

**BEFORE THE DIRECTOR OF THE  
DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF AUTOMOTIVE REPAIR  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**NICHOLAS STEVEN JAURE dba ROUTE 66 SMOG CHECK ARD TC 294139**

17855 Foothill Blvd. Unit #2

Fontana, CA 92335

Automotive Repair Dealer Registration No. ARD 294139

Smog Check Test Only Station License No. TC 294139

and

**ARMANDO EMMANUEL MORALES**

34992 Acacia Ave.

Yucaipa, CA 92399

17855 Foothill Blvd., Unit #2

Fontana, CA 92335

Smog Check Inspector License No. EO 637315

Respondents.

Case No. 79/21-6703

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OAH No. 2023040562

**DECISION**

The attached Stipulated Settlement and Disciplinary Order as to Armando Emmanuel Morales only is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on October 3, 2023.

DATED: August 25, 2023

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

1 ROB BONTA  
Attorney General of California  
2 NANCY A. KAISER  
Supervising Deputy Attorney General  
3 LANGSTON M. EDWARDS  
Deputy Attorney General  
4 State Bar No. 237926  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6371  
6 Facsimile: (916) 731-2126  
*Attorneys for Complainant*  
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8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**  
11 **STATE OF CALIFORNIA**

12  
13 In the Matter of the Accusation Against:

14 **NICHOLAS STEVEN JAURE DBA**  
15 **ROUTE 66 SMOG CHECK**  
16 **17855 Foothill Blvd, Unit #2**  
17 **Fontana, CA 92335**  
18 **Automotive Repair Dealer Registration No.**  
19 **ARD 294139**  
20 **Smog Check, Test Only Station License No.**  
21 **TC 294139,**

22 **and**

23 **ARMANDO EMMANUEL MORALES**  
24 **34992 Acacia Ave**  
25 **Yucaipa, CA 92399**  
26 **17855 Foothill Blvd, Unit #2**  
27 **Fontana, CA 92335**  
28 **Smog Check Inspector License No. EO**  
**637315**

Respondents.

Case No. 79/21-6703

OAH No. 2023040562

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER AS TO  
ARMANDO EMMANUEL MORALES  
ONLY**

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1 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
2 entitled proceedings that the following matters are true:

3 **PARTIES**

4 1. Patrick Dorais (Complainant) is the Chief of the Bureau of Automotive Repair  
5 (Bureau). He brought this action solely in his official capacity and is represented in this matter by  
6 Rob Bonta, Attorney General of the State of California, by Langston M. Edwards, Deputy  
7 Attorney General.

8 2. On or about September 17, 2014, the Bureau of Automotive Repair issued Smog  
9 Check Inspector License Number EO 637315 to Armando Emmanuel Morales (Respondent  
10 Morales). The Smog Check Inspector License was in full force and effect at all times relevant to  
11 the charges brought herein and will expire on January 31, 2025, unless renewed.

12 **JURISDICTION**

13 3. Accusation No. 79/21-6703 was filed before the Director of the Department of  
14 Consumer Affairs (Director), and is currently pending against Respondent. The Accusation and  
15 all other statutorily required documents were properly served on Respondent on January 11, 2023.  
16 Respondent timely filed his Notice of Defense contesting the Accusation.

17 4. A copy of Accusation No. 79/21-6703 is attached as Exhibit A and incorporated  
18 herein by reference.

19 **ADVISEMENT AND WAIVERS**

20 5. Respondent has carefully read, and understands the charges and allegations in  
21 Accusation No. 79/21-6703. Respondent has also carefully read, and understands the effects of  
22 this Stipulated Settlement and Disciplinary Order.

23 6. Respondent is fully aware of his legal rights in this matter, including the right to a  
24 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
25 his own expense; the right to confront and cross-examine the witnesses against him; the right to  
26 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
27 the attendance of witnesses and the production of documents; the right to reconsideration and  
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1 court review of an adverse decision; and all other rights accorded by the California  
2 Administrative Procedure Act and other applicable laws.

3 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
4 every right set forth above.

5 **CULPABILITY**

6 8. Respondent admits the truth of each and every charge and allegation in Accusation  
7 No. 79/21-6703.

8 9. Respondent agrees that his Smog Check Inspector License Number EO 637315 is  
9 subject to discipline and he agrees to be bound by the Director's probationary terms as set forth in  
10 the Disciplinary Order below.

11 **CONTINGENCY**

12 10. This stipulation shall be subject to approval by the Director or the Director's designee.  
13 Respondent understands and agrees that counsel for Complainant and the staff of the Bureau of  
14 Automotive Repair may communicate directly with the Director and staff of the Department of  
15 Consumer Affairs regarding this stipulation and settlement, without notice to or participation by  
16 Respondent. By signing the stipulation, Respondent understands and agrees that he may not  
17 withdraw his agreement or seek to rescind the stipulation prior to the time the Director considers  
18 and acts upon it. If the Director fails to adopt this stipulation as the Decision and Order, the  
19 Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this  
20 paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall  
21 not be disqualified from further action by having considered this matter.

22 11. The parties understand and agree that Portable Document Format (PDF) and facsimile  
23 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile  
24 signatures thereto, shall have the same force and effect as the originals.

25 12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
26 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
27 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
28 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary

1 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
2 writing executed by an authorized representative of each of the parties.

3 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
4 the Director may, without further notice or formal proceeding, issue and enter the following  
5 Disciplinary Order:

6 **DISCIPLINARY ORDER**

7 IT IS HEREBY ORDERED that Smog Check Inspector License Number EO 637315 issued  
8 to Respondent Armando Emmanuel Morales is revoked. However, the revocation is stayed and  
9 Respondent is placed on probation for five (5) years on the following terms and conditions:

10 1. **Actual Suspension.** Smog Check Inspector License Number EO 637315 issued to  
11 Respondent Armando Emmanuel Morales is suspended for thirty (30) consecutive days beginning  
12 on the effective date of the Decision and Order.

13 2. **Obey All Laws.** During the period of probation, Respondent shall comply with all  
14 federal and state statutes, regulations and rules governing all BAR registrations and licenses held  
15 by Respondent.

16 3. **Quarterly Reporting.** During the period of probation, Respondent shall report either  
17 by personal appearance or in writing as determined by BAR on a schedule set by BAR, but no  
18 more frequently than once each calendar quarter, on the methods used and success achieved in  
19 maintaining compliance with the terms and conditions of probation.

20 4. **Report Financial Interests.** Respondent shall, within 30 days of the effective date  
21 of the decision and within 30 days from the date of any request by BAR during the period of  
22 probation, report any financial interest which any Respondent or any partners, officers, or owners  
23 of any Respondent facility may have in any other business required to be registered pursuant to  
24 Section 9884.6 of the Business and Professions Code.

25 5. **Tolling of Probation.** If, during probation, Respondent leaves the jurisdiction of  
26 California to reside or do business elsewhere or otherwise ceases to do business in the jurisdiction  
27 of California, Respondent shall notify BAR in writing within 10 days of the dates of departure  
28 and return, and of the dates of cessation and resumption of business in California. All provisions

1 of probation other than cost reimbursement requirements, restitution requirements, training  
2 requirements, and that Respondent obey all laws, shall be held in abeyance during any period of  
3 time of 30 days or more in which Respondent is not residing or engaging in business within the  
4 jurisdiction of California. All provisions of probation shall recommence on the effective date of  
5 resumption of business in California. Any period of time of 30 days or more in which Respondent  
6 is not residing or engaging in business within the jurisdiction of California shall not apply to the  
7 reduction of this probationary period or to any period of actual suspension not previously  
8 completed. Tolling is not available if business or work relevant to the probationary license or  
9 registration is conducted or performed during the tolling period.

10 **6. Violation of Probation.** If Respondent violates or fails to comply with the terms and  
11 conditions of probation in any respect, the Director, after giving notice and opportunity to be  
12 heard may set aside the stay order and carry out the disciplinary order provided in the decision.  
13 Once Respondent is served notice of BAR's intent to set aside the stay, the Director shall maintain  
14 jurisdiction, and the period of probation shall be extended until final resolution of the matter.

15 **7. Maintain Valid License.** Respondent shall, at all times while on probation, maintain  
16 a current and active registration and/or license(s) with BAR, including any period during which  
17 suspension or probation is tolled. If Respondent's registration or license is expired at the time the  
18 decision becomes effective, the registration or license must be renewed by Respondent within 30  
19 days of that date. If Respondent's registration or license expires during a term of probation, by  
20 operation of law or otherwise, then upon renewal Respondent's registration or license shall be  
21 subject to any and all terms and conditions of probation not previously satisfied. Failure to  
22 maintain a current and active registration and/or license during the period of probation shall also  
23 constitute a violation of probation.

24 **8. Cost Recovery.** Respondent shall pay the Bureau of Automotive Repair \$4,480.53  
25 for the reasonable costs of the investigation and enforcement of case No. 79/21-6703. Respondent  
26 shall make such payment as follows: Payments shall be made in equal monthly installments of  
27 \$82.97 per month for fifty-three (53) months and one (1) final payment of \$83.12. Any  
28 agreement for a scheduled payment plan shall require full payment to be completed no later than

1 six (6) months before probation terminates. Respondent shall make payment by check or money  
2 order payable to the Bureau of Automotive Repair and shall indicate on the check or money order  
3 that it is for cost recovery payment for case No. 79/21-6703. Any order for payment of cost  
4 recovery shall remain in effect whether or not probation is tolled. Probation shall not terminate  
5 until full cost recovery payment has been made. BAR reserves the right to pursue any other  
6 lawful measures in collecting on the costs ordered and past due, in addition to taking action based  
7 upon the violation of probation.

8       9.    **Completion of Probation.** Upon successful completion of probation, Respondent's  
9 affected registration and/or license will be fully restored or issued without restriction, if  
10 Respondent meets all current requirements for registration or licensure and has paid all  
11 outstanding fees, monetary penalties, or cost recovery owed to BAR.

12       10.   **License Surrender.** Following the effective date of a decision that orders a stay of  
13 invalidation or revocation, if Respondent ceases business operations or is otherwise unable to  
14 satisfy the terms and conditions of probation, Respondent may request that the stay be vacated.  
15 Such request shall be made in writing to BAR. The Director and the BAR Chief reserve the right  
16 to evaluate the Respondent's request and to exercise discretion whether to grant the request or  
17 take any other action deemed appropriate or reasonable under the circumstances. Upon formal  
18 granting of the request, the Director will vacate the stay order and carry out the disciplinary order  
19 provided in the decision. Respondent may not petition the Director for reinstatement of the  
20 surrendered registration and/or license, or apply for a new registration or license under the  
21 jurisdiction of BAR at any time before the date of the originally scheduled completion of  
22 probation. If Respondent applies to BAR for a registration or license at any time after that date,  
23 Respondent must meet all current requirements for registration or licensure and pay all  
24 outstanding fees or cost recovery owed to BAR and left outstanding at the time of surrender.

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**ACCEPTANCE**

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on Smog Check Inspector License Number EO 637315. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of the Department of Consumer Affairs.

DATED: 7/17/23

Original signature on file  
ARMANDO EMMANUEL MORALES  
*Respondent*

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Director of the Department of Consumer Affairs.

DATED: 7/17/23

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
NANCY A. KAISER  
Supervising Deputy Attorney General  
Original signature on file  
LANGSTON M. EDWARDS  
Deputy Attorney General  
*Attorneys for Complainant*

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