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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:

13 **BYRON ALEXANDER GARRIDO, DBA**
14 **DOBLE G SMOG**

15 765 S Gifford St Suite Unit 28
16 San Bernardino, CA 92408

17 ***Mailing Address:***

18 6958 Levee Court
19 Jurupa Valley, CA 91752

20 **Automotive Repair Dealer Registration No.**
21 **ARD 306414**

22 **Smog Check, Test-Only, Station License No.**
23 **TC 306414,**

24 **and**

25 **OSVALDO GAVINA CARDENAS**

26 11867 Calabash
27 Fontana, CA 92337

28 **Smog Check Inspector License No. EO**
642129

Respondents.

Case No. 79/24-14132

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

(As to Byron Alexander Garrido Only)

FINDINGS OF FACT

1. On or about March 6, 2025, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/24-14132 against Byron Alexander Garrido, dba Doble G Smog (Respondent) before the Director of the Department of Consumer Affairs. (Accusation attached as Exhibit A.)

2. On or about July 13, 2023, the Bureau of Automotive Repair (Bureau) issued Automotive Repair Dealer Registration No. ARD 306414 to Respondent. The Automotive Repair Dealer Registration expired on July 31, 2024, and has not been renewed.

3. On or about August 21, 2023, the Bureau of Automotive Repair issued Smog Check, Test-Only, Station License No. TC 306414 to Respondent. The Smog Check, Test-Only, Station License expired on July 31, 2024, and has not been renewed.

4. On or about March 7, 2025, Respondent was served by Certified and First Class Mail copies of the Accusation No. 79/24-14132, Statement to Respondent, Notice of Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's mailing address of record which, pursuant to Business and Professions Code section 136, is required to be reported and maintained with the Bureau. Respondent's mailing address of record was and is: 6958 Levee Court, Jurupa Valley, CA 91752.

5. On or about March 28, 2025, Respondent was served by Certified and First Class Mail copies of the Accusation No. 79/24-14132, Statement to Respondent, Notice of Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code section 136, is required to be reported and maintained with the Bureau. Respondent's address of record was and is: 765 S Gifford St Suite Unit 28, San Bernardino, CA 92408.

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

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

(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense . . . and the notice shall be deemed a specific denial of all parts of the accusation . . . not expressly admitted. Failure to file a notice of defense

1 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
2 discretion may nevertheless grant a hearing.

3 8. The Bureau takes official notice of its records and the fact that Respondent failed to
4 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
5 waived his right to a hearing on the merits of Accusation No. 79/24-14132.

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

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

11 10. Pursuant to its authority under Government Code section 11520, the Director after
12 having reviewed the proof of service dated March 7, 2025, signed by R. Quijada, and the proof of
13 service dated March 28, 2025, signed by L. Zamora, finds Respondent is in default. The Director
14 will take action without further hearing and, based on the relevant evidence contained in the
15 Default Decision Investigatory Evidence Packet in this matter, finds that the charges and
16 allegations in Accusation No. 79/24-14132, are separately and severally, found to be true and
17 correct by clear and convincing evidence.

18 **DETERMINATION OF ISSUES**

19 1. Based on the foregoing findings of fact, Respondent Byron Alexander Garrido, dba
20 Doble G Smog has subjected his Automotive Repair Dealer Registration No. ARD 306414 and
21 his Smog Check, Test-Only, Station License No. TC 306414 to discipline.

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

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

27 a. False/Misleading Statements [Business and Professions Code section 9884.7,
28 subdivision (a)(1)];

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

1 c. Material Violation of Automotive Repair Act [Business and Professions Code section
2 9884.7, subdivision (a)(6)];

3 d. Violation of Motor Vehicle Inspection Program [Health and Safety Code section
4 44072.2, subdivision (a), in conjunction with Health and Safety Code section 44012,
5 section 44015, subdivision (b), section 44032 and section 44059];

6 e. Violation of Motor Vehicle Inspection Program [Health and Safety Code section
7 44072.2, subdivision (c), in conjunction with California Code of Regulations, title 16,
8 section 3340.24, subdivision (c), section 3340.30, subdivision (a), section 3340.35, subdivision
9 (c), section 3340.41, subdivision (c), and section 3340.42]; and

10 f. Dishonesty/Fraud/Deceit [Health and Safety Code section 44072.2, subdivision (d)].

11 **ORDER**

12 IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 306414 and
13 Smog Check, Test-Only, Station License No. TC 306414, issued to Respondent Byron Alexander
14 Garrido, dba Doble G Smog, are revoked.

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

22 This Decision shall become effective on July 16, 2025.

23 It is so ORDERED July 7, 2025.

24
25 Original signature on file

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