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

In the Matter of the Accusation Against:  
**IVAN A. MALDONADO dba LA CADENA  
SMOG CHECK**  
494 S. La Cadena Dr.  
Colton, CA 92324  
  
**Automotive Repair Dealer Registration No.  
ARD 294690  
Smog Check, Test Only, Station License No.  
TC 294690**  
  
**and**  
  
**DAMIAN ALBERTO LOPEZ**  
175 E. Easton #H66  
Rialto, CA 92376  
  
**Smog Check Inspector License No. EO  
640867**  
  
**and**  
  
**JOSE GERARDO VARELA-CHAIDEZ**  
807 South K St.  
San Bernardino, CA 92410  
  
**Smog Check Inspector License No. EO  
642865**

Respondents.

Case No. 79/21-6700  
OAH No. 2025030466

**DEFAULT DECISION AND ORDER:  
IVAN A. MALDONADO dba LA CADENA  
SMOG CHECK; AND DAMIAN  
ALBERTO LOPEZ ONLY**

[Gov. Code, §11520]

**FINDINGS OF FACT**

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2           1.     On or about August 14, 2024, Complainant Patrick Dorais, in his official capacity as  
3 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation  
4 No. 79/21-6700 against Ivan A. Maldonado, dba La Cadena Smog Check (Respondent) before the  
5 Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

6           2.     On or about June 24, 2019, the Bureau of Automotive Repair issued Automotive  
7 Dealer Repair Dealer Registration Number ARD 294690 to Ivan A. Maldonado, dba La Cadena  
8 Smog Check (Respondent Maldonado). The Automotive Dealer Repair Dealer Registration was  
9 in full force and effect at all times relevant to the charges brought herein and will expire on June  
10 30, 2025, unless renewed.

11           3.     On or about July 19, 2019, the Bureau of Automotive Repair issued Smog Check,  
12 Test Only, Station License Number TC 294690 to Ivan A. Maldonado, dba La Cadena Smog  
13 Check (Respondent Maldonado). The Smog Check, Test Only, Station License was in full force  
14 and effect at all times relevant to the charges brought herein and will expire on June 30, 2025,  
15 unless renewed.

16           4.     On or about January 14, 2020, the Bureau of Automotive Repair certified La Cadena  
17 Smog Check as a STAR Station. The certification will remain active unless the Automotive  
18 Repair Dealer registration and/or Smog Check Test Only Station License is revoked, canceled,  
19 licenses become delinquent, or the certification is invalidated.

20           5.     On or about January 27, 2021, the Bureau of Automotive Repair issued Smog Check  
21 Inspector License Number EO 642865 to Jose Gerardo Varela-Chaidez (Respondent Varela-  
22 Chaidez). The Smog Check Inspector License was in full force and effect at all times relevant to  
23 the charges brought herein and will expire on January 31, 2025, unless renewed.

24           6.     On or about January 22, 2018, the Bureau of Automotive Repair issued Smog Check  
25 Inspector License Number EO 640867 to Damian Alberto Lopez (Respondent Lopez). The Smog  
26 Check Inspector License was in full force and effect at all times relevant to the charges brought  
27 herein and will expire on July 31, 2025, unless renewed.

1           7.     On or about August 19, 2024, Respondent Maldonado was served by Certified and  
2 First Class Mail copies of the Accusation No. 79/21-6700, Statement to Respondent, Notice of  
3 Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5,  
4 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and  
5 Professions Code section 136, is required to be reported and maintained with the Bureau.  
6 Respondent's address of record was and is:

7 494 S. La Cadena Dr.  
8 Colton, CA 92324.

9           8.     On or about August 19, 2024, Respondent Lopez was served by Certified and First  
10 Class Mail copies of the Accusation No. 79/21-6700, Statement to Respondent, Notice of  
11 Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5,  
12 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and  
13 Professions Code section 136, is required to be reported and maintained with the Bureau.  
14 Respondent's address of record was and is:

15 175 E. Easton, #H66  
16 Rialto, CA 92376.

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

19           10.    Government Code section 11506(c) states, in pertinent part:

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

25           11.    The Bureau takes official notice of its records and the fact that Respondents  
26 Maldonado and Lopez filed a Notice of Defense within 15 days after service upon him of the  
27 Accusation, but then later filed a formal withdrawal of their Notices of Defense, and therefore  
28 waived their right to a hearing on the merits of Accusation No. 79/21-6700.

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

                 (a) If the respondent either fails to file a notice of defense . . . or to appear at

1 the hearing, the agency may take action based upon the respondent's express  
2 admissions or upon other evidence and affidavits may be used as evidence without  
3 any notice to respondent . . . .

4 13. Pursuant to its authority under Government Code section 11520, the Director after  
5 having reviewed the proof of service dated August 19, 2024, signed by Marie Armenakian, finds  
6 Respondent is in default. The Director will take action without further hearing and, based on the  
7 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,  
8 finds that the charges and allegations in Accusation No. 79/21-6700, are separately and severally,  
9 found to be true and correct by clear and convincing evidence.

10 **DETERMINATION OF ISSUES**

11 1. Based on the foregoing findings of fact, Respondent Ivan A. Maldonado, dba La  
12 Cadena Smog Check has subjected the following licenses to discipline: Automotive Dealer  
13 Repair Dealer Registration No. ARD 294690; Smog Check, Test Only, Station License Number  
14 TC 294690; and STAR Station.

15 2. Based on the foregoing findings of fact, Respondent Damian Alberto Lopez has  
16 subjected his Smog Check Inspector License Number EO 640867 to discipline.

17 3. The agency has jurisdiction to adjudicate this case by default.

18 4. The Director of the Department of Consumer Affairs is authorized to revoke  
19 Respondent's Automotive Dealer Repair Dealer Registration; Smog Check, Test Only, Station  
20 License; and STAR Station based upon the following violations alleged in the Accusation which  
21 are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in  
22 this case:

23 a. Business and Professions Code section 9884.7, subdivision (a)(1) [Untrue or  
24 Misleading Statements]; and

25 b. Business and Professions Code section 9884.7, subdivision (a)(4) [Fraud]; and

26 c. Business and Professions Code section 9884.7, subdivision (a)(6) [Material Violation  
27 of Automotive Repair Act]; and

28 d. Health and Safety Code sections 44072.2, subdivision (a), 44012, and 44015,  
subdivision (b) of that Code [Violations of the Motor Vehicle Inspection Program]; and

1 e. Health and Safety Code section 44072.2, subdivision (c) and California Code of  
2 Regulations, title 16, sections 3340.24, subdivision (c); 3340.35, subdivision (c); 3340.41,  
3 subdivision (c); and 3340.42 [Failure to Comply with Regulations Pursuant to the Motor Vehicle  
4 Inspection Program]; and

5 f. Health and Safety Code sections 44072.2, subdivision (d) and 44072.10, subdivision  
6 (c) [Dishonesty, Fraud or Deceit].

7 5. The Director of the Department of Consumer Affairs is authorized to revoke  
8 Respondent Lopez' Smog Check Inspector License based upon the following violations alleged in  
9 the Accusation which are supported by the evidence contained in the Default Decision  
10 Investigatory Evidence Packet in this case:

11 a. Health and Safety Code sections 44072.2, subdivision (a) and 44012 of that Code  
12 [Violations of the Motor Vehicle Inspection Program]; and

13 b. Health and Safety Code section 44072.2, subdivision (c) and California Code of  
14 Regulations, title 16, sections 3340.24, subdivision (c); 3340.30, subdivision (a);  
15 3340.41, subdivision (c); and 3340.42 [Failure to Comply with Regulations Pursuant  
16 to the Motor Vehicle Inspection Program]; and

17 c. Health and Safety Code sections 44072.2, subdivision (d) and 44072.10, subdivision  
18 (c) [Dishonesty, Fraud or Deceit].

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**ORDER**

IT IS SO ORDERED that the following licenses issued to Respondent Ivan A. Maldonado, dba La Cadena Smog Check are revoked: Automotive Dealer Repair Dealer Registration No. ARD 294690; Smog Check, Test Only, Station License Number TC 294690; and STAR Station.

IT IS SO ORDERED that Smog Check Inspector License Number EO 640867 issued to Damian Alberto Lopez is revoked.

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

This Decision shall become effective on November 25, 2025.

It is so ORDERED November 19, 2025.

Original signature on file

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

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DOJ Matter ID:LA2024600667