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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. 79/26-4326

13 **MARIA DE LOS ANGELES LUCERO**
14 **PEREZ DBA AVALON SMOG CHECK**
15 **8442 S Broadway Unit B**
16 **Los Angeles, CA 90003**

17 **Mailing Address:**
18 **5502 Avalon Blvd Unit B**
19 **Los Angeles, CA 90011**

20 **Automotive Repair Dealer Registration No.**
21 **ARD 295585**
22 **Smog Check Test Only Station License No.**
23 **TC 295585**

24 **GABRIELA PEREZ-CASAS**
25 **1834 E 107th Street**
26 **Los Angeles, CA 90002**

27 **Smog Check Inspector License No.**
28 **EO 643217**

DEFAULT DECISION AND ORDER
ONLY AS TO RESPONDENT MARIA DE
LOS ANGELES LUCERO PEREZ DBA
AVALON SMOG CHECK
[ARD/TC 295585]

[Gov. Code, §11520]

Respondents.

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1 **FINDINGS OF FACT**

2 1. On or about June 22, 2026, Complainant Patrick Dorais, in his official capacity as the
3 Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation
4 No. 79/26-4326 against Maria De Los Angeles Lucero Perez dba Avalon Smog Check
5 (Respondent) before the Director of the Department of Consumer Affairs. (Accusation attached
6 as Exhibit A.)

7 2. On or about October 4, 2019, the Bureau of Automotive Repair (Bureau) issued
8 Automotive Repair Dealer Registration No. ARD 295585 to Respondent. The Automotive
9 Repair Dealer Registration was due to expire on October 31, 2025, however it was cancelled on
10 May 20, 2025. This lapse in licensure, however, pursuant to Business and Professions Code
11 section 9884.13, does not deprive the Bureau of its authority to institute or continue this
12 disciplinary proceeding.

13 3. On or about November 18, 2019, the Bureau issued Smog Check Test Only Station
14 License No. TC 295585 to Respondent. The Smog Check Test Only Station License was due to
15 expire on October 31, 2025, however it was cancelled on May 20, 2025. This lapse in licensure,
16 however, pursuant to Health and Safety Code section 44072.6, does not deprive the Bureau of its
17 authority to institute or continue this disciplinary proceeding.

18 4. On or about January 22, 2020, the Bureau of Automotive Repair certified Avalon
19 Smog Check as a STAR station. The certification was terminated on May 20, 2025 when
20 Respondent's Automotive Repair Dealer Registration and Smog Check Test Only Station License
21 were cancelled.

22 5. On or about June 29, 2026, Respondent was served by Certified and First Class Mail
23 copies of the Accusation No. 79/26-4326, Statement to Respondent, Notice of Defense, Request
24 for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
25 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
26 section 136, is required to be reported and maintained with the Bureau. Respondent's address of
27 record was and is:

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1 8442 S Broadway Unit B
2 Los Angeles, CA 90003; and
3 5502 Avalon Blvd Unit B
4 Los Angeles, CA 90011.

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

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

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

13 8. The Director takes official notice of the Bureau's records and the fact that
14 Respondent failed to file a Notice of Defense within 15 days after service upon her of the
15 Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 79/26-
16 4326.

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

18 (a) If the respondent either fails to file a notice of defense . . . or to appear at
19 the hearing, the agency may take action based upon the respondent's express
20 admissions or upon other evidence and affidavits may be used as evidence without
21 any notice to respondent

22 10. Pursuant to its authority under Government Code section 11520, the Director after
23 having reviewed the proof of service dated June 29, 2026, signed by Janice Park, finds
24 Respondent is in default. The Director will take action without further hearing and, based on the
25 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
26 finds that the charges and allegations in Accusation No. 79/26-4326, are separately and severally,
27 found to be true and correct by clear and convincing evidence.

28 **DETERMINATION OF ISSUES**

1. Based on the foregoing findings of fact, Respondent Maria De Los Angeles Lucero
Perez dba Avalon Smog Check has subjected her Automotive Repair Dealer Registration No.
ARD 295585 and Smog Check Test Only Station License No. TC 295585 to discipline.

1 2. The agency has jurisdiction to adjudicate this case by default.

2 3. The Director of the Department of Consumer Affairs is authorized to revoke

3 Respondent's Automotive Repair Dealer Registration based upon the following violations alleged

4 in the Accusation which are supported by the evidence contained in the Default Decision

5 Investigatory Evidence Packet in this case:

6 a. Business and Professions Code section 9884.7, subdivision (a)(1) [untrue or

7 misleading statements];

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

9 c. Business and Professions Code section 9884.7, subdivision (a)(6) [material violation

10 of Automotive Repair Act.

11 4. The Director of the Department of Consumer Affairs is authorized to revoke

12 Respondent's Smog Check Test Only Station License based upon the following violations alleged

13 in the Accusation which are supported by the evidence contained in the Default Decision

14 Investigatory Evidence Packet in this case:

15 a. Health and Safety Code section 44072.2, subdivision (a), for failing to comply with

16 Health and Safety Code sections 44012 [failure to ensure emission control tests were performed

17 in accordance with procedures prescribed by the department] and 44015, subdivision (b), [issuing

18 electronic certificates of compliance without ensuring vehicles were properly tested and

19 inspected];

20 b. Health and Safety Code section 44072.2, subdivision (c), for failing to comply with

21 provisions of the California Code of Regulations, title 16 (CCR), as follows: CCR section

22 3340.24, subdivision (c) [falsely or fraudulently issuing electronic smog certificates of

23 compliance]; CCR section 3340.30, subdivision (a) [failure to inspect and test vehicles in

24 accordance with Health and Safety Code sections 44012 and 44035, and CCR section 3340.42];

25 CCR section 3340.35, subdivision (c) [issuing electronic smog certificates of compliant to

26 vehicles that had not been inspected in accordance with CCR section 3340.42]; and CCR section

27 3340.42 [failure to ensure that required smog tests were conducted in accordance with Bureau

28 specifications]; and

1 c. Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
2 and Safety Code section 44072.10, subdivision (c) [dishonest, fraudulent, or deceitful acts
3 whereby another was injured].

4 **ORDER**

5 IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 295585 and
6 Smog Check Test Only Station License No. TC 295585, both issued to Respondent Maria De Los
7 Angeles Lucero Perez dba Avalon Smog Check, are revoked.

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

14 This Decision shall become effective on October 15, 2026

15 It is so ORDERED October 6, 2026

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

22 68636618.docx
23 DOJ Matter ID: LA2026601334

24 Attachment:
25 Exhibit A: Accusation
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