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5 **BEFORE THE**
6 **DEPARTMENT OF CONSUMER AFFAIRS**
7 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
8 **STATE OF CALIFORNIA**

9 In the Matter of the Accusation Against:

Case No. 79/25-2869

10 **QUALITY TUNE-UP SHOPS #51**
11 **JUAN ANTONIO DURAN, OWNER**
12 10801 Folsom Blvd
13 Rancho Cordova, CA 95670

DEFAULT DECISION AND ORDER

14 **Automotive Repair Dealer Registration**
15 **No. ARD 302422**
16 **Smog Check, Test-and-Repair, Station**
17 **License No. RC 302422**

[Gov. Code, §11520]

18 **JUAN ANTONIO DURAN**
19 3135 Natoma Street
20 Sacramento, CA 95833

21 **Smog Check Inspector License No.**
22 **EO 642326,**

23 **and**

24 **DANIEL ANTEL JAVIER HERNANDEZ**
25 10801 Folsom Blvd
26 Rancho Cordova, CA 95670

27 **Smog Check Inspector License No.**
28 **EO 644328**

Respondents.

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FINDINGS OF FACT

1. On or about March 11, 2026, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs, filed Accusation No. 79/25-2869 against Quality Tune-Up Shops #51 (Respondent Quality Tune-Up) with Juan Antonio Duran (Respondent Duran) as owner, Respondent Duran, and Daniel Antel Javier Hernandez (Respondent Hernandez) (Respondents) before the Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

2. On or about May 3, 2022, the Bureau issued Automotive Repair Dealer Registration No. ARD 302422 to Respondent Quality Tune-Up with Respondent Duran as owner. The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 79/25-2869 and will expire on May 31, 2026, unless renewed.

3. On or about May 11, 2022, the Bureau issued Smog Check, Test-and-Repair, Station License No. RC 302422 to Respondent Quality Tune-Up. The Smog Check, Test-and-Repair, Station License was in full force and effect at all times relevant to the charges brought in Accusation No. 79/25-2869 and will expire on May 31, 2026, unless renewed. The Station was STAR Certified on August 8, 2022, and the certification was suspended on November 13, 2025.

4. On or about November 6, 2019, the Bureau issued Smog Check Inspector License Number EO 642326 to Respondent Duran. The Smog Check Inspector License will expire on October 31, 2027, unless renewed.

5. On or about May 8, 2023, the Bureau issued Smog Check Inspector License Number EO 644328 to Respondent Hernandez. The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2027, unless renewed.

6. On or about March 19, 2026, Respondents were served by Certified and First Class Mail copies of the Accusation No. 79/25-2869, Statement to Respondent, Notice of Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondents' addresses of record which, pursuant to Business and Professions Code section 136, is required to be reported and maintained with the Bureau. Respondent Quality

1 Tune-Up's address of record was and is: 10801 Folsom Blvd, Rancho Cordova, CA 95670.

2 Respondent Duran's address of record was and is: 3135 Natoma Street, Sacramento, CA 95833.

3 Respondent Hernandez's address of record was and is: 10801 Folsom Blvd, Rancho Cordova, CA
4 95670.

5 7. Service of the Accusation was effective as a matter of law under the provisions of
6 Government Code section 11505(c) and/or Business and Professions Code section 124.

7 8. Government Code section 11506(c) states, in pertinent part:

8 (c) The respondent shall be entitled to a hearing on the merits if the respondent
9 files a notice of defense . . . and the notice shall be deemed a specific denial of all
10 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
11 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
12 discretion may nevertheless grant a hearing.

13 9. The Bureau takes official notice of its records and the fact that Respondents failed to
14 file a Notice of Defense within 15 days after service upon them of the Accusation, and therefore
15 waived their right to a hearing on the merits of Accusation No. 79/25-2869.

16 10. California Government Code section 11520(a) states, in pertinent part:

17 (a) If the respondent either fails to file a notice of defense . . . or to appear at
18 the hearing, the agency may take action based upon the respondent's express
19 admissions or upon other evidence and affidavits may be used as evidence without
20 any notice to respondent

21 11. Pursuant to its authority under Government Code section 11520, the Director after
22 having reviewed the proof of service dated March 19, 2026, signed by Susan Heaton (and signed
23 certified mail return receipts) finds Respondents are in default. The Director will take action
24 without further hearing and, based on the relevant evidence contained in the Default Decision
25 Investigatory Evidence Packet in this matter, finds that the charges and allegations in Accusation
26 No. 79/25-2869, are separately and severally, found to be true and correct by clear and
27 convincing evidence.

28 DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Quality Tune-Up Shops #51,
with Respondent Juan Antonio Duran as owner, has subjected its Automotive Repair Dealer
Registration No. ARD 302422, Smog Check, Test-and-Repair, and Station License Number RC

1 302422, to discipline.

2 2. Based on the foregoing findings of fact, Respondent Juan Antonio Duran has
3 subjected his Smog Check Inspector License Number EO 642326 to discipline.

4 3. Based on the foregoing findings of fact, Respondent Daniel Antel Javier Hernandez
5 has subjected his Smog Check Inspector License Number EO 644328 to discipline.

6 4. The agency has jurisdiction to adjudicate this case by default.

7 5. The Director of the Department of Consumer Affairs is authorized to revoke
8 Respondent Quality Tune-Up Shops #51 Automotive Repair Dealer Registration and Smog
9 Check, Test-and-Repair, Station License, Respondent Duran's Smog Check Inspector License,
10 and Respondent Hernandez's Smog Check Inspector License, based upon the following violations
11 alleged in the Accusation which are supported by the evidence contained in the Default Decision
12 Investigatory Evidence Packet in this case:

13 a. Respondent Quality Tune-Up's ARD registration is subject to disciplinary action
14 pursuant to Code section 9884.7, subdivision (a)(1), in conjunction with Code section 9889.22, in
15 that Respondent Quality Tune-Up made or authorized statements which Respondent Quality
16 Tune-Up knew or in the exercise of reasonable care should have known to be untrue or
17 misleading. Specifically, Respondent Quality Tune-Up certified that Vehicles 1 through 13
18 passed inspection and were in compliance with applicable laws and regulations. In fact, those
19 vehicles had not been properly tested or inspected and Respondent conducted, or caused to be
20 conducted, smog check inspections on vehicles 1 through 13 using clean-plugging methods in
21 order to issue fraudulent smog certificates of compliance.

22 b. Respondent Quality Tune-Up's ARD registration is subject to disciplinary action
23 pursuant to Code section 9884.7, subdivision (a)(4), in that Respondent Quality Tune-Up
24 committed acts that constitute fraud by issuing electronic smog certificates of compliance for
25 Vehicles 1 through 13 using clean-plugging methods and without ensuring that bona fide
26 inspections were performed of the emission control devices and systems on the vehicles, thereby
27 depriving the People of the State of California of the protection afforded by the Motor Vehicle
28 Inspection Program.

1 c. Respondent Quality Tune-Up's ARD registration is subject to disciplinary action
2 pursuant Code section 9884.7, subdivision (a)(6), in that Respondent Quality Tune-Up failed in a
3 material respect to comply with the provisions of the Automotive Repair Act (Code section 9880
4 et. seq.) or regulations adopted pursuant to it when Respondent Quality Tune-Up issued electronic
5 certificates of compliance for Vehicles 1 through 13 without performing bona fide inspections of
6 the emission control devices and systems on those vehicles, thereby depriving the People of the
7 State of California of the protection afforded by the Motor Vehicle Inspection Program.

8 d. Respondent Quality Tune-Up's smog check, test only, station license is subject to
9 discipline pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that with regards to
10 Vehicles 1 through 13, Respondent Quality Tune-Up failed to comply with the following sections
11 of the CCR's:

12 i. **Section 3340.35, subdivision (c)**: Respondent Quality Tune-Up failed to
13 inspect and test the vehicles in accordance with the procedures specified in section 3340.42 of the
14 CCR and failed to ensure that the vehicles had all the required emission control equipment and
15 devices installed and functioning correctly.

16 ii. **Section 3373**: Respondent Quality Tune-Up made or authorized documents
17 which it knew or which by exercise of reasonable care should have known to be untrue or
18 misleading, when Respondent issued fraudulent smog certificates of compliance for Vehicles 1
19 through 13.

20 e. Respondent Quality Tune-Up's smog check, test only, station license is subject to
21 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (a), in that with
22 regards to Vehicles 1 through 13, Respondent Quality Tune-Up failed to comply with the Health
23 & Saf. Code, as follows:

24 i. **Health & Saf. Code, section 44012**: Respondent Quality Tune-Up failed to
25 ensure that the emission control tests were performed on the vehicles in accordance with
26 procedures prescribed by the department.

27 ii. **Health & Saf. Code, section 44015**: Respondent Quality Tune-Up issued
28 electronic smog certificates of compliance for the vehicles without ensuring that the vehicles were

1 properly tested and inspected to determine if they were in compliance with Health & Saf. Code
2 section 44012.

3 f. Respondent Quality Tune-Up's smog check, test only, station license is subject to
4 disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in
5 conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that Respondent
6 Quality Tune-Up committed dishonest, fraudulent, or deceitful acts whereby another was injured
7 by issuing electronic smog certificates of compliance for Vehicles 1 through 13, using clean-
8 plugging methods and without ensuring that a bona fide inspection had been performed of the
9 emission control devices and systems on the vehicles, thereby depriving the people of the State of
10 California of the protection afforded by the Motor Vehicle Inspection Program.

11 g. Respondent Duran's smog check inspector license is subject to disciplinary action
12 pursuant to Health & Saf. Code sections 44072.2, subdivision (a) and 44072.10, in that regarding
13 Vehicle 13, Respondent failed to comply with the provisions of the Health and Safety Code, as
14 set forth above, and as follows:

15 i. **Health & Saf. Code, section 44012:** Respondent Duran failed to ensure that
16 the emission control tests were performed on vehicle 13 in accordance with procedures prescribed
17 by the department.

18 ii. **Health & Saf. Code, section 44015:** Respondent Duran issued an electronic
19 smog certificate of compliance for vehicle 13 without ensuring that the vehicle was properly
20 tested and inspected to determine if it was in compliance with Health & Saf. Code section 44012.

21 c. **Health & Saf. Code, section 44032:** Respondent Duran failed to perform an
22 emission control test on vehicle 13, in accordance with procedures prescribed by the department.

23 h. Respondent Duran's smog check inspector license is subject to discipline pursuant to
24 Health & Saf. Code section 44072.2, subdivision (c), in that regarding Vehicle 13, Respondent
25 Duran failed to comply with provisions of the CCR, as follows:

26 i. **CCR, section 3340.30, subdivision (a):** Respondent Duran failed to inspect
27 and test Vehicle 13 in accordance with Health & Saf. Code sections 44012 and 44035 and CCR
28 section 3340.42.

1 ii. **CCR, section 3340.41, subdivision (c):** Respondent Duran entered false
2 information into the OIS by entering vehicle identification information for a vehicle other than
3 the one being tested.

4 iii. **CCR, section 3340.42, subdivision (b):** Respondent Duran failed to conduct
5 the required smog test on vehicle 13 in accordance with the Bureau's specifications.

6 i. Respondent Duran's smog check inspector license is subject to disciplinary action
7 pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health &
8 Saf. Code section 44072.10, subdivision (c), in that Respondent Duran committed dishonest,
9 fraudulent, or deceitful acts whereby another was injured by issuing a fraudulent electronic smog
10 certificate of compliance for Vehicle 13. Respondent certified that the inspection of Vehicle 13
11 was in accordance with the bureau requirements and the information listed in the VIR was true
12 and accurate. In fact, clean-plugging methods were used to generate passing data readings for
13 Vehicle 13, that would not pass an inspection or was not present for testing. Respondent failed to
14 ensure that a bona fide inspection was performed of the emission control devices and systems on
15 that vehicle, thereby depriving the People of the State of California of the protection afforded by
16 the Motor Vehicle Inspection Program.

17 j. Respondent Hernandez's smog check inspector license is subject to disciplinary
18 action pursuant to Health & Saf. Code section 44072.2, subdivision (a) and 44072.10, in that
19 regarding Vehicles 1 through 12, Respondent failed to comply with the provisions of the Health
20 and Safety Code, as set forth above, and as follows:

21 i. **Health & Saf. Code, section 44012:** Respondent Hernandez failed to ensure
22 that the emission control tests were performed on vehicles 1 through 12, in accordance with
23 procedures prescribed by the department.

24 ii. **Health & Saf. Code, section 44015:** Respondent Hernandez issued electronic
25 smog certificates of compliance for vehicles 1 through 12, without ensuring that the vehicles were
26 properly tested and inspected to determine if they were in compliance with Health & Saf. Code
27 section 44012.

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iii. **Health & Saf. Code, section 44032**: Respondent Hernandez failed to perform an emission control tests on vehicles 1 through 12, in accordance with procedures prescribed by the department.

k. Respondent Hernandez's smog check inspector license is subject to discipline pursuant to Health & Saf. Code section 44072.2, subdivision (c), in that regarding Vehicles 1 through 12, Respondent Hernandez failed to comply with provisions of the CCR, as follows:

i. **CCR, section 3340.30, subdivision (a)**: Respondent Hernandez failed to inspect and test Vehicles 1 through 12 in accordance with Health & Saf. Code section 44012 and CCR section 3340.42.

ii. **CCR, section 3340.41, subdivision (c)**: Respondent Hernandez entered false information into the OIS by entering vehicle identification information for a vehicle other than the one being tested.

iii. CCR, section 3340.42, subdivision (b): Respondent Hernandez failed to conduct the required smog tests on vehicles 1 through 12, in accordance with the Bureau's specifications.

1. Respondent Hernandez's smog check inspector license is subject to disciplinary action pursuant to Health & Saf. Code section 44072.2, subdivision (d), in conjunction with Health & Saf. Code section 44072.10, subdivision (c), in that Respondent Hernandez committed dishonest, fraudulent, or deceitful acts whereby another was injured by issuing electronic smog certificates of compliance for Vehicles 1 through 12, without performing bona fide inspections of the emission control devices and systems on those vehicles, thereby depriving the People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

ORDER

IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 302422 and Smog Check, Test-and-Repair, Station License No. RC 302422, issued to Respondent Quality Tune-Up Shops #51, with Respondent Duran as owner are revoked.

IT IS SO ORDERED that Smog Check Inspector License Number EO 642326, issued to Respondent Juan Antonio Duran, is revoked.

1 IT IS SO ORDERED that Smog Check Inspector License Number EO 644328, issued to
2 Respondent Daniel Antel Javier Hernandez, is revoked.

3 Pursuant to Government Code section 11520, subdivision (c), Respondents may serve a
4 written motion requesting that the Decision be vacated and stating the grounds relied on within
5 seven (7) days after service of the Decision on Respondents. The motion should be sent to the
6 Bureau of Automotive Repair, ATTN: Patrick Lutfi, 10949 North Mather Boulevard, Rancho
7 Cordova, CA, 95670. The agency in its discretion may vacate the Decision and grant a hearing
8 on a showing of good cause, as defined in the statute.

9 This Decision shall become effective on August 20, 2026.

10 It is so ORDERED Aug. 10, 2026

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12 
13 GRACE ARUPO RODRIGUEZ
14 Assistant Deputy Director
15 Division of Legal Affairs
16 Department of Consumer Affairs

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18 DOJ Matter ID:SA2025306397

19 Attachment: Exhibit A: Accusation
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