

Docket No. TV-190832 - Vol. I

In the Matter of: The Moving Clique LLC

November 13, 2019



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1 BEFORE THE WASHINGTON  
 2 UTILITIES AND TRANSPORTATION COMMISSION  
 3 \_\_\_\_\_  
 4 In the Matter of Determining )DOCKET TV-190832  
 5 the Proper Carrier )  
 6 Classification of, and )  
 7 Complaint for Penalties )  
 8 against: )  
 9 THE MOVING CLIQUE LLC )  
 10 \_\_\_\_\_  
 11 TRANSPORTATION COURT, VOLUME I  
 12 Pages 1-27  
 13 ADMINISTRATIVE LAW JUDGE RAYNE PEARSON  
 14 \_\_\_\_\_  
 15 November 13, 2019  
 16 9:00 a.m.  
 17 Washington Utilities and Transportation Commission  
 18 621 Woodland Square Loop Southeast  
 19 Lacey, Washington 98503  
 20 REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358  
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1 APPEARANCES  
 2 ADMINISTRATIVE LAW JUDGE:  
 3 RAYNE PEARSON  
 4  
 5 FOR COMMISSION STAFF:  
 6 BRIAN BRAUN  
 7 Compliance Investigator  
 8 P.O. Box 47250  
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 (360) 664-1129  
 brian.braun@utc.wa.gov  
 10  
 11 \* \* \* \* \*  
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1 LACEY, WASHINGTON; NOVEMBER 13, 2019  
 2 9:00 A.M.  
 3 --o0o--  
 4 PROCEEDINGS  
 5  
 6 JUDGE PEARSON: Good morning. Today is  
 7 Wednesday, November 13th, 2019, and the time is  
 8 approximately 9:00 a.m.  
 9 My name is Rayne Pearson. I'm an  
 10 administrative law judge with the Washington Utilities  
 11 and Transportation Commission.  
 12 There are three household goods carriers who  
 13 should be here today, so the first thing we'll do is  
 14 take a roll call and see who's present. There is a  
 15 court reporter seated up here to my left who is  
 16 recording everything we say, so when I call your name,  
 17 please raise your hand and give a verbal response like  
 18 "here" or "present."  
 19 First docket is TV-190498, Yakima Brothers  
 20 LLC?  
 21 MR. YAKIMOVICH: Here.  
 22 JUDGE PEARSON: Thank you. Are you Mr...  
 23 MR. YAKIMOVICH: Yakimovich.  
 24 JUDGE PEARSON: Yakimovich, okay.  
 25 TV-190832, The Moving Clique LLC?

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1 Hearing nothing, TV-190834, Aurora Painting  
 2 & Pressure Washing, d/b/a All Pro Service, d/b/a Seattle  
 3 Moving Solutions?  
 4 Okay. Hearing nothing, there are two  
 5 companies who are not here today, and those companies  
 6 will be held in default if they fail to appear, and we  
 7 can address those cases after we deal with the first  
 8 docket.  
 9 Okay. So you're here today because the  
 10 Commission has information that your company is or was  
 11 operating or advertising as a household goods carrier  
 12 without a permit. Operating as a household goods mover  
 13 without a permit is illegal and subject to a penalty of  
 14 up to \$5,000 per violation. If you're found to have  
 15 engaged in this business as a household goods mover  
 16 without a permit, the Commission will order you to cease  
 17 and desist operating and can impose a penalty.  
 18 The Commission has initiated an enforcement  
 19 action against you and your company, and so today I'm  
 20 going to ask you how you choose to proceed, and you have  
 21 two options.  
 22 The first option is to agree to cease and  
 23 desist operating as an unpermitted household goods  
 24 carrier. And if you choose this option, you have to  
 25 stop providing, offering, and advertising household

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1 goods services unless or until you receive a permit from  
 2 the Commission. You will need to show what you've done  
 3 to shut down your business either completely or  
 4 partially, so Staff is going to want to see proof that  
 5 you're no longer operating or advertising. For example,  
 6 you will need to prove that you have taken down or  
 7 changed your website or other online advertisements for  
 8 your business. If you've already obtained or applied  
 9 for a permit in advance of this hearing, please let me  
 10 know when I call you up, and if you've obtained your  
 11 permit, you can continue to operate your business so  
 12 long as you are permitted.

13 The second option you can choose is to ask  
 14 for a classification hearing. You would make that  
 15 choice if you believe that you're not operating  
 16 illegally and that your business is not subject to  
 17 regulation by the Commission. In other words, you would  
 18 be denying that you offer or advertise household goods  
 19 services. If you choose this option, we will schedule a  
 20 formal evidentiary hearing where you will be required to  
 21 present proof that your business is not within the  
 22 Commission's jurisdiction. And that hearing will be set  
 23 in the next two months with a deadline a week before the  
 24 hearing for both you and Commission Staff to list your  
 25 witnesses and file any exhibits.

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1 Brian Braun will be speaking for Commission  
 2 Staff this morning. And if you've not already met  
 3 Mr. Braun, he's seated at the table to my right, and  
 4 he's a Commission compliance investigator.

5 So I will call you up here in just a moment,  
 6 and at that time, I'll swear you in so that anything you  
 7 tell me will be considered sworn testimony made under  
 8 penalty of perjury. Once you are sworn in, I'll ask if  
 9 you understand your choices and then ask you to state  
 10 your choice. And then if there's anything else you want  
 11 to explain to me, you will have a chance to do that too.

12 So if you choose option A, you will need to  
 13 testify about how you plan to comply with the law either  
 14 by becoming a permitted business or shutting down your  
 15 unpermitted business. Depending on what proof you can  
 16 provide, you may -- you will be given an opportunity to  
 17 meet with Staff during the break in order to attempt to  
 18 negotiate an agreed order to resolve this matter, and  
 19 that will also address any penalties.

20 The complaint asks that the Commission  
 21 penalize you for engaging in business as a household  
 22 goods carrier without a permit. And like I stated  
 23 earlier, the law sets the maximum penalty for each  
 24 violation at \$5,000. Staff will recommend a penalty and  
 25 you will have a chance to reach an agreement with Staff

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1 about the penalty amount. And if you're unable to  
 2 agree, Staff will explain its recommendation, but the  
 3 Commission will make the final decision about the  
 4 penalty amount. And if you choose the second option, we  
 5 will schedule another hearing at a later date.

6 So, Mr. Braun, I'll go ahead and swear you  
 7 in now.  
 8 (Brian Braun sworn.)  
 9 JUDGE PEARSON: Okay. Thank you.  
 10 Okay. If you could please come forward to  
 11 the table and take a seat.  
 12 MR. YAKIMOVICH: Right here?  
 13 JUDGE PEARSON: Yes. And then please speak  
 14 into the microphone and state your first and last name,  
 15 spelling your last name for the court reporter.  
 16 MR. YAKIMOVICH: My last name, Yakimovich.  
 17 JUDGE PEARSON: Can you spell it?  
 18 MR. YAKIMOVICH: Y-a-k-i-m-o-v-i-c-h.  
 19 JUDGE PEARSON: And your first name?  
 20 MR. YAKIMOVICH: Artyom.  
 21 JUDGE PEARSON: Okay. Thank you.  
 22 And what's your position with the company?  
 23 Are you the company owner?  
 24 MR. YAKIMOVICH: Yes.  
 25 JUDGE PEARSON: Okay. All right. Why don't

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1 I swear you in. Go ahead and stand and raise your right  
 2 hand.  
 3 (Artyom Yakimovich sworn.)  
 4 JUDGE PEARSON: Okay. Thank you. Please be  
 5 seated.  
 6 Okay. Do you understand the options that I  
 7 explained to you?  
 8 MR. YAKIMOVICH: I do.  
 9 JUDGE PEARSON: Okay. And do you admit that  
 10 you were operating as a household goods carrier without  
 11 a permit?  
 12 MR. YAKIMOVICH: I want to try to explain.  
 13 JUDGE PEARSON: Okay.  
 14 MR. YAKIMOVICH: So I register a company  
 15 last fall. I decided I think I'll do a moving business.  
 16 I started a little advertisement on the Toptech, and my  
 17 friend from New York, he helped me with a Craigslist  
 18 advertisement. So he made an advertisement for me, so I  
 19 did like four or five jobs, but I see business is pretty  
 20 slow. So I started do different kind of business, you  
 21 know, like construction. So -- so suspend my moving  
 22 business for a little bit.  
 23 This April, I received a letter from  
 24 Commission so -- about I supposed to stop. So I go to  
 25 Commission, spoke with a person there, they told me you

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1 just don't operate anymore, so you will not have a  
 2 problem. So since April, I didn't do any jobs.  
 3 But about a month ago I received a letter  
 4 which proves like I still have my Toptech advertisement  
 5 and an old Craigslist, but I don't have access of -- for  
 6 this advertisements because I didn't upload. So all  
 7 what I can delete, I deleted, but I cannot control  
 8 websites. It's like three different websites; Toptech,  
 9 Craigslist, and some like database, I don't know, some  
 10 moving company. They add me in their database, but I  
 11 cannot delete myself from it.  
 12 JUDGE PEARSON: I understand how that works.  
 13 We've actually dealt with that a number of times before  
 14 with carriers who've come in that -- that they're unable  
 15 to remove the ads so...  
 16 MR. YAKIMOVICH: Okay.  
 17 JUDGE PEARSON: Okay. But you have shut  
 18 down your business and you don't intend to apply for a  
 19 permit?  
 20 MR. YAKIMOVICH: I'm still thinking maybe  
 21 next month I'll try again. I want to invest in  
 22 advertisements another couple thousand dollars and see  
 23 so...  
 24 JUDGE PEARSON: But you understand that you  
 25 need a permit --

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1 MR. YAKIMOVICH: Yeah.  
 2 JUDGE PEARSON: -- before you can operate?  
 3 Okay. And that you can't operate until you  
 4 receive a permit?  
 5 MR. YAKIMOVICH: Absolutely.  
 6 JUDGE PEARSON: Okay. All right. So when  
 7 we take a break, you can talk with Mr. Braun and see if  
 8 you can sign an agreed order. And that order will say  
 9 that you agree that you were operating without a permit  
 10 and that you agree to stop operating until you get a  
 11 permit if you decide to apply for one.  
 12 MR. YAKIMOVICH: Okay.  
 13 JUDGE PEARSON: And once you feel  
 14 comfortable that you understand the order, you and  
 15 Mr. Braun will both sign it, and it will include most  
 16 likely an agreed penalty amount. But if not, you can  
 17 explain why the penalty should be different than what  
 18 Staff is recommending.  
 19 Do you have any questions?  
 20 MR. YAKIMOVICH: Penalty for -- so...  
 21 JUDGE PEARSON: For the past operations.  
 22 And -- and I'll just tell you right now that when you  
 23 meet with Staff, typically Staff recommends a much lower  
 24 penalty than what was initially sought.  
 25 So for a \$5,000 penalty, I assume your

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1 recommendation will be \$500 with 4500 suspended?  
 2 MR. BRAUN: That is correct.  
 3 JUDGE PEARSON: Okay. So Staff will be  
 4 asking that you pay a \$500 penalty instead of the 5,000,  
 5 and then what we do is we suspend the remaining \$4,500  
 6 which means so long as you don't operate illegally,  
 7 you'll never have to pay it.  
 8 MR. YAKIMOVICH: But I didn't operate --  
 9 since I received the letter, I didn't do any moves. I  
 10 stopped immediately.  
 11 JUDGE PEARSON: Okay. And I understand  
 12 that, and you will -- you'll have a chance to talk to  
 13 Staff about that and see if you can come to an  
 14 agreement.  
 15 MR. YAKIMOVICH: Right.  
 16 JUDGE PEARSON: Okay. So, Mr. Braun, is  
 17 there anything else before we take a break? Would you  
 18 like to just deal with this now and then deal with the  
 19 default orders afterwards?  
 20 MR. BRAUN: I will deal [inaudible].  
 21 JUDGE PEARSON: What was that?  
 22 MR. BRAUN: I'll deal with this now and then  
 23 deal with the defaults afterwards.  
 24 JUDGE PEARSON: Okay. Let's go ahead and  
 25 take a recess.

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1 (Recess taken from 9:12 a.m.  
 2 until 9:33 a.m.)  
 3 JUDGE PEARSON: So we'll be back on the  
 4 record at 9:33 a.m.  
 5 Mr. Braun, were you able to reach an agreed  
 6 order?  
 7 MR. BRAUN: Your Honor, we were able to  
 8 agree in content, we were not able to come to a complete  
 9 understanding with the amount of penalty to be  
 10 suspended. Mr. Yakimov would like to -- I'm sorry,  
 11 Yakimovich would like to speak to -- on the record  
 12 concerning the payment suspension.  
 13 JUDGE PEARSON: Okay.  
 14 MR. YAKIMOVICH: Yeah, I want to ask if you  
 15 can lower payment if it's possible.  
 16 JUDGE PEARSON: Okay. On what basis?  
 17 MR. YAKIMOVICH: Just how it's possible.  
 18 JUDGE PEARSON: Okay.  
 19 MR. YAKIMOVICH: Because I'm not operating a  
 20 business right now. It's slow business, it's what I'm  
 21 saying. Every couple hundreds, it's big chance, I'll  
 22 not start, you know, in the -- in the close time.  
 23 JUDGE PEARSON: Okay. Mr. Braun, do you  
 24 have any evidence to the contrary?  
 25 MR. BRAUN: Just some, Your Honor. While

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1 the -- they talk about -- the Thumbtack is still up. I  
 2 know he says it's out of his control, but it's just a  
 3 mitigating factor. I also looked at the Department of  
 4 Revenue and the Secretary of State. Mr. Yakimovich did  
 5 recently reregister as a transportation warehousing  
 6 moving company in September 16th, 2019, to both  
 7 Department of Revenue and Secretary of State. This was  
 8 both after the moves of shutting down. But, Judge, if  
 9 he has financial issues, Staff takes no position.  
 10 JUDGE PEARSON: Okay. Go ahead.  
 11 MR. YAKIMOVICH: I was registered as moving  
 12 company when I opened LLC, probably that's why.  
 13 JUDGE PEARSON: But that was just two months  
 14 ago?  
 15 MR. YAKIMOVICH: No, it's been more than a  
 16 year ago.  
 17 MR. BRAUN: Judge, he's the only person that  
 18 is the registered agent, so I'm assuming that he filled  
 19 out the paperwork for the Secretary of State and the  
 20 Department of Revenue. That was what the government has  
 21 to stand on for Staff's recommendation.  
 22 MR. YAKIMOVICH: Probably it updated  
 23 automatically. But, again, I -- I don't have a control.  
 24 JUDGE PEARSON: So you're saying it was an  
 25 annual renewal?

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1 MR. YAKIMOVICH: Probably.  
 2 JUDGE PEARSON: Okay. And what about, in  
 3 Staff's declaration, you obtained an offer in June; is  
 4 that correct?  
 5 MR. BRAUN: That is correct,  
 6 June 12th, 2019. I also called a phone number of  
 7 631-830-1815, and it was answered by Mr. Yakimovich, and  
 8 he still claims that is his phone number today.  
 9 JUDGE PEARSON: Okay. Thank you.  
 10 So I know that you stated that you stopped  
 11 performing moves in April, but Staff has evidence that  
 12 you continued to offer moves as late as June, which  
 13 would have been after you received the cease and desist  
 14 letter; is that correct?  
 15 MR. YAKIMOVICH: Kind of business, you know,  
 16 where people call and want to move, what price, what  
 17 that, what that, you know, but I didn't do any moves  
 18 since April. Maybe I -- I tell a price, I don't want to  
 19 lie, you know.  
 20 JUDGE PEARSON: Right.  
 21 MR. YAKIMOVICH: Because people sometimes  
 22 call me, you know, you do moving, I say yeah, how much,  
 23 where, this, that. But as soon as I received this  
 24 letter, I didn't do any jobs, you know, moving because I  
 25 was start doing construction, you know, different kind

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1 of business.  
 2 JUDGE PEARSON: So what you're saying is you  
 3 didn't actually perform any moves, you just provided --  
 4 MR. YAKIMOVICH: No, no. Not any jobs since  
 5 I receive a letter, not any jobs.  
 6 JUDGE PEARSON: Okay. But you did provide  
 7 quotes for those services?  
 8 MR. YAKIMOVICH: Maybe, yes, probably.  
 9 JUDGE PEARSON: Okay. What did you do with  
 10 your moving truck?  
 11 MR. YAKIMOVICH: I rent it. I rent from  
 12 Enterprise --  
 13 JUDGE PEARSON: Oh, okay.  
 14 MR. YAKIMOVICH: -- rent a truck.  
 15 JUDGE PEARSON: So you don't own a truck?  
 16 MR. YAKIMOVICH: No.  
 17 JUDGE PEARSON: Do you still have the truck  
 18 or did you give it back?  
 19 MR. YAKIMOVICH: Back.  
 20 JUDGE PEARSON: You gave it back?  
 21 MR. YAKIMOVICH: Yeah.  
 22 JUDGE PEARSON: Okay. Oh, do you rent it on  
 23 a job-by-job basis?  
 24 MR. YAKIMOVICH: Yes.  
 25 JUDGE PEARSON: Oh, okay.

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1 MR. YAKIMOVICH: Sometimes when it's busy, I  
 2 rent it by weeks. But here it's slow, you know,  
 3 compared -- it's why I think, you know, slow down with  
 4 moving. I planning to get a license for \$550, but also  
 5 I got a ticket right now, so I want to ask maybe if we  
 6 can deal, you know, like I'll apply for -- for license,  
 7 you know, instead of ticket.  
 8 JUDGE PEARSON: You want to -- you want to  
 9 fill out an application, that's what you're saying?  
 10 MR. YAKIMOVICH: Yes.  
 11 JUDGE PEARSON: And when do you intend to do  
 12 that?  
 13 MR. YAKIMOVICH: Today, but it's supposed --  
 14 how much money I'll owe like for ticket. Because that's  
 15 what I'm saying, you know, if I apply for license, I  
 16 gotta start a new business, you know. So put more  
 17 money -- you know, advertisement is like 3,000, \$4,000,  
 18 you know, like...  
 19 JUDGE PEARSON: But you do understand that  
 20 if you apply for a permit without a truck, we can't give  
 21 you a permit?  
 22 MR. YAKIMOVICH: If I'm not owner of the  
 23 truck?  
 24 JUDGE PEARSON: Correct.  
 25 MR. YAKIMOVICH: I didn't know that.

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1 JUDGE PEARSON: It will make it more  
 2 difficult.  
 3 MR. YAKIMOVICH: I used to work in New York  
 4 with rental trucks, it's never been a problem. I don't  
 5 know about Washington State, but usually it's a big  
 6 problem to have a -- own truck.  
 7 JUDGE PEARSON: Okay. So I'm going to go  
 8 ahead and go with Staff's recommendation to assess a  
 9 \$500 penalty and suspend the \$4500 portion. The reason  
 10 is that the \$500 penalty is already substantially lower  
 11 than what you would be subject to under the maximum  
 12 allowable penalties per the statute. And I think it's  
 13 important that you pay a portion of the penalty because  
 14 you did break the law knowingly and intentionally by  
 15 offering to provide moves after you were provided with a  
 16 technical assistance letter. And \$500 is a relatively  
 17 small amount, and I understand that Staff will offer you  
 18 a payment arrangement for that; is that correct?  
 19 MR. YAKIMOVICH: Yes.  
 20 JUDGE PEARSON: Okay. And, Mr. Braun, what  
 21 does that payment arrangement look like?  
 22 MR. BRAUN: Your Honor, it's \$100 a month  
 23 starting today, duable [sic] on the 13th of November,  
 24 December, January, February, March.  
 25 JUDGE PEARSON: Okay. Are you able to make

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1 the \$100 payment today?  
 2 MR. YAKIMOVICH: Yes.  
 3 JUDGE PEARSON: Okay. All right. Well, if  
 4 you will bring that up, I will sign it if both of you  
 5 want to sign it first.  
 6 Okay. So you've had a chance to read the  
 7 whole order and you understand what you signed? Okay.  
 8 And it looks like there are two violations in this case;  
 9 one for offering a move, one for advertising a move.  
 10 The order suspends -- or imposes a \$5,000 penalty for  
 11 those two violations and suspends a \$4,500 portion for a  
 12 period of two years from today's date, which is  
 13 November 13th, 2021. So that means if Staff finds an  
 14 advertisement or you offer a move anytime during the  
 15 next two years, you will have to pay that \$4,500  
 16 penalty; do you understand that?  
 17 MR. YAKIMOVICH: (Nodding head.)  
 18 JUDGE PEARSON: Okay. And for the record,  
 19 you're agreeing to shut down your company until you get  
 20 a permit?  
 21 MR. YAKIMOVICH: Yeah.  
 22 JUDGE PEARSON: Can you -- can you give a  
 23 verbal response to that, please?  
 24 MR. YAKIMOVICH: Yes.  
 25 JUDGE PEARSON: Okay. So also just so you

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1 know, the order to cease and desist is permanent, it  
 2 never expires. Staff -- if Staff discovers that you're  
 3 still operating even after the two years, Staff can go  
 4 straight to superior court and ask for much larger  
 5 penalties. So it's very important that you follow the  
 6 law.  
 7 And I see, as we discussed, there's a  
 8 payment schedule for the \$500 penalty, which Mr. Braun  
 9 read into the record. And you do understand that if you  
 10 miss a payment, you risk having to pay the entire  
 11 \$4,500?  
 12 MR. YAKIMOVICH: Yes.  
 13 JUDGE PEARSON: Okay. So if for some reason  
 14 you're going to be late making a payment, it's really  
 15 important that you contact Mr. Braun and explain to him  
 16 why so that you don't end up having to pay that whole  
 17 penalty, okay?  
 18 MR. YAKIMOVICH: Mm-hmm.  
 19 JUDGE PEARSON: Do you have any additional  
 20 questions for me?  
 21 MR. YAKIMOVICH: No.  
 22 JUDGE PEARSON: Okay. So I will sign this,  
 23 and then once you get a copy and you make your \$100  
 24 payment, you will be free to go. I appreciate you  
 25 showing up here today.

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1 MR. YAKIMOVICH: Thank you.  
 2 JUDGE PEARSON: All right. So that  
 3 concludes the companies who are present in the hearing  
 4 room today. There's no one else in the hearing room  
 5 present.  
 6 So, Mr. Braun, we can proceed with a motion  
 7 for default for the two remaining companies.  
 8 MR. BRAUN: Correct.  
 9 JUDGE PEARSON: So I have had a chance to  
 10 review Docket TV-190832 and TV-190834. The Commission's  
 11 evidence that there were offers for an intrastate move  
 12 in Washington and there was advertising that meets the  
 13 definition in RCW 81.80.075, engaging in business as a  
 14 moving company without a household goods permit.  
 15 So what is Staff's motion with respect to  
 16 these two companies?  
 17 MR. BRAUN: Staff's motion response to both  
 18 companies would be a default with the penalty of \$5,000  
 19 assessed to each company.  
 20 JUDGE PEARSON: Okay. So let's walk through  
 21 the evidence you have for each company and then also  
 22 tell me when and how service was accomplished.  
 23 MR. BRAUN: The first one will be Docket  
 24 TV-190832, The Moving Clique LLC.  
 25 JUDGE PEARSON: Okay.

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1 MR. BRAUN: And on May 21st, 2019, I found  
 2 advertisements on Thumbtack for The Moving Clique LLC.  
 3 The advertisement offered to provide household goods  
 4 moving services within the state of Washington.  
 5 On May 21st, 2019, I searched the Commission  
 6 records and verified that The Moving Clique is not a  
 7 permitted household goods carrier.  
 8 On May 21st, 2019, I searched the Washington  
 9 State Department of Revenue's website for The Moving  
 10 Clique. Results produced a contact name with a  
 11 governing individual of Marcus Smith with an address of  
 12 8823 Holly Drive, Apartment M-205, Everett, Washington  
 13 98209.  
 14 On May 21st, 2019, I searched the Washington  
 15 State Secretary of State's website for The Moving  
 16 Clique. The results confirmed a contact name of an  
 17 individual named Marcus Smith with an address of 8823  
 18 Holly Drive, Apartment M-205, Everett, Washington.  
 19 On May 21st, 2019, I searched the Internet  
 20 and found a website, movingclique.net. Website  
 21 contained a contact phone number of 425-591-3861 and a  
 22 contact email address of mc@movingclique.net.  
 23 On May 21st, 2019, I searched the Internet  
 24 and found a claimed Yelp business page for The Moving  
 25 Clique. The Yelp page contained a contact phone number

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1 of 206-519-0154 and a company address of  
 2 www.movingclique.net. I found consumer reviews on the  
 3 company and each referenced household goods moving.  
 4 On May 21st, 2019, a compliance letter was  
 5 sent to Mr. Smith notifying The Moving Clique that it  
 6 must cease and desist operations as a household goods  
 7 carrier in Washington State until the company obtains a  
 8 required household goods carrier permit from the  
 9 Commission.  
 10 September 20th, 2019, I called 206-519-0154  
 11 using an assumed name to obtain a quote for moving  
 12 services between Seattle, Washington, and Everett,  
 13 Washington. The representative of the company, who  
 14 identified himself as Marcus, quoted a rate of \$95 per  
 15 hour for two workers and a truck or \$120 per hour for  
 16 three workers and a truck. This was confirmed with an  
 17 email.  
 18 And you asked for proof of service. On  
 19 October 23rd, 2019, at 6:45 p.m. at the address of  
 20 17517 - 14th Drive Southeast in Bothell, it was served  
 21 personally in front of Marcus K. Smith at the registered  
 22 address.  
 23 JUDGE PEARSON: Okay. Thank you. And for  
 24 the second docket?  
 25 MR. BRAUN: Judge, just for -- for the

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1 record, it should be noted that Mr. Smith actually works  
 2 for another moving company and is aware of the  
 3 Commission.  
 4 JUDGE PEARSON: Okay.  
 5 MR. BRAUN: Even if he tried to say that the  
 6 address didn't come to him or the -- the letter wasn't  
 7 sent to -- it was sent to an Everett address, he is  
 8 aware of the Commission.  
 9 JUDGE PEARSON: Okay.  
 10 MR. BRAUN: Next speaking upon Docket  
 11 TV-190834, Aurora Painting & Pressure Washing, d/b/a All  
 12 Pro Moving Service, d/b/a Seattle Moving Solutions. On  
 13 July 23rd, 2019, I found an advertisement on Craigslist  
 14 for an Aurora Painting & Pressure Washing, d/b/a All Pro  
 15 Services, and d/b/a Seattle Moving Solutions, further  
 16 known as just -- shortened as Seattle Moving Solutions.  
 17 This advertisement offered to provide  
 18 household goods moving services within the state of  
 19 Washington using a truck or box van, stated that the  
 20 company accepted credit cards, and listed the telephone  
 21 number of 253-8 -- oh, I'm sorry, 486-6984. It should  
 22 also be noted that in their advertisement they spelled  
 23 out, it was the number two, the number five, and then  
 24 just typed in three, because Staff believes that is an  
 25 ability to try and circumvent being found through

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1 Craigslist searching.  
 2 On July 23rd, 2019, I searched Craigslist  
 3 and found an advertisement for Aurora Painting Services.  
 4 This advertisement displayed the phone number of  
 5 253-486-6982 and stated that they accepted credit cards.  
 6 On July 23rd, 2019, I searched Commission  
 7 records and verified that Aurora Painting Services and  
 8 Seattle Moving Solutions are not permitted household  
 9 goods carriers.  
 10 On July 23rd, 2019, I searched the  
 11 Washington State Department of Revenue's website for  
 12 Aurora Painting. The results produced an entity name of  
 13 Aurora Painting and Pressure Washing LLC, a business  
 14 name of All Pro Services, and the governing people of a  
 15 Jermey, J-e-r-m-e-y, Alan Dean, and Erik Holt Porter.  
 16 Erik is spelled E-r-i-k, and an address of 14940 Young  
 17 Road, Mount Vernon, Washington 98273.  
 18 On July 31st, 2019, the compliance letter  
 19 was sent to Mr. Jermey Alan Dean and Erik Holt Porter  
 20 notifying Seattle Moving Solutions it must cease and  
 21 desist operations as a household goods carrier in  
 22 Washington State until the company obtain the required  
 23 household goods carrier permit from the Commission.  
 24 On September 10th, 2019, I called  
 25 253-486-6982 using an assumed name to obtain a quote for

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1 moving services between Seattle and Tacoma, Washington.  
 2 The company representative quoted a rate of six -- \$125  
 3 for four hours, two workers, and a 20-foot truck.  
 4 During the conversation, I was informed that there would  
 5 be a \$325 deposit that could be taken by credit card. I  
 6 stated that I was recently a victim of identify theft  
 7 and inquired how the charge would appear on my credit  
 8 card statement. The representative stated it would  
 9 appear under the name of the Aurora Painting Services.  
 10 This was done to further confirm who the owners was of  
 11 the company as they were very deceptive in their  
 12 advertisements. That is it for evidence.  
 13 On October 16th -- I'm sorry, on  
 14 October 17th, 2019, the location of 13848 Beaver Lake  
 15 Road in Mount Vernon, Washington 98273. The paperwork  
 16 was served upon a Bonnie Byle who was a coresident of  
 17 Erik Porter, again, E-r-i-k. On that date, she accepted  
 18 service for the orders and subpoenas.  
 19 JUDGE PEARSON: Okay. Thank you. I will  
 20 grant the motion for default for those two companies,  
 21 and if you pass the default orders up to me, I will sign  
 22 each of them. Mr. Braun?  
 23 MR. BRAUN: Sorry, Judge, I'm printing them.  
 24 Thought I had them.  
 25 JUDGE PEARSON: That's okay. We'll just

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1 take a brief recess while you get those.  
 2 (Pause in the proceedings.)  
 3 JUDGE PEARSON: We will just very briefly go  
 4 back on the record to reflect that I'm signing both of  
 5 these default orders, which will be entered today. Is  
 6 there anything else that we need to address?  
 7 MR. BRAUN: No, Your Honor.  
 8 JUDGE PEARSON: Okay. Then we are  
 9 adjourned. Thank you.  
 10 MR. BRAUN: Thank you.  
 11 (Adjourned at 9:53 a.m.)  
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1 CERTIFICATE  
 2  
 3 STATE OF WASHINGTON  
 4 COUNTY OF THURSTON  
 5  
 6 I, Tayler Garlinghouse, a Certified Shorthand  
 7 Reporter in and for the State of Washington, do hereby  
 8 certify that the foregoing transcript is true and  
 9 accurate to the best of my knowledge, skill and ability.  
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Tayler Garlinghouse, CCR 3358