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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. 79/23-6758
OAH No. 2025010988

13 **LEONEL PENALOZA,**
AKA LEONEL PENALOZA DUARTE,
DBA GT SMOG CHECK
22087 Barton Rd.
14 Grand Terrace, CA 92313
Automotive Repair Dealer Registration No.
15 **ARD 301850**
Smog Check Test Only Station License No.
16 **TC 301850,**

STIPULATED REVOCATION OF
LICENSE AND ORDER AS TO LEONEL
PENALOZA, AKA LEONEL PENALOZA
DUARTE, DBA GT SMOG CHECK
ONLY

17 **LEONEL PENALOZA DUARTE,**
AKA LEONEL PENALOZA
5578 34th St. #34
18 Riverside, CA 92509
Smog Check Inspector License No.
19 **EO 644078,**

20 **KARINA ANTUNEZ,**
AKA KARINA DELGADILLO
11561 Virginia Ave. Apt. 6
21 Lynwood, CA 90262
Smog Check Inspector License No.
22 **EO 643460,**

23 **KARINA ANTUNEZ,**
AKA KARINA DELGADILLO,
DBA BLONTE SMOGS
3366 East Imperial Highway
24 Lynwood, CA 90262
Smog Check Test Only Station License No.
25 **TC 308822,**

26 Respondents.
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1 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
2 entitled proceedings that the following matters are true:

3 **PARTIES**

4 1. Patrick Dorais (complainant) is the Chief of the Bureau of Automotive Repair
5 (bureau). He brought this action solely in his official capacity and is represented in this matter by
6 Rob Bonta, Attorney General of the State of California, by Matthew A. King, Deputy Attorney
7 General.

8 2. Leonel Penaloza, also known as Leonel Penaloza Duarte, doing business as GT Smog
9 Check (respondent or GT Smog Check) is represented in this matter by Frank C. Brucculeri of the
10 Frank Brucculeri Law Corp., whose address is 24341 La Hermosa Avenue, Laguna Niguel,
11 California 92677.

12 3. On or about February 25, 2022, the bureau issued Automotive Repair Dealer
13 Registration number ARD 301850 to respondent. The Automotive Repair Dealer Registration
14 was in full force and effect at all times relevant to the charges brought herein and will expire on
15 February 28, 2026, unless renewed.

16 3. On or about March 23, 2022, the bureau issued Smog Check Test Only Station
17 License number TC 301850 to respondent. The Smog Check Test Only Station License was in
18 full force and effect at all times relevant to the charges brought herein and will expire on February
19 28, 2026, unless renewed.

20 4. On or about April 21, 2022, GT Smog Check was certified as a STAR Station. This
21 certification will remain active unless the Automotive Repair Dealer Registration and/or Smog
22 Check Station License is revoked, canceled, becomes delinquent, or the certification is
23 suspended.

24 5. On or about December 27, 2022, the bureau issued Smog Check Inspector License
25 number EO 644078 to respondent. The Smog Check Inspector License was in full force and
26 effect at all times relevant to the charges brought herein and will expire on August 31, 2026,
27 unless renewed.

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1 **JURISDICTION**

2 4. Accusation number 79/23-6758 was filed before the Director of the Department of
3 Consumer Affairs (director), and is currently pending against respondent. The Accusation and all
4 other statutorily required documents were properly served on respondent on December 3, 2024.
5 Respondent timely filed his Notice of Defense contesting the Accusation.

6 5. A copy of Accusation number 79/23-6758 is attached as exhibit A and incorporated
7 herein by reference.

8 **ADVISEMENT AND WAIVERS**

9 6. Respondent has carefully read, fully discussed with counsel, and understands the
10 charges and allegations in Accusation number 79/23-6758. Respondent has also carefully read,
11 fully discussed with counsel, and understands the effects of this Stipulated Revocation of License
12 and Order.

13 7. Respondent is fully aware of his legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
15 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
16 to the issuance of subpoenas to compel the attendance of witnesses and the production of
17 documents; the right to reconsideration and court review of an adverse decision; and all other
18 rights accorded by the California Administrative Procedure Act and other applicable laws.

19 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
20 every right set forth above.

21 **CULPABILITY**

22 9. Respondent understands and agrees that the charges and allegations in Accusation
23 number 79/23-6758, if proven at a hearing, constitute cause for imposing discipline upon his
24 Automotive Repair Dealer Registration number ARD 301850, Smog Check Test Only Station
25 License number TC 301850, and Smog Check Inspector License number EO 644078.

26 10. For the purpose of resolving the Accusation without the expense and uncertainty of
27 further proceedings, respondent agrees that, at a hearing, complainant could establish a factual
28 basis for the charges in the Accusation, and that respondent hereby gives up his right to contest

1 those charges.

2 11. Respondent understands that by signing this stipulation he enables the director to
3 issue his order accepting the revocation of respondent's Automotive Repair Dealer Registration,
4 Smog Check Test Only Station License, and Smog Check Inspector License without further
5 process.

6 **RESERVATION**

7 12. The admissions made by respondent herein are only for the purposes of this
8 proceeding, or any other proceedings in which the Director of the Department of Consumer
9 Affairs, Bureau of Automotive Repair, or other professional licensing agency is involved, and
10 shall not be admissible in any other criminal or civil proceeding.

11 **CONTINGENCY**

12 13. This stipulation shall be subject to approval by the director or the director's designee.
13 Respondent understands and agrees that counsel for complainant and the staff of the Bureau of
14 Automotive Repair may communicate directly with the director and staff of the Department of
15 Consumer Affairs regarding this stipulation and settlement, without notice to or participation by
16 respondent or his counsel. By signing the stipulation, respondent understands and agrees that he
17 may not withdraw his agreement or seek to rescind the stipulation prior to the time the director
18 considers and acts upon it. If the director fails to adopt this stipulation as the Decision and Order,
19 the Stipulated Revocation of License and Order shall be of no force or effect, except for this
20 paragraph, it shall be inadmissible in any legal action between the parties, and the director shall
21 not be disqualified from further action by having considered this matter.

22 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
23 copies of this Stipulated Revocation of License and Order, including PDF and facsimile
24 signatures thereto, shall have the same force and effect as the originals.

25 15. This Stipulated Revocation of License and Order is intended by the parties to be an
26 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
27 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
28 negotiations, and commitments (written or oral). This Stipulated Revocation of License and Order

1 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
2 executed by an authorized representative of each of the parties.

3 16. In consideration of the foregoing admissions and stipulations, the parties agree that
4 the director may, without further notice or formal proceeding, issue and enter the following
5 Disciplinary Order:

6 **DISCIPLINARY ORDER**

7 IT IS HEREBY ORDERED that Automotive Repair Dealer Registration number ARD
8 301850, Smog Check Test Only Station License number TC 301850, and Smog Check Inspector
9 License number EO 644078, issued to respondent Leonel Penaloza, also known as Leonel
10 Penaloza Duarte, doing business as GT Smog Check, are revoked and accepted by the bureau.

11 1. The revocation of respondent's Automotive Repair Dealer Registration, Smog Check
12 test Only Station license, and Smog Check Inspector License and the acceptance of the revoked
13 licenses by the bureau shall constitute the imposition of discipline against respondent. This
14 stipulation constitutes a record of the discipline and shall become a part of respondent's license
15 history with the bureau.

16 2. Respondent shall lose all rights and privileges afforded by an Automotive Repair
17 Dealer Registration, Smog Check Test Only Station License, and Smog Check Inspector License
18 in California as of the effective date of the director's Decision and Order.

19 3. Respondent shall cause to be delivered to the bureau his Automotive Repair Dealer
20 Registration, Smog Check Test Only Station License, and Smog Check Inspector License pocket
21 licenses and, if one was issued, his wall certificates on or before the effective date of the Decision
22 and Order.

23 4. If respondent ever applies for licensure or petitions for reinstatement in the State of
24 California, the bureau shall treat it as a new application for licensure. Respondent must comply
25 with all the laws, regulations and procedures for licensure in effect at the time the application or
26 petition is filed, and all of the charges and allegations contained in Accusation number 79/23-
27 6758 shall be deemed to be true, correct and admitted by respondent when the director determines
28 whether to grant or deny the application or petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$13,251.38 prior to issuance of a new or reinstated license.

6. Respondent shall not apply for licensure for one year from the effective date of the director's Decision and Order.

ACCEPTANCE

I have carefully read the above Stipulated Revocation of License and Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Automotive Repair Dealer Registration, Smog Check Test Only Station License, and Smog Check Inspector License. I enter into this Stipulated Revocation of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of the Department of Consumer Affairs.

DATED: August 12, 2025

Original signature on file

LEONEL PENALOZA,
AKA LEONEL PENALOZA DUARTE,
DBA GT SMOG CHECK
Respondent

I have read and fully discussed with my client the terms and conditions and other matters contained in the above Stipulated Revocation of License and Order. I approve its form and content.

DATED: August 12, 2025

Original signature on file

FRANK C. BRUCCULERI
The Frank Brucculeri Law Corp.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Revocation of License and Order is hereby respectfully submitted
for consideration by the Director of the Department of Consumer Affairs.

DATED: August 12, 2025

Respectfully submitted,

ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General

Original signature on file

MATTHEW A. KING
Deputy Attorney General
Attorneys for Complainant

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