683880, no license plate entered, was inspected and Vehicle Safety Systems Certificate of Compliance # JH994826S was issued by Respondent Domex Motor under Respondent Gonzalez's Vehicle Safety Systems Technician License.

53. However, the Bureau's surveillance reveals that at 0840 hours, prior to Respondent Gonzalez being present, a black Mercedes-Benz with temporary CA license plate # EG81P49 arrives at Respondent Domex Motor. Shortly thereafter, the black Mercedes-Benz then leaves; however, it returns at 0906 hours and is parked on the right-side area of Respondent Domex Motor. An unidentified individual (driver) then exits the black Mercedes Benz, allowing access to the vehicle. At 1102 hours, an employee drives the black Mercedes Benz into the left-side service bay. At 1128 hours, an employee raises the black Mercedes Benz on a vehicle lift. At 1131 hours, the right rear wheel is seen still installed on the black Mercedes Benz. Although the vehicle was raised on a lift, Respondent Gonzalez was never seen in the left-side service bay personally performing the required vehicle brake system portion of the inspection. At 1145 hours, an employee lowers the black Mercedes-Benz on the vehicle lift. At 1146 hours, an employee reverses the black Mercedes-Benz out the left-side service bay and drives the vehicle

into the right-side service bay. At 1201 hours, an employee reverses the black Mercedes-Benz out of the service bay and parks the vehicle on the left-side area of Respondent Domex Motor. At 1202 hours, the driver walks towards the black Mercedes Benz and then drives away from the facility.

54. At no time between 0906 hours and 1150 hours, did Respondent Gonzalez ever remove all the wheels to inspect or obtain brake measurements, nor did he drive the black 2013 Mercedes Benz E 350 at any time to perform the road test for obtaining the stopping distance, which is required during a Vehicle Safety Systems Inspection. In addition, numerous other mandatory visual and mechanical checks were also not performed, as Respondent Gonzalez failed to open the trunk and did not visually inspect exterior lights for proper operation. Under these circumstances, Vehicle Safety Systems Certificate of Compliance # JH994826S was fraudulently issued.

Fraudulent Inspection #6 – 2008 Honda Civic Hybrid

55. Safety Test Details show that on March 12, 2026, between 1204 hours and 1222 hours, a 2008 Honda Civic Hybrid, VIN # JHMFA362X8S002225, no license plate entered, was inspected and Vehicle Safety Systems Certificate of Compliance # JH994827S was issued by Respondent Domex Motor under Respondent Gonzalez's Vehicle Safety Systems Technician License.

56. However, the Bureau's surveillance reveals that at 1114 hours, a silver Honda Civic Hybrid arrives and is parked on the right-side area of Respondent Domex Motor. An unidentified individual (driver) then exits the silver Honda Civic Hybrid, allowing access to the vehicle. At 1149 hours, an employee moves and drives the silver Honda Civic Hybrid into the left-side service bay. At 1157 hours, an employee raises the silver Honda Civic Hybrid on a vehicle lift. Although the vehicle was raised on a lift, Respondent Gonzalez was never seen in the left-side service bay personally performing the required vehicle brake system portion of the inspection. At 1208 hours, the silver Honda Civic Hybrid is lowered on the vehicle lift. At 1210 hours, Respondent Gonzalez reverses the silver Honda Civic Hybrid out of the left-side service bay and

drives the vehicle into the right-side service bay. At 1234 hours, an employee reverses the silver Honda Civic Hybrid out of the right-side service bay and parks the vehicle on the left-side area of Respondent Domex Motor. At 1240 hours, the driver walks toward the silver Honda Civic Hybrid and then drives away from the facility.

57. At no time between 1114 hours and 1222 hours, did Respondent Gonzalez ever drive the silver 2008 Honda Civic Hybrid to perform the road test for obtaining the stopping distance, which is required for the Vehicle Safety Systems inspection. In addition, numerous other mandatory visual and mechanical checks were also not performed as Respondent Gonzalez failed to open all the doors, the trunk, and personally did not visually inspect exterior lights for proper operation. Under these circumstances, Vehicle Safety Systems Certificate of Compliance # JH994827S was fraudulently issued.

Fraudulent Inspection #7 – 2025 Honda Civic Sport

58. Safety Test Details show that on March 12, 2026, between 1235 hours and 1254 hours, a 2025 Honda Civic Sport, VIN # 2HGFE4F83SH336001, no license plate entered, was inspected and Vehicle Safety Systems Certificate of Compliance # JH994828S was issued by Respondent Domex Motor under Respondent Gonzalez's Vehicle Safety Systems Technician License.

59. However, Bureau surveillance reveals that at 1121 hours, a dark gray Honda Civic arrives and is parked on the right-side area of Respondent Domex Motor. An unidentified individual (driver) then exits the dark gray Honda Civic, allowing access to the vehicle. At 1211 hours, an employee drives the dark gray Honda Civic into the left-side service bay. At 1218 hours, an employee raises the dark gray Honda Civic on a vehicle lift. Although the vehicle was raised on a lift, Respondent Gonzalez was never seen in the left-side service bay personally performing the required vehicle brake system portion of the inspection. At 1227 hours, an employee lowers the dark gray Honda Civic on a vehicle lift. At 1241 hours, an employee reverses the dark gray Honda Civic out of the left-side service bay and drives the vehicle into the right-side service bay. At 1253 hours, an employee reverses the dark gray Honda Civic and parks

the vehicle on the left-side area of Respondent Domex Motor. At 1255 hours, the driver walks toward the dark gray Honda Civic and then drives away from the facility.

60. At no time between 1121 hours and 1254 hours, did Respondent Gonzalez ever drive the dark gray 2025 Honda Civic Sport to perform the road test for obtaining the stopping distance, which is required for the Vehicle Safety Systems Inspection. In addition, numerous other mandatory visual and mechanical checks were also not performed as Respondent Gonzalez failed to open all the doors, the trunk, and did not visually inspect exterior lights for proper operation. Under these circumstances, Vehicle Safety Systems Certificate of Compliance # JH994828S was fraudulently issued.

Station Visit

61. On or about March 23, 2026, a Bureau representative visited Respondent Domex Motor and met with Respondent Gonzalez. The Bureau representative requested records, including invoices and VSRs, for each of the seven (7) vehicles identified above.

62. On or about March 25, 2026, the Bureau representative returned to Respondent Domex Motor and met with Respondent Gonzalez. Respondent Gonzalez provided the Bureau representative with copies of the requested records for each of the seven (7) vehicles identified above. Respondent Gonzalez confirmed that he does not share his license, access code or biometric access with anyone. Respondent Gonzalez stated that he personally performed the inspections on each of the seven (7) vehicles identified above and personally signed each VSR.

FIRST CAUSE FOR DISCIPLINE

(Untrue or Misleading Statements – Respondent Domex Motor)

63. Respondent Domex Motor's Automotive Repair Dealer Registration is subject to disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(1), in that it made statements which were known to be untrue or misleading or, which by exercise of reasonable care should have been known to be untrue or misleading, by issuing Vehicle Safety Systems Certificates of Compliance for the seven (7) vehicles identified above, certifying that those vehicles were in compliance with applicable laws and regulations when, in fact, those

vehicles had not been so inspected. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

SECOND CAUSE FOR DISCIPLINE

(Fraud – Respondent Domex Motor)

64. Respondent Domex Motor's Automotive Repair Dealer Registration is subject to disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(4), in that it committed acts that constitute fraud by issuing Vehicle Safety Systems Certificates of Compliance for the seven (7) vehicles identified above, without performing bona fide Vehicle Safety Systems Inspections, thereby depriving the People of the State of California of the protection afforded by the VSSI Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

THIRD CAUSE FOR DISCIPLINE

(Material Violation of Automotive Repair Act – Respondent Domex Motor)

65. Respondent Domex Motor's Automotive Repair Dealer Registration is subject to disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(6), in that it failed in a material respect to comply with the provisions of this chapter or regulations adopted pursuant to it by issuing Vehicle Safety Systems Certificates of Compliance for the seven (7) vehicles identified above, without performing bona fide Vehicle Safety Systems Inspections, thereby depriving the People of the State of California of the protection afforded by the VSSI Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

FOURTH CAUSE FOR DISCIPLINE

(Material Violation of Bureau Regulations – Respondent Domex Motor)

66. Respondent Domex Motor Automotive Repair Dealer Registration is subject to disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision (a)(6), in that, with respect to the seven (7) fraudulent Vehicle Safety Systems Inspections identified above, Respondent violated the following sections of title 16 of the California Code of Regulations:

a. **Section 3311.1, subdivision (c)**: Respondent Domex Motor failed to perform Vehicle Safety Systems Inspections in accordance with the requirements and procedures prescribed in the document entitled "Vehicle Safety Systems Inspection Manual."

b. **Section 3311.1, subdivision (e)**: Respondent Domex Motor failed to perform Vehicle Safety Systems Inspections only in an area of the station approved by the Bureau during its initial on-site licensing inspection.

c. **Section 3311.2, subdivision (b)**: Respondent Domex Motor failed to ensure that all Vehicle Safety Systems Inspections performed at its station complied with the VSSI Program standards and criteria set forth in the Automotive Repair Act and regulations enacted pursuant thereto.

d. **Section 3311.3, subdivision (d)(1)**: Respondent Domex Motor issued certificates of compliance to vehicles that had not passed a vehicle safety systems inspection performed in accordance with VSSI Program regulations.

e. **Section 3373**: Respondent Domex Motor withheld and/or inserted information in estimates, invoices, or work orders, or records required to be maintained by California Code of Regulations, title 16, section 3340.15, subdivision (e), that caused the documents to be false or misleading.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

FIFTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit – Respondent Domex Motor)

67. Respondent Domex Motor's Vehicle Safety Systems Station License is subject to disciplinary action pursuant to Business and Professions Code section 9889.3, subdivision (d), in that it committed acts involving dishonesty, fraud, or deceit whereby another was injured by issuing Vehicle Safety Systems Certificates of Compliance to the seven (7) vehicles identified above, without performing bona fide Vehicle Safety Systems Inspections on those vehicles, thereby depriving the People of the State of California of the protection afforded by the VSSI

Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

SIXTH CAUSE FOR DISCIPLINE

(Unlawful Issuance of Certificate of Compliance – Respondent Domex Motor)

68. Respondent Domex Motor's Vehicle Safety Systems Station License is subject to disciplinary action pursuant to Business and Professions Code section 9889.3, subdivisions (a) and (h), in conjunction with Business and Professions Code section 9888.6, subdivision (a), in that it unlawfully issued Vehicle Safety Systems Certificates of Compliance to the seven (7) vehicles identified above, by failing to properly inspect those vehicles to determine if their safety systems conformed with the inspection criteria and standards adopted by the Director. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

SEVENTH CAUSE FOR DISCIPLINE

(Violation of Bureau Regulations - Respondent Domex Motor)

69. Respondent Domex Motor's Vehicle Safety Systems Station License is subject to disciplinary action pursuant to Business and Professions Code section 9889.3, subdivision (c), in that, with respect to the seven (7) fraudulent Vehicle Safety Systems Inspections identified above, Respondent violated the following sections of title 16 of the California Code of Regulations:

a. **Section 3311.1, subdivision (c)**: Respondent Domex Motor failed to perform Vehicle Safety Systems Inspections in accordance with the requirements and procedures prescribed in the document entitled "Vehicle Safety Systems Inspection Manual."

b. **Section 3311.1, subdivision (e)**: Respondent Domex Motor failed to perform Vehicle Safety Systems Inspections only in an area of the station approved by the Bureau during its initial on-site licensing inspection.

c. **Section 3311.2, subdivision (b)**: Respondent Domex Motor failed to ensure that all Vehicle Safety Systems Inspections performed at its station complied with the VSSI Program standards and criteria set forth in the Automotive Repair Act and regulations enacted pursuant thereto.

d. **Section 3311.3, subdivision (d)(1)**: Respondent Domex Motor issued certificates of compliance to vehicles that had not passed a vehicle safety systems inspection performed in accordance with VSSI Program regulations.

e. **Section 3373**: Respondent Domex Motor withheld and/or inserted information in estimates, invoices, or work orders, or records required to be maintained by California Code of Regulations, title 16, section 3340.15, subdivision (e), that caused the documents to be false or misleading.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62, as though set forth fully herein.

EIGHTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit – Respondent Domex Motor)

70. Respondent Domex Motor's Smog Check Test and Repair Station License is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (d), in that it committed acts involving dishonesty, fraud, or deceit whereby another was injured by issuing Vehicle Safety Systems Certificates of Compliance to the seven (7) vehicles identified above, without performing bona fide Vehicle Safety Systems Inspections on those vehicles, thereby depriving the People of the State of California of the protection afforded by the VSSI Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62, as though set forth fully herein.

NINTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit – Respondent Gonzalez)

71. Respondent Gonzalez's Vehicle Safety Systems Technician License is subject to disciplinary action pursuant to Business and Professions Code section 9889.3, subdivision (d), in that he committed acts involving dishonesty, fraud, or deceit whereby another was injured by causing the issuance of Vehicle Safety Systems Certificates of Compliance to the seven (7) vehicles identified above, without performing bona fide Vehicle Safety Systems Inspections on those vehicles, thereby depriving the People of the State of California of the protection afforded

by the VSSI Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

TENTH CAUSE FOR DISCIPLINE

(Unlawful Issuance of Certificate of Compliance – Respondent Gonzalez)

72. Respondent Gonzalez's Vehicle Safety Systems Technician License is subject to disciplinary action pursuant to Business and Professions Code section 9889.3, subdivisions (a) and (h), in conjunction with Business and Professions Code section 9888.6, subdivision (a), in that he unlawfully issued Vehicle Safety Systems Certificates of Compliance to the seven (7) vehicles identified above, by failing to properly inspect those vehicles to determine if their safety systems conformed with the inspection criteria and standards adopted by the Director. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

ELEVENTH CAUSE FOR DISCIPLINE

(Violation of Bureau Regulations – Respondent Gonzalez)

73. Respondent Gonzalez's Vehicle Safety Systems Technician License is subject to disciplinary action pursuant to Business and Professions Code section 9889.3, subdivision (c), in that, with respect to the seven (7) fraudulent Vehicle Safety Systems Inspections identified above, Respondent violated the following sections of title 16 of the California Code of Regulations:

a. **Section 3311.1, subdivision (c)**: Respondent Gonzalez failed to perform Vehicle Safety Systems Inspections in accordance with the requirements and procedures prescribed in the document entitled "Vehicle Safety Systems Inspection Manual."

b. **Section 3311.1, subdivision (e)**: Respondent Gonzalez failed to perform Vehicle Safety Systems Inspections only in an area of the station approved by the Bureau during its initial on-site licensing inspection.

c. **Section 3311.2, subdivision (b)**: Respondent Gonzalez failed to ensure that all Vehicle Safety Systems Inspections performed at its station complied with the VSSI Program standards and criteria set forth in the Automotive Repair Act and regulations enacted pursuant thereto.

d. **Section 3311.3, subdivision (d)**: Respondent Gonzalez authorized the issuance of certificates of compliance to vehicles that had not passed a vehicle safety systems inspection performed in accordance with VSSI Program regulations.

e. **Section 3373**: Respondent Gonzalez withheld and/or inserted information in estimates, invoices, or work orders, or records required to be maintained by California Code of Regulations, title 16, section 3340.15, subdivision (e), that caused the documents to be false or misleading.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

TWELFTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit – Respondent Gonzalez)

74. Respondent Gonzalez's Smog Check Inspector License is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (d), in that he committed acts involving dishonesty, fraud, or deceit whereby another was injured by causing the issuance of Vehicle Safety Systems Certificates of Compliance to the seven (7) vehicles identified above, without performing bona fide Vehicle Safety Systems Inspections on those vehicles, thereby depriving the People of the State of California of the protection afforded by the VSSI Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

THIRTEENTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud, or Deceit – Respondent Gonzalez)

75. Respondent Gonzalez's Smog Check Repair Technician License is subject to disciplinary action pursuant to Health and Safety Code section 44072.2, subdivision (d), in that he committed acts involving dishonesty, fraud, or deceit whereby another was injured by causing the issuance of Vehicle Safety Systems Certificates of Compliance to the seven (7) vehicles identified above, without performing bona fide Vehicle Safety Systems Inspections on those vehicles, thereby depriving the People of the State of California of the protection afforded by the VSSI Program. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 37-62 above, as though set forth fully herein.

OTHER MATTERS

76. Business and Professions Code section 9884.7, subdivision (c), states that "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."

77. Business and Professions Code section 9889.9 states that "[w]hen any license has been revoked or suspended following a hearing under the provisions of this article, any additional license issued under Article 6.5 (commencing with Section 9888.5) in the name of the licensee may be likewise revoked or suspended by the director.

78. Health and Safety Code section 44072.8 states that when a license has been revoked or suspended following a hearing, any additional license issued under the Motor Vehicle Inspection Program (Health and Safety Code Sec. 44000, et seq.) in the name of the licensee may be likewise revoked or suspended by the director.

DISCIPLINARY CONSIDERATIONS

79. In order to determine the degree of discipline, if any, to be imposed on Respondents, Complainant alleges the following. On or about February 7, 2007, the Bureau issued Respondent Gonzalez Citation No. M2007-524 for violation of Health and Safety Code section 44032 for issuing a Smog Check Certificate of Compliance to a Bureau vehicle with a missing Pulse Air Injection System. On or about March 5, 2007, a Citation Service Conference was held. The Citation became effective on or about March 10, 2007.

PRAYER

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

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 297971, issued to Guarocuya Gonzalez, dba Domex Motor;

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2. Revoking or suspending Smog Check, Test-and-Repair, Station License Number RC 297971, issued to Guarocuya Gonzalez, dba Domex Motor;

3. Revoking or suspending Vehicle Safety Systems Station License Number VS 297971, issued to Guarocuya Gonzalez, dba Domex Motor;

4. Revoking or suspending Smog Check Inspector License Number EO 139150, issued to Guarocuya Gonzalez;

5. Revoking or suspending Smog Check Repair Technician License Number EI 139150, issued to Guarocuya Gonzalez;

6. Revoking or suspending Vehicle Safety System Technician License Number ST 139150, issued to Guarocuya Gonzalez;

7. Revoking or suspending any and all additional Automotive Repair Dealer Registrations issued in the name of Guarocuya Gonzalez, pursuant to section 9884.7, subdivision (c), of the Business and Professions Code;

8. Revoking or suspending any and all additional licenses issued under Article 6.5 of Chapter 20.3 of Division 3 of the Business and Professions Code in the name of Guarocuya Gonzalez, pursuant to section 9889.9 of the Business and Professions Code;

9. Revoking or suspending any and all licenses issued under the Motor Vehicle Inspection Program (Health and Safety Code Sec. 44000, et seq.) in the name of Guarocuya Gonzalez pursuant to section 44072.8 of the Health and Safety Code;

10. Ordering Guarocuya Gonzalez to pay the Bureau of Automotive Repair the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3 and if placed on probation, the costs of probation monitoring;

11. Taking such other and further action as deemed necessary and proper.

DATED: As of digital signature date

Dorais, Patrick@DCA

Digitally signed by Dorais, Patrick@DCA
Date: 2026.08.19 13:31:09 -07'00'

PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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