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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. 79/25-20001

13 **LEONARDO A NAVA DBA LEON SMOG**
14 **CHECK**
15 **7452 Lankershim Blvd**
16 **N Hollywood, CA 91605**

DEFAULT DECISION AND ORDER
ONLY AS TO RESPONDENT
LEONARDO A NAVA DBA LEON
SMOG CHECK [ARD/TC 298114]

17 **Automotive Repair Dealer Registration No.**
18 **ARD 298114**
19 **Smog Check Test Only Station License No.**
20 **TC 298114**

[Gov. Code, §11520]

21 **and**

22 **ANDRAS JOE TOTH**
23 **1820 N La Brea Ave Unit 3**
24 **Los Angeles, CA 90046**

25 **Smog Check Inspector License No.**
26 **EO 140972**

27 Respondents.
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FINDINGS OF FACT

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2 1. On or about January 27, 2026, 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. 79/25-20001 against Leonardo A Nava dba Leon Smog Check (Respondent) before the
5 Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

6 2. On or about September 28, 2020, the Bureau of Automotive Repair (Bureau) issued
7 Automotive Repair Dealer Registration No. ARD 298114 to Respondent. The Automotive
8 Repair Dealer Registration was due to expire on September 30, 2024, however, it was cancelled
9 on March 29, 2024. This lapse in licensure, however, pursuant to Business and Professions Code
10 section 118(b), does not deprive the Bureau of its authority to institute or continue this
11 disciplinary proceeding

12 3. On or about September 22, 2021, the Bureau issued Smog Check Test Only Station
13 License No. TC 298114 to Respondent. The Smog Check Test Only Station License was due to
14 expire on September 30, 2024, however, it was cancelled on March 29, 2024. This lapse in
15 licensure, however, pursuant to Business and Professions Code section 118(b) does not deprive
16 the Bureau of its authority to institute or continue this disciplinary proceeding.

17 4. On or about January 10, 2022, the Bureau certified Leon Smog Check as a STAR
18 Station. The certification was terminated on March 29, 2024 upon cancellation of Respondent's
19 Automotive Repair Dealer Registration and Smog Check Test Only Station License.

20 5. On or about February 2, 2026, Respondent was served by Certified and First Class
21 Mail copies of the Accusation No. 79/25-20001, Statement to Respondent, Notice of Defense,
22 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,
23 and 11507.7) at Respondent's address of record which, pursuant to Business and Professions
24 Code section 136, is required to be reported and maintained with the Bureau. Respondent's
25 address of record was and is:

26 7452 Lankershim Blvd
27 N Hollywood, CA 91605.

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

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

(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense . . . and the notice shall be deemed a specific denial of all 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.

8. The Bureau takes official notice of its records and the fact that Respondent failed to file a Notice of Defense within 15 days after service upon them of the Accusation, and therefore waived its right to a hearing on the merits of Accusation No. 79/25-20001.

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

10. Pursuant to its authority under Government Code section 11520, the Director after having reviewed the proof of service dated February 2, 2026, signed by Janice Park, finds Respondent is in default. The Director will take action without further hearing and, based on the relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter, finds that the charges and allegations in Accusation No. 79/25-20001, are separately and severally, found to be true and correct by clear and convincing evidence.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Leonardo A Nava dba Leon Smog Check has subjected his Automotive Repair Dealer Registration No. ARD 298114 and Smog Check Test Only Station License No. TC 298114 to discipline.

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

3. The Director of the Department of Consumer Affairs is authorized to revoke Respondent's Automotive Repair Dealer Registration based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case:

- 1 a. Business and Professions Code section 9884.7, subdivision (a)(1) [untrue or
2 misleading statements];
- 3 b. Business and Professions Code section 9884.7, subdivision (a)(4) [fraud]; and
- 4 c. Business and Professions Code section 9884.7, subdivision (a)(6) [material violation
5 of Automotive Repair Act].

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

10 a. Health and Safety Code section 44072.2, subdivision (a), for failing to comply with
11 Health and Safety Code sections 44012 [failure to ensure emission control tests were performed
12 in accordance with procedures prescribed by the department] and 44015, subdivision (b), [issuing
13 electronic certificates of compliance without ensuring vehicles were properly tested and
14 inspected];

15 b. Health and Safety Code section 44072.2, subdivision (c), for failing to comply with
16 provisions of the California Code of Regulations, title 16 (CCR), as follows: CCR section
17 3340.24, subdivision (c) [falsely or fraudulently issuing electronic smog certificates of
18 compliance]; CCR section 3340.30, subdivision (a) [failure to inspect and test vehicles in
19 accordance with Health and Safety Code sections 44012 and 44035, and CCR section 3340.42];
20 CCR section 3340.35, subdivision (c) [issuing electronic smog certificates of compliant to
21 vehicles that had not been inspected in accordance with CCR section 3340.42]; and CCR section
22 3340.42 [failure to ensure that required smog tests were conducted in accordance with Bureau
23 specifications]; and

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

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ORDER

IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 298114 and Smog Check Test Only Station License No. TC 298114, both issued to Respondent Leonardo A Nava dba Leon Smog Check, are revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent 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 Respondent. The motion should be sent to the Bureau of Automotive Repair, ATTN: Patrick Lutfi, 10949 North Mather Boulevard, 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 JUNE 8, 2026.

It is so ORDERED May 28, 2026



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

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DOJ Matter ID:LA2025605138

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation