

Docket No. TV-190833 - Vol. I

In the Matter of: Mark Alberto Marrero, d/b/a
Mark the Mover

February 12, 2020



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining) DOCKET TV-190833
the Proper Carrier Classification)
of, and Complaint for Penalties)
against:)

)
)
)
MARK ALBERTO MARRERO, D/B/A)
MARK THE MOVER)
)

TRANSPORTATION COURT, VOLUME I
Pages 1-27
ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

February 12, 2020
9:00 a.m.

Washington Utilities and Transportation Commission
621 Woodland Square Loop Southeast
Lacey, Washington 98503

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

RAYNE PEARSON

FOR COMMISSION STAFF:

BRIAN BRAUN
Compliance Investigator
Consumer Protection
Utilities and Transportation Division
P.O. Box 47250
Olympia, Washington 98504
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ALSO PRESENT:

MARK ALBERTO MARRERO

* * * * *

1 LACEY, WASHINGTON; FEBRUARY 12, 2020

2 9:00 A.M.

3 --o0o--

4 P R O C E E D I N G S

5
6 JUDGE PEARSON: Okay. Good morning. Today
7 is Wednesday, February 12th, 2020. The time is 9:00
8 a.m.

9 My name is Rayne Pearson. I'm an
10 administrative law judge with the Washington Utilities
11 and Transportation Commission.

12 And there are two household goods carriers
13 who should be here today. So the first thing that we'll
14 do is take a roll call to see who's present. There's a
15 court reporter who is recording everything that we say,
16 so when I call your name, please raise your hand and
17 also give a verbal response such as "here" or "present."

18 The first docket is TV-191056, Santamaria
19 Transport LLC?

20 MR. SANTAMARIA: Here.

21 MR. SCOTT: Present.

22 JUDGE PEARSON: Okay. Thank you.

23 And TV-190833, Mark Alberto Marrero, d/b/a
24 Mark the Mover?

25 MR. BRAUN: Your Honor, if I may?

1 JUDGE PEARSON: Yes.

2 MR. BRAUN: We've had phone conversations
3 with Mr. Marrero. He believed it was yesterday -- or
4 I'm sorry, tomorrow, but he's on his way down.

5 JUDGE PEARSON: Okay. Do you know about how
6 far away he is?

7 MR. BRAUN: He left from Tacoma about ten
8 minutes ago, so --

9 JUDGE PEARSON: Okay.

10 MR. BRAUN: -- 30, 40 minutes.

11 JUDGE PEARSON: Okay. All right. Well, we
12 will give Mr. Marrero a little bit of time to get here.
13 I think what we'll do is just go ahead and get started,
14 and then if he's not here before we take a recess, we
15 can always address his case after you talk with the
16 other company and maybe even after they're gone, that's
17 fine.

18 Okay. So if you would like to -- a
19 representative for Santamaria Transport LLC, if you'd
20 like to come up to the table, whoever is going to be
21 speaking on behalf of the company, and I'll just explain
22 how it's going to work today.

23 MR. BRAUN: Everybody can come up if they
24 want. Everyone can come up if they want.

25 JUDGE PEARSON: Okay. Good morning. So

1 you're here today because the Commission has information
2 that your company is or was operating as a household
3 goods carrier without a permit, and operating or
4 advertising as a household goods mover without the
5 required permit is illegal and subject to a penalty of
6 up to \$5,000 per violation. So if you're found to have
7 engaged in business as a household goods mover without a
8 permit, the Commission can order you to cease and desist
9 operating and also impose a penalty.

10 So the Commission initiated an enforcement
11 action against your business, and at this hearing today,
12 I'm going to ask you how you want to proceed, and you
13 have two options.

14 So the first option is to agree to cease and
15 desist operating as an unpermitted household goods
16 carrier. And if you choose that option, that means that
17 you agree to stop providing, offering, and advertising
18 unpermitted household goods services unless or until you
19 get a permit from the Commission. And you will need to
20 show what you've done to shut down your business either
21 completely or partially if -- if that's what you choose.
22 If you have already obtained or applied for a permit in
23 advance of the hearing, please let me know that, because
24 if you've obtained your permit, you can continue to
25 operate your business as long as you are permitted.

1 Have you applied for a household goods
2 permit?

3 MR. SCOTT: No, Your Honor.

4 JUDGE PEARSON: No, okay.

5 Okay. So in that case, Staff is going to
6 want to see proof that you're no longer operating or
7 advertising, so proof that you've taken down or changed
8 your website or other online advertisements.

9 The second option is to ask for a
10 classification hearing, and you would choose option B if
11 you believe that you're not operating illegally and that
12 your business is not subject to regulation by the
13 Commission. So you would be denying that you advertise
14 or offer unpermitted household goods carrier services.

15 And if you choose that option, we will
16 schedule a formal evidentiary hearing where you'll be
17 required to present proof that your business is not
18 within the Commission's jurisdiction. And that hearing
19 would be set in the next few weeks, probably next month
20 or so with a deadline a week before the hearing for both
21 you and Commission Staff to list your witnesses and file
22 any exhibits.

23 And Brian Braun will be speaking for
24 Commission Staff this morning. If you have not already
25 met Mr. Braun, he is seated over here at the table to my

1 right. He's a Commission compliance investigator.

2 So in a few minutes, I'll ask you which
3 choice you want to make. So I'll swear you in before we
4 do that so that anything that you tell me will be
5 considered sworn testimony made under penalty of
6 perjury. And once you're sworn in, I'll ask if you
7 understand your choices and then ask you to state your
8 choice. And if there's anything else you want to
9 explain to me, you'll have a chance to do that as well.

10 So if you choose the first option, agreeing
11 to shut down your business, you'll just need to explain
12 how you plan to comply with the law. And you'll have an
13 opportunity to meet with Staff during the break to
14 attempt to negotiate an agreed order to resolve this
15 matter, and the agreed order will also deal with the
16 penalty amount.

17 And the -- the complaint that you were
18 served with explains that the maximum penalty for each
19 violation is \$5,000. Staff will recommend a penalty,
20 and you'll have a chance to reach an agreement with
21 Staff about that penalty amount. If you're unable to
22 agree, Staff will explain its recommendation, you can
23 explain your side of the story, and then I'll make the
24 final decision about the penalty amount. And if you
25 choose option B, then we'll schedule another hearing

1 like I explained earlier.

2 So, Mr. Braun, why don't I swear you in now.

3 (Brian Braun sworn.)

4 JUDGE PEARSON: Okay. Please be seated.

5 Okay. So who is going to speak on behalf of
6 the company today?

7 MR. SCOTT: Your Honor.

8 JUDGE PEARSON: Okay. Can you state your
9 full name and spell your last name for the record and
10 can you speak into the microphone?

11 MR. SCOTT: LeRoy Scott, and that is
12 S-c-o-t-t.

13 JUDGE PEARSON: Okay. And what's your
14 position with the company?

15 MR. SCOTT: We're a third-party carrier,
16 service provider, kind of administrator, compliance,
17 safety compliance, and we've been assisting Santamaria
18 for a period of time prior to this event.

19 JUDGE PEARSON: Okay. Are you an owner of
20 the company?

21 MR. SCOTT: Not of Santamaria.

22 JUDGE PEARSON: Okay. Are these the --

23 MR. SCOTT: I'm third-party.

24 JUDGE PEARSON: -- owners? Okay.

25 MR. SCOTT: These folks are the owners.

1 JUDGE PEARSON: Okay. And what -- can you
2 turn on the microphone and give me your name?

3 MR. SANTAMARIA: Ricky Santamaria.

4 JUDGE PEARSON: Hold on one second. Wait
5 for the green light to come on. Okay. Go ahead.

6 MR. SANTAMARIA: So I'm Ricky Santamaria.

7 JUDGE PEARSON: Okay. How do you spell your
8 last name?

9 MR. SANTAMARIA: S-a-n-t-a-m-a-r-i-a.

10 JUDGE PEARSON: Okay. And you're the owner?

11 MR. SANTAMARIA: Yes.

12 JUDGE PEARSON: Okay. And you've -- you've
13 designated Mr. Scott to speak on your behalf today?

14 MR. SANTAMARIA: Yes.

15 JUDGE PEARSON: Okay. So, Mr. Scott, I will
16 swear you in.

17 Do you want me to swear you in too in case
18 you have something that you want to say?

19 MR. SANTAMARIA: Yes.

20 (LeRoy Scott and Ricky Santamaria sworn.)

21 JUDGE PEARSON: Okay. Please be seated.

22 All right. Mr. Scott, did you understand
23 the options that I explained?

24 MR. SCOTT: Yes, Your Honor.

25 JUDGE PEARSON: Okay. And does the company

1 admit that it was operating as a household goods carrier
2 without a permit previously?

3 MR. SCOTT: Yes, Your Honor.

4 JUDGE PEARSON: Okay. And does the company
5 agree to cease and desist operating without a permit?

6 MR. SCOTT: Yes, Your Honor.

7 JUDGE PEARSON: Okay. And so what steps has
8 the company taken to shut down its business or change
9 its advertisements and does the company intend to get a
10 permit?

11 MR. SCOTT: No, no intention of getting a
12 household goods permit.

13 JUDGE PEARSON: Okay.

14 MR. SCOTT: The company does exist, Your
15 Honor, as a federal motor carrier, and also they have a
16 Washington intrastate CC permit.

17 JUDGE PEARSON: Okay.

18 MR. SCOTT: And I do have a summary that I
19 can submit just to give an overview of our proposal this
20 morning.

21 JUDGE PEARSON: Okay.

22 MR. SCOTT: If that could be submitted as
23 evidence.

24 JUDGE PEARSON: Well, I think that what you
25 should do is talk it over with Staff.

1 MR. SCOTT: Okay. Now, I presented to
2 Brian.

3 JUDGE PEARSON: You did?

4 MR. BRAUN: Yes, Your Honor. I had a chance
5 to review. I have no problem with submission.

6 JUDGE PEARSON: Okay. All right. If you
7 want to, you can hand that to Mr. Braun and he will
8 bring it to me.

9 Okay. Thank you. I'm just going to take a
10 second to read this over, okay?

11 Okay. So just for the record, I'm going to
12 summarize what's in this letter. It's just an
13 explanation that the company was unaware of the
14 requirements to have a household goods permit, and as
15 soon as they were notified by the Commission that they
16 needed such a permit to continue these types of
17 operations, they immediately ceased providing household
18 goods moves; is that an accurate summary?

19 MR. SCOTT: That's -- yes, ma'am.

20 JUDGE PEARSON: Okay.

21 MR. SCOTT: Yes, Your Honor.

22 JUDGE PEARSON: Okay. All right. So like I
23 was saying, when we take a break, you can talk with
24 Staff and see if you can negotiate an agreed order. The
25 order will say that you admit that you were operating

1 without a permit, that you advertised without a permit,
2 and that you agree to stop operating unless you decide
3 to apply for a permit. And once you feel comfortable
4 that you understand the order, you and Mr. Braun will
5 both sign it, and then it will also include an agreed
6 penalty amount most likely. But if not, like I said
7 earlier, you can explain why you believe the penalty
8 should be different than Staff's recommendation.

9 Okay. Do you have any questions?

10 MR. SCOTT: No, Your Honor.

11 JUDGE PEARSON: Okay. All right. Well,
12 Mr. Braun, do you have anything else that you want to
13 add before we take a break?

14 MR. BRAUN: No, Your Honor. I have
15 verified, though -- I'm sorry, yes.

16 JUDGE PEARSON: Okay.

17 MR. BRAUN: I have verified that they have
18 removed their Thumbtack ad for where I found them
19 advertising.

20 JUDGE PEARSON: Okay. All right. Well,
21 let's go ahead and take break. And as soon as you've
22 had a chance to review the cease and desist order, you
23 can talk about the penalty. So the penalty may be small
24 or there may be a reason that Staff asks for a larger
25 penalty, for example, if you had been here before, which

1 I don't believe is the case for this company, or if you
2 used to have a household goods permit with the
3 Commission that was cancelled.

4 So usually part of the penalty is suspended,
5 which means that you won't have to pay it unless you
6 break the law again. So you would pay part of the
7 penalty today and only have to pay the rest of the
8 penalty in the event that you violated the order, okay?

9 MR. SCOTT: Yes, Your Honor.

10 JUDGE PEARSON: All right. Well, then, we
11 are in recess and we'll be off the record.

12 (Recess taken from 9:11 a.m.
13 until 9:41 a.m.)

14 JUDGE PEARSON: Okay. Let's be back on the
15 record following a recess. So I understand that the
16 cease and desist order was explained to you and that --
17 I see that both Mr. Braun and Mr. Santamaria have signed
18 it.

19 So, Mr. Santamaria or Mr. Scott, did you
20 have a chance to read the whole order and do you feel
21 like you understand it?

22 MR. SCOTT: Yes, we did.

23 JUDGE PEARSON: Okay. Thank you.

24 And it looks like a \$5,000 penalty will be
25 imposed, but that a \$4,500 portion of the penalty will

1 be suspended for a period of two years from today's
2 date. And there's a payment schedule attached to the
3 back. I'm going to take a look at that. So it looks
4 like you intend to make the full \$500 payment today; is
5 that correct?

6 MR. SCOTT: Yes, Your Honor.

7 JUDGE PEARSON: Okay. All right. So the
8 penalty will be suspended for two years from today's
9 date, but the order to cease and desist is permanent and
10 it never expires. So if Staff discovers that the
11 company's still operating even after the two-year mark,
12 Staff can go straight to superior court and ask for much
13 higher penalties. So it's very important that you
14 maintain your status as a nonoperating household goods.
15 And there's no penalty payment arrangement, so do you
16 have any other questions about the order?

17 MR. SANTAMARIA: No.

18 JUDGE PEARSON: Okay. So I have signed it,
19 and I will hand it back to Mr. Braun, and I believe that
20 you will leave here with a signed copy today.

21 MR. BRAUN: That's correct, Your Honor.

22 Just a quick bit of housekeeping.

23 JUDGE PEARSON: Sure.

24 MR. BRAUN: Do you want me to submit this
25 with the order for part of the record or a separate

1 docket -- or I'm sorry, a separate document?

2 JUDGE PEARSON: Well, I have a copy of it.
3 I don't -- given that you all have reached an agreement,
4 I don't think it necessarily needs to be entered into
5 the record as an exhibit. I think if there were
6 disputes between the parties that that would make sense,
7 but that it's not really necessary.

8 MR. BRAUN: All right. Thank you. And we
9 have someone checking on Mark to see where his position
10 is getting here.

11 JUDGE PEARSON: Okay. Great. All right.
12 Why don't I hand you back this order, and you can get a
13 copy.

14 And then once you get your copy of the
15 order, you're free to go. Thank you for coming today.

16 MR. SCOTT: Thank you, Your Honor.

17 JUDGE PEARSON: So we're going to go ahead
18 and take a five-minute recess while I wait to hear the
19 status of the other company that was subpoenaed to
20 appear here today. So we will be in recess.

21 (Recess taken from 9:43 a.m.
22 until 10:03 a.m.)

23 JUDGE PEARSON: All right. Let's be back on
24 the record. It's a little after 10:00 a.m., and there
25 are no new faces in the hearing room.

1 So, Mr. Braun, I assume that Mr. Marrero has
2 not appeared this morning?

3 MR. BRAUN: That is correct.

4 JUDGE PEARSON: Okay. All right. So we can
5 go ahead and proceed with a motion for default for
6 Docket TV-190833, Mark Alberto Marrero, d/b/a Mark the
7 Mover. So I've had a chance to review that docket and
8 Staff's evidence that there was an offer for an
9 intrastate move in Washington and also advertising that
10 meets the statutory definition.

11 So what is Staff's motion for this company?

12 MR. BRAUN: Your Honor --

13 JUDGE PEARSON: Unless that's him.

14 Are you Mr. Marrero?

15 MR. MARRERO: I am.

16 JUDGE PEARSON: Okay. Can you please come
17 forward?

18 MR. MARRERO: Sure.

19 JUDGE PEARSON: You're here just in the nick
20 of time. We were just about to enter a default order
21 against you.

22 MR. MARRERO: Sorry.

23 JUDGE PEARSON: All right. So I'll just
24 briefly go over why you're here today and explain what
25 your options are, and then we'll take a break, which

1 will give you an opportunity to talk with Mr. Braun, who
2 is the Commission's compliance investigator and see if
3 you can reach an agreed order --

4 MR. MARRERO: Okay.

5 JUDGE PEARSON: -- for this case.

6 So you're here because the Commission had
7 information that your company is or was operating or
8 advertising as a household goods company without a
9 permit, and that conduct is subject to violation -- or
10 penalties of up to \$5,000 per violation.

11 So today, you have one of two choices. You
12 can either agree to cease and desist operating as a
13 household goods carrier unless and until you get a
14 permit or you can contest the allegations that you were
15 illegally operating as a household goods carrier. And
16 if you do that, we'll schedule a second hearing for a
17 later date where you will be required to show proof that
18 you are not actually engaging in the conduct that Staff
19 alleged in the complaint that was issued against you.

20 So do you know how you would like to
21 proceed?

22 MR. MARRERO: Well, I'm going to contest it
23 I'm pretty sure. I -- I -- I -- I get why I'm here, but
24 I didn't -- I wasn't aware of the -- that we weren't
25 allowed to do that. I've been a delivery contractor in

1 the Pacific Northwest for 25 years --

2 JUDGE PEARSON: Okay. So before you start
3 talking --

4 MR. MARRERO: Sure.

5 JUDGE PEARSON: -- let me swear you in,
6 okay?

7 MR. MARRERO: Okay.

8 (Mark Alberto Marrero sworn.)

9 JUDGE PEARSON: Okay. Go ahead and be
10 seated. And why don't you state your name for the
11 record, your whole name, and spell your last name.

12 MR. MARRERO: It's Mark Alberto Marrero,
13 M-a-r-r-e-r-o.

14 JUDGE PEARSON: Okay. And what's your
15 position with company?

16 MR. MARRERO: I'm the owner.

17 JUDGE PEARSON: Okay. All right. So go
18 ahead. You can continue to explain.

19 MR. MARRERO: Well, I mean, we've -- we're a
20 white glove furniture delivery service, and I've
21 always -- I mean, I've been doing this since before
22 there was a Craigslist. So I -- I -- I just didn't know
23 we weren't allowed to move people's boxes. But even
24 in -- even in what the copies of the ads that he's
25 questioning this on, I mean, it's pretty -- it's a

1 wording issue. If I can change one word in my ad, he
2 couldn't even -- couldn't even -- this couldn't even be
3 happening.

4 I don't understand the process. I'm a
5 little irritated because you have my email address, it's
6 2020, you know, come on. I mean, you guys -- you guys
7 don't use telephones? He could have just called me and
8 told me that I can't do this. We didn't have to go
9 through all this.

10 JUDGE PEARSON: Did you receive a compliance
11 letter from the Commission --

12 MR. MARRERO: Well, he -- no, because the
13 address that I use when I -- so I just got back in April
14 of last year. I've been gone for like three years, and
15 I just came back April last year, start putting up ads,
16 and that address was like my best friend in Lynnwood,
17 that's where I went when I -- when I moved back here.

18 So I -- I retired like four years ago,
19 and -- and things didn't work out, and so I had to come
20 back to Seattle, and I'm just going back to work, that's
21 all. But I have a history -- I mean, I have a history
22 of being -- I -- I service furniture stores, that's what
23 I do. And I'm licensed to do it, and I've been doing it
24 for a really, really long time. I've always put ads on
25 Craigslist. I wasn't aware that we weren't allowed to

1 move people's -- I mean, it's kind of silly when you
2 think about it. I can move a \$20,000 dining room set
3 that these people own, but I can't move their toaster.
4 I mean, you know what I'm saying? It's like it's -- to
5 me it's ridiculous, but --

6 JUDGE PEARSON: Is that your phone?

7 MR. MARRERO: Yes, ma'am, sorry.

8 And so I mean, it's -- I don't want to -- I
9 don't want to own a moving company. I never have.
10 That's not what my --

11 JUDGE PEARSON: You -- you have a common
12 carrier permit with the Commission?

13 MR. MARRERO: Yes, ma'am. It even says so
14 in this thing on line 13 or whatever it says, that
15 I'm -- yeah, page 3, it's respondent Mark Marrero is a
16 household goods carrier doing business in the state of
17 Washington because I am. I mean, that is what I do for
18 a living.

19 JUDGE PEARSON: Household goods?

20 MR. MARRERO: Yes, ma'am.

21 JUDGE PEARSON: Okay. I thought that you
22 just said that you didn't move house --

23 MR. MARRERO: I have a UB -- I have the same
24 UBI number for Mark the Mover, which is what he's
25 questioning --

1 JUDGE PEARSON: Okay.

2 MR. MARRERO: -- is the same UBI number I've
3 had for 24 years with Mark's Furniture Delivery. All I
4 did is I just changed -- I just -- I only applied -- I
5 only opened up Mark the Mover because it just -- it
6 works on Craigslist. When I put that ad up, my phone
7 just explodes. I don't know, it's just the way it is.
8 So I got a business license for that name, but that's
9 it. Everything else is really Mark's Furniture
10 Delivery. It always has been.

11 JUDGE PEARSON: But it sounds like you are
12 admitting that you did --

13 MR. MARRERO: Yes, ma'am. But --

14 JUDGE PEARSON: -- transport boxes between
15 residences?

16 MR. MARRERO: I'm not -- yeah, I'm not --
17 I'm not disputing that -- that I -- that I've been
18 putting up ads to move people, but I can still put up
19 ads and not move their boxes. I can do all of their
20 furnishings. I can do their pool tables, their hot
21 tubs, I can do everything -- because that's what you're
22 telling me, right? That's what you're saying, right? I
23 mean, I'm not allowed to move their personal items, so
24 basically the things that go in boxes. I can move their
25 furnishings, though.

1 JUDGE PEARSON: That's not the distinction.

2 MR. MARRERO: Okay. Well --

3 JUDGE PEARSON: The distinction is not what
4 you're moving, it's the origin of where you're moving it
5 from and the destination of where you're moving it --

6 MR. MARRERO: But I'm -- I'm not sure if
7 that's real or not because how could I be -- how does
8 that work?

9 JUDGE PEARSON: It's definitely real.

10 MR. MARRERO: Is it?

11 JUDGE PEARSON: Yes.

12 MR. MARRERO: So if I go to a furniture
13 store and I pick up the furniture there and I take it to
14 somebody's house, what if somebody buys something from
15 another person off Craigslist or off of one of the sales
16 apps? I can't go to two different residences and pick
17 up furniture?

18 JUDGE PEARSON: So these are all questions
19 that you can direct at Staff. I'm not going to argue
20 with you.

21 MR. MARRERO: Okay. Okay. I'm just asking.

22 JUDGE PEARSON: And I'm not the appropriate
23 person to ask.

24 MR. MARRERO: Okay.

25 JUDGE PEARSON: So when we take a break, you

1 can discuss that with Staff.

2 MR. MARRERO: No problem.

3 JUDGE PEARSON: It sounds to me, though,
4 like you've already admitted that you've engaged in the
5 conduct, so asking for a hearing to dispute the
6 allegations is contradictory to what you're saying.

7 MR. MARRERO: I think this whole process is
8 contradictory because it could have all just been solved
9 with a telephone call.

10 JUDGE PEARSON: Well, you're entitled to
11 your opinion, but given --

12 MR. MARRERO: Well, I -- I --

13 JUDGE PEARSON: Don't speak over me. Given
14 that you have had a permit as a common carrier for a
15 number of years, you clearly are aware of the Commission
16 and our regulatory authority. So it's not very
17 convincing that --

18 MR. MARRERO: Okay.

19 JUDGE PEARSON: -- you didn't know you
20 needed --

21 MR. MARRERO: That's fine.

22 JUDGE PEARSON: -- a separate permit for
23 household goods.

24 MR. MARRERO: That's fine.

25 JUDGE PEARSON: So what we'll do is we'll

1 take a recess and you can have an opportunity to discuss
2 the matter with Staff.

3 MR. MARRERO: No problem.

4 JUDGE PEARSON: And we'll go ahead and take
5 a recess, and you can come get me upstairs when you're
6 ready, okay? We'll be off the record.

7 (Recess taken from 10:11 a.m.
8 until 10:47 a.m.)

9 JUDGE PEARSON: All right. Let's be back on
10 the record.

11 So it looks like, Mr. Marrero, you signed
12 this order with Staff?

13 MR. MARRERO: Yes, ma'am.

14 JUDGE PEARSON: The agreed order?

15 Okay. And it looks like there are two
16 violations; one for advertising and one for offering a
17 move. An imposition of a \$5,000 penalty, but a \$4,500
18 portion will be suspended. And the company will make a
19 \$500 penalty payment, and it looks like you intend to
20 make that payment no later than April 15th, 2020; is
21 that correct?

22 MR. MARRERO: Correct.

23 JUDGE PEARSON: Okay. And just for the
24 record, you're agreeing to shut down the household goods
25 portion of your company unless you get a permit to

1 conduct those operations, okay.

2 So the \$4,500 penalty is suspended for two
3 years from today's date. That means if Staff finds an
4 advertisement or you offer a move during that time,
5 you'll have to pay the \$4500 penalty. And the order to
6 cease and desist is permanent, it never expires. So if
7 Staff finds that you're operating or advertising even
8 after the two years, Staff can go straight to superior
9 court and ask for much higher penalties. So it's very
10 important that --

11 MR. MARRERO: But the advertising, as long
12 as we change the wording can --

13 JUDGE PEARSON: Correct.

14 MR. MARRERO: I can advertise?

15 JUDGE PEARSON: Correct. You can advertise
16 for the services that you're permitted to provide.

17 MR. MARRERO: Yes, ma'am.

18 JUDGE PEARSON: Absolutely.

19 Okay. And you do understand that if you
20 miss that payment deadline, you will have to pay the
21 entire \$4,500 penalty plus the 500?

22 Okay. So if for some reason you're going to
23 be late making a payment, it's just very important that
24 you reach out and communicate with Staff and make
25 arrangements for that, okay?

1 MR. MARRERO: Mm-hmm.

2 JUDGE PEARSON: And remember that Commission
3 Staff is always available to assist you if you have any
4 questions, and it sounds like you've exchanged contact
5 information.

6 Okay. Do you have any additional questions?

7 MR. MARRERO: Nope.

8 JUDGE PEARSON: All right. I will sign the
9 order, and then I'll hand it back to Mr. Braun, and once
10 you get a copy of it, you are free to go.

11 MR. MARRERO: Okay. Thank you.

12 JUDGE PEARSON: All right. Anything else
13 from Staff?

14 MR. BRAUN: No, Your Honor.

15 JUDGE PEARSON: Okay. Then we are
16 adjourned. Thank you.

17 (Adjourned at 10:49 a.m.)

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CERTIFICATE

STATE OF WASHINGTON
COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand
Reporter in and for the State of Washington, do hereby
certify that the foregoing transcript is true and
accurate to the best of my knowledge, skill and ability.

Tayler Garlinghouse, CCR 3358