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

In the Matter of the Accusation Against: **TEMURI JAPARIDZE DBA TOMMY SMOG ONLY** **203 N. 27th Street** **San Jose, CA 95116** **Automotive Repair Dealer Registration No. ARD 306982** **Smog Check, Test-Only, Station License No. TC 306982** **and** **TEMURI JAPARIDZE** **535 Marge Way** **San Jose, CA 95117** **Smog Check Inspector License No. EO 643068** Respondents.	Case No. 79/24-6364 OAH No. 2025110816 **DEFAULT DECISION AND ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. On or about April 15, 2025, Complainant Patrick Dorais, in his official capacity as the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation No. 79/24-6364 against Temuri Japaridze dba Tommy Smog Only and Temuri Japaridze (collectively, Respondents) before the Director of the Department of Consumer Affairs.

(Accusation attached as Exhibit A.)

2. On or about September 18, 2023, the Bureau of Automotive Repair (Bureau) issued Automotive Repair Dealer Registration No. ARD 306982 to Respondent Temuri Japaridze dba Tommy Smog Only. The Automotive Repair Dealer Registration expired on September 30, 2024, and was not renewed.

3. On or about December 6, 2023, the Bureau issued Smog Check, Test-Only, Station License No. TC 306982 to Respondent Temuri Japaridze dba Tommy Smog Only. The Smog Check, Test-Only, Station License expired on September 30, 2024, and was not renewed.

4. On or about May 5, 2021, the Bureau issued Smog Check Inspector License No. EO 643068 to Respondent Temuri Japaridze. The Smog Check Inspector License was in full force and effect at all times relevant to the charges brought in Accusation No. 79/24-6364. The license expired on May 31, 2025, and was not renewed.

5. Pursuant to Business and Professions Code section 118(b), this lapse in licensure does not deprive the Bureau of its authority to institute or continue this disciplinary proceeding.

6. On or about April 16, 2025, Respondents were served with Accusation No. 79/24-6364.

7. On or about May 8, 2025, Respondents signed and returned a Notice of Defense, requesting a hearing in this matter.

8. On November 24, 2025, a Notice of Hearing was served by mail at Respondents' addresses of record which are:

203 N. 27th Street
San Jose, CA 95116; and

535 Marge Way
San Jose, CA 95117

The Notice of Hearing informed Respondents that an administrative hearing in this matter was scheduled for June 4, 2026.

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

10. The matter was called for hearing at the date, time and location set forth in the Notice of Hearing. The assigned Administrative Law Judge found that the service of the Notice of Hearing on Respondents was proper. There was no appearance by or on behalf of Respondents. A default was declared and on motion of counsel for Complainant, the matter was remanded to the Bureau under Government Code section 11520.

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

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

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

> 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 . . . .

13. Pursuant to its authority under Government Code section 11520, the Director after having reviewed the proof of service dated April 16, 2025, signed by Danielle Minniefield, finds Respondents are 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. 79/24-6364, 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 Temuri Japaridze dba Tommy Smog Only has subjected its Automotive Repair Dealer Registration No. ARD 306982 and Smog Check, Test-Only, Station License No. TC 306982 to discipline. Based on the foregoing findings of fact, Respondent Temuri Japaridze has subjected his Smog Check Inspector License No. EO 643068 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 Automotive Repair Dealer Registration No. ARD 306982 and Smog Check, Test-Only, Station

License No. TC 306982 issued to Respondent Temuri Japaridze dba Tommy Smog Only, and Smog Check Inspector License No. EO 643068 issued to Respondent Temuri Japaridze based on 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;

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

d. Business and Professions Code section 9889.22 – False Statement or Entry on a Certificate of Compliance;

e. Business and Professions Code section 17200 – Unfair Competition;

f. Business and Professions Code section 17500 – Untrue or Misleading Statements;

g. Health and Safety Code section 44072.2, subdivision (a) – Violations of the Motor Vehicle Inspection Program;

h. Health and Safety Code section 44072.2, subdivision (c) – Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program;

i. Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety Code section 44072.10, subdivision (c) – Dishonesty, Fraud, or Deceit;

j. Health and Safety Code section 44072.2, subdivision (a) – Violations of the Motor Vehicle Inspection Program;

k. Health and Safety Code section 44072.2, subdivision (c) – Failure to Comply with Regulations Pursuant to the Motor Vehicle Inspection Program;

l. Health and Safety Code section 44072.2, subdivision (d), in conjunction with Health and Safety Code section 44072.10, subdivision (c) – Dishonesty, Fraud, or Deceit.

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ORDER

IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 306982, and Smog Check, Test-Only, Station License No. TC 306982 issued to Respondent Temuri Japaridze dba Tommy Smog Only, and Smog Check Inspector License No. EO 643068 issued to Respondent Temuri Japaridze are revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondents 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 Respondents. 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 September 14, 2026

It is so ORDERED Aug. 31, 2026

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

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DOJ Matter ID:OK2024900668

Attachment:
Exhibit A: Accusation