

**BEFORE THE WASHINGTON STATE
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

COMPLAINT FOR CANCELLATION
OF PERMIT FOR FAILURE TO PAY
REGULATORY FEES AND FAILURE
TO FILE ANNUAL REPORT; and

NOTICE OF BRIEF ADJUDICATIVE
PROCEEDING; SETTING TIME FOR
ORAL STATEMENTS

**(Set for November 8, 2024, at
1:30.p.m.)**

1 The Washington Utilities and Transportation Commission (Commission), on its own
motion, and through its staff (Staff), alleges as follows:

I. PARTIES

2 The Commission is an agency of the state of Washington authorized by statute to regulate
the rates, services, facilities, and practices of public service companies, including
household goods carriers.

3 TLC Moving & Storage, Inc. (TLC Moving) is a Washington profit corporation that
engages in business as a household goods carrier under Commission-issued permit
HG042102.

4 Pro Movers. LLC (Pro Movers) is a Washington limited liability company that engages in
business as a household goods carrier in Washington under Commission-issued permit
HG066237.

- 5 Eric's Small Moves & Delivery, LLC (Eric's Small Moves) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit HG067465.
- 6 Clutter, Inc. is a foreign profit corporation that engages in business as a household goods carrier under Commission-issued permit HG067494.
- 7 I Heart Movers, LLC (I Heart Movers) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG068176.
- 8 Mendez Movers, LLC (Mendez Movers) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG068506.
- 9 Triple 7 Movers of Washington, LLC (Triple 7 Movers) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit HG067396.
- 10 Ybarra, Sara d/b/a Precision Movers, Five Star Moving Services, Spokanes NO1 Quality Moving Co, and The Ultimate Household Goods Moving Co engages in business as a household goods carrier under Commission-issued permit THG071115.
- 11 Loyalty Moving, LLC (Loyalty Moving) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG071009.
- 12 Miracle Man Movers, LLC (Miracle Man) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG068778.

II. BACKGROUND

- 13 Per WAC 480-15-480(4), Washington household goods carriers must file annual reports and pay regulatory fees by May 1st of each year based on the prior year's operations. The Commission must receive both the annual report and the regulatory fee payment no later than May 1. Each year, the Commission provides a copy of the annual report forms and instructions to each household goods permit holder. If a carrier does not receive an

annual report from, it is the carrier's responsibility to contact the Commission and request the form.

- 14 Each household goods carrier must also remit to the Commission regulatory fees intended to cover the cost of regulating the household goods industry. The fee is fixed by rule as a percentage of a household goods carrier's annual intrastate gross operating revenues. Each carrier must remit these fees to the Commission by May 1 of the year following the year for which the carrier is paying fees.
- 15 On March 1, 2023, the Commission sent an email notification to all household good permit holders informing them that the 2022 annual report forms were available on the Commission's website for download and reminding them that complete reports and regulatory fee payments must be received by the Commission no later than May 1, 2023. On March 1, 2024, the Commission sent an email notification to all household good permit holders informing them that the 2023 annual report forms were available on the Commission's website for download and reminding them that complete reports and regulatory fee payments must be received by the Commission no later than May 1, 2024.
- 16 Staff conducted its 2024 annual compliance review of annual report and regulatory fee submissions for household goods carriers holding permits from the Commission. This review generated a list of companies that have failed to pay regulatory fees or failed to submit annual reports (or complete annual reports).
- 17 The Commission's files and records indicate that TLC Moving failed to file a complete, and thus acceptable, annual report due on May 1, 2024.
- 18 The Commission's files and records indicate that Pro Movers failed to pay its regulatory fees due on May 1, 2024.
- 19 The Commission's files and records indicate that Eric's Small Moves failed to file its annual report and failed to pay regulatory fees due on May 1, 2024.
- 20 The Commission's files and records indicate that Clutter, Inc. failed to pay regulatory fees due on May 1, 2024.
- 21 The Commission's files and records indicate that I Heart Movers failed to file its annual report and failed to pay regulatory fees due on May 1, 2024.
- 22 The Commission's files and records indicate that Mendez Movers failed to file its annual report and failed to pay regulatory fees due on May 1, 2024.

- 23 The Commission's files and records indicate that Triple 7 Movers failed to file a complete, and thus acceptable, annual report and failed to pay regulatory fees due on May 1, 2024.
- 24 The Commission's files and records indicate that Ybarra, Sara failed to file its annual report and failed to pay regulatory fees due on May 1, 2024.
- 25 The Commission's files and records indicate that Loyalty Moving failed to file a complete, and thus acceptable, annual report and failed to pay regulatory fees due on May 1, 2024.
- 26 The Commission's files and records indicate that Miracle Man failed to file a complete, and thus acceptable, annual report on its 2022 operations due on May 1, 2023.

III. JURISDICTION

- 27 The Commission has jurisdiction over the subject matter of this complaint under chapter 34.05 RCW, RCW 80.01.040, RCW 80.01.060, RCW 81.01.010, RCW 81.04.010, RCW 81.04.020, RCW 81.04.080, RCW 81.04.110, RCW 81.04.460, RCW 81.80.321, WAC 480-15-450, and WAC 480-15-480.

IV. APPLICABLE LAW

- 28 The Commission regulates public service companies pursuant to a delegation of authority from the legislature. See RCW 80.01.040(2); RCW 81.01.010.
- 29 Household goods carriers are common carriers. RCW 81.04.010(11). Every common carrier is a public service company. RCW 81.04.010(16).
- 30 Each common carrier must file with the Commission an annual report in the form prescribed by the Commission. RCW 81.04.080(1), (4); WAC 480-15-480(1). Every carrier must file its annual report by May 1 based on the prior year's operations. WAC 480-15-480(4).
- 31 Failure to file an annual report subjects the common carrier to cancellation or revocation of its operating authority. RCW 81.04.080(2)(b); WAC 480-15-480(4)(b).
- 32 Each household goods carrier must pay a regulatory fee of 0.25 percent of its gross income from intrastate operations for each calendar year. RCW 81.80.321; WAC 480-15-

480(3), (4). Carriers must pay regulatory fees by May 1 based on the prior year's operations. WAC 480-15-480(4).

- 33 Failing to pay regulatory fees subjects a household goods carrier to cancellation of its permit. WAC 480-15-450(1)(a) and WAC 480-15-480(4)(b).

V. REQUEST FOR RELIEF

- 34 Staff requests that the Commission find that the named respondents failed to comply with RCW 81.80.321, RCW 81.04.080, and WAC 480-15-480 by failing to pay regulatory fees or file annual reports (or complete annual reports), or both.
- 35 Staff requests that the Commission cancel the permits of the respondent household goods carriers pursuant to its authority under RCW 81.04.080(2)(b); WAC 480-15-450(1)(a); and WAC 480-15-480(4)(b).

V. PROBABLE CAUSE

- 36 Based on a review of the Declaration of Esther Neal, and consistent with RCW 80.01.060 and WAC 480-07-307, the Commission finds probable cause exists to issue this Complaint.

VI. NOTICE OF HEARING

- 37 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission's procedural rules, chapter 480-07 WAC, will apply in this proceeding.

- 38 **THE COMMISSION GIVES NOTICE That it will hold a virtual brief adjudicative proceeding in this matter at 1:30 p.m. on November 8, 2024. To participate by phone, call (253) 215-8782 and enter the Meeting ID: 870 1639 3004# and Passcode 309244#. To attend via Zoom, please use the following link: [Click to join meeting](https://utc-wa-gov.zoom.us/j/87016393004?pwd=bKf6W4FbSONvxxgPILcFK5tclZ9o5T.1).**¹

- 39 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding

¹ <https://utc-wa-gov.zoom.us/j/87016393004?pwd=bKf6W4FbSONvxxgPILcFK5tclZ9o5T.1>.

and a transcript of any oral statements given at the hearing, which statements will be given under oath.

- 40 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Lacey, Washington, copies of documents in the current record for use by the parties or others who may want to review them.
- 41 **THE COMMISSION GIVES NOTICE** that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.
- 42 If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission.
- 43 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98504

Representative: Liam Weiland
Assistant Attorney General
PO Box 40128
Olympia, WA 98504-0128
liam.weiland@atg.wa.gov

Respondent: TLC Moving & Storage, Inc.
Craig J. Elliot, Registered Agent
5508 1st Ave South
Seattle, WA 98108-0000

Respondent: Pro Movers, LLC
Andrey Goncharuk, Registered Agent and Governor
3101 NE 138th Ave
Vancouver, WA 98692-8017

Respondent: Eric's Small Movers & Delivery, LLC
Eric Burgemeister, Registered Agent and Governor
111 1st Ave S Apt 604
Seattle, WA 98104-3470

Respondent: Clutter, Inc.

Corporation Service Company, Registered Agent
300 Deschutes Way SW, Ste 208 MC-CSC1
Tumwater, WA 98501

Respondent: I Heart Movers, LLC
Deavon Taylor, Registered Agent
2727 NE 125th St, Apt 10
Seattle, WA 98125-4399

Respondent: Mendez Movers, LLC
Noe Mendez, Registered Agent and Governor
319 N 46th Ave
Yakima, WA 98908-2877

Respondent: Triple 7 Movers of Washington, LLC
Yehonatan Tzairi, Registered Agent
1028 4th St SW, Ste B
Auburn, WA 98001-5263

Respondent: Ybarra, Sara
Sara Ybarra
1320 N. Wall St
Spokane, WA 99201

Respondent: Loyalty Moving, LLC
Registered Agents, Inc., Registered Agent
100 N Howard St, Ste. R
Spokane, WA 99201

Respondent: Miracle Man Movers, LLC
Christopher Douglas Bullock, Registered Agent and
Governor
10400 NE 13th Ave, A
Vancouver, WA 98686-5564

44 Administrative Law Judge Bijan Hughes from the Utilities and Transportation
Commission's Administrative Law Division will preside at the hearing.²

45 Commission will give parties notice of any other procedural phase of the proceeding in
writing or on the record, as appropriate during this proceeding.

² Judge Hughes may be reached by email at bijan.hughes@utc.wa.gov or by phone at (360) 664-1254.

DATED at Lacey, Washington, and effective October 4, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ James E. Brown II

JAMES E. BROWN II

Acting Director, Administrative Law Division

NOTICE

Hearings are accessible to persons with disabilities and persons who do not speak English as a first language. If limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please provide the information requested below via email to Stacey Brewster, paralegal, at stacey.brewster@utc.wa.gov.

(PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired: (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____