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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. 79/25-6684

13 **VICTORY LANE SMOG TEST,**
14 **CRISTINA HERRERA TOVAR, OWNER,**
15 **RME**

501 Jesse Avenue Suite B
Hanford, CA 93239

**DEFAULT DECISION AND ORDER AS
TO RESPONDENT VICTORY LANE
SMOG TEST, CRISTINA HERRERA
TOVAR, OWNER, RME ONLY**

16 Mailing Address:
17 2233 Valley View Street
18 Selma, CA 93662

[Gov. Code, §11520]

18 **Automotive Repair Dealer Registration No.**
19 **ARD 309891**
20 **Smog Check, Test Only, Station License No.**
21 **TC 309891**

21 **CARLOS A. GARCIA**
22 4222 Avenue 424
23 Reedley, CA 93654

23 **Smog Check Inspector License No. EO**
24 **645208**

24 and

25 **TYLER RICHARD ARAGON**
26 **P.O. Box 141**
27 **Lemoore, CA 93245**
28 Mailing Address:
11388 13th Avenue
Hanford, CA 93230

1 Smog Check Inspector License No. EO
2 644821

3 Respondents.
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5 **FINDINGS OF FACT**

6 1. On or about August 27, 2025, Complainant Patrick Dorais, in his official capacity as
7 the Chief of the Bureau of Automotive Repair, Department of Consumer Affairs, filed Accusation
8 No. 79/25-6684 against Victory Lane Smog Test, Cristina Herrera Tovar, Owner, RME, Carlos
9 A. Garcia, and Tyler Richard Aragon, before the Director of the Department of Consumer
10 Affairs. (Accusation attached as Exhibit A.)

11 2. On or about August 22, 2024, the Bureau of Automotive Repair (Bureau) issued
12 Automotive Repair Dealer Registration No. ARD 309891 to Respondent Victory Lane Smog
13 Test, Cristina Herrera Tovar, Owner, RME (Respondent Victory Lane). The Automotive Repair
14 Dealer Registration was in full force and effect at all times relevant to the charges brought in
15 Accusation No. 79/25-6684 and will expire on August 31, 2026, unless renewed.

16 3. On or about September 4, 2024, the Bureau of Automotive Repair issued Smog
17 Check, Test Only Station License No. TC 309891 to Respondent Victory Lane. The Smog
18 Check, Test Only Station License was in full force and effect at all times relevant to the charges
19 brought in Accusation No. 79/25-6684 and will expire on August 31, 2026, unless renewed.

20 4. On or about September 2, 2025, Respondent Victory Lane was served by Certified
21 and First Class Mail copies of the Accusation No. 79/25-6684, Statement to Respondent, Notice
22 of Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5,
23 11507.6, and 11507.7) at Respondent Victory Lane's addresses of record which, pursuant to
24 Business and Professions Code section 136, are required to be reported and maintained with the
25 Bureau. Respondent Victory Lane's addresses of record were and are: 501 Jesse Avenue, Suite
26 B, Hanford, CA 93239, and 2233 Valley View Street, Selma, CA 93662.

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

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

(c) 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.

7. The Bureau takes official notice of its records and the fact that Respondent Victory Lane failed to file a Notice of Defense within 15 days after service upon them of the Accusation, and therefore waived its right to a hearing on the merits of Accusation No. 79/25-6684.

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

(a) 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

9. Pursuant to its authority under Government Code section 11520, the Director after having reviewed the proof of service dated September 2, 2025, signed by Lisa Gaad, finds Respondent Victory Lane is 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. 79/25-6684, 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 Victory Lane Smog Test, Cristina Herrera Tovar Owner, RME has subjected its Automotive Repair Dealer Registration No. ARD 309891 and Smog Check, Test Only Station License No. TC 309891 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 Respondent Victory Lane's Automotive Repair Dealer Registration and Smog Check, Test Only Station License based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case:

1 a. Business and Professions Code section 9884.7, subdivision (a)(1), in conjunction with
2 section 9889.22 – Untrue or Misleading Statements.

3 b. Business and Professions Code section 9884.7, subdivision (a)(4) – Fraud.

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

6 d. Health and Safety Code section 44072.2, subdivision (c) – Violations of Regulations
7 Pursuant to the Motor Vehicle Inspection Program.

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

10 f. Health and Safety Code section 44072.2, subdivision (d), in conjunction with section
11 44072.10, subdivision (c) – Dishonesty, Fraud or Deceit.

12 **ORDER**

13 IT IS SO ORDERED that Automotive Repair Dealer Registration No. ARD 309891 and
14 Smog Check, Test Only Station License No. TC 309891, issued to Respondent Victory Lane
15 Smog Test, Cristina Herrera Tovar Owner, RME, are revoked.

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

22 This Decision shall become effective on February 12, 2026.

23 It is so ORDERED Feb. 9, 2026

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25 
26 GRACE ARUPO RODRIGUEZ
27 Assistant Deputy Director
28 Division of Legal Affairs
Department of Consumer Affairs