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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. 79/26-1183

13 **OMAR A VARGAS DBA LA RAZA SMOG**
14 **CHECK**

14 **7452 Lankershim Blvd**
15 **North Hollywood, CA 91605**

15 **Mailing Address:**

16 **8910 Sepulveda Blvd**
17 **North Hills, CA 91343**

17 **Automotive Repair Dealer Registration No.**
18 **ARD 306025**
19 **Smog Check Test Only Station License No.**
20 **TC 306025**

21 **RAFAEL MENDOZA**
22 **8012 South Central Avenue**
23 **Los Angeles, CA 90001**

22 **Mailing Address:**

23 **437 East Nutwood Street**
24 **Inglewood, CA 90301**

24 **Smog check Inspector license No.**
25 **EO 639642**

26 **and**
27
28

DEFAULT DECISION AND ORDER
ONLY AS TO RESPONDENT OMAR A
VARGAS DBA LA RAZA SMOG CHECK
[ARD/TC 306025]

[Gov. Code, §11520]

1 5. On or about June 25, 2026, Respondent was served by Certified and First Class Mail
2 copies of the Accusation No. 79/26-1183, Statement to Respondent, Notice of Defense, Request
3 for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
4 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
5 section 136, is required to be reported and maintained with the Bureau. Respondent's address of
6 record was and is:

7 7452 Lankershim Blvd
8 North Hollywood, CA 91605; and
9 8910 Sepulveda Blvd
10 North Hills, CA 91343.

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

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

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

19 8. The Director takes official notice of its records and the fact that Respondent failed to
20 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
21 waived his right to a hearing on the merits of Accusation No. 79/26-1183.

22 9. California Government Code section 11520(a) states, in pertinent part:

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

27 10. Pursuant to its authority under Government Code section 11520, the Director after
28 having reviewed the proof of service dated June 25, 2026, signed by Janice Park, 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,

1 finds that the charges and allegations in Accusation No. 79/26-1183, are separately and severally,
2 found to be true and correct by clear and convincing evidence.

3 **DETERMINATION OF ISSUES**

4 1. Based on the foregoing findings of fact, Respondent Omar A Vargas dba La Raza
5 Smog Check has subjected his Automotive Repair Dealer Registration No. ARD 306025 and
6 Smog Check Test Only Station License No. TC 306025 to discipline.

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

8 3. The Director of the Department of Consumer Affairs is authorized to revoke
9 Respondent's Automotive Repair Dealer Registration based upon the following violations alleged
10 in the Accusation which are supported by the evidence contained in the Default Decision
11 Investigatory Evidence Packet in this case:

12 a. Business and Professions Code section 9884.7, subdivision (a)(1) [untrue or
13 misleading statements];

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

15 c. Business and Professions Code section 9884.7, subdivision (a)(6) [material violation
16 of Automotive Repair Act.

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

21 a. Health and Safety Code section 44072.2, subdivision (a), for failing to comply with
22 Health and Safety Code sections 44012 [failure to ensure emission control tests were performed
23 in accordance with procedures prescribed by the department] and 44015, subdivision (b), [issuing
24 electronic certificates of compliance without ensuring vehicles were properly tested and
25 inspected];

26 b. Health and Safety Code section 44072.2, subdivision (c), for failing to comply with
27 provisions of the California Code of Regulations, title 16 (CCR), as follows: CCR section
28 3340.24, subdivision (c) [falsely or fraudulently issuing electronic smog certificates of

1 compliance]; CCR section 3340.30, subdivision (a) [failure to inspect and test vehicles in
2 accordance with Health and Safety Code sections 44012 and 44035, and CCR section 3340.42];
3 CCR section 3340.35, subdivision (c) [issuing electronic smog certificates of compliant to
4 vehicles that had not been inspected in accordance with CCR section 3340.42]; and CCR section
5 3340.42 [failure to ensure that required smog tests were conducted in accordance with Bureau
6 specifications]; and

7 c. Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health
8 and Safety Code section 44072.10, subdivision (c) [dishonest, fraudulent, or deceitful acts
9 whereby another was injured].

10 **ORDER**

11 IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 306025 and
12 Smog Check Test Only Station License No. TC 306025, both issued to Respondent Omar A
13 Vargas dba La Raza Smog Check, are revoked.

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

20 This Decision shall become effective on OCTOBER 9, 2026.

21 It is so ORDERED October 6, 2026

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

26 68636933.docx
DOJ Matter ID:LA2026600776

27 Attachment:
28 Exhibit A: Accusation