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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 **BRANDON FRANCISCO MOBASSER**
14 **d.b.a. GUERRERO SMOG CHECK**
15 **2774 Main St B**
16 **Riverside, CA 92501**

17 **Mailing Address**
18 **34732 Woods Pl**
19 **Beaumont, CA 92223**

20 **Automotive Repair Dealer Registration No.**
21 **ARD 308641; Smog Check Station License**
22 **No. TC 308641**

23 -Respondent.

Case No. 79/24-22190

DEFAULT DECISION AND ORDER AS
TO BRANDON FRANCISCO
MOBASSER d.b.a. GUERRERO SMOG
CHECK ONLY

[Gov. Code, §11520]

24 **FINDINGS OF FACT**

25 1. On or about July 21, 2025, Complainant Patrick Dorais, in his official capacity as the
26 Chief of the Bureau of Automotive Repair (Bureau), Department of Consumer Affairs, filed
27 Accusation Number 79/24-22190 against Brandon Francisco Mobasser, doing business as
28 Guerrero Smog Check (Respondent Guerrero Smog Check) and Brandon Francisco Mobasser

1 (Respondent Mobasser) before the Director of the Department of Consumer Affairs. (Accusation
2 attached as Exhibit A.)

3 2. On or about March 29, 2024, the Bureau issued Automotive Repair Dealer
4 Registration Number ARD 308641 to Respondent Guerrero Smog Check. The Automotive Repair
5 Dealer Registration was in full force and effect at all times relevant to the charges brought in
6 Accusation Number 79/24-22190 and will expire on March 31, 2026, unless renewed.

7 3. On or about May 9, 2024, Bureau of Automotive Repair issued Smog Check, Test-
8 Only, Station License Number TC308641 to Brandon Francisco Mobasser, dba Guerrero Smog
9 Check. The Smog Check, Test-Only, Station License was in full force and effect at all times
10 relevant to the charges brought herein and will expire on March 31, 2026, unless renewed.

11 4. On or about July 28, 2025, Respondent was served by Certified and First Class Mail
12 copies of the Accusation Number 79/24-22190, Statement to Respondent, Notice of Defense,
13 Request for Discovery and discovery statutes (Government Code sections 11507.5, 11507.6, and
14 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
15 section 136, is required to be reported and maintained with the Bureau. Respondent's addresses of
16 record were and are: 34732 Woods Pl., Beaumont, CA 92223; and, 2774 Main St B, Riverside,
17 CA 92501.

18 5. Service of the Accusation was effective as a matter of law under the provisions of
19 Government Code section 11505, subdivision (c), and/or Business and Professions Code section
20 124.

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

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

27 7. The Bureau takes official notice of its records and the fact that Respondent failed to
28 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 Number 79/24-22190.

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

1 If the respondent either fails to file a notice of defense . . . or to appear at the
2 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

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4 9. Pursuant to its authority under Government Code section 11520, the Director after
5 having reviewed the proof of service dated July 28, 2025, signed by A. Curiel, finds Respondent
6 is in default. The Director will take action without further hearing and, based on the relevant
7 evidence contained in the Default Decision Investigatory Evidence Packet in this matter, finds
8 that the charges and allegations in Accusation Number 79/24-22190, are separately and severally,
9 found to be true and correct by clear and convincing evidence.

10 **DETERMINATION OF ISSUES**

11 1. Based on the foregoing findings of fact, Respondent Brandon Francisco Mobasser,
12 doing business as Guerrero Smog Check, has subjected its Automotive Repair Dealer Registration
13 Number ARD 308641 and Smog Check, Test-Only, Station License to discipline.

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

15 3. The Director of the Department of Consumer Affairs is authorized to revoke
16 Respondent Guerrero Smog Check's Automotive Repair Dealer Registration and Smog Check,
17 Test-Only, Station License based upon the following violations alleged in the Accusation which
18 are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in
19 this case:

20 a. Respondent Guerrero Smog Check's automotive repair dealer registration is subject
21 to disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision
22 (a)(1), in that Respondent made or authorized statements which they knew or in the exercise of
23 reasonable care should have known to be untrue or misleading.

24 b. Respondent Guerrero Smog Check's automotive repair dealer registration is subject
25 to disciplinary action pursuant to Business and Professions Code section 9884.7, subdivision
26 (a)(4), in that Respondent Guerrero Smog Check's employees committed acts which constitute
27 fraud by issuing electronic certificates of compliance for multiple vehicles.
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1 c. Respondent Guerrero Smog Check's smog station license is subject to disciplinary
2 action pursuant to Health and Safety Code section 44072.2, subdivision (a), in conjunction with
3 Health and Safety Code section 44072.10 subdivision (c), in that regarding the vehicles set forth
4 above in paragraphs 28-66, Respondents failed to comply with the following sections of the
5 Health and Safety Code:

6 (a) **Section 44012:** Respondent Guerrero Smog Check's employees failed to
7 ensure that the emission control tests were performed on the vehicles, in accordance with
8 procedures prescribed by the department.

9 (b) **Section 44015:** Respondent Guerrero Smog Check's employees issued
10 electronic certificates of compliance for the vehicles, without ensuring that the vehicles were
11 properly tested and inspected to determine if they were in compliance with Health and Safety
12 Code section 44012.

13 d. Respondent Guerrero Smog Check's smog station license is subject to disciplinary
14 action pursuant to Health and Safety Code section 44072.2, subdivision (c), in that regarding the
15 vehicles set forth above in paragraphs 28-66, Respondents failed to comply with the following
16 provisions of the California Code of Regulations, Title 16, as follows:

17 (a) **Section 3340.35, subdivision (c):** Respondent Guerrero Smog Check's
18 employees issued electronic certificates of compliance even though those vehicles had not been
19 inspected in accordance with section 3340.42, Title 16, of the California Code of Regulations.

20 (b) **Section 3340.42:** Respondent Guerrero Smog Check's employees failed to
21 conduct the required smog tests and inspections on those vehicles in accordance with the
22 Bureau's specifications.

23 e. Respondent Guerrero Smog Check's smog station license is subject to disciplinary
24 action pursuant to Health and Safety Code section 44072.2, subdivision (d), in conjunction with
25 Health and Safety Code section 44072.10 subdivision (c), in that regarding the vehicles set forth
26 above in paragraphs 28-66, Respondents employees committed acts involving dishonesty, fraud
27 or deceit whereby another was injured by issuing electronic certificates of compliance for those
28 vehicles without performing bona fide inspections of the emission control devices and systems on

1 the vehicles, thereby depriving the People of the State of California of the protection afforded by
2 the Motor Vehicle Inspection Program.

3 **ORDER**

4 IT IS SO ORDERED that Automotive Repair Dealer Registration Number ARD 308641
5 and Smog Check, Test-Only, Station License Number TC 308641 both issued to Brandon
6 Francisco Mobasser, doing business as Guerrero Smog Check, are revoked.

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

13 This Decision shall become effective on February 4, 2026.

14 It is so ORDERED January 22, 2026.

15 Original signature on file

16 _____
17 GRACE ARUPO RODRIGUEZ
18 Assistant Deputy Director
19 Division of Legal Affairs
20 Department of Consumer Affairs

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22 DOJ Matter ID:SD2025801816
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