

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

In the Matter of the Accusation Against:

VIOLETA NATALIE LLANOS dba CORONA SMOG CHECK

133 N. Washburn Circle, Suite B

Corona, CA 92882

Automotive Repair Dealer Registration No. ARD 300341

Smog Check Test Only Station License No. TC 300341

VIOLETA NATALIE LLANOS

5852 Samantha Place

Riverside, CA 92509

Smog Check Inspector License No. EO 643024

ANGEL J. ARRELOA

23644 Cypress Place

Menifee, CA 92587

Smog Check Inspector License No. EO 644229

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EVAN DANIEL HARRELL

5906 Normandie Place

Riverside, CA 92504

Smog Check Inspector License No. EO 643066

Respondents.

Case No. 79/25-1426

OAH No. 2026031231

DECISION

The attached Proposed Decision of the Administrative Law Judge 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 be effective on October 2, 2026.

IT IS SO ORDERED August 17, 2026.

Original signature on file
GRACE ARUPO RODRIGUEZ
Assistant Deputy Director
Legal Affairs Division
Department of Consumer Affairs

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

In the Matter of the Accusation Against:

VIOLETA NATALIE LLANOS, d.b.a. CORONA SMOG CHECK,

(Automotive Repair Dealer Registration No. ARD 300341)

(Smog Check, Test-Only, Station License No. TC 300341)

and

VIOLETA NATALIE LLANOS,

(Smog Check Inspector License No. EO 643024)

and

ANGEL J. ARRELOA,

(Smog Check Inspector License No. EO 644229)

and

EVAN DANIEL HARRELL,

(Smog Check Inspector License No. EO 643066)

Respondents.

Agency Case No. 79/25-1426

OAH No. 2026031231

PROPOSED DECISION

Administrative Law Judge Sharon Lahey, Office of Administrative Hearings, State of California, heard this matter by videoconference on June 30, 2026.

Deputy Attorney General Stephen A. Aronis represented Patrick Dorais, complainant, Chief of the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs (Department).

Respondent Violeta Natalie Llanos represented herself.

Prior to the hearing, the Bureau resolved the causes of action alleged against respondents Angel J. Arreloa and Evan Daniel Harrell. Accordingly, this matter proceeded on the causes of action alleged against only respondent Violeta Natalie Llanos, both in her individual capacity and doing business as Corona Smog Check.¹

¹ All references to "respondent," unless otherwise noted, refer to Violeta Natalie Llanos, doing business as Corona Smog Check and Violeta Natalie Llanos, collectively and/or individually. Violeta Natalie Llanos was the sole owner of Corona Smog Check at all times relevant to these proceedings.

Oral and documentary evidence was received, and the record was held open to provide complainant the opportunity to file an amended certification of prosecution costs and declaration, which complainant filed on July 1, 2026. The record was closed, and the matter was submitted for decision on July 1, 2026.

SUMMARY

Complainant proved by a preponderance of the evidence that between March 5, 2024, and April 29, 2025, Corona Smog Check, through its employees, including respondent, conducted 15 smog check inspections at Corona Smog Check using clean plugging. Respondent, who personally conducted five of these unlawful smog check inspections, denied any misconduct. Her denials were not persuasive. Revocation of Corona Smog Check's Automotive Repair Dealer Registration and Smog Check, Test-Only Station License, and respondent's Smog Check Inspector License, and ordering respondent to pay the Bureau its costs of investigating and enforcing this matter is warranted.

FACTUAL FINDINGS

Jurisdictional Matters

1. On July 15, 2021, the Bureau issued Automotive Repair Dealer Registration Number ARD 300341 to respondent, doing business as Corona Smog Check. The Automotive Repair Dealer Registration (ARD) was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2026, unless renewed.

2. On August 30, 2021, the Bureau issued Smog Check, Test-Only Station License Number TC 300341 to respondent, doing business as Corona Smog Check. The Smog Check, Test-Only Station License was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2026, unless renewed.

3. On April 15, 2021, the Bureau issued Smog Check Inspector License Number EO 643024 to respondent. The license was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2027, unless renewed.

4. On October 18, 2021, the Bureau certified respondent, doing business as Corona Smog Check, as a STAR station. On May 14, 2026, the certification was suspended.²

Procedural History

5. On November 15, 2025, complainant signed an accusation against respondents in his official capacity, alleging 14 total causes for discipline, related to multiple alleged fraudulent smog checks that occurred between March 5, 2024, and April 29, 2025. As to respondent, doing business as Corona Smog Check, the accusation alleges: untrue or misleading statements (first cause for discipline), fraud (second cause for discipline), failure to comply with the Motor Vehicle Inspection Program (third cause for discipline), failure to comply with regulations pursuant to the Motor Vehicle Inspection Program (fourth cause for discipline), and dishonesty, fraud, or deceit (fifth cause for discipline). As to respondent in her individual capacity, the

² The accusation does not seek any further disciplinary action against Corona Smog Check's certification as a STAR station.

accusation alleges: violations of the Motor Vehicle Inspection Program (sixth cause for discipline), failure to comply with regulations pursuant to the Motor Vehicle Inspection Program (seventh cause for discipline), and dishonesty, fraud, or deceit (eighth cause for discipline). The accusation seeks the revocation or suspension of respondent's registration and licenses and the reasonable costs of its investigation and enforcement of this case.

6. Respondent filed a timely notice of defense, and this hearing followed.

California's Smog Check Program

California's Smog Check Program is designed to improve air quality and protect public health by identifying vehicles with excess emissions so that they can be repaired or retired. The Smog Check Program requires owners to submit their vehicles to smog inspections and obtain certificates of compliance approximately every two years or upon change of ownership. These mandated smog check inspections must be performed by licensed smog check inspectors at licensed smog check stations. The Bureau is responsible for regulating the smog check industry. (Motor Vehicle Inspection Program [Health & Saf. Code, §§ 44000–44127].) As part of its enforcement operations, the Bureau conducts investigations and analyzes data transmitted to the Bureau during smog check inspections.

7. Since March 9, 2015, the Smog Check Program has required that licensed smog check stations use the Bureau's On-Board Diagnostic Inspection System (BAR-OIS) when inspecting most model-year 2000 and newer gasoline and hybrid vehicles and most model-year 1998 and newer diesel vehicles. Beginning on May 1, 2023, a smog check inspector has to scan her palm to access the BAR-OIS.

8. The BAR-OIS consists of a certified Data Acquisition Device (DAD), a computer with specialized software, a bar code scanner, and a printer. The DAD is an on-board diagnostic tool that retrieves on-board diagnostic data from the vehicle when requested. The bar code scanner is used to input the inspector's information, the vehicle identification number (VIN), and the Department of Motor Vehicles registration renewal information. At the conclusion of the inspection, the printer provides a Vehicle Inspection Report (VIR) with the inspection results and a Smog Check Certificate of Compliance (certificate of compliance) for passing vehicles.

9. During the functional portion of a BAR-OIS inspection, a vehicle's engine operating parameters are retrieved from the vehicle's On-Board Diagnostics II (OBD-II) system and recorded to the Vehicle Information Database (VID). The reported parameters include: (1) engine speed in revolutions per minute (RPM); (2) throttle position, measured by a Throttle Position Sensor (TPS) in a percentage of opening from zero percent at idle and near or up to 100 percent at full throttle; (3) manifold absolute pressure (MAP), measured by a manifold air pressure sensor in kilo pascals; and (4) mass air flow (MAF) measured in grams per second by a MAF sensor.

10. During normal operation, a vehicle's TPS, MAP, and MAF are steady when the engine is idle. To increase engine speed, the throttle is opened to increase airflow through the engine. An increase in throttle, as measured by the TPS, increases the engine's RPM, resulting in corresponding increases in MAF and MAP. During a BAR-OIS inspection, there is an OBD-II system query portion along with other visual and functional inspections. The OBD-II system query is performed with the engine idling and at an elevated speed. The increase in engine speed is accomplished by the smog check technician stepping on the vehicle's throttle pedal or manually opening the vehicle's throttle.

11. As discussed in more detail below, when the data shows no increases in the MAF and MAP when the RPM is increased, a simulator device or another vehicle's properly functioning on-board diagnostic system, may be being used to issue a fraudulent certificate of compliance. Use of a simulator device or accessing another vehicle's OBD-II system is known as "clean plugging."

12. After the smog check inspection, the smog check inspector uses the BAR-OIS printer to print a VIR showing the inspection result and certificate of compliance number for passing vehicles. The smog check inspector signs and dates the VIR, certifying under penalty of perjury that she performed the inspection in accordance with Bureau requirements and that the VIR information is true and accurate.

13. The VIR and OIS Test Details for each inspection are transmitted to the Bureau and stored in the Bureau's VID. The OIS Test Details contain the underlying data retrieved from the vehicle under inspection, including the eVIN, communication protocol, and Parameter Identification numbers, which are specific diagnostic information from a vehicle's computer, sensor readings, or engine monitoring status.

Complainant's Evidence

TESTIMONIAL EVIDENCE

14. The testimony of Steve Koch, which was consistent with his January 21, 2025, investigation report received into evidence, and the evidence he prepared and collected during his investigation corroborating his findings, is summarized as follows: Mr. Koch has served as a field representative for the Bureau since approximately 2000. His work for the Bureau focuses on mediating complaints and conducting inspections and investigations relating to the Smog Check Program. He has performed several

hundred smog investigations for the Bureau. He has been a licensed smog check inspector since 1996 and, prior to joining the Bureau, he worked as a general mechanic for 10 years. He holds a degree in automotive technology and is certified as a master technician by the National Institute for Automotive Service Excellence.

15. Mr. Koch described the smog check inspection process. All licensed smog check stations have OIS equipment to use during the inspection. A vehicle comes in, is identified, and a licensed smog inspector logs into the OIS equipment using biometrics and performs the inspection. If the vehicle passes, the inspector issues a certificate of compliance. Thorough smog check inspections are important because the Bureau assumes a vehicle's emissions are clean if it passes inspection; the Bureau does not independently sample exhaust gases.

16. During the smog check inspection, the Bureau's OIS analyzer communicates with the vehicle's OBD-II system to collect "dynamic data"; the Bureau is requesting live information from the vehicle, or whatever is plugged into the OIS analyzer. The Bureau collects dynamic data for statistical purposes and to validate testing; this data collection does not impact whether the vehicle passes or fails inspection. During the inspection, the Bureau collects dynamic data when the vehicle is idle and then instructs the smog check inspector to increase the throttle. Once the throttle is increased, dynamic data, including RPM and MAF, should rise because combustion engines work off of the combination of air and fuel. The more air and fuel are pulled in, the higher the RPM; if the smog check inspector opens the throttle, the right amount of air must be taken in, or the vehicle will stall or hesitate.

17. An OBD-II simulator is a device developed to fraudulently certify a vehicle during the functional OBD check of a smog check inspection. Instead of plugging the OIS equipment into a vehicle, a smog check inspector can plug the OIS

equipment into the OBD-II simulator, and the OBD-II simulator will mimic the vehicle's OBD-II system and give out data that would warrant passing the vehicle. Movement in a vehicle's throttle from an idle position will increase airflow through the engine with corresponding increases in RPM and/or MAF along with changes in MAP. If no such movement occurs, this indicates a "simulator" or "cheating device" is being used to circumvent the smog test process. Mr. Koch has confiscated OBD-II simulators during his time with the Bureau.

18. In investigating smog check inspections, Mr. Koch reviews dynamic data looking for anomalies. During one such review, he noticed that dynamic data from Corona Smog Check appeared to be coming from an OBD-II simulator rather than actual vehicles. In particular, dynamic data, namely, TPS, MAF, MAP, and spark timing parameters, did not change after throttle increases, but instead remained flat in various vehicles inspected by Corona Smog Check. Corona Smog Check was a "high-volume" station, and its dynamic data indicated it had performed an "extensive" number of smog check inspections using an OBD-II simulator. Rather than detailing each inspection with dynamic data indicating the use of an OBD-II simulator, Mr. Koch noted the following smog check inspections for 15 vehicles as a representative sample of fraudulent inspections performed at Corona Smog Check:

- March 5, 2024, inspection performed by respondent on a 2005 Mitsubishi Galant, ES (2005 Mitsubishi Galant), which previously failed inspection at a different smog check station on February 19, 2024;
- March 13, 2024, inspection performed by respondent on a 2001 GMC Sierra K1500 C3;

- March 14, 2024, inspection performed by respondent Harrell on a 2002 Subaru Forester L, which previously failed inspection at a different smog check station on February 19, 2024;
- March 30, 2024, inspection performed by respondent Harrell on a 2000 Honda Civic Base, which previously failed inspections by respondent Harrell on February 24, 2024, and a different smog check station on January 19, 2024;
- May 22, 2024, inspection performed by respondent Harrell on a 2004 Toyota Sienna CE, which failed previous inspections by respondent Harrell on May 14, 2024, and at different smog check station on May 3, 2024;
- May 24, 2024, inspection performed by respondent Harrell on a 2004 Acura RSX Type-S, which previously failed inspection at a different smog check station on December 5, 2023;
- May 28, 2024, inspection performed by respondent Harrell on a 2001 Nisan Frontier Crew Cab XE, which previously failed inspection at a different smog check station on March 4, 2024;
- June 20, 2024, inspection performed by respondent on a 2004 Acura MDX Touring, which previously failed inspection at a different smog check station on May 11, 2024;
- December 6, 2024, inspection performed by respondent on a 2004 Porsche Cayenne S, which previously failed inspection at a different smog check station on November 28, 2024;

- December 13, 2024, inspection performed by respondent on a 2004 Toyota Camry LE, which previously failed inspection at a different smog check station on September 13, 2024;
- December 13, 2024, inspection performed by respondent Arreloa on a 2001 Ford F150;
- April 23, 2025, inspection performed by respondent Arreloa on a 2005 Toyota Camry LE;
- April 23, 2025, inspection performed by respondent Arreloa on a 2004 Ford Expedition XLT;
- April 28, 2025, inspection performed by respondent Arreloa on a 2000 Ford F350 Diesel; and
- April 29, 2025, inspection performed by respondent Arreloa on a 2005 GMC Sierra K2500 Heavy Duty.

Corona Smog Check issued fraudulent certificates of completion for all 15 vehicles, all of whose OIS Test Data proved the OIS DAD was not connected to the vehicle during the smog check inspections.

19. Given the discrepancies in the dynamic data from Corona Smog Check, Mr. Koch looked up the registration zip codes for the 15 vehicles and discovered they were registered to addresses in areas far from Corona Smog Check's location, which further showed they were not actually inspected at Corona Smog Check.

20. On the afternoon of April 28, 2026, Mr. Koch and Raul Garcia, a Bureau program representative, were near Corona Smog Check and decided to surveil the

station. They parked near the station's bay in an area that would allow them to see all vehicles entering and exiting the station. Using the Bureau's database, Mr. Koch determined that a smog check inspection was in process; at 3:27 p.m. Corona Smog Check had initiated a smog check inspection on a 2000 Ford F350 Diesel, which was registered to an address in Fresno County. At 3:42 p.m., Corona Smog Check reported to the Bureau that the inspection was complete and issued a certificate of compliance. Mr. Koch and Mr. Garcia never saw the 2000 Ford F350 Diesel arrive or leave Corona Smog Check. They left the area at approximately 3:45 p.m. to relocate their position.

21. Messrs. Koch and Garcia arrived back at Corona Smog Check approximately 15 minutes later, at 4:00 p.m., to continue surveilling the station. By then, Corona Smog Check had reported to the Bureau that it had tested and certified another vehicle, a 2000 Ford F150. At 4:02 p.m., Corona Smog Check had initiated another smog check inspection on the OIS analyzer, purportedly on a 1998 Dodge RAM 2500 Diesel, which was also registered to an address in Fresno County. At 4:12 p.m., Corona Smog Check reported to the Bureau that the inspection was complete and issued a certificate of compliance. Mr. Koch did not see the 1998 Dodge RAM 2500 arrive at or leave the station. He and Mr. Garcia immediately drove up to the station's bay, arriving at 4:12 p.m., and the 1998 Dodge RAM 2500 Diesel was not present.

22. Messrs. Koch and Garcia entered the station's testing bay. Respondent Arreloa was in the testing bay at the time. Respondent was in the station's office with another individual, Carla Espinola, but came out to the testing bay to meet them. Mr. Koch had met with respondent about 18 months prior, on November 21, 2023, when he performed a station inspection after respondent was locked out of her OIS device due to the transmission of anomalous data. At that time, he dealt directly with

respondent and spent at least an hour at the station. Still, he and Mr. Garcia immediately identified themselves to respondent. Respondent's demeanor was very calm, and she did not ask Mr. Koch or Mr. Garcia who they were. Ms. Espinola had locked herself in the office and refused to come out, which led Mr. Koch to suspect Ms. Espinola had the OIS-II simulator device in the office. Mr. Koch instructed respondent to allow him to enter and inspect the office, but respondent told him that Ms. Espinola was scared and refused to open the locked door. About 30 minutes later, Ms. Espinola emerged from the office carrying a case and left the station. Mr. Koch testified that he suspected the carrying case contained the simulation device.

23. Mr. Koch questioned respondent and respondent Arreloa about the 2000 Ford 150 and 1998 Dodge RAM 2500 Diesel they had just certified. Respondent and respondent Arreloa stated that the vehicles had left after the inspections were completed. Mr. Koch informed them that he had never seen the vehicles arriving or leaving the station, and that both vehicles were registered to addresses in Fresno County. He asked to review video surveillance footage from the station, as he had noticed surveillance video monitors playing in the station's office. Respondent told Mr. Koch there was no footage because the station's surveillance video system did not record.

24. Mr. Koch has never seen discrepancies in dynamic data like the discrepancies in Corona Smog Check's dynamic data that were not the result of intentional fraud. He explained that OIS equipment can malfunction and fail. However, the equipment automatically runs a self-test and will lock up in the event of an equipment malfunction or failure. The dynamic data the Bureau collects is automatically generated, so it is not subject to clerical errors.

Respondent's Testimony

25. Respondent's testimony is summarized as follows: respondent opened Corona Smog Check because her brother was in the industry, and she saw it as a good opportunity to start something for herself. She entrusted respondents Arreloa and Harrell to handle Corona Smog Check's business. There were times when she was not present at the station, as she was pregnant and busy taking care of her three-year-old child. She has personally performed smog check inspections and estimated that she has performed about 60 inspections a month since getting her license.

26. Respondent has always performed her smog check inspections properly and in accordance with her training. She has never seen a fraudulent smog check device. When asked, she confirmed that she performed the March 5, 2024, inspection on the 2005 Mitsubishi Galant. She testified that she conducted a valid smog check inspection. When shown the dynamic data from the inspection, she agreed that the dynamic data should have changed but did not. When asked how the dynamic data could have remained flat after she increased the vehicle's throttle, she testified that she had no explanation and replied, "I don't know how the cars work. I only follow what is prompted on the test." She stated that the only explanation she could think of was that the Bureau's equipment malfunctioned, however, she subsequently confirmed that the testing equipment automatically stops in the event of a malfunction.

27. Respondent cooperated with Mr. Koch when he arrived at her station on April 26, 2026. When asked why she made him wait 30 minutes before letting him into the station's office, she stated that he only waited about 10 minutes. She denied that she did not let Mr. Koch into the office because there was a simulation device in the office. She stated that she did not let him in right away because he was banging on the station's window and trying to open the office door. Ms. Espinola, a station

employee who helps with cleaning and passing out flyers, “freaked out” because they did not know who Mr. Koch was. Respondent had seen him once before, but she did not recognize him. Ms. Espinola was thinking the worst and had a panic attack, and respondent was busy trying to help her. It took Mr. Koch 10 minutes to identify himself. Once respondent realized who he was, she let him into the office. She told Mr. Koch that Ms. Espinola was scared and asked Mr. Koch if Ms. Espinola could leave the station. Ms. Espinola did not have any bags on her when she left the station.

LEGAL CONCLUSIONS

1. “Protection of the public shall be the highest priority for the Bureau of Automotive Repair in exercising its licensing, regulatory, and disciplinary functions.” (Bus. & Prof. Code, § 9880.3.)

2. The Bureau administers and enforces California’s Smog Check Program on behalf of the Department. (Health & Saf. Code, §§ 44000–44002.) The Bureau is responsible for licensing smog-check stations and smog-check inspectors (Bus. & Prof. Code, § 9884 et seq.; Health & Saf. Code, § 44030 et seq.), and for ensuring that vehicles are inspected in accordance with statutory and regulatory testing procedures. (Health & Saf. Code, §§ 44012, 44015; Cal. Code Regs., tit. 16, §§ 3340.30–3340.42.)

3. The Bureau’s mandate includes protecting the public by preventing the improper certification of vehicles that do not meet emissions requirements and by disciplining registrants and licensees who violate the Automotive Repair Act or the Motor Vehicle Inspection Program. (Bus. & Prof. Code, § 9880.3; Health & Saf. Code, § 44072.2.) “The control and elimination of [air pollutants from motor vehicles] is of

prime importance for the protection and preservation of the public health and well-being.” (Health & Saf. Code, § 43000, subd. (b).)

Burden and Standard of Proof

4. Complainant has the burden of proving the violations alleged in the accusation. The standard of proof is preponderance of the evidence, meaning simply the violations must be “more likely than not.” (*Sandoval v. Bank of Am.* (2002) 94 Cal.App.4th 1378, 1387–88; *Imports Performance v. Dept. of Consumer Affairs, Bur. of Automotive Repair* (2011) 201 Cal.App.4th 911, 916–918; Evid. Code, §§ 115, 500.)

Applicable Law

5. If an ARD cannot show a bona fide error, the Bureau may suspend, revoke, or place its registration on probation if the ARD, including any of its employees and technicians, commits any of the following acts or omissions: (1) making any written or oral statement it knew or should have known was untrue or misleading; (2) engaging in any conduct constituting fraud; (3) failing in any material respect to comply with the provisions of the Automotive Repair Act or its implementing regulations; and engaging in a course of repeated and willful violations of the Automotive Repair Act or its implementing regulations. (Bus. & Prof. Code, § 9884.7, subds. (a)(1), (4), (6), (c).) Fraud includes a misrepresentation in any manner, whether intentionally false or due to gross negligence, of a material fact. (Bus. & Prof. Code, § 9884.7, subd. (e)(2).)

6. The Bureau may suspend, revoke, or take other disciplinary action against any licensee for committing any of the following acts: (1) violating any law under the Motor Vehicle Inspection Program or its implementing regulations; and (2) committing

any act involving dishonesty, fraud, or deceit whereby another is injured. (Health & Saf. Code, § 44072.2, subds. (a), (c), (d))

7. The Bureau may suspend, revoke, or take other disciplinary action against a Smog Check Inspector if the licensee commits any act involving dishonesty, fraud, or deceit whereby another is injured. (Health & Saf. Code, § 44072.2, subd. (d).)

8. Health and Safety Code section 44012 requires that all smog check inspections including, but not limited to, emission control systems testing, be performed in accordance with the Department's prescribed procedures.

9. Health and Safety Code section 44015, subdivision (b), prohibits a smog check station from issuing a certificate of compliance to any vehicle that was not inspected in accordance with the procedures specified in section 44012.

10. When a license has been revoked or suspended following a hearing under the Motor Vehicle Inspection Program, any additional licenses the Bureau issued to the licensee may also be revoked or suspended. (Health & Safe. Code, § 44072.8.)

11. California Code of Regulations, title 16, section 3340.42, subdivision (c), sets forth methods and standards that must be followed in all smog check inspections.

12. California Code of Regulations, title 16, section 3340.35, subdivision (c), prohibits a smog check station from issuing a certificate of compliance to any vehicle that was not inspected in accordance with the procedures specified in section 3340.42.

Cause for Discipline Exists Against Respondent's ARD Registration, License, and Certification

13. As the owner of Corona Smog Check, respondent had a duty to ensure the station's license was not used in violation of the law. (*Ford Dealers Assn. v. Department of Motor Vehicles* (1982) 32 Cal.3d 347, 360.) Accordingly, she is liable for the acts of her employees, including respondents Arreloa and Harrell. (*Arenstein v. California State Bd. of Pharmacy* (1968) 265 Cal.App.2d 179, 192 ["If a licensee elects to operate his business through employees, he must be responsible to the licensing authority for their conduct . . . and . . . is responsible for the acts of his agents or employees done in the course of his business in the operation of the license."].) This is true regardless of whether she authorized or had actual knowledge of their actions. (*Id.* at 192–193.)

14. Mr. Koch testified credibly that the dynamic data established respondent and her employees utilized clean-plugging methods during smog check inspections at Corona Smog Check to issue certificates of compliance. The dynamic data from Corona Smog Check, which Mr. Koch described as a "high-volume" station, evidenced the use of clean-plugging methods in an "extensive" number of smog check inspections. As a representative sample, he detailed the dynamic data from 15 smog check inspections at Corona Smog Check. The dynamic data from all 15 of these vehicles, which did not fluctuate as expected, established that respondent and her employees utilized a simulation device during the smog check inspections, falsely reported that the vehicles passed the inspections, and issued fraudulent certificates of compliance.

15. As further evidence of Corona Smog Check's use of clean-plugging methods, on April 26, 2026, Mr. Koch surveilled the station and determined that none

of the three vehicles it reported inspecting that day were physically present at the station during the inspections. When he entered the station to question respondent about the absent vehicles, respondent's employee locked herself in the station's office for at least 10 minutes. Respondent refused to give Mr. Koch access to the office during this time, and her employee subsequently left the station carrying a case, which Mr. Koch suspected contained the simulation device. When Mr. Koch requested to review footage from the station's video surveillance system proving that the vehicles had been in the station that day, respondent stated there was no footage because the video surveillance system could not record anything.

16. Respondent's testimony that she performed all smog check inspections properly and had no idea what could have caused the dynamic data discrepancies at her station aside from malfunctioning equipment was not credible. Her testimony that she denied Mr. Koch access to the station's office because her employee was scared and experienced a panic attack, not because the simulation device was in the office, and her claim that the station's video surveillance system could not record footage was also not credible.

FIRST CAUSE FOR DISCIPLINE (UNTRUE OR MISLEADING STATEMENTS)

17. A preponderance of the evidence establishes cause to discipline Corona Smog Check's ARD Registration and Smog Check, Test-Only, Station License pursuant to Business and Professions Code, section 9884.7, subdivision (a)(1), in conjunction with Health and Safety Code section 44012. Respondent and her employees made or authorized statements they knew or should have known to be untrue or misleading when they utilized clean-plugging methods on 15 vehicles and falsely certified these vehicles had passed smog check inspections.

SECOND CAUSE FOR DISCIPLINE (FRAUD)

18. A preponderance of the evidence establishes cause to discipline Corona Smog Check's ARD Registration and Smog Check, Test-Only, Station License pursuant to Business and Professions Code, section 9884.7, subdivision (a)(4). Respondent and her employees committed fraud by issuing certificates of compliance for 15 vehicles without performing smog check inspections in accordance with the Department's requirements, thereby depriving the People of the State of California of the protections afforded by the Motor Vehicle Inspection Program.

THIRD CAUSE FOR DISCIPLINE (FAILURE TO COMPLY WITH MOTOR VEHICLE INSPECTION PROGRAM)

19. A preponderance of the evidence establishes cause to discipline Corona Smog Check's ARD Registration and Smog Check, Test-Only, Station License pursuant to Health and Safety Code, section 44072.2, subdivision (a), in conjunction with sections 44012, 44015, and 44072.10, subdivision (c). Respondent and her employees issued certificates of compliance for 15 vehicles without ensuring the vehicles were tested and inspected in accordance with the Department's requirements.

FOURTH CAUSE FOR DISCIPLINE (FAILURE TO COMPLY WITH REGULATIONS)

20. A preponderance of the evidence establishes cause to discipline Corona Smog Check's ARD Registration and Smog Check, Test-Only, Station License pursuant to Health and Safety Code, section 44072.2, subdivision (c), in conjunction with sections 3340.35, subd. (c), and 3340.42. Respondent and her employees failed to comply with the Motor Vehicle Inspection Program and its implementing regulations

by issuing certificates of compliance without performing smog check inspections in accordance with the Department's requirements.

FIFTH CAUSE FOR DISCIPLINE (DISHONESTY, FRAUD, OR DECEIT)

21. A preponderance of the evidence establishes cause to discipline Corona Smog Check's ARD Registration and Smog Check, Test-Only, Station License pursuant to Health and Safety Code, section 44072.2, subdivision (d), in conjunction with section 44072.10, subd. (c). Respondent and her employees committed acts involving dishonesty, fraud, or deceit by issuing certificates of compliance for 15 vehicles without performing smog check inspections in accordance with the Department's requirements, thereby depriving the People of the State of California of the protections afforded by the Motor Vehicle Inspection Program.

SIXTH CAUSE FOR DISCIPLINE (MOTOR VEHICLE INSPECTION PROGRAM VIOLATIONS)

22. A preponderance of the evidence establishes cause to discipline respondent's Smog Check Inspector License pursuant to Health and Safety Code section 44072.2, subdivision (a), in conjunction with section 44012. Respondent failed to perform smog check inspections in accordance with the Department's requirements on at least five occasions, March 5, 2024, March 13, 2024, June 20, 2024, December 6, 2024, and December 13, 2024.

SEVENTH CAUSE FOR DISCIPLINE (FAILURE TO COMPLY WITH REGULATIONS)

23. A preponderance of the evidence establishes cause to discipline respondent's Smog Check Inspector License pursuant to Health and Safety Code section 44072.2, subdivision (c), in conjunction with California Code of Regulations,

title 16, sections 3340.30, subdivision (a), 3340.41, subdivision (c), and 3340.42. Respondent failed to perform smog check inspections in accordance with the Department's requirements on at least five occasions, March 5, 2024, March 13, 2024, June 20, 2024, December 6, 2024, and December 13, 2024.

EIGHTH CAUSE FOR DISCIPLINE (DISHONESTY, FRAUD, OR DECEIT)

24. A preponderance of the evidence establishes cause to discipline respondent's Smog Check Inspector License pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with section 44072.10, subdivision (c). Respondent committed acts involving dishonesty, fraud, or deceit by issuing electronic certificates of compliance for vehicles without performing smog check inspections in accordance with the Department's requirements, thereby depriving the People of the State of California of the protections afforded by the Motor Vehicle Inspection Program.

Appropriate Degree of Discipline

25. When determining the appropriate degree of discipline, the Bureau must consider the recommended levels of discipline set forth in the Bureau's Guidelines for Disciplinary Orders and Terms of Probation (Rev. June 2021) (Guidelines). (Cal. Code of Regs., tit. 16, § 3395.4.) The recommended levels of discipline for violations of Business and Professions Code section 9884.7, subdivisions (a)(1) and (a)(4), and Health and Safety Code section 44072.2, subdivisions (a) and (d), range from a minimum penalty of two to five years of probation to a maximum penalty of revocation. For violations of Health and Safety Code section 44072.10, subdivision (c)(1), which specifically addresses the use of clean-plugging, revocation is required by statute. ("The [D]epartment shall revoke the license of any smog check technician or station licensee

who fraudulently certifies vehicles or participates in the fraudulent inspection of vehicles. A fraudulent inspection includes, but is not limited to, . . . clean plugging.”)

26. The Guidelines set forth the following factors to consider when determining the appropriate level of discipline: (1) prior warnings from the Bureau; (2) prior history of citations; (3) prior history of formal disciplinary action; (4) evidence the unlawful act was a pattern of practice; (4) evidence of voluntary participation in retraining; (5) absence of prior disciplinary action; and (6) evidence the violation was not part of a pattern or practice.

27. While there is no prior history of disciplinary action, respondent—who unconvincingly denied any misconduct—and her employees engaged in a pattern of practice by utilizing clean-plugging methods to fraudulently issue certificates of compliance for 15 vehicles during a 14-month period from March 5, 2024, to April 29, 2025. Respondent personally issued five of these certificates of compliance. Moreover, Mr. Koch testified that the 15 vehicles represented just a sample of Corona Smog Check’s fraudulent certificates of compliance; the dynamic data indicated Corona Smog Check, which was a “high-volume” station, issued an “extensive” number of fraudulent certificates of compliance.

28. Given all the evidence, revoking Corona Smog Check’s ARD Registration and Smog Check, Test-Only, Station License and respondent’s Smog Check Inspector License is necessary for public protection. (Bus. & Prof. Code, § 9880.3 [“Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.”].)

Cost Recovery

29. “The administrative law judge may direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.” (Bus. & Prof. Code, § 125.3, subd. (a).) In assessing the reasonableness of costs, the administrative law judge should consider whether the licensee succeeded in getting charges reduced or dismissed, whether the licensee had a good-faith belief in the merits of her position, whether the licensee raised a colorable challenge to the discipline sought, the licensee’s ability to pay, and the reasonableness of the scope of the Board’s investigation. (See *Zuckerman v. State Bd. of Chiropractic Examiners* (2002) 29 Cal.4th 32, 45.)

30. In connection with the enforcement of this matter, complainant requests a cost award in the total amount of \$12,024.51, which consists of \$3,545.76 in investigative costs and \$8,478.75 in enforcement costs. These costs are reasonable and established through suitable proof consisting of declarations, a certification of prosecution costs, and detailed logs setting forth the tasks performed, time spent on each task, and hourly rates charged. (Bus. & Prof. Code, § 125.3, subd. (c); Cal. Code of Regs., tit. 1, § 1042.). These costs are reasonable.

31. The *Zuckerman* factors do not warrant any reduction in costs here: respondent did not succeed in getting the charges reduced or dismissed, she did not appear to have a good-faith belief in the merits of her position, she did not raise a colorable challenge, she did not assert an inability to pay, and the scope of the Bureau’s investigation was reasonable. However, the total costs requested include the Bureau’s investigation and/or enforcement costs attributed to the Board’s actions against respondents Arreloa and Harrell’s individual smog tech inspection licenses, and

the Bureau acknowledged at hearing that a reduction was warranted. Accordingly, reducing the cost award to respondent's pro-rata one-third share, \$4,008.17, is warranted.

ORDER

1. Automotive Repair Dealer Registration Number ARD 300341 issued to respondent Violeta Natalie Llanos, doing business as Corona Smog Check, is revoked.

2. Smog Check, Test-Only Station License Number TC 300341 issued to respondent Violeta Natalie Llanos, doing business as Corona Smog Check is revoked.

3. Smog Check Inspector License Number EO 643024 issued to respondent, Violeta Natalie Llanos, is revoked.

4. Respondent Violeta Natalie Llanos is ordered to pay the Bureau's investigative and enforcement costs in the amount of \$4,008.17.

5. Any additional licenses issued to respondent Violeta Natalie Llanos, individually and/or under any fictitious business name, including as Corona Smog Check, under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code, the Motor Vehicle Inspection Program, are revoked.

DATE: July 28, 2026



SHARON LAHEY

Administrative Law Judge

Office of Administrative Hearings