

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

In the Matter of the Accusation Against:

**KLK INTERNATIONAL INC. dba BURLINGAME SMOG CHECK; KANSINEE ADSANATHAM,
PRESIDENT**

1876 El Camino Real

Burlingame, CA 94010

Mailing Address:

1234 Church Street

San Francisco, CA 94114

Automotive Repair Dealer Registration No. ARD 288843

Smog Check Test Only Station License No. TC 288843

MANUEL VIEIRA DALUZ

1252 Highland Blvd.

Hayward, CA 94542

Smog Check Inspector License No. EO 631296

JOSE MENDOZA

7920 Anza Dr.

San Diego, CA 92114

Smog Check Inspector License No. EO 639368

Respondents.

Case No. 799/22-15207

DECISION

The attached Stipulated Settlement and Disciplinary Order as to KLK International, Inc. dba Burlingame Smog Check only 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 December 6, 2024.

IT IS SO ORDERED Oct. 29, 2024.



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

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Attorney General of California
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9 **BEFORE THE**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

14 **KLK INTERNATIONAL INC.**
15 **dba BURLINGAME SMOG CHECK**
16 **NANCY JUNG, President**
17 **1876 El Camino Real**
Burlingame, CA 94010

18 **Mailing Address:**
19 **1234 Church Street**
San Francisco, CA 94114

20 **Automotive Repair Dealer No. ARD 288843**
Smog Check Station License No TC 288843

21 **MANUEL VIEIRA DALUZ**
22 **1252 Highland Blvd.**
Hayward, CA 94542

23 **Smog Check Inspector (EO) License No. EO 631296**

24 **JOSE MENDOZA**
25 **7920 Anza Dr.**
San Diego, CA 92114

26 **Smog Check Inspector (EO) License No. EO 639368**

27 Respondents.
28

Case No. 79/22-15207

OAH No. 2024030688

**STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER**

**AS TO RESPONDENT KLK
INTERNATIONAL, INC. ONLY**

1 IT IS HEREBY STIPULATED AND AGREED by and between the parties¹ to the above-
2 entitled proceedings that the following matters are true:

3 **PARTIES**

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

8 2. Respondent KKK International Inc., dba Burlingame Smog Check, Nancy Jung,
9 President/Secretary/Treasurer² (Respondent Burlingame Smog) is representing itself in this
10 proceeding and has chosen not to be represented by counsel.

11 3. On or about October 30, 2017, the Bureau issued Automotive Repair Dealer
12 Registration Number ARD 288843 to Respondent Burlingame Smog. The Automotive Repair
13 Dealer Registration was in full force and effect at all times relevant to the charges brought in
14 Accusation 79/22-15207 and will expire on October 31, 2024, unless renewed.

15 4. On or about November 30, 2017, the Bureau issued Smog Check Test Only Station
16 License Number TC 288843 (Smog Station License) to Respondent Burlingame Smog. The
17 Smog Station License was in full force and effect at all times relevant to the charges brought in
18 Accusation 79/22-15207 and will expire on October 31, 2024, unless renewed.

19 **JURISDICTION**

20 5. Accusation No. 79/22-15207 was filed before the Director of the Department of
21 Consumer Affairs (Director), and is currently pending against Respondent Burlingame Smog.
22 The Accusation and all other statutorily required documents were properly served on Respondent
23 Burlingame Smog on March 24, 2023. Respondent Burlingame Smog timely filed a Notice of
24 Defense contesting the Accusation.

25 6. A copy of Accusation No. 79/22-15207 is attached as exhibit A and incorporated
26 herein by reference.

27 ¹ This Stipulated Settlement and Order applies only to Respondent Burlingame Smog. It
28 does not apply to the case against Respondents Manuel Daluz or Jose Mendoza.

² Nancy Jung replaced former President Kansinee Adsanatham on or about June 12, 2024.

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1 and staff of the Department of Consumer Affairs regarding this stipulation and settlement,
2 without notice to or participation by Respondent. By signing the stipulation, Respondent
3 understands and agrees that it may not withdraw its agreement or seek to rescind the stipulation
4 prior to the time the Director considers and acts upon it. If the Director fails to adopt this
5 stipulation as the Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of
6 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
7 the parties, and the Director shall not be disqualified from further action by having considered
8 this matter.

9 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
10 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
11 signatures thereto, shall have the same force and effect as the originals.

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

18 16. In consideration of the foregoing admissions and stipulations, the parties agree that
19 the Director may, without further notice or formal proceeding, issue and enter the following
20 Disciplinary Order:

21 **DISCIPLINARY ORDER**

22 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration No. ARD 288843
23 and Smog Check Station No. TC 288843, issued to Respondent KKK International Inc., dba
24 Burlingame Smog Check; Nancy Jung, President, are revoked. However, the revocation is stayed
25 and Respondent Burlingame Smog is placed on probation for five (5) years on the following
26 terms and conditions:

27 1. **Obey All Laws.** During the period of probation, Respondent Burlingame Smog shall
28 comply with all federal and state statutes, regulations and rules governing all BAR registrations

1 and licenses held by Respondent Burlingame Smog.

2 **2. Quarterly Reporting.** During the period of probation, Respondent Burlingame Smog
3 shall report either by personal appearance or in writing as determined by BAR on a schedule set
4 by BAR, but no more frequently than once each calendar quarter, on the methods used and
5 success achieved in maintaining compliance with the terms and conditions of probation.

6 **3. Report Financial Interests.** Respondent Burlingame Smog shall, within 30 days of
7 the effective date of the decision and within 30 days from the date of any request by BAR during
8 the period of probation, report any financial interest which any Respondent or any partners,
9 officers, or owners of any Respondent facility may have in any other business required to be
10 registered pursuant to Section 9884.6 of the Business and Professions Code.

11 **4. Access to Examine Vehicles and Records.** Respondent Burlingame Smog shall
12 provide BAR representatives unrestricted access to examine all vehicles (including parts)
13 undergoing service, inspection, or repairs, up to and including the point of completion.
14 Respondent Burlingame Smog shall also provide BAR representatives unrestricted access to all
15 records pursuant to BAR laws and regulations.

16 **5. Tolling of Probation.** If, during probation, Respondent Burlingame Smog leaves the
17 jurisdiction of California to reside or do business elsewhere or otherwise ceases to do business in
18 the jurisdiction of California, Respondent Burlingame Smog shall notify BAR in writing within
19 10 days of the dates of departure and return, and of the dates of cessation and resumption of
20 business in California. All provisions of probation other than cost reimbursement requirements,
21 restitution requirements, training requirements, and that Respondent Burlingame Smog obey all
22 laws, shall be held in abeyance during any period of time of 30 days or more in which
23 Respondent Burlingame Smog is not residing or engaging in business within the jurisdiction of
24 California. All provisions of probation shall recommence on the effective date of resumption of
25 business in California. Any period of time of 30 days or more in which Respondent Burlingame
26 Smog is not residing or engaging in business within the jurisdiction of California shall not apply
27 to the reduction of this probationary period or to any period of actual suspension not previously
28 completed. Tolling is not available if business or work relevant to the probationary license or

1 registration is conducted or performed during the tolling period.

2 **6. Violation of Probation.** If Respondent Burlingame Smog violates or fails to comply
3 with the terms and conditions of probation in any respect, the Director, after giving notice and
4 opportunity to be heard may set aside the stay order and carry out the disciplinary order provided
5 in the decision. Once Respondent Burlingame Smog is served notice of BAR's intent to set aside
6 the stay, the Director shall maintain jurisdiction, and the period of probation shall be extended
7 until final resolution of the matter.

8 **7. Maintain Valid License.** Respondent Burlingame Smog shall, at all times while on
9 probation, maintain a current and active registration and/or license(s) with BAR, including any
10 period during which suspension or probation is tolled. If Respondent Burlingame Smog's
11 registration or license is expired at the time the decision becomes effective, the registration or
12 license must be renewed by Respondent Burlingame Smog within 30 days of that date. If
13 Respondent Burlingame Smog's registration or license expires during a term of probation, by
14 operation of law or otherwise, then upon renewal Respondent Burlingame Smog's registration or
15 license shall be subject to any and all terms and conditions of probation not previously satisfied.
16 Failure to maintain a current and active registration and/or license during the period of probation
17 shall also constitute a violation of probation.

18 **8. Cost Recovery.** Respondent Burlingame Smog shall pay the Board of Automotive
19 Repair \$6,228.00 for the reasonable costs of the investigation and enforcement of case No. 79/22-
20 15207. If Respondent Burlingame Smog wishes to enter into a payment plan, it may make 54
21 monthly payments in the amount of \$115.33, to be completed no later than six (6) months before
22 probation terminates. Respondent Burlingame Smog shall make payment by check or money
23 order payable to the Bureau of Automotive Repair and shall indicate on the check or money order
24 that it is for cost recovery payment for case No. 79/22-15207. Any order for payment of cost
25 recovery shall remain in effect whether or not probation is tolled. Probation shall not terminate
26 until full cost recovery payment has been made. BAR reserves the right to pursue any other
27 lawful measures in collecting on the costs ordered and past due, in addition to taking action based
28 upon the violation of probation.

1 9. **Completion of Probation.** Upon successful completion of probation, Respondent
2 Burlingame Smog's affected registration and/or license will be fully restored or issued without
3 restriction, if Respondent Burlingame Smog meets all current requirements for registration or
4 licensure and has paid all outstanding fees, monetary penalties, or cost recovery owed to BAR.

5 10. **License Surrender.** Following the effective date of a decision that orders a stay of
6 invalidation or revocation, if Respondent Burlingame Smog ceases business operations or is
7 otherwise unable to satisfy the terms and conditions of probation, Respondent Burlingame Smog
8 may request that the stay be vacated. Such request shall be made in writing to BAR. The Director
9 and the BAR Chief reserve the right to evaluate the Respondent Burlingame Smog's request and
10 to exercise discretion whether to grant the request or take any other action deemed appropriate or
11 reasonable under the circumstances. Upon formal granting of the request, the Director will vacate
12 the stay order and carry out the disciplinary order provided in the decision. Respondent
13 Burlingame Smog may not petition the Director for reinstatement of the surrendered registration
14 and/or license, or apply for a new registration or license under the jurisdiction of BAR at any time
15 before the date of the originally scheduled completion of probation. If Respondent Burlingame
16 Smog applies to BAR for a registration or license at any time after that date, Respondent
17 Burlingame Smog must meet all current requirements for registration or licensure and pay all
18 outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

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1 ACCEPTANCE

2 I am authorized to sign for and bind Respondent KLK International, Inc., dba Burlingame
3 Smog. I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
4 stipulation and the effect it will have on my Automotive Repair Dealer Registration and Smog
5 Check Station License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily,
6 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of
7 the Department of Consumer Affairs.

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9 DATED: 9/24/24

Nancy Jung

NANCY JUNG, PRESIDENT
KLK INTERNATIONAL INC., DBA BURLINGAME
SMOG CHECK
Respondent

13
14 ENDORSEMENT

15 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
16 submitted for consideration by the Director of the Department of Consumer Affairs.

17
18 DATED: _____

Respectfully submitted,

19 ROB BONTA
Attorney General of California
20 JOSHUA A. ROOM
Supervising Deputy Attorney General

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23 AMBER N. WIPFLER
Deputy Attorney General
24 *Attorneys for Complainant*

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DATED:

ENDORSEMENT

DATED: September 24, 2024

ROB BONTA
Attorney General of California
JOSHUA A. ROOM
Supervising Deputy Attorney General

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