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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. 79/25-16693

**DAVID GERARDO RAMIREZ, DBA LOS SMOGGERS SMOG CHECK**  
10076 Cedar Ave Unit B  
Bloomington, CA 92316

**DEFAULT DECISION AND ORDER AS TO RESPONDENT DAVID GERARDO RAMIREZ DBA LOS SMOGGERS SMOG CHECK**

Automotive Repair Dealer Registration No.  
ARD 305845  
Smog Check, Test-Only, Station No.  
TC 305845

[Gov. Code, §11520]

**ZEFERINO PERALTA JR**  
615 E Belmont St Apt A  
Ontario, CA 91761

Smog Check Inspector No. EO 643740

Respondents.

**FINDINGS OF FACT**

1. On or about November 21, 2025, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/25-16693 against David Gerardo Ramirez (“Respondent Ramirez”), doing business as Los Smoggers Smog Check before the Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

1           2.     On or about May 16, 2023, the Bureau of Automotive Repair (“Bureau”) issued  
2 Automotive Repair Dealer Registration No. ARD 305845 to Respondent Ramirez, doing business  
3 as Los Smoggers Smog Check. The Automotive Repair Dealer Registration was in full force and  
4 effect at all times relevant to the charges brought in Accusation No. 79/25-16693 and will expire  
5 on May 31, 2026, unless renewed.

6           3.     On or about June 29, 2023, the Bureau issued Smog Check, Test Only, Station  
7 License No. TC 305845 to Respondent Ramirez, doing business as Los Smoggers Smog Check.  
8 The Smog Check, Test Only, Station License was in full force and effect at all times relevant to  
9 the charges brought in Accusation No. 79/25-16693 and will expire on May 31, 2026, unless  
10 renewed.

11          4.     On or about December 2, 2025, Respondent Ramirez was served by Certified and  
12 First Class Mail copies of the Accusation No. 79/25-16693 Statement to Respondent, Notice of  
13 Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5,  
14 11507.6, and 11507.7) at Respondent Ramirez's address of record which, pursuant to Business  
15 and Professions Code section 136, is required to be reported and maintained with the Bureau.  
16 Respondent Ramirez's address of record was and is 10076 Cedar Ave Unit B, Bloomington, CA  
17 92316.

18          5.     Service of the Accusation was effective as a matter of law under the provisions of  
19 Government Code section 11505, subdivision (c), and/or Business and Professions Code section  
20 124.

21          6.     Government Code section 11506, subdivision (c) states, in pertinent part:

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

28          7.     The Bureau takes official notice of its records and the fact that Respondent Ramirez  
failed to file a Notice of Defense within 15 days after service upon him of the Accusation, and  
therefore waived his right to a hearing on the merits of Accusation No. 79/25-16693.

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

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

5 9. Pursuant to its authority under Government Code section 11520, the Director, after  
6 having reviewed the proof of service dated December 2, 2025, signed by Cindy Pain, finds  
7 Respondent Ramirez is in default. The Director will take action without further hearing and,  
8 based on the relevant evidence contained in the Default Decision Investigatory Evidence Packet  
9 in this matter, finds that the charges and allegations in Accusation No. 79/25-16693 are,  
10 separately and severally, found to be true and correct by clear and convincing evidence.

11 **DETERMINATION OF ISSUES**

12 1. Based on the foregoing findings of fact, Respondent David Gerardo Ramirez, doing  
13 business as Los Smoggers Smog Check, has subjected his Automotive Repair Dealer  
14 Registration Number ARD 305845 and Smog Check, Test Only, Station License Number TC  
15 305845 to discipline.

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

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

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

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

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

27 d. Health and Safety Code section 44072.2, subdivision (a) [Violations of the  
28 Motor Vehicle Inspection Program];

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

3 f. Health and Safety Code section 44072.2, subdivision (d), in conjunction with  
4 Health & Safety Code section 44072.10, subdivision (c) [Dishonesty, Fraud, or Deceit].

5 **ORDER**

6 IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 305845 and  
7 Smog Check, Test Only, Station License Number TC 305845, issued to Respondent David  
8 Gerardo Ramirez, doing business as Los Smoggers Smog Check, are revoked.

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

15 This Decision shall become effective on February 25, 2026.

16 It is so ORDERED February 12, 2026.

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19 Signature on file

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

21  
22 68154183  
DOJ Matter ID:LA2025604507

23 Attachment:  
24 Exhibit A: Accusation