

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

TLC MOVING & STORAGE, INC.; PRO  
MOVERS, LLC; ERIC'S SMALL MOVES &  
DELIVERY, LLC; CLUTTER, INC.; I  
HEART MOVERS, LLC; MENDEZ  
MOVERS, LLC; TRIPLE 7 MOVERS OF  
WASHINGTON, LLC; YBARRA, SARA  
d/b/a PRECISION MOVERS, FIVE STAR  
MOVING SERVICES, SPOKANES NO1  
QUALITY MOVING CO, AND THE  
ULTIMATE HOUSEHOLD GOODS  
MOVING CO; LOYALTY MOVING, LLC;  
AND MIRACLE MAN MOVERS, LLC,

Respondents.

DOCKET TV-240592

ORDER 01

INITIAL ORDER GRANTING  
MOTION TO FIND  
COMPANIES IN DEFAULT  
AND CANCELING  
HOUSEHOLD GOODS  
PERMITS FOR FAILURE TO  
FILE ANNUAL REPORTS  
AND PAY REGULATORY  
FEES; GRANTING MOTION  
TO DISMISS COMPLAINT OF  
REMAINING COMPANIES

**BACKGROUND**

- 1 On October 4, 2024, the Washington Utilities and Transportation Commission (Commission) issued a complaint against TLC Moving & Storage, Inc. (TLC Moving); Eric's Small Moves & Delivery, LLC (Eric's Small); Pro Movers, LLC (Pro Movers); Clutter, Inc.; I Heart Movers, LLC (I Heart Movers); Mendez Movers, LLC (Mendez); Miracle Man Movers, LLC (Miracle Man); Triple 7 Movers of Washington, LLC (Triple 7 Movers); Loyalty Moving, LLC (Loyalty Moving); and Ybarra, Sara (d/b/a Precision Movers, Five Star Moving Services, Spokanes NO1 Quality Moving Co, and The Ultimate Household Goods Moving Co). The complaint alleges that each company failed to file required annual reports for 2024 and failed to pay required regulatory fees. The Commission set this matter for hearing and notified all respondents that any party that failed to attend or participate in the hearing may be held in default.
- 2 The complaint was heard on November 8, 2024, before Administrative Law Judge Bijan Hughes. Liam Weiland, Assistant Attorney General, Olympia, Washington, represented

Commission staff (Staff).<sup>1</sup> During the hearing, Staff presented the testimony of Esther Neal, Regulatory Analyst. Clutter, Inc. was the only carrier named in the complaint who appeared at the hearing; Clutter, Inc. did not present testimony.

### DISCUSSION AND DECISION

- 3 **Applicable Law.** Every public service company operating in Washington is required to file an annual report that sets forth the company's operations during the preceding year.<sup>2</sup> Every common carrier must also pay a regulatory fee of no more than one quarter of one percent of its gross income from intrastate operations for the previous calendar year on or before the date specified by the Commission.<sup>3</sup> Commission rules require all permitted household goods carriers to file annual reports and pay regulatory fees by May 1.<sup>4</sup> The Commission may cancel a household goods carrier permit for good cause, which includes, but is not limited to, the failure to file an annual report or pay regulatory fees.<sup>5</sup> Any party who fails to attend or participate in a hearing scheduled by the Commission may be held in default.<sup>6</sup>
- 4 **Motion to Dismiss.** At the hearing, Staff moved to dismiss the complaint against every Company besides Sara Ybarra, and her various aliases, because those companies either (1) came into compliance or (2) had already had their permits canceled.
- 5 The following companies came into compliance by filing their annual reports and paying their regulatory fees: Eric's Small; Pro Movers; Clutter, Inc.; Triple 7 Movers; TLC Moving; Mendez; and Miracle Man.<sup>7</sup>
- 6 The following companies had their permits canceled prior to the hearing: I Heart Movers and Loyalty Moving.<sup>8</sup>

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<sup>1</sup> In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

<sup>2</sup> RCW 81.04.080.

<sup>3</sup> RCW 81.80.321.

<sup>4</sup> WAC 480-15-480.

<sup>5</sup> WAC 480-15-450.

<sup>6</sup> RCW 34.05.440; WAC 480-07-450.

<sup>7</sup> Tr. 5:21-25

<sup>8</sup> Tr. 5:1-2.

- 7 The motion to dismiss the complaint against these nine companies was granted.<sup>9</sup>
- 8 **Default.** Staff moved that Sara Ybarra be held in default for failing to appear at the hearing, pursuant to WAC 480-07-450(1) and RCW 34.05.340. The record reflects that the company was sent notice of the hearing by email, at its email address of record, and that the company failed to appear or otherwise respond to the complaint. Therefore, the motion for default against Sara Ybarra was granted.<sup>10</sup> Even so, Staff requested that the Commission hear and dispose of the substantive issues brought in the complaint against Sara Ybarra.
- 9 **Complaint.** Staff witness Esther Neal testified that she reviews Commission records to obtain a list of all companies that are delinquent in filing their annual reports or paying their regulatory fees. Esther Neal reviewed data for each company named in the complaint.
- 10 Sara Ybarra holds authority to transport household goods in the state of Washington for compensation. As such, Sara Ybarra is required to submit an annual report to the Commission and pay regulatory fees. A review of the Commission's files and records show that Sara Ybarra failed to file its annual report for 2024 and failed to pay regulatory fees. Moreover, Sara Ybarra failed to appear at the time and place scheduled for the hearing in this matter and is in default. Accordingly, Sara Ybarra's household goods carrier permit should be canceled.

### FINDINGS AND CONCLUSIONS

- 11 (1) The Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, rules, regulations, practices, and accounts of public service companies, including common carriers such as household goods carriers.
- 12 (2) Ybarra, Sara d/b/a Precision Movers, Five Star Moving Services, Spokanes NO1 Quality Moving Co, and The Ultimate Household Goods Moving Co is a "public service company," "common carrier," and "household goods carrier" as those terms are defined and used in RCW Title 81.
- 13 (3) On October 4, 2024, the Commission entered a complaint and notice of hearing. The complaint against each of the above-named household goods carriers sought cancellation of the company's permit for failure to submit an annual report

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<sup>9</sup> Tr. 6:12.

<sup>10</sup> Tr. 7:5-6.

and pay regulatory fees. The notice of hearing scheduled a hearing to convene virtually on November 30, 2024. Each of the above-named household goods carriers was properly served and notified of the hearing.

- 14 (4) Subsequent to the entry of the complaint, TLC Moving & Storage, Inc.; Eric's Small Moves & Delivery, LLC; Pro Movers, LLC; Clutter, Inc.; Mendez Movers, LLC; Miracle Man Movers, LLC; and Triple 7 Movers of Washington, LLC, filed their annual reports and paid their regulatory fees. Accordingly, the complaint against these seven companies should be dismissed.
- 15 (5) Subsequent to the entry of the complaint, I Heart Movers, LLC and Loyalty Moving, LLC became inactive. Accordingly, the complaint against these two companies should be dismissed.
- 16 (6) The failure of Ybarra, Sara d/b/a Precision Movers, Five Star Moving Services, Spokanes NO1 Quality Moving Co, and The Ultimate Household Goods Moving Co, to file their annual reports for 2024 and pay regulatory fees constitutes good cause to cancel their household goods carrier permit to operate in Washington.
- 17 (7) Sara d/b/a Precision Movers, Five Star Moving Services, Spokanes NO1 Quality Moving Co, and The Ultimate Household Goods Moving Co is in default for failure to appear at the November 30, 2024, hearing in this matter.

### ORDER

#### THE COMMISSION ORDERS THAT:

- 18 (1) The complaint against TLC Moving & Storage, Inc.; Eric's Small Moves & Delivery, LLC; Pro Movers, LLC; Clutter, Inc.; I Heart Movers, LLC; Mendez Movers, LLC; Miracle Man Movers, LLC; Triple 7 Movers of Washington, LLC; and Loyalty Moving, LLC; is dismissed.
- 19 (2) Ybarra, Sara d/b/a Precision Movers, Five Star Moving Services, Spokanes NO1 Quality Moving Co, and The Ultimate Household Goods Moving Co is in default.
- 20 (3) The household goods carrier permit held by Ybarra, Sara (d/b/a Precision Movers, Five Star Moving Services, Spokanes NO1 Quality Moving Co, and The Ultimate Household Goods Moving Co), is canceled for failure to file annual reports for 2024 and pay regulatory fees.

DATED at Lacey, Washington, and effective December 17, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Bijan Hughes  
BIJAN HUGHES  
Administrative Law Judge

### NOTICE TO PARTIES

This is an Initial Order. The action proposed in this Initial Order is not yet effective. If you disagree with this Initial Order and want the Commission to consider your comments, you must take specific action within the time limits outlined below. If you agree with this Initial Order, and you would like the Order to become final before the time limits expire, you may send a letter to the Commission, waiving your right to petition for administrative review.

WAC 480-07-610(7) provides that any party to this proceeding has twenty-one (21) days after the entry of this Initial Order to file a *Petition for Review*. What must be included in any Petition and other requirements for a Petition are stated in WAC 480-07-610(7)(b). WAC 480-07-610(7)(c) states that any party may file a *Response* to a Petition for review within seven (7) days after service of the Petition.

WAC 480-07-830 provides that before entry of a Final Order any party may file a Petition to Reopen a contested proceeding to permit receipt of evidence essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. No Answer to a Petition to Reopen will be accepted for filing absent express notice by the Commission calling for such answer.

RCW 80.01.060(3) provides that an Initial Order will become final without further Commission action if no party seeks administrative review of the Initial Order and if the Commission fails to exercise administrative review on its own motion.

Any Petition or Response must be electronically filed through the Commission's web portal as required by WAC 480-07-140(5). Any Petition or Response filed must also be electronically served on each party of record as required by WAC 480-07-140(1)(b).