Docket No. TV-180206 - Vol. I

In the Matter of Warren Harris d/b/a Done Right Moving and Labor

April 11, 2018



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| I | Page 1 | | Page 3 |
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| BEFORE THE WASHINGTON | | 1 | OLYMPIA, WASHINGTON; APRIL 11, 2018 |
| UTILITIES AND TRANSPORTATION COMMISSION | | 2 | 9:00 A.M. |
| In the Matter of Determining)DOCKET NO. TV-180206 | | 3 | 000 |
| the Proper Carrier Classification)VOLUME I of, and Complaint for Penalties) | | 4 | PROCEEDINGS |
| Against: | | 5 | |
|) | | 6 | JUDGE CHARTOFF: Let's be on the record. |
|) | | 7 | Good morning. My name is Laura Chartoff. I'm an |
| WARREN HARRIS) d/b/a DONE RIGHT MOVING AND LABOR) | | 8 | administrative law judge with the Washington Utilities |
| | | 9 | and Transportation Commission. I am the presiding |
| MOVER'S COURT Pages 1-26 | | 10 | officer for today's hearing being conducted at the |
| ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF | | 11 | Commission's headquarters in Olympia. |
| | | 12 | Today is Wednesday, April 11th, 2018, and |
| April 11, 2018 | | 13 14 | the time is approximately 9:00 a.m. Today's hearing |
| 9:00 a.m. | | 15 | involves a total of three household goods carriers, so the first thing we'll do is take a roll call to |
| Washington Utilities and Transportation Commission 1300 South Evergreen Park Drive SW | | 16 | determine which companies are present. As you can see, |
| Olympia, Washington 98504 | | 17 | there's a court reporter creating a record of today's |
| | | 18 | proceedings, so when I call your name, please raise your |
| | | 19 | hand to identify yourself and also give a verbal |
| REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358 | | 20 | response to the roll call like "here" or "present." |
| Buell Realtime Reporting, LLC | | 21 | So the first docket is TV-180206, Warren |
| 1325 Fourth Avenue, Suite 1840 Seattle, Washington 98101 | | 22 | Harris, doing business as Done Right Moving and Labor. |
| (206) 287-9066 Seattle | | 23 | MR. HARRIS: Present. |
| (360) 534-9066 Olympia | | 24 | JUDGE CHARTOFF: Thank you. |
| (800) 846-6989 National www.buellrealtime.com | | 25 | TV-180207, Emmanuel Samuels and Alex |
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| 1 APPEARANCES | | 1 | Samuels, doing business as Samuels Brothers, LLC. |
| 2 ADMINISTRATIVE LAW JUDGE: 3 LAURA CHARTOFF | | 2 | MR. SAMUELS: Present. |
| Washington Utilities and | | 3 | JUDGE CHARTOFF: Thank you. |
| 4 Transportation Commission | | 4 | And TV-180214, Dmitriy Satir, doing business |
| 1300 South Evergreen Park Drive SW 5 Olympia, Washington 98504 | | 5 | as Pacific North PNW Moving and Delivery LLC. |
| (360) 664-1160 | | 6 | MR. SATIR: Here. |
| 6 7 | | 7 | JUDGE CHARTOFF: Thank you. |
| 8 FOR COMMISSION STAFF: | | 8 | Okay. So each of you are here because the |
| 9 BRIAN BRAUN | | 9 | Commission filed a complaint alleging that each of your |
| Compliance Investigator Consumer Protection | | 10 | companies is performing or advertising to perform work |
| Washington Utilities and | | 11 | as a household goods carrier without the required |
| 11 Transportation Commission 1300 S. Evergreen Park Drive SW | | 12 | permit. The purpose of today's proceeding is to |
| 12 P.O. Box 47250 | | 13 | formally explain what your choices are and then hear |
| Olympia, Washington 98504 13 (360) 664-1129 | | 14 | from each of you regarding which option you wish to |
| brian.braun@utc.wa.gov | | 15 | pursue. |
| 14 | | 16 | You can choose one of two options on behalf |
| 15 * * * * | | 17 | of your company. The first option is to cease and |
| 16 | | 18 | desist providing, offering, or advertising unpermitted |
| 17 18 | | 19 20 | household goods services. So if you choose this option, |
| 19 | | 20 | you will need to demonstrate what you have done to shut down your business either completely or partially to |
| 20 | | 22 | avoid further enforcement action by the Commission. The |
| 21 22 | | 23 | Commission is going to want to see sufficient proof that |
| 23 | | 24 | you are no longer performing unlawful services. For |
| 24 25 | | 25 | example, you will need to provide proof that you have |
| | | | Sample, you mill hook to provide proof that you have |
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taken down or changed your website or other online advertisements for your business.

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The second option is to ask for a formal classification hearing to show why you don't need a permit. If you choose this option, you are contesting the allegations in the complaint and claim not to be conducting household goods moving services. For this option, we will schedule a formal hearing for a date in the near future with a deadline two to three weeks from now for both your company and Commission Staff to declare all witnesses and file exhibits.

So each of you has a right to be heard by the Commission, and I will call you up to do that individually. Commission Staff also has a right to be heard and Mr. Brian Braun will be representing the Commission this morning. If you have not already met Mr. Braun, he is seated at the table to my right, and he is a Commission compliance investigator.

In a few minutes, I'll call each of your companies forward to make your choice on how to proceed. At that time, I will swear you in so that anything you tell the Court will be under oath and can be considered sworn testimony. Once you are sworn in, I will ask if you understand your options for today's hearing and then ask you to state your preference. If there's anything

meet with each of you and prepare a final disposition for your case.

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Page 8

3 Mr. Braun, I will swear you in at this point 4 so you are sworn in for the entire proceeding. 5

(Brian Braun sworn.)

JUDGE CHARTOFF: Thank you.

Okay. So I will call the companies up one by one. So the first is Warren Harris, doing business as Done Right Moving and Labor.

10 Will you please step forward and take a

11 seat. Oh, I can swear you in. 12

(Warren Harris sworn.) JUDGE CHARTOFF: Thank you. Is that on?

MR. HARRIS: I believe so.

JUDGE CHARTOFF: Okay. Can you please state your first and last name for the record and spell your last name for the court reporter?

18 MR. HARRIS: Warren Harris, H-a-r-r-i-s,

19 Harris.

20 JUDGE CHARTOFF: And what is your

21 relationship to the company? 22

MR. HARRIS: I'm the owner.

23 JUDGE CHARTOFF: And how do you want to

24 proceed this morning?

MR. HARRIS: I would like to proceed -- I

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else you want to explain to me, you can do so at this time.

In each of the complaints, Commission Staff is also seeking to have a penalty imposed. The law sets the maximum penalty for each violation at \$5,000. Staff will be making a penalty recommendation as part of any agreed order. Mr. Braun will be explaining that recommendation, but the Commission will be making the final decision about the amount of the penalty to be imposed.

If you choose to testify about how you are getting out of the household goods business, I will allow you to make a statement explaining how you plan to do that. Depending on what proof you can provide, you should be able to reach an agreed order resolving this matter with Commission Staff, and you can speak to Mr. Braun about that during the recess.

Finally, if you choose to contest the allegations in the complaint, we will schedule another hearing for the Commission to present the necessary evidence to prove its case. If we're going to set a hearing, it will help if you know your schedule for the next month or two so when we review calendars.

So after I hear from each of your companies, we will take a break to provide Commission Staff time to would like to apply for the proper permit -- oh, here it goes. But I have -- I have ceased to all my operations, I've taken off all my ads, I've got my websites down, everything's been dissolved. So I haven't been practicing moving or household goods, so I'm looking to apply to get the proper permit is what I'm trying to get

JUDGE CHARTOFF: Okay. So, Mr. Braun, have you had a chance to verify those efforts?

MR. BRAUN: Yes, Judge, and yes, he is correct. His website is down, Facebook has been scrubbed, ads where I found have been removed.

JUDGE CHARTOFF: Okay. Okay. So -- so we'll go ahead and pursue a cease and desist order.

MR. HARRIS: Okay.

JUDGE CHARTOFF: So when we take a recess, you will have the opportunity to speak with Staff and see if you agree on an order for entry. Essentially that order will say that you agree you were operating without a permit, that you advertised without a permit, and that you agree to stop operating until you get a permit.

MR. HARRIS: Yes, ma'am.

JUDGE CHARTOFF: And once you are satisfied that you understand all the terms of the order, you and

| | Page 9 | | Page 11 |
|--|--|--|---|
| 1 | Mr. Braun will both sign it. It will also include most | 1 | MR. SAMUELS: Yeah. |
| 2 | likely an agreement about the penalty to be imposed, but | 2 | JUDGE CHARTOFF: Okay. And I assume you |
| 3 | if not, you can make your case about why the penalty | 3 | would not object to that? |
| 4 | should be different than what Staff is recommending. | 4 | MR. BRAUN: Correct, Your Honor. |
| 5 | MR. HARRIS: Okay. | 5 | JUDGE CHARTOFF: Okay. Okay. So when we |
| 6 | JUDGE CHARTOFF: Okay. Are there any other | 6 | take a recess, I'll I said this earlier, but I will |
| 7 | questions about this case? | 7 | repeat it so I don't skip anything. You will have the |
| 8 | MR. HARRIS: Not from me. | 8 | opportunity to speak with Staff to see if you can agree |
| 9 | MR. BRAUN: None from me, Your Honor. | 9 | on an order, and that order will say you are operating |
| 10 | JUDGE CHARTOFF: Okay. Please return to | 10 | without a permit, that you advertised without a permit, |
| 11 | your seat and wait to speak with Staff at the recess. | 11 | and that you agree to stop operating until you get a |
| 12 | MR. HARRIS: Thank you, ma'am. | 12 | permit. |
| 13 | JUDGE CHARTOFF: Thank you. | 13 | MR. SAMUELS: Uh-huh. |
| 14 | Okay. So I will call the next case. | 14 | JUDGE CHARTOFF: And once you are satisfied |
| 15 | Emmanuel Samuels and Alex Samuels, doing business as | 15 | and understand all the terms of the order, you and |
| 16 | Samuels Brothers, LLC. | 16 | Mr. Braun will both sign it, and it will include most |
| 17 | I can swear you in. | 17 | likely an agreement in the amount of the penalty to be |
| 18 | (Emmanuel Samuels and Alexander Samuels | 18 | imposed. But if not, you can make your case about why |
| 19 | sworn.) | 19 | the penalty should be different than what Staff is |
| 20 | JUDGE CHARTOFF: So I'll need you each to | 20 | recommending. |
| 21 | why don't we start with you. Please state your first | 21 | MR. SAMUELS: Okay. |
| 22 | and last name for the record. | 22 | JUDGE CHARTOFF: Are there any questions? |
| 23 | MR. SAMUELS: My name is Emmanuel Samuels. | 23 | MR. SAMUELS: No. |
| 24 | Last name Samuels, S-a-m-u-e-l-s. | 24 | JUDGE CHARTOFF: Okay. So please return to |
| 25 | JUDGE CHARTOFF: And you're | 25 | your seat and wait to speak with Staff at the recess. |
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| | | | |
| | Page 10 | | Page 12 |
| 1 | Page 10 MR. SAMUELS: The owner. | 1 | Page 12 Thank you. |
| 1 2 | _ | 1 2 | |
| | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? | | Thank you. |
| 2 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. | 2 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. |
| 2 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? | 2 3 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery |
| 2 3 4 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? MR. SAMUELS: Alexander Samuels, | 2 3 4 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. Please step forward. (Dmitriy Satir sworn.) |
| 2 3 4 5 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? MR. SAMUELS: Alexander Samuels, S-a-m-u-e-l-s. JUDGE CHARTOFF: And you are also MR. SAMUELS: Brother. | 2 3 4 5 6 7 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. Please step forward. (Dmitriy Satir sworn.) JUDGE CHARTOFF: Thank you. You may be |
| 2 3 4 5 6 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? MR. SAMUELS: Alexander Samuels, S-a-m-u-e-l-s. JUDGE CHARTOFF: And you are also MR. SAMUELS: Brother. JUDGE CHARTOFF: Brother. And owner? | 2 3 4 5 6 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. Please step forward. (Dmitriy Satir sworn.) JUDGE CHARTOFF: Thank you. You may be seated. So please state your first and last name for |
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| 2 3 4 5 6 7 8 9 10 11 12 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? MR. SAMUELS: Alexander Samuels, S-a-m-u-e-l-s. JUDGE CHARTOFF: And you are also MR. SAMUELS: Brother. JUDGE CHARTOFF: Brother. And owner? MR. SAMUELS: No, brother. JUDGE CHARTOFF: And how do you want to proceed this morning? MR. SAMUELS: Well, since I was notified, to keep it completely honest with you, I was not | 2 3 4 5 6 7 8 9 10 11 12 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. Please step forward. (Dmitriy Satir sworn.) JUDGE CHARTOFF: Thank you. You may be seated. So please state your first and last name for the record. MR. SATIR: Dmitriy Satir. JUDGE CHARTOFF: And MR. SATIR: Last name is S-a-t-i-r. JUDGE CHARTOFF: And your relationship to |
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| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? MR. SAMUELS: Alexander Samuels, S-a-m-u-e-l-s. JUDGE CHARTOFF: And you are also MR. SAMUELS: Brother. JUDGE CHARTOFF: Brother. And owner? MR. SAMUELS: No, brother. JUDGE CHARTOFF: And how do you want to proceed this morning? MR. SAMUELS: Well, since I was notified, to keep it completely honest with you, I was not knowledgeable of things I had to do, but I've been doing my research, and I've already applied for the DOT. I | 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. Please step forward. (Dmitriy Satir sworn.) JUDGE CHARTOFF: Thank you. You may be seated. So please state your first and last name for the record. MR. SATIR: Dmitriy Satir. JUDGE CHARTOFF: And MR. SATIR: Last name is S-a-t-i-r. JUDGE CHARTOFF: And your relationship to the company? MR. SATIR: Owner. |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? MR. SAMUELS: Alexander Samuels, S-a-m-u-e-l-s. JUDGE CHARTOFF: And you are also MR. SAMUELS: Brother. JUDGE CHARTOFF: Brother. And owner? MR. SAMUELS: No, brother. JUDGE CHARTOFF: And how do you want to proceed this morning? MR. SAMUELS: Well, since I was notified, to keep it completely honest with you, I was not knowledgeable of things I had to do, but I've been doing my research, and I've already applied for the DOT. I have that. I got in contact with the insurance broker, | 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. Please step forward. (Dmitriy Satir sworn.) JUDGE CHARTOFF: Thank you. You may be seated. So please state your first and last name for the record. MR. SATIR: Dmitriy Satir. JUDGE CHARTOFF: And MR. SATIR: Last name is S-a-t-i-r. JUDGE CHARTOFF: And your relationship to the company? MR. SATIR: Owner. JUDGE CHARTOFF: So how do you want to |
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| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | MR. SAMUELS: The owner. JUDGE CHARTOFF: The owner. And you are? MR. SAMUELS: Alexander Samuels, S-a-m-u-e-l-s. JUDGE CHARTOFF: And you are also MR. SAMUELS: Brother. JUDGE CHARTOFF: Brother. And owner? MR. SAMUELS: No, brother. JUDGE CHARTOFF: And how do you want to proceed this morning? MR. SAMUELS: Well, since I was notified, to keep it completely honest with you, I was not knowledgeable of things I had to do, but I've been doing my research, and I've already applied for the DOT. I have that. I got in contact with the insurance broker, and I was I guess that's what I needed to get the permit is what I read online. So I was just waiting to pay for the insurance so I could apply. I want to get | 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | Thank you. Okay. So the last company is Dmitriy Satir, doing business as Pacific Northwest Moving and Delivery LLC. Please step forward. (Dmitriy Satir sworn.) JUDGE CHARTOFF: Thank you. You may be seated. So please state your first and last name for the record. MR. SATIR: Dmitriy Satir. JUDGE CHARTOFF: And MR. SATIR: Last name is S-a-t-i-r. JUDGE CHARTOFF: And your relationship to the company? MR. SATIR: Owner. JUDGE CHARTOFF: So how do you want to proceed this morning? MR. SATIR: So I want to kind of get a second thought on how to do it, because there's no third |
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Docket No. TV-180206 - Vol. I - 4/11/2018 Page 13 Page 15 1 I did get the letter that I needed to update the 1 have to take down your advertising. 2 2 information for insurance, but I did not act on it, and MR. SATIR: But I'm not necessarily -- I am 3 3 that's my fault for that. left with no option here. I only have two options kind 4 4 of thing, and none of them help me kind of to get past So I want to see how I can get reinstated 5 5 and I have new insurance, a certification of liability this. I understand that I didn't file it correctly, but 6 for the next six months already with me right here. And 6 I have insurance and everything there in place. 7 7 then I do also want to take the course on transportation MR. BRAUN: Judge, if I may. 8 training that is happening in Cheney, Washington, this 8 Instead of -- an option that the Commission 9 9 upcoming Monday so next time I'm completely with would be comfortable with is instead of actually taking 10 10 everything I know up-to-date, so the training for everything down but modifying your website to say --11 household movers. 11 because there are things you can do that are, say, labor 12 JUDGE CHARTOFF: Okay. So are -- you 12 only. It's the part of the truck driving over the 13 applied for a permit previously? 13 public roads that the Commission then steps in and MR. SATIR: Yes, I just didn't file the 14 14 modifies and covers. But there are things you can do to new -- I believe September, I didn't file the new 15 15 your website to change it --16 16 MR. SATIR: I can do that. 17 MR. BRAUN: Yeah, Judge, he was previously 17 MR. BRAUN: You don't have to take down the 18 permitted and then the permit was revoked due to lack of 18 whole website, but there are ways that we do not 19 19 regulate that we can talk with to help your advertising. 20 20 JUDGE CHARTOFF: Okay. And have you had a MR. SATIR: Okay. That is the better 21 21 chance to verify his insurance? option. 22 22 MR. BRAUN: No, I have not, Judge. MR. BRAUN: If that's acceptable with the 23 23 JUDGE CHARTOFF: Okay. So what would be -judge. 24 if he wants to get his permit back, would he have to 24 JUDGE CHARTOFF: I -- yes, yeah. So it 25 reapply, is that how that works? sounds like -- what I'm going to suggest is at the Page 14 Page 16 1 MR. BRAUN: That's my understanding. He can 1 recess that you meet with Staff and see if you can get a cease and desist order that you can both agree on. 2 2 talk with licensing with the new insurance verification 3 3 MR. SATIR: Okay. to get his permit reinstalled. I think there's an 4 4 JUDGE CHARTOFF: Do you think that's application for that as well. 5 JUDGE CHARTOFF: So yeah, I guess your 5 workable? 6 option if you want to get your permit reinstated, you 6 MR. BRAUN: Absolutely, Judge. JUDGE CHARTOFF: Okay. And then I will --7 would need to agree to cease and desist your business 7 8 8 after the recess, if you're not able to agree, then I -activities until you get your permit. MR. SATIR: I've already kind of paid for 9 9 you know, we can -- I will call you all back up after 10 the next six months of insurance, and it's not cheap for 10 the recess and we can deal with it at that time. 11 us to get insurance. So is there any other option I can 11 MR. SATIR: Okay. 12 take? 12 JUDGE CHARTOFF: Okay. So you can return to 13 13 MR. BRAUN: Judge, if I may. your seat. The application process is pretty quick to Okay. So at this point, we're going to take 14 14

turn around. I can show you. We can talk with 15 a recess, and as soon as you have the chance to review licensing to help you get that done very quickly. 16 the cease and desist orders and language with Staff, 17 MR. SATIR: Okay. And I did not stop doing there will be some negotiation about the penalty. It the advertisement because as you know, search engine, it 18 may be nominal depending on the history of your company takes a while to build up, and if I took it down, it 19 or there may be a reason that Staff asked for a larger would take me about the same amount of time to get all 20 penalty, for example, if you have appeared here before the information up. And do I have to still cease and 21 or previously held a permit with the Commission. desist, take down the website as well even if it's quick 22

Typically a portion of the penalty is suspended, which is meant to deter you from future illegal operations. So you pay a portion today and the remaining portion of the penalty does not become payable

JUDGE CHARTOFF: Yes, yeah, if you choose

the cease -- if you agree to cease and desist, you do

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or...

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Page 17 Page 19 1 JUDGE CHARTOFF: Okay. And the order to 1 until -- unless you violate the order. So we will call 2 2 each of you back up and make sure you understand the cease and desist is permanent, meaning it does not 3 order, I will sign it on the record today, and then you 3 expire. So even after the two-year period of the 4 will leave with a copy of it. 4 suspended penalty has run, if Staff discovers you're 5 5 Anything else before we take a break? still operating. Staff can go straight to superior court and seek enforcement of this order, which will include 6 MR. BRAUN: No, Judge. Thank you. 6 7 7 JUDGE CHARTOFF: Okay. We are in recess. significant additional penalties. So there's strong 8 (Recess from 9:21 a.m. to 10:31 a.m.) 8 incentive for you to comply with the law. 9 JUDGE CHARTOFF: Okay. So we will be back 9 MR. HARRIS: Yes. 10 10 on the record. I understand that the cease and desist JUDGE CHARTOFF: And with regard to the payment schedule, do you understand that if you miss a 11 orders have been explained and presented to each 11 12 company, so I will call you back up one at a time in the 12 payment, the entire amount including the \$4,500 penalty order we went before. 13 will be due and payable immediately? 13 MR. HARRIS: Yes. I do. 14 Warren Harris. 14 JUDGE CHARTOFF: So if for some reason 15 So, Mr. Harris, have you had a chance to 15 16 walk through the order? 16 you're going to be late making a payment, you need to 17 MR. HARRIS: Yes. 17 contact Staff and make arrangements, and failing to 18 JUDGE CHARTOFF: And do you understand all 18 contact them will ensure that the entire penalty will be 19 of the pages prior to the signature page? 19 imposed. 20 MR. HARRIS: Yes. 20 MR. HARRIS: Yes. 21 JUDGE CHARTOFF: Okay. And I see that you 21 JUDGE CHARTOFF: Okay. And you understand 22 legally what you can and can't do? 22 and Mr. Braun have both signed it. 23 It looks like Staff -- let's see. Okay. It 23 MR. HARRIS: Yes. 24 looks like you have recommended two violations in this 24 JUDGE CHARTOFF: Okay. And remember that 25 case, one for offering a move and one for advertising? 25 Commission Staff is always available to assist you if Page 18 Page 20 1 MR. BRAUN: Yes, Your Honor. 1 you have any questions. The Commission's goal is 2 JUDGE CHARTOFF: And a \$5,000 penalty will 2 compliance. 3 be imposed, a \$4,500 portion of the penalty will be 3 Okay. So if -- are there any additional questions about the order? 4 suspended for two years and then waived provided the 4 5 MR. HARRIS: No, ma'am. business refrains permanently from operating as a 5 JUDGE CHARTOFF: Okay. I will sign it. 6 household goods carrier without first obtaining the 6 Okay. So thank you. We'll hand that down. 7 permit. 7 8 8 And at this point, do you get him a copy? MR. HARRIS: Yes. Oh, okay. You'll get a copy and leave with 9 JUDGE CHARTOFF: The remainder of the 9 10 penalty is due and payable. Is there -- oh, according 10 that today. Thank you. to the -- oh, it looks like \$100 is due today and \$400 MR. HARRIS: Thank you, ma'am. 11 11 12 is due in approximately a month? 12 JUDGE CHARTOFF: Okay. So next is Emmanuel 13 MR. HARRIS: Yes. 13 Samuels. JUDGE CHARTOFF: Okay. So the suspension --Okay. So did you have a chance to walk 14 14 15 and for the record, you're agreeing to shut down 15 through the order? until -- unless or until you get a permit? 16 16 MR. SAMUELS: Yes. 17 JUDGE CHARTOFF: And do you understand the MR. HARRIS: Yes. 17 JUDGE CHARTOFF: The suspension period is 18 terms of the order? 18 19 for two years; is that right, from today's date? 19 MR. SAMUELS: Yes. 20 MR. BRAUN: Correct, Your Honor. 20 JUDGE CHARTOFF: Okay. And I see that you 21 JUDGE CHARTOFF: That means that if Staff 21 both signed it. So looks like a \$5,000 penalty will be 22 finds an advertisement or you offer a move during that 22 imposed, 4,500 of it is suspended for two years and then 23 time, the remaining \$4,500 penalty becomes immediately 23 waived on the condition that the company honors its 24 due; do you understand that? 24 pledge of future compliance by permanently staying out 25 MR. HARRIS: Yes, ma'am. 25 of the industry without first obtaining a permit from

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| | Page 21 | | Page 23 |
| 1 | the Commission. | 1 | for advertising? |
| 2 | MR. SAMUELS: Yes. | 2 | MR. BRAUN: That is correct, Judge. |
| 3 | JUDGE CHARTOFF: Okay. Okay. And I'll | 3 | JUDGE CHARTOFF: And a \$5,000 penalty will |
| 4 | again, I'll repeat a little of what I said earlier that | 4 | be imposed, a \$3,500 portion of the penalty is suspended |
| 5 | if the Staff that the suspension period is two years. | 5 | for a period of two years and then waived if you refrain |
| 6 | And if the Staff finds that an advertisement or an offer | 6 | permanently from further operations as a household goods |
| 7 | to move during that time, the remaining \$4,500 will | 7 | carrier without first obtaining the required permit from |
| 8 | become immediately due and that the order to cease and | 8 | the Commission. |
| 9 | desist is permanent, meaning it does not expire. So | 9 | MR. SATIR: Yes. |
| 10 | even after the two-year period has run, if Staff | 10 | JUDGE CHARTOFF: And for the record, you're |
| 11 | discovers you operating without a permit, they can go | 11 | agreeing to shut down the household goods carrier |
| 12 | straight to superior court and seek enforcement of this | 12 | business unless or until you get a permit. |
| 13 | order, which will include significant additional | 13 | MR. SATIR: Reinstated, yes. |
| 14 | penalties; do you understand that? | 14 | JUDGE CHARTOFF: Reinstated, right. |
| 15 | MR. SAMUELS: I understand. | 15 | And the suspension period is for two years. |
| 16 | JUDGE CHARTOFF: Okay. And it looks like | 16 | That means if Staff finds an advertisement or you offer |
| 17 | Staff has found recommended two violations, one for | 17 | to move during that time, the remaining 3,500 becomes |
| 18 | offering a move and one for advertising a move. Okay. | 18 | immediately due; do you understand? |
| 19 | And is there and there's a payment plan with \$100 due | 19 | MR. SATIR: Yes. |
| 20 | today and \$200 due May 30th and 200 due June 30th. | 20 | JUDGE CHARTOFF: Okay. And additionally, |
| 21 | MR. SAMUELS: Yes. | 21 | the order to cease and desist is permanent, meaning it |
| 22 | JUDGE CHARTOFF: And, again, I want you to | 22 | does not expire. So if you do not get your permit |
| 23 | understand that if you miss a payment, the entire amount | 23 | reinstated and Staff discovers you're still operating, |
| 24 | including the 4,500 penalty will be due and payable | 24 | Staff can go straight to superior court and seek |
| 25 | immediately. So if for some reason you're going to be | 25 | enforcement of this order which will include significant |
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| | Page 22 | | Page 24 |
| 1 | Page 22 late making a payment, you should contact Staff and make | 1 | Page 24 additional penalties. |
| 1 2 | late making a payment, you should contact Staff and make arrangements. | 1 2 | additional penalties. MR. SATIR: Yes. |
| 2 | late making a payment, you should contact Staff and make arrangements. MR. SAMUELS: Understood. | 2 | additional penalties. MR. SATIR: Yes. JUDGE CHARTOFF: Okay. And you are |
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| 1 | MD DDAIN! Thonk you Vous Honor | |
| 1 | MR. BRAUN: Thank you, Your Honor. | |
| 2 | (Adjourned at 10:43 a.m.) | |
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| 2 | CERTIFICATE STATE OF WASHINGTON | |
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| 2 3 4 5 | CERTIFICATE STATE OF WASHINGTON COUNTY OF THURSTON | |
| 2 3 4 5 6 | C E R T I F I C A T E STATE OF WASHINGTON COUNTY OF THURSTON I, Tayler Garlinghouse, a Certified Shorthand | |
| 2 3 4 5 6 7 | CERTIFICATE STATE OF WASHINGTON COUNTY OF THURSTON I, Tayler Garlinghouse, a Certified Shorthand Reporter in and for the State of Washington, do hereby | |
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