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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:

13 **SANDRA GUERRA CARRANZA, DBA**
14 **PEDRO SMOG CHECK**
15 405 N Waterman Ave STE B
San Bernardino, CA 92410

16 Automotive Repair Dealer Registration No.
ARD 300961
17 Smog Check, Test Only, Station License No.
TC 300961,

18 **JOSHUA JOB GUEVARA**
19 144 W Ave 26 Apt 08
Los Angeles, CA 90031

20 Smog Check Inspector License No. EO 637032,

21 **EDGAR ROBLES**
22 13545 Flomar Dr
Whittier, CA 90605

23 Smog Check Inspector License No. EO 152655,

24 **and**

25 **ANTHONY A POZ-GOMEZ**
26 1309 Torington Dr
Las Vegas, NV 89108

Smog Check Inspector License No. EO 641248

27 Respondents.
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Case No. 79/23-4939

**DEFAULT DECISION AND ORDER AS
TO RESPONDENT SANDRA GUERRA
CARRANZA, DBA PEDRO SMOG
CHECK, ONLY**

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about May 31, 2024, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/23-4939 against Sandra Guerra Carranza ("Respondent"), doing business as Pedro Smog Check, before the Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

2. On or about October 27, 2021, the Bureau of Automotive Repair ("Bureau") issued Automotive Repair Dealer Registration Number ARD 300961 to Sandra Guerra Carranza ("Respondent Carranza"), doing business as Pedro Smog Check. The Automotive Repair Dealer Registration expired on October 31, 2023, and has not been renewed.

3. On or about February 24, 2022, the Bureau issued Smog Check, Test Only, Station License Number TC 300961 to Respondent Carranza, doing business as Pedro Smog Check. The Smog Check, Test Only, Station License expired on October 31, 2023, and has not been renewed.

4. On or about June 7, 2024, Respondent was served by Certified and First Class Mail copies of the Accusation No. 79/23-4939, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code section 136, is required to be reported and maintained with the Bureau. Respondent's address of record was and is 405 N. Waterman Ave, Ste B, San Bernardino, CA 92410.

5. 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.

6. 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.

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1 7. The Bureau takes official notice of its records and the fact that Respondent failed to
2 file a Notice of Defense within 15 days after service upon her of the Accusation and, therefore,
3 waived her right to a hearing on the merits of Accusation No. 79/22-19114.

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

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

8 9. Pursuant to its authority under Government Code section 11520, the Director, after
9 having reviewed the proof of service dated June 7, 2024, signed by Naomi Lewis, finds
10 Respondent is in default. The Director will take action without further hearing and, based on the
11 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
12 finds that the charges and allegations in Accusation No. 79/23-4939, are separately and severally,
13 found to be true and correct by clear and convincing evidence.

14 **DETERMINATION OF ISSUES**

15 1. Based on the foregoing findings of fact, Respondent Sandra Guerra Carranza dba
16 Pedro Smog Check has subjected her Automotive Repair Dealer Registration Number ARD
17 300961 and Smog Check, Test Only, Station License Number TC 300961 to discipline.

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

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

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

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

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

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1 d. Health & Safety Code section 44072.2, subdivision (a) [Violations of the Motor
2 Vehicle Inspection Program]

3 e. Health & Safety Code section 44072.2, subdivision (c) [Failure to Comply with
4 Regulations Pursuant to the Motor Vehicle Inspection Program]; and

5 f. Health & Safety Code section 44072.2, subdivision (d), in conjunction with
6 Health & Safety Code section 44072.10, subdivision (c) [Dishonest, Fraud, or Deceit].

7 **ORDER**

8 IT IS SO ORDERED that Automotive Repair Dealer Registration Number ARD 300961
9 and Smog Check, Test Only, Station License Number TC 300961, issued to Respondent Sandra
10 Guerra Carranza, doing business as Pedro Smog Check, are revoked.

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

OCT 23 2024

17 This Decision shall become effective on _____.

18 It is so ORDERED October 8, 2024

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23 GRACE ARUPO RODRIGUEZ
24 Assistant Deputy Director
25 Division of Legal Affairs
26 Department of Consumer Affairs

27 66967768.DOCX
28 DOJ Matter ID:LA2024601083

Attachment:
Exhibit A: Accusation