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

In the Matter of the Accusation Against:

Case No. 79/22-14413

**ERIC GUSTAVO RUANO-CHICO, DBA  
CORONA EXPRESS SMOG  
19965 Temescal Canyon Road, Unit B  
Corona, CA 92881**

**DEFAULT DECISION AND ORDER**

**Automotive Repair Dealer No. ARD 302280  
Smog Check Station License, Test Only No.  
TC 302280,**

[Gov. Code, §11520]

**and**

**ERIC GUSTAVO RUANO-CHICO  
2476 Alder Street  
Pomona, CA 91767**

**Smog Check Inspector License No. EO  
643120**

Respondents.

**FINDINGS OF FACT**

1. On or about October 26, 2023, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/22-14413 against Eric Gustavo Ruano-Chico, dba Corona Express Smog (Respondent) before the Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

1           2.     On or about April 15, 2022, the Bureau of Automotive Repair (Bureau) issued  
2 Automotive Repair Dealer No. ARD 302280 to Respondent. The Automotive Repair Dealer  
3 expired on April 30, 2023, and has not been renewed.

4           3.     On or about July 15, 2022, the Bureau of Automotive Repair issued Smog Check  
5 Station License, Test Only No. TC 302280 to Respondent. The Smog Check Station License,  
6 Test Only expired on April 30, 2023, and has not been renewed.

7           4.     On or about May 28, 2021, the Bureau of Automotive Repair issued Smog Check  
8 Inspector License Number EO 643120 to Eric Gustavo Ruano-Chico (Respondents). The Smog  
9 Check Inspector expired on December 23, 2023, and has not been renewed.

10          5.     On or about October 27, 2023, Respondents were served by Certified and First Class  
11 Mail copies of the Accusation No. 79/22-14413, Statement to Respondent, Notice of Defense,  
12 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,  
13 and 11507.7) at Respondent's address of record which, pursuant to Business and Professions  
14 Code section 136, is required to be reported and maintained with the Bureau. Respondent's  
15 addresses of record were and are: 19965 Temescal Canyon Road, Unit B, Corona, CA 92881 and  
16 2476 Alder Street, Pomona, CA 91767.

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

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

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

25          8.     The Bureau takes official notice of its records and the fact that Respondent failed to  
26 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore  
27 waived his right to a hearing on the merits of Accusation No. 79/22-14413.

28          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 October 27, 2023, signed by Nellia Amensac, (and USPS Track & Confirm Notice) 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. 79/22-14413, 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 Eric Gustavo Ruano-Chico, dba Corona Express Smog has subjected his Automotive Repair Dealer Registration No. ARD 302280, Smog Check, Test Only Station License, TC 302280 and Smog Check Inspector License No. EO 643120 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 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:

a. Respondent Corona Express Smog's registration is subject to disciplinary action pursuant to section 9884.7, subdivision (a)(1), in that between August 29, 2022 and September 22, 2022, Respondent Ruano-Chico made or authorized statements which he knew or in the exercise of reasonable care should have known to be untrue or misleading, as follows: Respondent Ruano-Chico certified that the vehicles set forth above in paragraphs 20-57, had passed inspection and were in compliance with applicable laws and regulations. In fact, Respondent Ruano-Chico conducted the inspections on those vehicles using the clean plugging method in order to issue smog certificates of compliance, and did not test or inspect the vehicles as required by Health and Safety Code section 44012.

1           b.     Respondent Corona Express Smog’s registration is subject to disciplinary action  
2 pursuant to section 9884.7, subdivision (a)(4), in that between August 29, 2022 and September  
3 22, 2022, Respondent Ruano-Chico committed acts which constitute fraud by issuing electronic  
4 certificates of compliance for the vehicles set forth above in paragraphs 20-57, without  
5 performing bona fide inspections of the emission control devices and systems on those vehicles,  
6 thereby depriving the People of the State of California of the protection afforded by the Motor  
7 Vehicle Inspection Program.

8           c.     Respondent Corona Express Smog’s smog station license is subject to disciplinary  
9 action pursuant to Health and Safety Code section 44072.2, subdivision (a), in conjunction with  
10 Health and Safety Code section 44072.10 subdivision (c), in that between August 29, 2022 and  
11 September 22, 2022, regarding the vehicles set forth above in paragraphs 20-57, Respondent  
12 Corona Express Smog failed to comply with the following sections of the Health and Safety  
13 Code:

14           (1)    **Section 44012**: Respondent Corona Express Smog’s employee Respondent Ruano-  
15 Chico failed to ensure that the emission control tests were performed on the vehicles, in  
16 accordance with procedures prescribed by the department.

17           (2)    **Section 44015**: Respondent Corona Express Smog’s employee Respondent Ruano-  
18 Chico issued electronic certificates of compliance for the vehicles, without ensuring that the  
19 vehicles were properly tested and inspected to determine if they were in compliance with Health  
20 and Safety Code section 44012.

21           d.     Respondent Corona Express Smog’s smog station license is subject to disciplinary  
22 action pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between  
23 August 29, 2022 and September 22, 2022, regarding the vehicles set forth above in paragraphs  
24 20-57, Respondent Ruano-Chico failed to comply with the following provisions of the California  
25 Code of Regulations, Title 16, as follows:

26           (1)    **Section 3340.35, subdivision (c)**: Respondent Corona Express Smog’s employee  
27 Respondent Ruano-Chico issued electronic certificates of compliance even though those vehicles  
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1 had not been inspected in accordance with section 3340.42, Title 16, of the California Code of  
2 Regulations.

3 (2) **Section 3340.42**: Respondent Corona Express Smog's employee Respondent Ruano-  
4 Chico failed to conduct the required smog tests and inspections on those vehicles in accordance  
5 with the Bureau's specifications.

6 e. Respondent Corona Express Smog's smog station license is subject to disciplinary  
7 action pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with  
8 Health and Safety Code section 44072.10 subdivision (c), in that between August 29, 2022 and  
9 September 22, 2022, regarding the vehicles set forth above in paragraphs 20-57, Respondent  
10 Corona Express Smog's employee Respondent Ruano-Chico committed acts involving  
11 dishonesty, fraud or deceit whereby another was injured by issuing electronic certificates of  
12 compliance for those vehicles without performing bona fide inspections of the emission control  
13 devices and systems on the vehicles, thereby depriving the People of the State of California of the  
14 protection afforded by the Motor Vehicle Inspection Program.

15 f. Respondent Ruano-Chico's smog check inspector license is subject to discipline  
16 pursuant to Health and Safety Code section 44072.2, subdivision (a), in that between August 29,  
17 2022 and September 22, 2022, regarding the vehicles set forth above in paragraphs 20-57,  
18 Respondent Ruano-Chico failed to comply with section 44012 of the Health and Safety Code in a  
19 material respect, as follows: Respondent Ruano-Chico failed to perform the emission control  
20 tests on those vehicles in accordance with procedures prescribed by the department.

21 g. Respondent Ruano-Chico's smog check inspector license is subject to discipline  
22 pursuant to Health and Safety Code section 44072.2, subdivision (c), in that between August 29,  
23 2022 and September 22, 2022, regarding the vehicles set forth above in paragraphs 20-57,  
24 Respondent Ruano-Chico failed to comply with provisions of the California Code of Regulations,  
25 title 16, as follows:

26 (1) **Section 3340.30, subdivision (a)**: Respondent Ruano-Chico failed to inspect and test  
27 those vehicles in accordance with Health and Safety Code section 44012.

1 (2) **Section 3340.41, subdivision (c)**: Respondent Ruano-Chico entered false  
2 information into the EIS.

3 (3) **Section 3340.42**: Respondent Ruano-Chico failed to conduct the required smog tests  
4 and inspections on those vehicles in accordance with the Bureau's specifications.

5 h. Respondent Ruano-Chico's smog check inspector license is subject to discipline  
6 pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health  
7 and Safety Code section 44072.10 subdivision (c), in that between August 29, 2022 and  
8 September 22, 2022, regarding the vehicles set forth above in paragraphs 20-57, Respondent  
9 Ruano-Chico committed acts involving dishonesty, fraud or deceit whereby another was injured  
10 by issuing electronic certificates of compliance for those vehicles without performing bona fide  
11 inspections of the emission control devices and systems on the vehicles., thereby depriving the  
12 People of the State of California of the protection afforded by the Motor Vehicle Inspection  
13 Program.

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**ORDER**

IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 302280, Smog Check, Test Only Station License, TC 302280 and Smog Check Inspector License No. EO 643120, issued to Respondent Eric Gustavo Ruano-Chico, dba Corona Express Smog, are all 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 Blvd., 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 May 8, 2024.

It is so ORDERED April 23, 2024

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

84286979.DOCX  
DOJ Matter ID:SD2023802970

Attachment:  
Exhibit A: Accusation