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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 **ADRIAN LEE BARELA, DBA**
14 **GUERREROS SMOG CHECK**
15 **2774 Main St #B**
16 **Riverside, CA 92501**

17 **Mailing Address:**
18 **571 Julie St**
19 **Colton, CA 92324**

20 **Automotive Repair Dealer Registration No.**
21 **ARD 307633**
22 **Smog Check, Test-Only, Station No. TC**
23 **307633,**

24 Respondent.

Case No. 79/25-1441

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

25 **FINDINGS OF FACT**

26 1. On or about November 21, 2025, Complainant Patrick Dorais, in his official capacity
27 as the Chief of the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs,
28 filed Accusation Number 79/25-1441 against Adrian Lee Barela, owner, dba Guerreros Smog
Check (Respondent or Respondent Guerreros Smog Check) before the Bureau. (Accusation
attached as Exhibit A.)

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Automotive Repair Dealer Registration No. ARD 307633

2. On or about November 30, 2023, the Bureau issued Automotive Repair Dealer Registration Number ARD 307633 to Guerreros Smog Check. The Automotive Repair Dealer Registration expired on November 30, 2024, and has not been renewed.

Smog Check Test-Only Station License No. TC 307633

3. On or about January 5, 2024, the Bureau issued Smog Check, Test-Only, Station Number TC 307633 to Adrian Lee Barela dba Guerreros Smog Check. The Smog Check, Test-Only, Station was due to expire on November 30, 2024, however, it was cancelled.

4. On or about June 14, 2023, Bureau issued Smog Check Inspector Number EO 644392 to Brandon Francisco Mobasser (Mobasser). The Smog Check Inspector was in full force and effect at all times relevant to the charges brought herein and was due to expire on August 31, 2027. However, in a decision adopted on October 31, 2025, in Bureau of Automotive Repair Case No. 79/24-11142, Mobasser's Smog Check Inspector License No. EO 644392 was revoked. Pursuant to Health & Safety Code section 44072.8, any additional license issued under Chapter 5, Part 5, Division 26 in the name of said licensee is also revoked.

5. On or about November 25, 2025, Respondent Guerreros Smog Check was served by Certified and First Class Mail copies of the Accusation Number 79/25-1441, 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: 2774 Main St #B, Riverside, CA 92501 and alternate mailing address: 571 Julie St, Colton, CA 92324.

6. 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.

7. 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

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 Guerreros
4 Smog Check failed to file a Notice of Defense within 15 days after service upon him of the
5 Accusation, and therefore waived his right to a hearing on the merits of Accusation Number
6 79/25-1441.

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

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

12 10. Pursuant to its authority under Government Code section 11520, the Director after
13 having reviewed the proof of service dated November 25, 2025, signed by A. Ceja and return
14 envelopes, finds Respondents in default. The Director will take action without further hearing
15 and, based on the relevant evidence contained in the Default Decision Investigatory Evidence
16 Packet in this matter, finds that the charges and allegations in Accusation Number 79/25-1441,
17 are separately and severally, found to be true and correct by clear and convincing evidence.

18 **DETERMINATION OF ISSUES**

19 1. Based on the foregoing findings of fact, Adrian Lee Barela dba Guerreros Smog Check
20 has subjected his Automotive Repair Dealer Registration Number ARD 307633 and Smog Check,
21 Test-Only, Station Number TC 307633, issued to Adrian Lee Barela 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. Respondent Guerreros Smog Check's registration is subject to disciplinary action
28 pursuant to section 9884.7, subdivision (a)(1), in that Respondents made or authorized statements
which they knew or in the exercise of reasonable care should have known to be untrue or misleading,
as follows: Respondents certified that the certain vehicles had passed inspection and were in

1 compliance with applicable laws and regulations. In fact, Respondents conducted the inspections on
2 those vehicles using the clean plugging method in order to issue smog certificates of compliance, and
3 did not test or inspect the vehicles as required by Health and Safety Code section 44012.

4 b. Respondent Guerreros Smog Check's registration is subject to disciplinary action
5 pursuant to section 9884.7, subdivision (a)(4), in that Respondent Guerrero Smog Check's employees
6 committed acts which constitute fraud by issuing electronic certificates of compliance for vehicles,
7 without performing bona fide inspections of the emission control devices and systems on those
8 vehicles, thereby depriving the People of the State of California of the protection afforded by the
9 Motor Vehicle Inspection Program.

10 c. Respondent Guerreros Smog Check's smog station license is subject to disciplinary
11 action pursuant to Health and Safety Code section 44072.2, subdivision (a), in conjunction with
12 Health and Safety Code section 44072.10 subdivision (c), in that regarding vehicles, Respondents
13 failed to comply with the following sections of the Health and Safety Code: (a) **Section 44012:**
14 Respondent Guerreros Smog Check's employees failed to ensure that the emission control tests were
15 performed on the vehicles, in accordance with procedures prescribed by the department; and (b)
16 **Section 44015:** Respondent Guerreros Smog Check's employees issued electronic certificates of
17 compliance for the vehicles, without ensuring that the vehicles were properly tested and inspected to
18 determine if they were in compliance with Health and Safety Code section 44012.

19 d. Respondent Guerreros Smog Check's smog station license is subject to disciplinary
20 action pursuant to Health and Safety Code section 44072.2, subdivision (c), in that regarding vehicles,
21 Respondents failed to comply with the following provisions of the California Code of Regulations,
22 Title 16, as follows: (a) **Section 3340.35, subdivision (c):** Respondent Guerreros Smog Check's
23 employees issued electronic certificates of compliance even though those vehicles had not been
24 inspected in accordance with section 3340.42, Title 16, of the California Code of Regulations; and (b)
25 **Section 3340.42:** Respondent Guerreros Smog Check's employees failed to conduct the required
26 smog tests and inspections on those vehicles in accordance with the Bureau's specifications.

27 e. Respondent Guerreros Smog Check's smog station license is subject to disciplinary
28 action pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with

1 Health and Safety Code section 44072.10 subdivision (c), in that regarding certain vehicles,
2 Respondents employees committed acts involving dishonesty, fraud or deceit whereby another was
3 injured by issuing electronic certificates of compliance for those vehicles without performing bona
4 fide inspections of the emission control devices and systems on the vehicles, thereby depriving the
5 People of the State of California of the protection afforded by the Motor Vehicle Inspection Program.

6 **ORDER**

7 IT IS SO ORDERED that Automotive Repair Dealer Registration Number ARD 307633,
8 issued to Respondent Adrian Lee Barela dba Guerreros Smog Check and Smog Check, Test-Only,
9 Station Number TC 307633, issued to Adrian Lee Barela, are revoked.

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

16 This Decision shall become effective on March 16, 2026.

17 It is so ORDERED March 4, 2026

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19 Signature On File

20 GRACE ARUPO RODRIGUEZ
21 Assistant Deputy Director
22 Division of Legal Affairs
23 Department of Consumer Affairs

24 85537156
25 DOJ Matter ID:SD2025803629

26 Attachment:
27 Exhibit A: Accusation
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Exhibit A

Accusation