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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. 79/24-10130

13 **ERIC JORDAN OVERTTON DBA THE**  
14 **SMOG CENTER**  
15 **13651 Garfield Ave Suite A**  
16 **South Gate, CA 90280**

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

15 **Automotive Repair Dealer Registration No.**  
16 **ARD 306159**  
17 **Smog Check Test Only Station License No.**  
18 **TC 306159**

Respondent.

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21 **FINDINGS OF FACT**

22 1. On or about March 23, 2026, Complainant Patrick Dorais, in his official capacity as  
23 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation  
24 No. 79/24-10130 against Eric Jordan Overtton dba The Smog Center (Respondent) before the  
25 Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

26 2. On or about June 23, 2023, the Bureau of Automotive Repair (Bureau) issued  
27 Automotive Repair Dealer Registration No. ARD 306159 to Respondent. The Automotive  
28 Repair Dealer Registration expired on June 30, 2025, and has not been renewed. This lapse in

1 licensure, however, pursuant to Business and Professions Code section 9884.13, does not deprive  
2 the Bureau of its authority to institute or continue this disciplinary proceeding.

3 3. On or about July 11, 2023, the Bureau issued Smog Check Test Only Station License  
4 No. TC 306159 to Respondent. The Smog Check Test Only Station License expired on June 30,  
5 2025, and has not been renewed. This lapse in licensure, however, pursuant to Health and Safety  
6 Code section 44072.6, does not deprive the Bureau of its authority to institute or continue this  
7 disciplinary proceeding.

8 4. On or about October 18, 2023, the Bureau certified The Smog Center as a STAR  
9 station. The certification was suspended on March 19, 2025, and became invalid when  
10 Respondent's Automotive Repair Dealer Registration and Smog Check Test Only Station License  
11 expired on June 30, 2025.

12 5. On or about March 26, 2026, Respondent was served by Certified and First Class  
13 Mail copies of the Accusation No. 79/24-10130, Statement to Respondent, Notice of Defense,  
14 Request for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
15 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
16 section 136, is required to be reported and maintained with the Bureau. Respondent's address of  
17 record was and is:

18 13651 Garfield Ave Suite A  
19 South Gate, CA 90280.

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

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

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

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8. The Director takes official notice of the Bureau's records and the fact that Respondent 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. 79/24-10130.

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 March 26, 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, finds that the charges and allegations in Accusation No. 79/24-10130, 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 Jordan Overton dba The Smog Center has subjected his Automotive Repair Dealer Registration No. ARD 306159 and Smog Check Test Only Station License No. 306159 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 Registration 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. Business and Professions Code section 9884.7, subdivision (a)(1) [untrue or misleading statements];

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

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

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

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

10           b.     Health and Safety Code section 44072.2, subdivision (c), for failing to comply with  
11 provisions of the California Code of Regulations, title 16 (CCR), as follows: CCR section  
12 3340.24, subdivision (c) [falsely or fraudulently issuing electronic smog certificates of  
13 compliance]; CCR section 3340.30, subdivision (a) [failure to inspect and test vehicles in  
14 accordance with Health and Safety Code sections 44012 and 44035, and CCR section 3340.42];  
15 CCR section 3340.35, subdivision (c) [issuing electronic smog certificates of compliant to  
16 vehicles that had not been inspected in accordance with CCR section 3340.42]; CCR section  
17 3340.41, subdivision (h) [possession of defeat devices in testing area]; CCR section 3340.42  
18 [failure to ensure that required smog tests were conducted in accordance with Bureau  
19 specifications]; and CCR 3373 [false or misleading records]; and

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

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**ORDER**

IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 306159 and Smog Check Test Only Station License No. TC 306159, both issued to Respondent Eric Jordan Overtton dba The Smog Center, are 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 Boulevard, 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 July 27, 2026

It is so ORDERED July 27, 2026

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

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DOJ Matter ID:LA2025605416

Attachment:  
Exhibit A: Accusation