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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:

Case No. **79/18-16287**

13 **YUAN MU ENTERPRISES, LLC.**
14 **dba STAR SMOG CHECK**
15 **2080 Redwood Highway**
16 **Greenbrae, CA 94904**

A C C U S A T I O N

17 **MAILING ADDRESS**
18 **3313 Dunsmuir Ct.**
19 **Pleasanton, CA 94588**

20 **Automotive Repair Dealer No. ARD 283664**
21 **Smog Check, Test Only, License No. TC 283664**

22 **JOSE LUIS BERNALES**
23 **209 Carson St.**
24 **Hercules, CA 94547**

25 **MAILING ADDRESS**
26 **2655 Appian Way**
27 **Pinole, CA 94564**

28 **Smog Check Inspector (EO) License No. 633102**
Smog Check Repair Technician (EI) License No. 633102

Respondents.

1 Complainant alleges:
2

3 **PARTIES**

4 1.e Patrick Dorais (Complainant) brings this Accusation solely in his official capacity as
5 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs.

6 2.e On or about May 19, 2016, the Bureau of Automotive Repair issued Automotive
7 Repair Dealer Registration Number ARD 283664 to Yuan Mu Enterprises, LLC., (Respondent
8 Yuan) dba Star Smog Check. The Automotive Repair Dealer Registration was in full force and
9 effect at all times relevant to the charges brought herein and will expire on May 31, 2020, unless
10 renewed.

11 3.e On or about June 3, 2016, the Bureau of Automotive Repair issued Smog Check,
12 Test Only, Station License Number TC 283664 to Respondent Yuan. The Smog Check, Test
13 Only, Station License was in full force and effect at all times relevant to the charges brought
14 herein and will expire on May 31, 2020, unless renewed.

15 4.e In 2011, the Bureau of Automotive Repair issued Advanced Emission Specialist
16 Technician License Number EA 633102 to Jose Luis Bernales (Respondent Bernales). The
17 license was cancelled on February 21, 2013. Thereafter the license was renewed pursuant to
18 Respondent's election as a Smog Check Inspector License No. EO633102 and Smog Check
19 Repair Technician License No. EI633102, effective February 21, 2013.¹ The Smog Check
20 Inspector License was in full force and effect at all times relevant to the charges brought herein
21 and will expire on May 31, 2021, unless renewed. The Smog Check Repair Technician License
22 expired on May 31, 2019 and has not been renewed.

23 **JURISDICTION**

24 5. This Accusation is brought before the Director of the Department of Consumer
25 Affairs (Director) for the Bureau of Automotive Repair, under the authority of the following laws.

26
27 ¹ Effective August 1, 2012, California Code of Regulations, title 16, section 3340.28,
28 3340.29 and 3340.30 were amended to implement a license restructure from the Advanced
Emission Specialist Technician (EA) license and Basic Area (EB) Technician license to Smog
Check Inspector (EO) license and and/or Smog Check Repair Technician (EI) license.

STATUTORY PROVISIONS

6.e Section 477 of the Business and Professions Code provides, in pertinent part, that "Board" includes "bureau," "commission," "committee," "department," "division," "examining committee," "program," and "agency." "License" includes certificate, registration or other means to engage in a business or profession regulated by the code.

7.e Section 9884.7 of the Code states:

"(a) The director, where the automotive repair dealer cannot show there was a bona fide error, may deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for any of the following acts or omissions related to the conduct of the business of the automotive repair dealer, which are done by the automotive repair dealer or any automotive technician, employee, partner, officer, or member of the automotive repair dealer.

(1) Making or authorizing in any manner or by any means whatever any statement written or oral which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.

...

(4) Any other conduct which constitutes fraud.

...

(6) Failure in any material respect to comply with the provisions of this chapter or regulations adopted pursuant to it.

...

"(c) Notwithstanding subdivision (b), the director may suspend, revoke, or place on probation the registration for all places of business operated in this state by an automotive repair dealer upon a finding that the automotive repair dealer has, or is, engaged in a course of repeated and willful violations of this chapter, or regulations adopted pursuant to it."

8.e Section 9884.8 of the Code states:

"All work done by an automotive repair dealer, including all warranty work, shall be recorded on an invoice and shall describe all service work done and parts supplied. Service work and parts shall be listed separately on the invoice, which shall also state separately the subtotal

1 prices for service work and for parts, not including sales tax, and shall state separately the sales
2 tax, if any, applicable to each. If any used, rebuilt, or reconditioned parts are supplied, the invoice
3 shall clearly state that fact. If a part of a component system is composed of new and used, rebuilt
4 or reconditioned parts, that invoice shall clearly state that fact. The invoice shall include a
5 statement indicating whether any crash parts are original equipment manufacturer crash parts or
6 nonoriginal equipment manufacturer aftermarket crash parts. One copy of the invoice shall be
7 given to the customer and one copy shall be retained by the automotive repair dealer.”

8 9.e Section 9884.9 of the Code states:

9 “(a) The automotive repair dealer shall give to the customer a written estimated price for
10 labor and parts necessary for a specific job. No work shall be done and no charges shall accrue
11 before authorization to proceed is obtained from the customer. No charge shall be made for work
12 done or parts supplied in excess of the estimated price without the oral or written consent of the
13 customer that shall be obtained at some time after it is determined that the estimated price is
14 insufficient and before the work not estimated is done or the parts not estimated are supplied.
15 Written consent or authorization for an increase in the original estimated price may be provided
16 by electronic mail or facsimile transmission from the customer. The bureau may specify in
17 regulation the procedures to be followed by an automotive repair dealer if an authorization or
18 consent for an increase in the original estimated price is provided by electronic mail or facsimile
19 transmission. If that consent is oral, the dealer shall make a notation on the work order of the date,
20 time, name of person authorizing the additional repairs and telephone number called, if any,
21 together with a specification of the additional parts and labor and the total additional cost, and
22 shall do either of the following:

23 “(1) Make a notation on the invoice of the same facts set forth in the notation on the work
24 order .

25 “(2) Upon completion of the repairs, obtain the customer’s signature or initials to an
26 acknowledgment of notice and consent, if there is an oral consent of the customer to additional
27 repairs, in the following language:

28 “I acknowledge notice and oral approval of an increase in the original estimated price.

1 _____
2 (signature or initials)”

3 Nothing in this section shall be construed as requiring an automotive repair dealer to give a
4 written estimated price if the dealer does not agree to perform the requested repair.

5 ...”

6 10.e Section 9884.13 of the Code provides, in pertinent part, that the expiration of a valide
7 registration shall not deprive the director or chief of jurisdiction to proceed with a disciplinary
8 proceeding against an automotive repair dealer or to render a decision invalidating a registration
9 temporarily or permanently.

10 11.e Section 44002 of the Health and Safety Code provides, in pertinent part, that thee
11 Director has all the powers and authority granted under the Automotive Repair Act for enforcing
12 the Motor Vehicle Inspection Program.

13 12.e Section 44012 of the Health and Safety Code states:e

14 “The test at the smog check stations shall be performed in accordance with procedures
15 prescribed by the department, pursuant to Section 44013, shall require, at a minimum, loaded
16 mode dynamometer testing in enhanced areas, and two-speed testing in all other program areas,
17 and shall ensure all of the following:

18 ...

19 “(f) A visual or functional check is made of emission control devices specified by the
20 department, including the catalytic converter in those instances in which the department
21 determines it to be necessary to meet the findings of Section 44001. The visual or functional
22 check shall be performed in accordance with procedures prescribed by the department.

23 ...”

24 13.e Section 44015 of the Health and Safety Code states:e

25 “(a) A licensed smog check station shall not issue a certificate of compliance, except as
26 authorized by this chapter, to any vehicle that meets the following criteria:

27 “(1) A vehicle that has been tampered with.

28 ...

1 “(b) If a vehicle meets the requirements of Section 44012, a smog check station licensed to
2 issue certificates shall issue a certificate of compliance or a certificate of noncompliance.

3 “...”

4 14.e Section 44032 of the Health and Safety Code states:e

5 “No person shall perform, for compensation, tests or repairs of emission control devices or
6 systems of motor vehicles required by this chapter unless the person performing the test or repair
7 is a qualified smog check technician and the test or repair is performed at a licensed smog check
8 station. Qualified technicians shall perform tests of emission control devices and systems in
9 accordance with Section 44012.”

10 15.e Section 44059 of the Health and Safety Code states:e

11 “The willful making of any false statement or entry with regard to a material matter in any
12 oath, affidavit, certificate of compliance or noncompliance, or application form which is required
13 by this chapter or Chapter 20.3 (commencing with Section 9880) of Division 3 of the Business
14 and Professions Code, constitutes perjury and is punishable as provided in the Penal Code.”

15 16.e Section 44072.2 of the Health and Safety Code states:e

16 “The director may suspend, revoke, or take other disciplinary action against a license as
17 provided in this article if the licensee, or any partner, officer, or director thereof, does any of the
18 following:

19 “(a) Violates any section of this chapter [the Motor Vehicle Inspection Program (Health
20 and Saf. Code, ‘ 44000, et seq.)] and the regulations adopted pursuant to it, which related to the
21 licensed activities.

22 “... ”

23 “(c) Violates any of the regulations adopted by the director pursuant to this chapter.

24 “(d) Commits any act involving dishonesty, fraud, or deceit whereby another is injured.

25 “... ”

26 “(h) Violates or attempts to violate the provisions of this chapter relating to the particular
27 activity for which he or she is licensed.”

1 17.e Section 44072.6 of the Health and Safety Code provides, in pertinent part, that the
2 expiration or suspension of a license by operation of law, or by order or decision of the Director
3 of Consumer Affairs, or a court of law, or the voluntary surrender of the license shall not deprive
4 the Director of jurisdiction to proceed with any investigation of, or action or disciplinary
5 proceedings against the licensee, or to render a decision suspending or revoking the license.

6 18.e Section 44072.8 of the Health and Safety Code states:

7 "When a license has been revoked or suspended following a hearing under this article, any
8 additional license issued under this chapter in the name of the licensee may be likewise revoked
9 or suspended by the director."

10 REGULATORY PROVISIONS

11 19.e California Code of Regulations, title 16, section 3340.24, subdivision (c), states:

12 "(c) The bureau may suspend or revoke the license of or pursue other legal action against a
13 licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a
14 certificate of noncompliance."

15 20.e California Code of Regulations, title 16, section 3340.35, subdivision (c), states:

16 "(c) A licensed station shall issue a certificate of compliance or noncompliance to the
17 owner or operator of any vehicle that has been inspected in accordance with the procedures
18 specified in section 3340.42 of this article and has all the required emission control equipment
19 and devices installed and functioning correctly. The following conditions shall apply:

20 "(1) Customers shall be charged the same price for certificates as that paid by the licensed
21 station; and

22 "(2) Sales tax shall not be assessed on the price of certificates."

23 21.e California Code of Regulations, title 16, section 3340.42, states:

24 "Smog check inspection methods are prescribed in the Smog Check Manual, referenced by
25 section 3340.45.

26 . . .
27 "(b) In addition to subsection (a), all vehicles subject to the smog check program shall
28 receive the following:

1 “(1) A visual inspection of emission control components and systems to verify the vehicle’s
2 emission control systems are properly installed.

3 “(2) A functional inspection of emission control systems as specified in the Smog Check
4 Manual, referenced by section 3340.45, which may include an OBD test, to verify their proper
5 operation.

6 “...”

7 22.e California Code of Regulations, title 16, section 3340.45, states:e

8 “(a) All Smog Check inspections shall be performed in accordance with requirements and
9 procedures prescribed in the following:

10 “... ”

11 “(2) Smog Check Manual, dated November 2, 2017, which is hereby incorporated by
12 reference. This manual shall become effective on August 2, 2018.”

13 23.e California Code of Regulations, title 16, section 3353, states:e

14 “No work for compensation shall be commenced and no charges shall accrue without
15 specific authorization from the customer in accordance with the following requirements:

16 “(a) Estimate for Parts and Labor. Every dealer shall give to each customer a written
17 estimated price for labor and parts for a specific job.

18 “...”

19 24.e California Code of Regulations, title 16, section 3371, states:e

20 “No dealer shall publish, utter, or make or cause to be published, uttered, or made any false
21 or misleading statement or advertisement which is known to be false or misleading, or which by
22 the exercise of reasonable care should be known to be false or misleading. Advertisements and
23 advertising signs shall clearly show the following:

24 “(a) Firm Name and Address. The dealer’s firm name and address as they appear on the
25 State registration certificate as an automotive repair dealer; and

26 “(b) Telephone Number. If a telephone number appears in an advertisement or on an
27 advertising sign, this number shall be the same number as that listed for the dealer’s firm name
28

1 and address in the telephone directory, or in the telephone company records if such number is
2 assigned to the dealer subsequent to the publication of such telephone directory.”

3 25.e California Code of Regulations, title 16, section 3373, states:e

4 “No automotive repair dealer or individual in charge shall, in filling out an estimate,
5 invoice, or work order, or record required to be maintained by section 3340.15(f) of this chapter,
6 withhold therefrom or insert therein any statement or information which will cause any such
7 document to be false or misleading, or where the tendency or effect thereby would be to mislead
8 or deceive customers, prospective customers, or the public.”

9 COSTS

10 26.e Section 125.3 of the Code provides, in pertinent part, that the Board may request thee
11 administrative law judge to direct a licentiate found to have committed a violation or violations of
12 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
13 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
14 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
15 included in a stipulated settlement.

16 FACTUAL BACKGROUND

17 27.e In or about September 2018, a Bureau Representative prepared a 2002 Dodgee
18 (Dodge) to fail a smog inspection due to the removal of the Positive Crankcase Ventilation (PCV)
19 valve and hose assembly. The Bureau Representative installed a non-approved open breather
20 element in place of the PCV valve and large vacuum cap on the PCV valve intake manifold
21 vacuum supply port. In this condition the Dodge would not pass a properly performed smog
22 inspection. The Dodge would fail the visual portion of the smog inspection.

23 28.e On or about September 25, 2018, an undercover operation was performed ate
24 Respondent Yuan’s smog check station Star Smog Check to confirm compliance with the Smog
25 Check Program. An operator drove the Dodge to Star Smog Check and requested a smog
26 inspection from Respondent Bernales and Respondent Yuan.

27 29.e Respondent Bernales pulled the Dodge into a service bay. A few minutes later e
28 Respondent Bernales came in the waiting area and told the operator that the vehicle would not

1 pass because the vehicle had been modified. Respondent Bernales showed the operator the non-
2 approved open breather element installed in place of the PCV valve told the operator that you
3 cannot do that.

4 30.e Respondent Bernales offered to pass the Dodge without repairing it for \$100.00. Thee
5 operator initially declined the offer and explained that she needed to talk to her son. Respondent
6 Bernales told the operator she owed "nothing" since it did not pass. The operator did not sign or
7 receive an estimate and was not provided with an invoice or Vehicle Inspection Report (VIR).

8 31.e On or about September 25, 2018, the operator returned to Star Smog Check and asked
9 Respondent Bernales if he was still willing to pass the Dodge. Respondent Bernales
10 acknowledged he would and said that he would give the operator a discount on the smog and
11 certificate and only charge her \$50.00, then the "other" would be \$150.00. The operator agreed to
12 this. After a few minutes, Respondent Bernales handed the operator a VIR. The operator did not
13 sign or receive a written estimate and was not provided with an invoice.

14 32.e Smog Certificate of Compliance [REDACTED] was issued for the Dodge by
15 Respondent Yuan and Respondent Bernales. Respondent Bernales entered "Pass" into the OIS
16 for the Visual Inspection category "Crankcase Emission Controls," when in fact Respondent
17 Bernales should have entered "Tampered" because the Durango had been tampered. The VIR
18 stated "Pass" for the Visual Inspection category "Crankcase Emission Controls." Respondent
19 Bernales signed the VIR under penalty of perjury.

20 **FIRST CAUSE FOR DISCIPLINE**

21 (False or Misleading Statements)

22 33.e Respondent Yuan has subjected its Automotive Repair Dealer Registration to e
23 disciplinary action under section 9884.7, subdivision(a)(1), in that Respondents made false or
24 misleading statements that it knew or should have known were false or misleading as follows:

25 a.e Respondents transmitted information to the Vehicle Information Database stating thee
26 Dodge had properly installed Crankcase Emission Controls.

27 b.e Respondent created a VIR stating the Dodge had properly installed Crankcasee
28 Emission Controls.

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g-e Respondent violated California Code of Regulations, Title 16, section 3353, in that Respondent failed to provide the operator with a written estimate.

h.e Respondent violated California Code of Regulations, Title 16, section 3371, in that Respondent made untrue or misleading statements as described in paragraph 33, above.

i.e. Respondent violated California Code of Regulations, Title 16, section 3373, in that Respondent made untrue or misleading statements on a Vehicle Inspection Report. The Vehicle Inspection Report stated that the vehicle passed the Crankcase Emission Controls visual inspection.

FOURTH CAUSE FOR DISCIPLINE

(Fraud, Dishonest, or Deceit)

36.e Respondent Yuan has subjected its Smog Check Station License to disciplinary actions under Health and Safety Code section 44072.2, subdivision (d), in that Respondents committed acts involving dishonesty, fraud, or deceit whereby another was injured. The circumstances are described in paragraphs 27-32, above.

FIFTH CAUSE FOR DISCIPLINE

(Violation of Laws and Regulations)

37.e Respondent Yuan has subjected its Smog Check Station License to disciplinary actions under Health and Safety Code section 44072.2, subdivision(s) (a), (c) and/or (g), in that Respondents violated the following laws and regulations:

a.e Respondent Yuan violated Health and Safety code section 44012, subdivision (f), in that the Respondents failed to perform a smog check on the Dodge according to the procedures prescribed by the department. Respondents failed to perform a proper visual inspection.

b.e Respondent Yuan violated Health and Safety code section 44015, subdivision (a)(1),e in that Respondents issued a certificate of compliance to a vehicle that had been tampered with.

c.e Respondent Yuan violated Health and Safety code section 44059, in that Respondentse issued a Vehicle Inspection Report that stated the Dodge passed the Crankcase Emission Controls portion of the smog inspection when they knew the vehicle did not pass this portion of the smog

1 inspection. Respondents also caused a certificate of compliance to be issued to the Dodge by
2 making false entries into the OIS inspection system.

3e c. Respondent Yuan violated California Code of Regulations, Title 16, section 3340.24,e
4 subdivision (c), in that Respondents falsely or fraudulently issued a certificate of compliance to
5 the Dodge.

6 d.e Respondent Yuan violated California Code of Regulations, Title 16, section 3340.35,e
7 subdivision (c), in that Respondents issued a certificate of compliance to a vehicle that did not
8 have all the required emission control equipment and devices installed and functioning correctly.

9 e.e Respondent Yuan violated California Code of Regulations, Title 16, section 3340.42,e
10 subdivision (b) in that Respondents failed to perform a proper visual inspection of the Dodge.

11 f.e Respondent Yuan violated California Code of Regulations, Title 16, section 3340.42e
12 in conjunction with California Code of Regulations, Title 16, section 3340.45, subdivision (b), in
13 that Respondents failed to perform a proper visual inspection on the Dodge as proscribed in the
14 Smog Check Manual.

15 **SIXTH CAUSE FOR DISCIPLINE**

16 (Fraud, Dishonest, or Deceit)

17 38.e Respondent Bernales has subjected its Smog Check Inspector and Smog Checke
18 Repair Technician Licenses to disciplinary action under Health and Safety Code section 44072.2,
19 subdivision (d), in that Respondents committed acts involving dishonesty, fraud, or deceit
20 whereby another was injured. The circumstances are described in paragraphs 27-32, above.

21 **SEVENTH CAUSE FOR DISCIPLINE**

22 (Violation of Laws and Regulations)

23 39.e Respondent Bernales has subjected its Smog Check Station License to disciplinarye
24 action under Health and Safety Code section 44072.2, subdivision(s) (a), (c) and/or (g), in that
25 Respondents violated the following laws and regulations:

26 a.e Respondent Bernales violated Health and Safety code section 44012, subdivision (f),e
27 in the Respondents failed to perform a smog check on the Dodge according to the procedures
28 prescribed by the department. Respondents failed to perform a proper visual inspection.

1 b.o Respondent Bernales violated Health and Safety code section 44032 by failing too
2 perform a smog inspection on the Dodge pursuant to Health and Safety code section 44012.

3 c.o Respondent Bernales violated Health and Safety code section 44059, in that
4 Respondents issued a Vehicle Inspection Report that stated the Dodge passed the Crankcase
5 Emission Controls portion of the smog inspection when they knew the vehicle did not pass this
6 portion of the smog inspection. Respondents also caused a certificate of compliance to be issued
7 to the Dodge by making false entries into the OIS inspection system.

8 d.o Respondent Bernales violated California Code of Regulations, Title 16, section
9 3340.24, subdivision (c), in that Respondents falsely or fraudulently caused a certificate of
10 compliance to be issued to the Dodge.

11 e. Respondent Yuan Bernales California Code of Regulations, Title 16, section 3340.35,
12 subdivision (c), in that Respondents issued a certificate of compliance to a vehicle that did not
13 have all the required emission control equipment and devices installed and functioning correctly.

14 f.o Respondent Bernales violated California Code of Regulations, Title 16, section
15 3340.42, subdivision (b) in that Respondents failed to provide a proper visual inspection of the
16 Dodge.

17 g.o Respondent Bernales violated California Code of Regulations, Title 16, section
18 3340.42 in conjunction with California Code of Regulations, Title 16, section 3340.45,
19 subdivision (b), in that Respondents failed to provide a proper visual inspection on the Dodge as
20 proscribed in the Smog Check Manual.

21 **DISCIPLINARY CONSIDERATIONS**

22 40.o To determine the degree of discipline, if any, to be imposed on Respondent Bernales,
23 Complainant alleges that on or about May 16, 2018, Respondent Bernales was issued Citation No.
24 M2018-1201 for failing to perform a smog inspection according to the procedures prescribed by
25 the department. The citation is under appeal. On May 31, 2018, the above referenced citation
26 was served on Respondent Bernales at a Citation Conference where Respondent Bernales was
27 warned that future violations of the Health and Safety Code could lead to additional disciplinary
28 action

1 41.e To determine the degree of discipline, if any, to be imposed on Respondent Bernales,e
2 Complainant alleges on or about June 8, 2016, a Proactive Conference was held with Respondent
3 Bernales regarding improperly issuing a Smog Certificate of Compliance to a vehicle using a
4 BAR97 Emission Inspection System (EIS) when an OBD Inspection System (OIS) test was
5 required.

6 42.e To determine the degree of discipline, if any, to be imposed on Respondent Bernales,e
7 Complainant alleges that on or about February 12, 2015, in a matter entitled "In the Matter of The
8 Accusation and Petition to Revoke Probation Against Smog Man LLC., et al.," Bureau Case No.
9 79/14-73, Respondent Bernales was ordered to complete an 8-hour training course.

10 **OTHER MATTERS**

11 43.e Pursuant to Code section 9884.7, subdivision (c), the Director may suspend, revoke,e
12 or place on probation the registration for all places of business operated in this state by
13 Respondent Yuan, upon a finding that Respondent Yuan has, or is, engaged in a course of
14 repeated and willful violations of the laws and regulations pertaining to an automotive repair
15 dealer.

16 44.e Pursuant to Health & Safety Code section 44072.8, if Respondent Yuan's Station
17 License is revoked or suspended, any additional license issued under Chapter 5 of Part 5 of
18 Division 26 of the Health and Safety Code in the name of said licensee may be likewise revoked
19 or suspended by the director.

20 45.e Pursuant to Health & Safety Code section 44072.8, if Respondent Bernales's Smog
21 Check Inspector License or Smog Check Repair Technician License is revoked or suspended, any
22 additional license issued under Chapter 5 of Part 5 of Division 26 of the Health and Safety Code
23 in the name of said licensee may be likewise revoked or suspended by the director.

24 **PRAYER**

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
26 and that following the hearing, the Director of Consumer Affairs issue a decision:

27 1.e Revoking or suspending Automotive Repair Dealer Registration Number ARDe
28 283664, issued to Yuan Mu Enterprises, LLC. dba Star Smog Check;

- 1 2. Revoking or suspending Smog Check, Test Only, Station License Number TC
2 283664, issued to Yuan Mu Enterprises, LLC. dba Star Smog Check;
- 3 3. Revoking or suspending Smog Check Inspector License Number EO 633102, issued
4 to Jose Luis Bernales;
- 5 4. Revoking or suspending Smog Check Repair Technician License Number EI 633102,
6 issued to Jose Luis Bernales;
- 7 5. Revoking or suspending any additional Automotive Repair Dealer Registration,
8 Smog Check Station license, Smog Check Inspector license, and/or Smog Check Repair
9 Technician license issued to Yuan Mu Enterprises, LLC;
- 10 6. Revoking or suspending any additional Smog Check Station License, Smog Check
11 Inspector License, or Smog Check Repair Technician license, issued to Jose Luis Bernales;
- 12 5. Ordering Yuan Mu Enterprises, LLC. dba Star Smog Check to pay the Bureau of
13 Automotive Repair the reasonable costs of the investigation and enforcement of this case,
14 pursuant to Business and Professions Code section 125.3; and,
- 15 6. Ordering Jose Luis Bernales to pay the Bureau of Automotive Repair the reasonable
16 costs of the investigation and enforcement of this case, pursuant to Business and Professions
17 Code section 125.3; and,
- 18 7. Taking such other and further action as deemed necessary and proper.

19
20
21 DATED:

June 20, 2019 

PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

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