

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

In the Matter of the Accusation Against:

ADVANCED SMOG LLC, dba ADVANCED SMOG; HECTOR MANUEL RIVERA,

MEMBER

13718 Old 215 Frontage Road, #B

Moreno Valley, CA 92553

Automotive Repair Dealer Registration No. ARD 285796

Smog Check Test Only Station License No. TC 285796

and

JOSEPH PAUL MARTINEZ

27738 Moonridge Drive

Sun City, CA 92585

Smog Check Inspector License No. EO 641473

Respondents.

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Case No. 79/22-10900

DECISION

The attached Stipulated Revocation of License and Order is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on JUL 01 2023.

DATED: May 24, 2023 

GRACE ARUPO RODRIGUEZ
Assistant Deputy Director
Legal Affairs Division
Department of Consumer Affairs

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

13 In the Matter of the Accusation Against:

Case No. 79/22-10900

14 **ADVANCED SMOG LLC, DBA**
15 **ADVANCED SMOG; HECTOR MANUEL**
16 **RIVERA, MEMBER**
13718 Old 215 Frontage Road, #B
Moreno Valley, CA 92553

**STIPULATED REVOCATION OF
LICENSE AND ORDER**

17 **Automotive Repair Dealer Registration No.**
18 **ARD 285796**
19 **Smog Check, Test Only Station No. TC**
20 **285796,**

21 **and**

22 **JOSEPH PAUL MARTINEZ**
23 **27738 Moonridge Drive**
24 **Sun City, CA 92585**

25 **Smog Check Inspector No. EO 641473**

26 Respondents.

27 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
entitled proceedings that the following matters are true:

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1 **PARTIES**

2 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair
3 (Bureau). He brought this action solely in his official capacity and is represented in this matter by
4 Rob Bonta, Attorney General of the State of California, by Dionne Mochon, Deputy Attorney
5 General.

6 **Automotive Repair Dealer/Station License**

7 2. Advanced Smog LLC, dba Advanced Smog; Hector Manuel Rivera, Member
8 (Respondent) is representing itself in this proceeding and has chosen not to exercise its right to be
9 represented by counsel.

10 3. On or about January 18, 2017, the Bureau issued Automotive Repair Dealer
11 Registration No. ARD 285796 to Advanced Smog LLC, dba Advanced Smog; Hector Manuel
12 Rivera, Member (Respondent). The Automotive Repair Dealer Registration was in full force and
13 effect at all times relevant to the charges brought in Accusation No. 79/22-10900 and will expire
14 on January 31, 2024, unless renewed.

15 4. On or about February 6, 2017, the Bureau issued Smog Check, Test Only Station No.
16 TC 285796 to Advanced Smog LLC, dba Advanced Smog; Hector Manuel Rivera, Member
17 (Respondent). The Smog Check, Test Only Station was in full force and effect at all times
18 relevant to the charges brought in Accusation No. 79/22-10900 and will expire on January 31,
19 2024, unless renewed.

20 **JURISDICTION**

21 5. Accusation No. 79/22-10900 was filed before the (Director), and is currently pending
22 against Respondent. The Accusation and all other statutorily required documents were properly
23 served on Respondent on February 3, 2023. Respondent timely filed its Notice of Defense
24 contesting the Accusation. A copy of Accusation No. 79/22-10900 is attached as Exhibit A and
25 incorporated by reference.

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1 Respondent. By signing the stipulation, Respondent understands and agrees that they may not
2 withdraw its agreement or seek to rescind the stipulation prior to the time the Bureau considers
3 and acts upon it. If the Bureau fails to adopt this stipulation as its Decision and Order, the
4 Stipulated Revocation of License and Order shall be of no force or effect, except for this
5 paragraph, it shall be inadmissible in any legal action between the parties, and the Bureau shall
6 not be disqualified from further action by having considered this matter.

7 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
8 copies of this Stipulated Revocation of License and Order, including PDF and facsimile
9 signatures thereto, shall have the same force and effect as the originals.

10 13. This Stipulated Revocation of License and Order is intended by the parties to be an
11 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
12 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
13 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
14 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
15 executed by an authorized representative of each of the parties.

16 14. In consideration of the foregoing admissions and stipulations, the parties agree that
17 the Bureau may, without further notice or formal proceeding, issue and enter the following Order:

18 **ORDER**

19 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 285796
20 and Smog Check, Test Only Station No. TC 285796 issued to Respondent Advanced Smog LLC,
21 dba Advanced Smog; Hector Manuel Rivera, Member, are revoked.

22 1. The stipulated revocation of Respondent's Automotive Repair Dealer Registration and
23 Smog Check, Test Only Station by the Bureau shall constitute the imposition of discipline against
24 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
25 Respondent's license history with the Bureau.

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2. Respondent shall lose all rights and privileges as an Automotive Repair Dealer Registrant and Smog Check Test Only center in California as of the effective date of the Director's Decision and Order.

3. Respondent shall cause to be delivered to the Bureau its wall license and current renewal certificate on or before the effective date of the Decision and Order.

4. If Respondents ever apply for licensure or petitions for reinstatement in the State of California, the Bureau shall treat it as a new application for licensure or registration. Respondents must comply with all the laws, regulations and procedures for licensure and/or registration in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 79/22-10900 shall be deemed to be true, correct and admitted by Respondents when the Director determines whether to grant or deny the application or petition.

5. Respondent shall not apply for licensure or petition for reinstatement for a period of one year from the effective date of this Order.

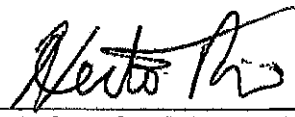
6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$5,158.75 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Revocation of License and Order. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration, and Smog Check, Test Only Station. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Bureau of Automotive Repair.

DATED: _____

4-18-23


ADVANCED SMOG LLC, DBA
ADVANCED SMOG; HECTOR MANUEL
RIVERA, MEMBER
Respondent

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ENDORSEMENT

The foregoing Stipulated Revocation of License and Order is hereby respectfully submitted
for consideration by the Bureau of Automotive Repair.

DATED: 4-18-23

Respectfully submitted,

ROB BONTA
Attorney General of California
MARICHELLE S. TAHIMIC
Supervising Deputy Attorney General

Dionne Mochon

DIONNE MOCHON
Deputy Attorney General
Attorneys for Complainant

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