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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 Against:

Case No. 79/26-6990

13 **ANTHONY ORTIZ, dba**
14 **EAST LOS ANGELES TEST ONLY CENTER**
3875 East 3rd Street, Unit A
Los Angeles, CA 90063

ACCUSATION

15 Automotive Repair Dealer Registration No. ARD
208246
16 Smog Check, Test-Only, Station License No. TC
208246
17 Certified STAR Station

18 **And**

19 **ANTONIO AZIZ ORTIZ**
3875 E. 3rd St.
20 Los Angeles, CA 90063

21 Smog Check Inspector License No. EO 137072
Smog Check Repair Technician License No. EI
22 137072
Vehicle Safety Systems Technician License No. ST
23 137072

24 **And**

25 **JEAN LUC BRAMBILA**
3875 E. 3rd St.
26 Los Angeles, CA 90063

27 Smog Check Inspector License No. EO 644573
28

1 **FRANCISCO JAVIER C BRAMBILA**

2 13143 Foxley Dr.
Whittier, CA 90602

3 Smog Check Inspector License No. EO 033342
4 Smog Check Repair Technician License No. EI
033342

5 **And**

6 **ANTONIO MENDEZ ORTIZ**

7 153 N. Taylor Ave.
Montebello, CA 90640

8 Smog Check Inspector License No. EO 040431
9 Smog Check Repair Technician License No. EI
040431

10 **And**

11 **ERICK GERARDO PALACIOS FLORES**

12 3425 Washington Ave., Apt. C
El Monte, CA 91731

13 Smog Check Inspector License No. EO 636023

14 Respondents.

15
16 **PARTIES**

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

19 Anthony Ortiz, dba East Los Angeles Test Only Center

20 2. In 1999, the Bureau of Automotive Repair issued Automotive Repair Dealer
21 Registration Number ARD 208246 to Anthony Ortiz, aka Antonio Aziz Ortiz, dba East Los
22 Angeles Test Only Center (Respondent East Los Angeles Test Only Center). The Automotive
23 Repair Dealer Registration was in full force and effect at all times relevant to the charges brought
24 herein and will expire on November 30, 2026, unless renewed.

25 3. On or about May 25, 2000, the Bureau of Automotive Repair issued Smog Check,
26 Test-Only, Station License Number TC 208246 to Respondent East Los Angeles Test Only
27

Center. The Smog Check, Test-Only, Station License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2026, unless renewed.

4. On or about May 31, 2013, the Bureau of Automotive Repair issued a STAR Station Certificate to Respondent East Los Angeles Test Only Center. The certification will remain active unless the ARD and or TC is revoked, canceled, becomes delinquent, or the certification is suspended.

Antonio Aziz Ortiz

5. In 1997, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 137072 to Antonio Aziz Ortiz (Respondent Antonio Aziz Ortiz). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2027, unless renewed.

6. In 1997, the Bureau of Automotive Repair issued Smog Check Repair Technician License Number EI 137072 to Respondent Antonio Aziz Ortiz. The Smog Check Repair Technician License was in full force and effect at all times relevant to the charges brought herein. The Smog Check Repair Technician License expired on January 31, 2025, and has not been renewed.

7. On or about May 22, 2024, the Bureau of Automotive Repair issued Vehicle Safety Systems Technician License Number ST 137072 to Respondent Antonio Aziz Ortiz. The Vehicle Safety Systems Technician License was in full force and effect at all times relevant to the charges brought herein. The Vehicle Safety Systems Technician License expired on January 31, 2026, and has not been renewed.

Jean Luc Brambila

8. On or about September 21, 2023, the Bureau of Automotive Repair issued Smog Check Inspector License Number EO 644573 to Jean Luc Brambila (Respondent Jean Luc Brambila). The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2027, unless renewed.

1 Francisco Javier C Brambila

2 9. On or about November 13, 2012, the Bureau of Automotive Repair issued Smog
3 Check Inspector License Number EO 033342 to Francisco Javier C Brambila (Respondent
4 Francisco Javier Brambila). The Smog Check Inspector License was in full force and effect at all
5 times relevant to the charges brought herein and will expire on December 31, 2026, unless
6 renewed.

7 10. On or about November 13, 2012, the Bureau of Automotive Repair issued Smog
8 Check Repair Technician License Number EI 033342 to Respondent Francisco Javier Brambila.
9 The Smog Check Repair Technician License expired on December 31, 2014, and has not been
10 renewed.

11 Antonio Mendez Ortiz

12 11. In 1997, the Bureau of Automotive Repair issued Smog Check Inspector License
13 Number EO 040431 to Antonio Mendez Ortiz (Respondent Antonio Mendez Ortiz). The Smog
14 Check Inspector License was in full force and effect at all times relevant to the charges brought
15 herein and will expire on January 31, 2028, unless renewed.

16 12. In 1997, the Bureau of Automotive Repair issued Smog Check Repair Technician
17 License Number EI 040431 to Respondent Antonio Mendez Ortiz. The Smog Check Repair
18 Technician License expired on January 31, 2020, and has not been renewed.

19 Erick Gerardo Palacios Flores

20 13. On or about September 12, 2013, the Bureau of Automotive Repair issued Smog
21 Check Inspector License Number EO 636023 to Erick Gerardo Palacios Flores (Respondent Erick
22 Palacios Flores). The Smog Check Inspector License was in full force and effect at all times
23 relevant to the charges brought herein and will expire on February 29, 2028, unless renewed.

24 **ADDITIONAL LICENSES**

25 Anthony Ortiz, dba Bell Test Only Center

26 14. On or about January 1, 1999, the Bureau issued Automotive Repair Dealer
27 Registration Number ARD 203616 to Anthony Ortiz, aka Antonio Aziz Ortiz, dba Bell Test Only
28

Center. The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on February 28, 2027, unless renewed.

15. In 1999, the Bureau issued Smog Check Test Only Station License Number TC 203616 to Anthony Ortiz, aka Antonio Aziz Ortiz, dba Bell Test Only Center. The Smog Check Test Only Station License was in full force and effect at all times relevant to the charges brought herein and will expire on February 28, 2027, unless renewed.

16. On or about February 25, 2013, the Bureau certified Bell Test Only Center (TC 203616) as a STAR Station. The certification will remain active unless the ARD registration and/or Smog Check station license is revoked, cancelled, licenses become delinquent, or certification is suspended.

Anthony Ortiz, dba ABC Eastern Smog Test Only Center

17. On or about January 1, 2001, the Bureau issued Automotive Repair Dealer Registration Number ARD 219019 to Anthony Ortiz, aka Antonio Aziz Ortiz, dba ABC Eastern Smog Test Only Center. The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2026, unless renewed.

18. In 2001, the Bureau issued Smog Check Test Only Station License Number TC 219019 to Anthony Ortiz, aka Antonio Aziz Ortiz, dba ABC Eastern Smog Test Only Center. The Smog Check Test Only Station License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2026, unless renewed.

19. On or about February 25, 2013, the Bureau certified ABC Eastern Smog Test Only Center (TC 219019) as a STAR Station. The certification will remain active unless the ARD registration and/or Smog Check station license is revoked, cancelled, licenses become delinquent, or certification is suspended.

Antonio Mendez Ortiz, dba ABC Olympic Test Only Center

20. On or about January 1, 1989, the Bureau issued Automotive Repair Dealer Registration Number ARD 148486 to Antonio Mendez Ortiz, dba ABC Olympic Test Only

Center. The Automotive Repair Dealer Registration was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2027, unless renewed.

21. In 2001, the Bureau issued Smog Check Test Only Station License Number TC 148486 to Antonio Mendez Ortiz, dba ABC Olympic Test Only Center. The Smog Check Test Only Station 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.

22. On or about February 25, 2013, the Bureau certified ABC Olympic Test Only Center (TC 148486) as a STAR Station. The certification was suspended on March 18, 2026.

JURISDICTION

23. Business and Professions Code (“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.

24. 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.

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

26. Section 9884.7 of the Code states, in pertinent part:

(a) The director, where the automotive repair dealer cannot show there was a bona fide error, may refuse to validate, or may invalidate temporarily or permanently, 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 which constitutes fraud.

....

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

1 37. California Code of Regulations, title 16, section 3340.35, subdivision (c), states
2 that a licensed smog check station “shall issue a certificate of compliance or
3 noncompliance to the owner or operator of any vehicle that has been inspected in
4 accordance with the procedures specified in section 3340.42 of this article and has all
the required emission control equipment and devices installed and functioning
correctly.”

5 38. California Code of Regulations, title 16, section 3340.41, subdivision (b),
6 provides:

7 No person shall enter into the emissions inspection system any access or
8 qualification number other than as authorized by the bureau, nor in any way tamper
with the emissions inspection system.

9 39. California Code of Regulations, title 16, section 3340.41, subdivision (h),
10 provides:

11 (h) No licensed station shall have in the approved testing area at any time any
12 electronic device or software capable of simulating the OBD data stream from a
13 vehicle or manipulating OBD VIN, calibration identification, calibration verification
number, MIL-status, readiness, or diagnostic trouble codes collected from a vehicle
during a Smog Check Inspection.

14 40. California Code of Regulations, title 16, section 3340.42, sets forth specific
15 emissions test methods and procedures which apply to all vehicles inspected in the
State of California.

16 **COST RECOVERY**

17 41. Section 125.3, subdivision (a), of the Code provides, in pertinent part, that a Board
18 may request the administrative law judge to direct a licensee found to have committed
19 violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the
20 investigation and enforcement of the case.

21 **SUMMARY OF OIS SMOG CHECK INSPECTION PROGRAM**

22 42. Beginning March 9, 2015, California’s Smog Check Program was updated require the
23 use of an On-Board Diagnostic Inspection System (OIS). OIS is the Smog Check equipment
24 required in all areas of the State when inspecting most model-year 2000 and newer gasoline and
25 hybrid vehicles and most 1998 and newer diesel vehicles. The system consists of a certified Data
26 Acquisition Device (DAD), computer, bar code scanner, and printer. The DAD is an On Board
27 Diagnostic (OBD) scan tool that, when requested by the California OIS software, retrieves OBD
28

1 data from the vehicle. All OBD data that the vehicle indicates it supports is requested by the
2 California OIS software and will be retrieved.

3 43. The DAD connects between the OIS computer and the vehicle's Diagnostic Link
4 Connector (DLC) located in the vehicle's passenger compartment, which allows for the retrieval
5 of information from the vehicle's on-board computer system. The California OIS software
6 requires a continuous Internet connection when performing a Smog Check inspection and the OIS
7 software communicates with BAR's central database through the Internet connection. The bar
8 code scanner is used to input technician information, the vehicle's identification number (VIN),
9 and DMV renewal information. The printer provides a Vehicle Inspection Report (VIR)
10 containing inspection results for motorists and a Smog Check Certificate of Compliance number
11 for passing vehicles.

12 44. Data retrieved and recorded during an OIS smog check includes: the eVIN, which is
13 the digitally stored VIN programmed by the manufacturer into the vehicle's Powertrain Control
14 Module (PCM); the communication protocol, which is the manufacturer/vehicle specific language
15 the PCM uses to Relay or communicate information. The communication protocol is
16 programmed into the vehicle's on-board computer during manufacture and does not change.

17 45. Other data retrieved and recorded during an OIS smog check includes the number of
18 Parameter Identifications (PIDs), which refers to the number of specific data values that the
19 vehicle's PCM uses related to emissions controls. The specific data values associated with a
20 vehicle's PIDs are also retrieved and recorded during an OIS smog check inspection. That data
21 include things such as the vehicle's engine speed, throttle position, manifold absolute pressure
22 and the engine's mass air flow readings throughout an inspection. Accordingly, the following
23 types of data are recorded during an OIS smog check inspection:

- 24 • Engine speed in revolutions per minute (RPM)
- 25 • Throttle position as measured by a throttle position sensor (TPS) mounted onto the
26 throttle shaft. Measured in a percentage of opening from 0% at idle and near or up
27 to 100% at full throttle.

- Manifold absolute pressure as measured by a manifold air pressure sensor (MAP) connected to an intake manifold source, measured in kilo pascals (kpa). Typical readings for a normally aspirated vehicle as follows: 0 kpa being absolute vacuum, 25kpa to 45kpa at idle, 101 kpa at full throttle, same as atmospheric pressure at sea level.
- Mass air flow as measured by a mass air flow sensor (MAF) mounted in the engine's air intake tract. Measured in grams per second (gps).

46. BAR has become aware of methods that some Smog Check stations and Smog Check inspectors use to fraudulently issue smog certificates to vehicles that will not pass a Smog Check test, or in some instances, are not even present during the time that the test is performed. One such method, which is known as "clean plugging", involves using another vehicle's properly functioning OBD II system, or another source such as a defeat device/simulator, to generate passing data readings or diagnostic information for the purpose of fraudulently issuing smog certificates to vehicles that are not in smog compliance and/or are not present for testing.

47. Defeat devices attempt to simulate engine operation during a Smog Check inspection by transmitting OBD II data to the VID that has been modified or replaced entirely for the purportedly inspected vehicle during the functional portion of the OIS inspection. The use of a defeat device/simulator during a Smog Check inspection constitutes clean plugging and is strictly prohibited. As described in more detail below, BAR is able to utilize the data retrieved and recorded during an OIS smog check to identify inspections in which a defeat device/simulator was used.

48. During an OIS Smog Check inspection, the vehicle is monitored and PID data readings are obtained while the engine is idling and also when the smog check inspector is prompted to increase the engine speed to a certain level and then maintain that speed for a period of time. In order for the engine speed to increase, the throttle must be opened to increase airflow through the engine. An increase in the throttle position, increases the engine speed as measured in RPM and results in a corresponding increase in the mass air flow rate (MAF) as well as a change in the manifold absolute pressure (MAP).

49. Clean plugging is apparent in cases where the data recorded during an OIS smog check shows that the engine speed as measured in RPM increases during the test, and the TPS, MAP and/or MAF readings that are uncharacteristic and improbable for normal engine operation. Because engine speed as measured in RPM cannot increase without corresponding increases in the throttle position and MAF and changes in the MAP, test data in such cases shows that a defeat device was used to simulate throttle position, MAF and MAP readings for a vehicle that was not actually tested.

FACTUAL ALLEGATIONS

50. A Bureau program representative initiated an investigation in which he reviewed specific OIS Test Data for inspections performed at East Los Angeles Test Only Center over several months in 2026. The investigation revealed that the data related to certain vehicles certified by Respondents contained a pattern of unmistakable discrepancies between the information transmitted during the inspections and the recognized and scientifically established characteristics of internal combustion engine operation.

51. On or about April 8, 2026, a Bureau program representative conducted a station visit at East Los Angeles Test Only Center. During the inspection, a Bureau program representative observed an electronic defeat device connected to DAD DT004807, assigned to East Los Angeles Test Only Center. A Bureau program representative interviewed Anthony Ortiz, owner of East Los Angeles Test Only Center and he claimed he had no knowledge of the activities inside his own smog check station and provided the defeat device to the Bureau. Shortly thereafter, Anthony Ortiz forcibly obtained possession of the laptop computer connected to the electronic defeat device, and walked out of East Los Angeles Test Only Center.

52. A Bureau program representative identified 15 instances in which the steady idle and steady elevated engine RPMs with improbable throttle positions, MAP, and MAF readings are not characteristic or expected for normal engine operation. The throttle position, MAP, and MAF readings are expected to be stable at idle and at the elevated engine RPM. Additionally, during the improbable readings, the throttle position and MAF had a higher data point at idle than the highest point at the elevated engine RPM range. Such conditions would not have occurred if the

DAD had been connected to the vehicles that were purportedly being tested instead of a defeat device that simulated engine RPM.

53. These documented discrepancies confirm that, in performing the inspections at issue, Respondents engaged in clean plugging in order to issue fraudulent certificates of compliance for the vehicles. The following chart ("Table 1") illustrates the documented clean plugging activities by Respondents during the period reviewed.

TABLE 1

Test Date	Vehicle Certified & License No./VIN	Certificate No.	Test Details
Vehicle #1 March 1, 2025	2007 Nissan Quest S VIN # 5N1BV28U27N113356	UK523161C	Inspection performed by Respondent Antonio Aziz Ortiz. The steady idle and steady elevated engine RPMs with the improbable throttle positions and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #2 March 4, 2025	2001 Mitsubishi Mirage ES VIN # JA3AY26C41U052380	UK523173C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and elevated engine RPMs with the improbable throttle positions and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #3 March 15, 2025	2001 Toyota Camry CE VIN # JT2BF22K110305308	UK757271C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and steady elevated engine RPMs with the improbable throttle positions and MAF readings are not characteristic or expected for normal engine operation.

Vehicle #4 April 25, 2025	2004 Chevrolet Express G1500 VIN # 1GCFG15X641190730	UM755278C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and elevated engine RPMs with the improbable throttle positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #5 July 3, 2025	2001 Chevrolet Blazer VIN # 1GNCS18W61K135891	JF083963C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and steady elevated engine RPMs with the improbable throttle positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #6 July 17, 2025	2004 Honda CR-V EX VIN # JHLRD78854C036045	US171870C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and steady elevated engine RPMs with the improbable throttle positions and MAP readings are not characteristic or expected for normal engine operation.
Vehicle #7 August 5, 2025	2004 Ford Ranger VIN # 1FTYR10D34PB09065	US513092C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and steady elevated engine RPMs with the improbable throttle positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #8 August 13, 2025	2006 Chevrolet Express G2500 VIN # 1GCGG29VX61215862	JF718165C	Inspection performed by Respondent Jean Luc Brambila. The steady idle and steady elevated engine RPMs with the improbable throttle positions, MAP and MAF readings are

			not characteristic or expected for normal engine operation.
Vehicle #9 September 2, 2025	2000 Ford F150 VIN # 1FTZX1727YNC38314	JH179384C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and elevated engine RPMs with the improbable throttle positions and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #10 September 30, 2025	2003 Chevrolet Silverado C1500 VIN # 2GCEC19XX31128449	JH292590C	Inspection performed by Respondent Antonio Mendez Ortiz. The steady idle and steady elevated engine RPMs with the improbable throttle positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #11 October 3, 2025	2003 Chevrolet Express G1500 VIN # 1GCFG15X131201888	UU517252C	Inspection performed by Respondent Erick Palacios Flores. The steady idle and steady elevated engine RPMs with the improbable throttle positions, MAP and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #12 February 3, 2026	2006 Chrysler 300 Touring VIN # 2C3KA53G36H383209	VA355964C	Inspection performed by Respondent Antonio Aziz Ortiz. The steady idle and elevated engine RPMs with the improbable throttle positions and MAP readings are not characteristic or expected for normal engine operation.

Vehicle #13 February 12, 2026	2006 Ford Ranger VIN # 1FTYR10D16PA16645	VA863904C	Inspection performed by Respondent Jean Luc Brambila. The steady idle and elevated engine RPMs with the improbable MAP readings are not characteristic or expected for normal engine operation.
Vehicle #14 April 7, 2026	2001 Ford F150 Supercrew VIN # 1FTRW07L91KB19113	JJ175209C	Inspection performed by Respondent Jean Luc Brambila. The steady idle and elevated engine RPMs with the improbable throttle positions and MAF readings are not characteristic or expected for normal engine operation.
Vehicle #15 April 14, 2026	2001 Chevrolet Express G3500 VIN # 1GCHG35R511157400	VE448112C	Inspection performed by Respondent Francisco Javier Brambila. The steady idle and elevated engine RPMs with the improbable MAP readings are not characteristic or expected for normal engine operation.

FIRST CAUSE FOR DISCIPLINE

(Misleading Statements - Respondent East Los Angeles Test Only Center)

54. Respondent East Los Angeles Test Only Center has subjected his registration to discipline under Code section 9884.7, subdivision (a)(1), in that he 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, when issuing electronic smog certificates of compliance for the vehicles set forth in Table 1, 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 50 through 53, inclusive, as though set forth fully herein.

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Fraud - Respondent East Los Angeles Test Only Center)**

3 55. Respondent East Los Angeles Test Only Center has subjected his registration to
4 discipline under Code section 9884.7, subdivision (a)(4), in that he committed acts which
5 constitute fraud by issuing electronic smog certificates of compliance for the vehicles set forth in
6 Table 1, above, without performing bona fide inspections of the emission control devices and
7 systems on those vehicles, thereby depriving the People of the State of California of the
8 protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this
9 reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as
10 though set forth fully herein.

11 **THIRD CAUSE FOR DISCIPLINE**

12 **(Material Violation of Automotive Repair Act**

13 **Respondent East Los Angeles Test Only Center)**

14 56. Respondent East Los Angeles Test Only Center has subjected his registration to
15 discipline under Code section 9884.7, subdivision (a)(6), in that he failed in a “material respect to
16 comply with the provisions of this chapter or regulations adopted pursuant to it” when issuing
17 electronic smog certificates of compliance for the vehicles set forth in Table 1, above, without
18 performing bona fide inspections of the emission control devices and systems on those vehicles,
19 thereby depriving the People of the State of California of the protection afforded by the Motor
20 Vehicle Inspection Program. Complainant refers to, and by this reference incorporates, the
21 allegations contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

22 **FOURTH CAUSE FOR DISCIPLINE**

23 **(Violation of the Motor Vehicle Inspection Program**

24 **Respondent East Los Angeles Test Only Center)**

25 57. Respondent East Los Angeles Test Only Center has subjected his station license to
26 discipline under Health & Safety Code section 44072.2, subdivision (a), in that, with respect to
27 the vehicles set forth in Table 1, above, Respondent East Los Angeles Test Only Center violated
28 the following sections of the Health & Safety Code:

a. **Section 44012:** Respondent East Los Angeles Test Only Center failed to ensure that the emission control tests were performed on those vehicles in accordance with procedures prescribed by the department.

b. **Section 44015, subdivision (b):** Respondent East Los Angeles Test Only Center issued electronic smog certificates of compliance without properly testing and inspecting the vehicles to determine if they were in compliance with section 44012 of the Health & Safety Code.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

FIFTH CAUSE FOR DISCIPLINE

(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)

Respondent East Los Angeles Test Only Center)

58. Respondent East Los Angeles Test Only Center has subjected his station license to discipline under Health & Safety Code section 44072.2, subdivision (c), in that, with respect to the vehicles set forth in Table 1, above, Respondent East Los Angeles Test Only Center violated the following sections of title 16 of the California Code of Regulations:

a. **Section 3340.24, subdivision (c):** Respondent East Los Angeles Test Only Center falsely or fraudulently issued electronic smog certificates of compliance without performing bona fide inspections of the emission control devices and systems on those vehicles as required by Health & Safety Code section 44012.

b. **Section 3340.35, subdivision (c):** Respondent East Los Angeles Test Only Center issued electronic smog certificates of compliance even though those vehicles had not been inspected in accordance with section 3340.42 of the Health & Safety Code.

c. **Section 3340.41, subdivision (h):** Respondent East Los Angeles Test Only Center had electronic devices or software capable of simulating the OBD data stream from a vehicle or manipulating OBD VIN, calibration identification, calibration verification number, MIL status, readiness, or diagnostic trouble codes collected from a vehicle during a Smog Check Inspection in the approved testing area of the station.

d. **Section 3340.42:** Respondent East Los Angeles Test Only Center failed to conduct the required smog tests and inspections on those vehicles in accordance with the Bureau's specifications. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

SIXTH CAUSE FOR DISCIPLINE

(Dishonesty, Fraud and/or Deceit - Respondent East Los Angeles Test Only Center)

59. Respondent East Los Angeles Test Only Center has subjected his station license to discipline under Health & Safety Code section 44072.2, subdivision (d), in that, with respect to the vehicles set forth in Table 1, above, Respondent East Los Angeles Test Only Center committed acts involving dishonesty, fraud, or deceit whereby another was injured by issuing electronic smog certificates of compliance for those vehicles without performing bona fide inspections and functional testing 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. Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

SEVENTH CAUSE FOR DISCIPLINE

(Violation of the Motor Vehicle Inspection Program - Respondent Antonio Aziz Ortiz)

60. Respondent Antonio Aziz Ortiz has subjected his smog check inspector license and smog check repair technician license to discipline under Health & Safety Code section 44072.2, subdivision (a), in that, with respect to Vehicles #1 and #12 set forth in Table 1, above, Respondent Antonio Aziz Ortiz violated the following sections of the Health & Safety Code:

a. **Section 44012:** Respondent Antonio Aziz Ortiz failed to ensure that the onboard diagnostic system tests were performed on those vehicles in accordance with procedures prescribed by the department.

b. **Section 44015, subdivision (b):** Respondent Antonio Aziz Ortiz issued electronic smog certificates of compliance without properly testing and inspecting the vehicles to determine if they were in compliance with section 44012 of the Health & Safety Code.

1 c. **Section 44032:** Respondent Antonio Aziz Ortiz failed to perform tests of the onboard
2 diagnostic systems on those vehicles in accordance with section 44012 of the Health & Safety
3 Code.

4 d. **Section 44059:** Respondent Antonio Aziz Ortiz willfully made false entries for the
5 electronic smog certificates of compliance by certifying that those vehicles had been inspected as
6 required when, in fact, they had not.

7 Complainant refers to, and by this reference incorporates, the allegations contained in
8 paragraphs 50 through 53, inclusive, as though set forth fully herein.

9 **EIGHTH CAUSE FOR DISCIPLINE**

10 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program**

11 **Respondent Antonio Aziz Ortiz)**

12 61. Respondent Antonio Aziz Ortiz has subjected his smog check inspector license and
13 smog check repair technician license to discipline under Health & Safety Code section 44072.2,
14 subdivision (c), in that, with respect to Vehicles #1 and #12 set forth in Table 1, above,
15 Respondent Antonio Aziz Ortiz violated the following sections of title 16 of the California Code
16 of Regulations:

17 a. **Section 3340.24, subdivision (c):** Respondent Antonio Aziz Ortiz falsely or
18 fraudulently issued electronic smog certificates of compliance without performing bona fide
19 inspections and functional testing of the emission control devices and systems on those vehicles
20 as required by Health & Safety Code section 44012.

21 b. **Section 3340.30, subdivision (a):** Respondent Antonio Aziz Ortiz failed to inspect
22 and test those vehicles in accordance with Health & Safety Code section 44012.

23 c. **Section 3340.35, subdivision (c):** Respondent Antonio Aziz Ortiz issued electronic
24 smog certificates of compliance even though those vehicles had not been inspected in accordance
25 with section 3340.42 of the Health & Safety Code.

26 d. **Section 3340.41, subdivision (c):** Respondent Antonio Aziz Ortiz knowingly entered
27 false information into the OIS about the vehicles being tested.

1 e. **Section 3340.42:** Respondent Antonio Aziz Ortiz failed to conduct the required
2 smog tests and inspections on those vehicles in accordance with the Bureau's specifications.

3 Complainant refers to, and by this reference incorporates, the allegations contained in
4 paragraphs 50 through 53, inclusive, as though set forth fully herein.

5 **NINTH CAUSE FOR DISCIPLINE**

6 **(Dishonesty, Fraud or Deceit - Respondent Antonio Aziz Ortiz)**

7 62. Respondent Antonio Aziz Ortiz has subjected his smog check inspector license and
8 smog check repair technician license to discipline under Health & Safety Code section 44072.2,
9 subdivision (d), in that, with respect to Vehicles #1 and #12 set forth in Table 1, above,
10 Respondent Antonio Aziz Ortiz committed acts involving dishonesty, fraud or deceit whereby
11 another was injured by issuing electronic smog certificates of compliance for those vehicles
12 without performing bona fide inspections and functional testing of the emission control devices
13 and systems on those vehicles, thereby depriving the People of the State of California of the
14 protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this
15 reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as
16 though set forth fully herein.

17 **TENTH CAUSE FOR DISCIPLINE**

18 **(Failure to Comply with the Code - Vehicle Safety Systems Technician License**

19 **Respondent Antonio Aziz Ortiz)**

20 63. Respondent Antonio Aziz Ortiz's Vehicle Safety Systems technician license is
21 subject to disciplinary action pursuant to Code section 9889.3, subdivision (a), in that with respect
22 to Vehicles #1 and #12 set forth in Table 1, above, Respondent Antonio Aziz Ortiz violated
23 sections of the Code, relating to his licensed activities. Complainant refers to, and by this
24 reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as
25 though set forth fully herein.

1 **ELEVENTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Regulations - Vehicle Safety Systems Technician License**

3 **Respondent Antonio Aziz Ortiz)**

4 64. Respondent Antonio Aziz Ortiz's Vehicle Safety Systems technician license is
5 subject to disciplinary action pursuant to Code section 9889.3, subdivision (c), in that with respect
6 to Vehicles #1 and #12 set forth in Table 1, above, Respondent Antonio Aziz Ortiz failed to
7 comply with provisions of California Code of Regulations. Complainant refers to, and by this
8 reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as
9 though set forth fully herein.

10 **TWELFTH CAUSE FOR DISCIPLINE**

11 **(Dishonesty, Fraud or Deceit - Vehicle Safety Systems Technician License**

12 **Respondent Antonio Aziz Ortiz)**

13 65. Respondent Antonio Aziz Ortiz's Vehicle Safety Systems technician license is
14 subject to disciplinary action pursuant to Code section 9889.3, subdivision (d), in that with
15 respect to Vehicles #1 and #12 set forth in Table 1, above, Respondent Antonio Aziz Ortiz
16 committed dishonest, fraudulent, or deceitful acts whereby another is injured by issuing electronic
17 smog certificates of compliance for vehicles, certifying that the system was in compliance with
18 Bureau regulations or the requirements of the Vehicle Code when, in fact, it was not.
19 Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs
20 50 through 53, inclusive, as though set forth fully herein.

21 **THIRTEENTH CAUSE FOR DISCIPLINE**

22 **(Violation of the Motor Vehicle Inspection Program - Respondent Jean Luc Brambila)**

23 66. Respondent Jean Luc Brambila has subjected his smog check inspector license to
24 discipline under Health & Safety Code section 44072.2, subdivision (a), in that, with respect to
25 Vehicles #8, 13, and 14 set forth in Table 1, above, Respondent Jean Luc Brambila violated the
26 following sections of the Health & Safety Code:

a. **Section 44012:** Respondent Jean Luc Brambila failed to ensure that the onboard diagnostic system tests were performed on those vehicles in accordance with procedures prescribed by the department.

b. **Section 44015, subdivision (b):** Respondent Jean Luc Brambila issued electronic smog certificates of compliance without properly testing and inspecting the vehicles to determine if they were in compliance with section 44012 of the Health & Safety Code.

c. **Section 44032:** Respondent Jean Luc Brambila failed to perform tests of the onboard diagnostic systems on those vehicles in accordance with section 44012 of the Health & Safety Code.

d. **Section 44059:** Respondent Jean Luc Brambila willfully made false entries for the electronic smog certificates of compliance by certifying that those vehicles had been inspected as required when, in fact, they had not.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

FOURTEENTH CAUSE FOR DISCIPLINE

(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)

Respondent Jean Luc Brambila)

67. Respondent Jean Luc Brambila has subjected his smog check inspector license to discipline under Health & Safety Code section 44072.2, subdivision (c), in that, with respect to Vehicles #8, 13, and 14 set forth in Table 1, above, Respondent Jean Luc Brambila violated the following sections of title 16 of the California Code of Regulations:

a. **Section 3340.24, subdivision (c):** Respondent Jean Luc Brambila falsely or fraudulently issued electronic smog certificates of compliance without performing bona fide inspections and functional testing of the emission control devices and systems on those vehicles as required by Health & Safety Code section 44012.

b. **Section 3340.30, subdivision (a):** Respondent Jean Luc Brambila failed to inspect and test those vehicles in accordance with Health & Safety Code section 44012.

1 c. **Section 3340.35, subdivision (c):** Respondent Jean Luc Brambila issued electronic
2 smog certificates of compliance even though those vehicles had not been inspected in accordance
3 with section 3340.42 of the Health & Safety Code.

4 d. **Section 3340.41, subdivision (c):** Respondent Jean Luc Brambila knowingly entered
5 false information into the OIS about the vehicles being tested.

6 e. **Section 3340.42:** Respondent Jean Luc Brambila failed to conduct the required smog
7 tests and inspections on those vehicles in accordance with the Bureau's specifications.

8 Complainant refers to, and by this reference incorporates, the allegations contained in
9 paragraphs 50 through 53, inclusive, as though set forth fully herein.

10 **FIFTEENTH CAUSE FOR DISCIPLINE**

11 **(Dishonesty, Fraud or Deceit - Respondent Jean Luc Brambila)**

12 68. Respondent Jean Luc Brambila has subjected his smog check inspector license to
13 discipline under Health & Safety Code section 44072.2, subdivision (d), in that, with respect to
14 Vehicles #8, 13, and 14 set forth in Table 1, above, Respondent Jean Luc Brambila committed
15 acts involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog
16 certificates of compliance for those vehicles without performing bona fide inspections and
17 functional testing of the emission control devices and systems on those vehicles, thereby
18 depriving the People of the State of California of the protection afforded by the Motor Vehicle
19 Inspection Program. Complainant refers to, and by this reference incorporates, the allegations
20 contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

21 **SIXTEENTH CAUSE FOR DISCIPLINE**

22 **(Violation of the Motor Vehicle Inspection Program**

23 **Respondent Francisco Javier Brambila)**

24 69. Respondent Francisco Javier Brambila has subjected his smog check inspector license
25 and smog check repair technician license to discipline under Health & Safety Code section
26 44072.2, subdivision (a), in that, with respect to Vehicles #2-7, 9, and 15 set forth in Table 1,
27 above, Respondent Francisco Javier Brambila violated the following sections of the Health &
28 Safety Code:

1 a. **Section 44012:** Respondent Francisco Javier Brambila failed to ensure that the
2 onboard diagnostic system tests were performed on those vehicles in accordance with procedures
3 prescribed by the department.

4 b. **Section 44015, subdivision (b):** Respondent Francisco Javier Brambila issued
5 electronic smog certificates of compliance without properly testing and inspecting the vehicles to
6 determine if they were in compliance with section 44012 of the Health & Safety Code.

7 c. **Section 44032:** Respondent Francisco Javier Brambila failed to perform tests of the
8 onboard diagnostic systems on those vehicles in accordance with section 44012 of the Health &
9 Safety Code.

10 d. **Section 44059:** Respondent Francisco Javier Brambila willfully made false entries
11 for the electronic smog certificates of compliance by certifying that those vehicles had been
12 inspected as required when, in fact, they had not.

13 Complainant refers to, and by this reference incorporates, the allegations contained in
14 paragraphs 50 through 53, inclusive, as though set forth fully herein.

15 **SEVENTEENTH CAUSE FOR DISCIPLINE**

16 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program**

17 **Respondent Francisco Javier Brambila)**

18 70. Respondent Francisco Javier Brambila has subjected his smog check inspector license
19 and smog check repair technician license to discipline under Health & Safety Code section
20 44072.2, subdivision (c), in that, with respect to Vehicles #2-7, 9, and 15 set forth in Table 1,
21 above, Respondent Francisco Javier Brambila violated the following sections of title 16 of the
22 California Code of Regulations:

23 a. **Section 3340.24, subdivision (c):** Respondent Francisco Javier Brambila falsely or
24 fraudulently issued electronic smog certificates of compliance without performing bona fide
25 inspections and functional testing of the emission control devices and systems on those vehicles
26 as required by Health & Safety Code section 44012.

27 b. **Section 3340.30, subdivision (a):** Respondent Francisco Javier Brambila failed to
28 inspect and test those vehicles in accordance with Health & Safety Code section 44012.

1 c. **Section 3340.35, subdivision (c):** Respondent Francisco Javier Brambila issued
2 electronic smog certificates of compliance even though those vehicles had not been inspected in
3 accordance with section 3340.42 of the Health & Safety Code.

4 d. **Section 3340.41, subdivision (c):** Respondent Francisco Javier Brambila knowingly
5 entered false information into the OIS about the vehicles being tested.

6 e. **Section 3340.42:** Respondent Francisco Javier Brambila failed to conduct the
7 required smog tests and inspections on those vehicles in accordance with the Bureau's
8 specifications.

9 Complainant refers to, and by this reference incorporates, the allegations contained in
10 paragraphs 50 through 53, inclusive, as though set forth fully herein.

11 **EIGHTEENTH CAUSE FOR DISCIPLINE**

12 **(Dishonesty, Fraud or Deceit - Respondent Francisco Javier Brambila)**

13 71. Respondent Francisco Javier Brambila has subjected his smog check inspector license
14 and smog check repair technician license to discipline under Health & Safety Code section
15 44072.2, subdivision (d), in that, with respect to Vehicles #2-7, 9, and 15 set forth in Table 1,
16 above, Respondent Francisco Javier Brambila committed acts involving dishonesty, fraud or
17 deceit whereby another was injured by issuing electronic smog certificates of compliance for
18 those vehicles without performing bona fide inspections and functional testing of the emission
19 control devices and systems on those vehicles, thereby depriving the People of the State of
20 California of the protection afforded by the Motor Vehicle Inspection Program. Complainant
21 refers to, and by this reference incorporates, the allegations contained in paragraphs 50 through
22 53, inclusive, as though set forth fully herein.

23 **NINETEENTH CAUSE FOR DISCIPLINE**

24 **(Violation of the Motor Vehicle Inspection Program - Respondent Antonio Mendez Ortiz)**

25 72. Respondent Antonio Mendez Ortiz has subjected his smog check inspector license
26 and smog check repair technician license to discipline under Health & Safety Code section
27 44072.2, subdivision (a), in that, with respect to Vehicle #10 set forth in Table 1, above,
28 Respondent Antonio Mendez Ortiz violated the following sections of the Health & Safety Code:

1 a. **Section 44012:** Respondent Antonio Mendez Ortiz failed to ensure that the onboard
2 diagnostic system tests were performed on those vehicles in accordance with procedures
3 prescribed by the department.

4 b. **Section 44015, subdivision (b):** Respondent Antonio Mendez Ortiz issued electronic
5 smog certificates of compliance without properly testing and inspecting the vehicles to determine
6 if they were in compliance with section 44012 of the Health & Safety Code.

7 c. **Section 44032:** Respondent Antonio Mendez Ortiz failed to perform tests of the
8 onboard diagnostic systems on those vehicles in accordance with section 44012 of the Health &
9 Safety Code.

10 d. **Section 44059:** Respondent Antonio Mendez Ortiz willfully made false entries for
11 the electronic smog certificates of compliance by certifying that those vehicles had been inspected
12 as required when, in fact, they had not.

13 Complainant refers to, and by this reference incorporates, the allegations contained in
14 paragraphs 50 through 53, inclusive, as though set forth fully herein.

15 **TWENTIETH CAUSE FOR DISCIPLINE**

16 **(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program**

17 **Respondent Antonio Mendez Ortiz)**

18 73. Respondent Antonio Mendez Ortiz has subjected his smog check inspector license
19 and smog check repair technician license to discipline under Health & Safety Code section
20 44072.2, subdivision (c), in that, with respect to Vehicle #10 set forth in Table 1, above,
21 Respondent Antonio Mendez Ortiz violated the following sections of title 16 of the California
22 Code of Regulations:

23 a. **Section 3340.24, subdivision (c):** Respondent Antonio Mendez Ortiz falsely or
24 fraudulently issued electronic smog certificates of compliance without performing bona fide
25 inspections and functional testing of the emission control devices and systems on those vehicles
26 as required by Health & Safety Code section 44012.

27 b. **Section 3340.30, subdivision (a):** Respondent Antonio Mendez Ortiz failed to
28 inspect and test those vehicles in accordance with Health & Safety Code section 44012.

1 c. **Section 3340.35, subdivision (c):** Respondent Antonio Mendez Ortiz issued
2 electronic smog certificates of compliance even though those vehicles had not been inspected in
3 accordance with section 3340.42 of the Health & Safety Code.

4 d. **Section 3340.41, subdivision (c):** Respondent Antonio Mendez Ortiz knowingly
5 entered false information into the OIS about the vehicles being tested.

6 e. **Section 3340.42:** Respondent Antonio Mendez Ortiz failed to conduct the required
7 smog tests and inspections on those vehicles in accordance with the Bureau's specifications.

8 Complainant refers to, and by this reference incorporates, the allegations contained in
9 paragraphs 50 through 53, inclusive, as though set forth fully herein.

10 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

11 **(Dishonesty, Fraud or Deceit - Respondent Antonio Mendez Ortiz)**

12 74. Respondent Antonio Mendez Ortiz has subjected his smog check inspector license
13 and smog check repair technician license to discipline under Health & Safety Code section
14 44072.2, subdivision (d), in that, with respect to Vehicle #10 set forth in Table 1, above,
15 Respondent Antonio Mendez Ortiz committed acts involving dishonesty, fraud or deceit whereby
16 another was injured by issuing electronic smog certificates of compliance for those vehicles
17 without performing bona fide inspections and functional testing of the emission control devices
18 and systems on those vehicles, thereby depriving the People of the State of California of the
19 protection afforded by the Motor Vehicle Inspection Program. Complainant refers to, and by this
20 reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as
21 though set forth fully herein.

22 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

23 **(Violation of the Motor Vehicle Inspection Program - Respondent Erick Palacios Flores)**

24 75. Respondent Erick Palacios Flores has subjected his smog check inspector license to
25 discipline under Health & Safety Code section 44072.2, subdivision (a), in that, with respect to
26 Vehicle #11 set forth in Table 1, above, Respondent Erick Palacios Flores violated the following
27 sections of the Health & Safety Code:

a. **Section 44012:** Respondent Erick Palacios Flores failed to ensure that the onboard diagnostic system tests were performed on those vehicles in accordance with procedures prescribed by the department.

b. **Section 44015, subdivision (b):** Respondent Erick Palacios Flores issued electronic smog certificates of compliance without properly testing and inspecting the vehicles to determine if they were in compliance with section 44012 of the Health & Safety Code.

c. **Section 44032:** Respondent Erick Palacios Flores failed to perform tests of the onboard diagnostic systems on those vehicles in accordance with section 44012 of the Health & Safety Code.

d. **Section 44059:** Respondent Erick Palacios Flores willfully made false entries for the electronic smog certificates of compliance by certifying that those vehicles had been inspected as required when, in fact, they had not.

Complainant refers to, and by this reference incorporates, the allegations contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

TWENTY-THIRD CAUSE FOR DISCIPLINE

(Violations of Regulations Pursuant to the Motor Vehicle Inspection Program)

Respondent Erick Palacios Flores)

76. Respondent Erick Palacios Flores has subjected his smog check inspector license to discipline under Health & Safety Code section 44072.2, subdivision (c), in that, with respect to Vehicle #11 set forth in Table 1, above, Respondent Erick Palacios Flores violated the following sections of title 16 of the California Code of Regulations:

a. **Section 3340.24, subdivision (c):** Respondent Erick Palacios Flores falsely or fraudulently issued electronic smog certificates of compliance without performing bona fide inspections and functional testing of the emission control devices and systems on those vehicles as required by Health & Safety Code section 44012.

b. **Section 3340.30, subdivision (a):** Respondent Erick Palacios Flores failed to inspect and test those vehicles in accordance with Health & Safety Code section 44012.

1 c. **Section 3340.35, subdivision (c):** Respondent Erick Palacios Flores issued electronic
2 smog certificates of compliance even though those vehicles had not been inspected in accordance
3 with section 3340.42 of the Health & Safety Code.

4 d. **Section 3340.41, subdivision (c):** Respondent Erick Palacios Flores knowingly
5 entered false information into the OIS about the vehicles being tested.

6 e. **Section 3340.42:** Respondent Erick Palacios Flores failed to conduct the required
7 smog tests and inspections on those vehicles in accordance with the Bureau's specifications.

8 Complainant refers to, and by this reference incorporates, the allegations contained in
9 paragraphs 50 through 53, inclusive, as though set forth fully herein.

10 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

11 **(Dishonesty, Fraud or Deceit - Respondent Erick Palacios Flores)**

12 77. Respondent Erick Palacios Flores has subjected his smog check inspector license to
13 discipline under Health & Safety Code section 44072.2, subdivision (d), in that, with respect to
14 Vehicle #11 set forth in Table 1, above, Respondent Erick Palacios Flores committed acts
15 involving dishonesty, fraud or deceit whereby another was injured by issuing electronic smog
16 certificates of compliance for those vehicles without performing bona fide inspections and
17 functional testing of the emission control devices and systems on those vehicles, thereby
18 depriving the People of the State of California of the protection afforded by the Motor Vehicle
19 Inspection Program. Complainant refers to, and by this reference incorporates, the allegations
20 contained in paragraphs 50 through 53, inclusive, as though set forth fully herein.

21 **DISCIPLINARY CONSIDERATIONS**

22 **Anthony Ortiz, dba East Los Angeles Test Only Center**

23 78. On November 7, 2000, Citation Case No.: C2001-111 was issued to Respondent East
24 Los Angeles Test Only Center, ARD/TC 208246 for certifying a Bureau vehicle documented to
25 fail a properly performed Smog Check Inspection. The Citation became effective on December
26 8, 2000 and is now final.

27 79. On October 8, 2008, Citation Case No.: C2009-322 was issued to Respondent East
28 Los Angeles Test Only Center, ARD/TC 208246 for certifying a Bureau vehicle documented to

1 fail a properly performed Smog Check Inspection. The Citation became effective on December
2 19, 2008 and is now final.

3 80. On November 18, 2020, Citation Case No.: C2020-914 was issued to Respondent
4 East Los Angeles Test Only Center, ARD/TC 208246 for certifying a Bureau vehicle documented
5 to fail a properly performed Smog Check Inspection. The Citation became effective on
6 November 15, 2021 and is now final.

7 81. On March 11, 2025, Citation Case No.: C2025-549 was issued to Respondent East
8 Los Angeles Test Only Center, ARD/TC 208246 for certifying a Bureau vehicle documented to
9 fail a properly performed Smog Check Inspection. The Citation became effective on March 23,
10 2026 and is now final.

11 Antonio Aziz Ortiz:

12 82. On December 2, 1998, Citation Case No.: M1999-203 was issued to Respondent
13 Antonio Aziz Ortiz, Smog Check Inspector EO/EI/EA 137072 for certifying a Bureau vehicle
14 documented to fail a properly performed Smog Check Inspection. The Citation became effective
15 on January 2, 1999 and is now final.

16 Francisco Javier Brambila:

17 83. In determining the degree of discipline to be imposed, the Bureau further alleges that
18 pursuant to the Decision and Order in Accusation Case No.: 77/17-16353, effective on December
19 31, 2020, Smog Check Inspector No. EO 033342, Smog Check Repair Technician License No. EI
20 033342, Brake Adjuster License No. BA 033342, and Lamp Adjuster License No. LA 033342, all
21 issued to Respondent Francisco Javier Brambila were revoked. However, Smog Check Inspector
22 No. EO 033342 and Smog Check Repair Technician License No. EI 033342 revocations were
23 stayed and placed on a 3-year probation subject to terms and conditions. The facts and
24 circumstances underlying the discipline are that Respondent Francisco Javier Brambila
25 committed acts involving dishonesty, fraud, or deceit whereby another was injured, and violated
26 provisions of the Business and Professions Code.

27 84. On March 11, 2025, a Citation Case No.: M2025-550 was issued to Respondent
28 Francisco Javier Brambila, Smog Check Inspector EO/EI/EA 033342 for certifying a Bureau

1 vehicle documented to fail a properly performed Smog Check Inspection. The Citation became
2 effective on March 23, 2026 and is now final.

3 Antonio Mendez Ortiz:

4 85. On July 1, 1999, Citation Case No.: M1999-641 was issued to Respondent Antonio
5 Mendez Ortiz, Smog Check Inspector EO/EI/EA 040431 for certifying a Bureau vehicle
6 documented to fail a properly performed Smog Check Inspection. The Citation became effective
7 on August 1, 1999 and is now final.

8 86. On November 6, 2001, Citation Case No.: M2002-267 was issued to Respondent
9 Antonio Mendez Ortiz, Smog Check Inspector EO 040431 for certifying a Bureau vehicle
10 documented to fail a properly performed Smog Check inspection. The Citation became effective
11 on December 7, 2001 and is now final.

12 Erick Palacios Flores:

13 87. On February 16, 2023, Citation Case No.: M2023-411 was issued to Respondent
14 Erick Palacios Flores, Smog Check Inspector EO 636023 for certifying a Bureau vehicle
15 documented to fail a properly performed Smog Check inspection. The Citation became effective
16 on February 1, 2024 and is now final.

17 88. On August 12, 2026, Citation Case No.: M2026-904 was issued to Respondent Erick
18 Palacios Flores, Smog Check Inspector EO 636023 for certifying a Bureau vehicle documented to
19 fail a properly performed Smog Check inspection. The Citation became effective on September
20 12, 2026 and is still pending.

21 **OTHER MATTERS**

22 Anthony Ortiz, dba East Los Angeles Test Only Center

23 89. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may
24 suspend, revoke, or place on probation the registration for all places of business operated in this
25 state by Anthony Ortiz, dba East Los Angeles Test Only Center, 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.

1 90. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Test Only Station
2 License No. TC 208246, issued to Anthony Ortiz, dba East Los Angeles Test Only Center, is
3 revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of
4 the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the
5 director.

6 Antonio Aziz Ortiz

7 91. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
8 No. EO 137072, issued to Antonio Aziz Ortiz, is revoked or suspended, any additional license
9 issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said
10 licensee may be likewise revoked or suspended by the director.

11 92. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Repair Technician
12 License No. EI 137072, issued to Antonio Aziz Ortiz, is revoked or suspended, any additional
13 license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of
14 said licensee may be likewise revoked or suspended by the director.

15 93. Pursuant to Business & Professions Code section 9889.9, if Vehicle Safety Systems
16 Technician License No. ST 137072, issued to Antonio Aziz Ortiz, is revoked or suspended, any
17 additional license issued under Article 6.5 in the name of Antonio Aziz Ortiz may be likewise
18 revoked or suspended by the Director.

19 Jean Luc Brambila

20 94. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
21 No. EO 644573, issued to Jean Luc Brambila, is revoked or suspended, any additional license
22 issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said
23 licensee may be likewise revoked or suspended by the director.

24 Francisco Javier Brambila

25 95. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License
26 No. EO 033342, issued to Respondent Francisco Javier Brambila, is revoked or suspended, any
27 additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in
28 the name of said licensee may be likewise revoked or suspended by the director.

96. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Repair Technician License No. EI 033342, issued to Respondent Francisco Javier Brambila, is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the director.

Antonio Mendez Ortiz

97. Pursuant to Bus. & Prof. Code section 9884.7, subdivision (c), the Director may suspend, revoke, or place on probation the registration for all places of business operated in this state by Antonio Mendez Ortiz, upon a finding that he has, or is, engaged in a course of repeated and willful violations of the laws and regulations pertaining to an automotive repair dealer.

98. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License No. EO 040431, issued to Antonio Mendez Ortiz, is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the director.

99. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Repair Technician License No. EI 040431, issued to Antonio Mendez Ortiz, is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the director.

Erick Palacio Flores

100. Pursuant to Health & Saf. Code section 44072.8, if Smog Check Inspector License No. EO 636023, issued to Erick Palacios Flores, is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health & Saf. Code in the name of said licensee may be likewise revoked or suspended by the director.

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:

Anthony Ortiz, dba East Los Angeles Test Only Center

1. Revoking or suspending Automotive Repair Dealer Registration Number ARD 208246, issued to Anthony Ortiz, dba East Los Angeles Test Only Center;
2. Revoking or suspending any other automotive repair dealer registration issued to Anthony Ortiz;
3. Revoking or suspending Smog Check, Test-Only, Station License Number TC 208246, issued to Anthony Ortiz, dba East Los Angeles Test Only Center;
4. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Anthony Ortiz;
5. Revoking or suspending STAR Station Certification Number, issued to Anthony Ortiz, dba East Los Angeles Test Only Center;

Antonio Aziz Ortiz

6. Revoking or suspending Smog Check Inspector License Number EO 137072, issued to Antonio Aziz Ortiz;
7. Revoking or suspending Smog Check Repair Technician License Number EI 137072, issued to Antonio Aziz Ortiz;
8. Revoking or suspending Vehicle Safety Systems Technician Number ST 137072, issued to Antonio Aziz Ortiz;
9. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Antonio Aziz Ortiz;

Jean Luc Brambila

10. Revoking or suspending Smog Check Inspector License Number EO 644573, issued to Jean Luc Brambila;
11. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code in the name of Jean Luc Brambila;

Francisco Javier Brambila

12. Revoking or suspending Smog Check Inspector License Number EO 033342, issued to Francisco Javier Brambila;

1 13. Revoking or suspending Smog Check Repair Technician License Number EI 033342,
2 issued to Francisco Javier Brambila;

3 14. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
4 Division 26 of the Health and Safety Code in the name of Francisco Javier Brambila;

5 Antonio Mendez Ortiz

6 15. Revoking or suspending Smog Check Inspector License Number EO 040431, issued
7 to Antonio Mendez Ortiz;

8 16. Revoking or suspending Smog Check Repair Technician License Number EI 040431,
9 issued to Antonio Mendez Ortiz;

10 17. Revoking or suspending any other automotive repair dealer registration issued to
11 Antonio Mendez Ortiz;

12 18. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
13 Division 26 of the Health and Safety Code in the name of Antonio Mendez Ortiz;

14 Erick Palacios Flores

15 19. Revoking or suspending Smog Check Inspector License Number EO 636023, issued
16 to Erick Palacios Flores;

17 20. Revoking or suspending any additional license issued under Chapter 5 of Part 5 of
18 Division 26 of the Health and Safety Code in the name of Erick Palacios Flores;

19 21. Ordering Anthony Ortiz, aka Antonio Aziz Ortiz; Jean Luc Brambila; Francisco
20 Javier Brambila; Antonio Mendez Ortiz; and Erick Palacios Flores to pay the Bureau of
21 Automotive Repair the reasonable costs of the investigation and enforcement of this case,
22 pursuant to Business and Professions Code section 125.3 and if placed on probation, the costs of
23 probation monitoring; and,

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22. 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: 2026.10.27
10:51:38 -07'00'

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

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