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

In the Matter of the Petition to Revoke
Probation Against:

**LUIS LARIOS AND OLIVER LOPEZ,
PARTNERS, DBA XPORT SMOG
2235 Avenida Costa Este, Suite 600B
San Diego, CA 92154**

**Automotive Repair Dealer Registration No.
ARD 280599**

**Smog Check Test Only Station No. TC
280599,**

and

**OLIVER R. LOPEZ GODOY
4369 44th Street, #B
San Diego, CA 92115**

**Smog Check Inspector License No. EO
635301**

Respondents.

Case No. 79/23-878

**DEFAULT DECISION AND ORDER AS
TO LUIS LARIOS AND OLIVER
LOPEZ, PARTNERS, DBA XPORT
SMOG ONLY**

[Gov. Code, §11520]

FINDINGS OF FACT

1
2 1. On or about June 7, 2023, Complainant Patrick Dorais, in his official capacity as the
3 Chief of the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs, filed
4 Petition to Revoke Probation No. 79/23-878 against Luis Larios and Oliver Lopez, Partners, dba
5 Xport Smog; before the Director of the Department of Consumer Affairs. (Petition to Revoke
6 Probation attached as Exhibit A.)

7 **Automotive Repair Dealer Registration No. ARD 280599**

8 2. On or about June 19, 2015, the Bureau issued Automotive Repair Dealer Registration
9 Number ARD 280599 to Luis Larios and Oliver Lopez, dba Xport Smog. The Automotive
10 Repair Dealer Registration expired on June 30, 2022, and has not been renewed.

11 **Smog Check Test-Only Station License No. TC 280599**

12 3. On or about October 22, 2015, the Bureau issued Smog Check Test Only Station
13 Number TC 280599 to Luis Larios and Oliver Lopez, dba Xport Smog. The Smog Check Test
14 Only Station expired on June 30, 2022, and has not been renewed.

15 4. On or about June 7, 2023, Respondents were served by Certified and First Class Mail
16 copies of the Petition to Revoke Probation No. 79/23-878, Statement to Respondent, Notice of
17 Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5,
18 11507.6, and 11507.7) at Respondents' address of record which, pursuant to Business and
19 Professions Code section 136, is required to be reported and maintained with the Bureau.
20 Respondents' address of record was and is: 2235 Avenida Costa Este, Suite 600B, San Diego, CA
21 92154.

22 5. Service of the Petition to Revoke Probation was effective as a matter of law under the
23 provisions of Government Code section 11505, subdivision (c) and/or Business and Professions
24 Code section 124.

25 6. Government Code section 11506, subdivision (c) states, in pertinent part:

26 The respondent shall be entitled to a hearing on the merits if the respondent
27 files a notice of defense . . . and the notice shall be deemed a specific denial of all
28 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
... shall constitute a waiver of respondent's right to a hearing, but the agency in its
discretion may nevertheless grant a hearing.

1 b. At all times after the effective date of Respondents' probation, Condition Number 9
2 stated, in pertinent part: Respondents' probation is subject to revocation because they failed to make
3 *any payments* to the Bureau for the cost of the investigation; and have failed to pay the entire balance
4 six months before probation terminates, which would have been December 12, 2022.

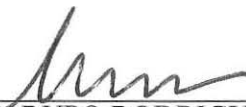
5 **ORDER**

6 IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 280599, and
7 Smog Check Test Only Station Number TC 280599, issued to Respondent Luis Larios and Oliver
8 Lopez, Partners, dba Xport Smog, are revoked.

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

15 This Decision shall become effective on NOV 15 2023.

16 It is so ORDERED Nov. 16, 2023

17
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19 _____
20 GRACE ARUPO RODRIGUEZ
21 Assistant Deputy Director
22 Division of Legal Affairs
23 Department of Consumer Affairs

24 84051429.DOCX
25 DOJ Matter ID:SD2023800703

26 Attachment: Exhibit A: Petition to Revoke Probation
27
28