

# Bob Ferguson ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division 1400 S Evergreen Park Drive SW • PO Box 40128 • Olympia WA 98504-0128 • (360) 664-1183

Via Electronic and United States Mail

September 29, 2015

Steven V. King, Executive Director and Secretary Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. S.W. P.O. Box 47250 Olympia, Washington 98504-7250

RE:

UTC v. Movers4U

Docket TV-151116

Dear Mr. King:

Enclosed for filing in the above-referenced docket are Staff's exhibits DT-1 through DT-14 presented in the Brief Adjudicative Proceeding for Docket TV-151116. The Parties stipulated to the entry of Exhibits DT-1 through DT-14 into the evidentiary record during the proceeding.

Sincerely,

Brett P. Shearer

Assistant Attorney General

2015 SEP 29 AM 8: 26
STATE OF MASSION
UTILL AND TRANSPORT

## COMMISSION STAFF EXHIBIT LIST

'1overs4U

Docket TV-151116

NUMBER	WITNESS	A/R	DATE	DESCRIPTION
DT-1	Darren Tinnerstet			Application of Movers4U, filed 5/26/15 (11 pages)
DT-2	Darren Tinnerstet		73	Notice of Intent to Deny, dated 8/18/15 (4 pages)
DT-3	Darren Tinnerstet			Request for Hearing, dated 8/20/15 (1 page)
DT-4	Darren Tinnerstet			Staff's Memorandum to Dave Pratt, dated 8/11/15 (11 pages)
DT-5	Darren Tinnerstet			Google Maps photo of 1620 132 <sup>nd</sup> Ave. E, Sumner, WA (1 page)
DT-6	Darren Tinnerstet			Driver's License photo of Heath, Larry E. (1 page)
DT-7	Darren Tinnerstet			Vehicle Registration from DOL website, printed 7/16/15 (1 page)
DT-8	Darren Tinnerstet			Facebook photo, dated 7/8/13 (1 page)
DT-9	Darren Tinnerstet			Facebook photo, dated 6/1 (1 page)
DT-10	Darren Tinnerstet			Facebook photo, dated 6/1 (1 page)
DT-11	Darren Tinnerstet			Facebook photo, dated 6/1 (1 page)
DT-12	Darren Tinnerstet			Facebook photo, dated 6/1 (1 page)
DT-13	Darren Tinnerstet			Order 02, Docket TV-111943, dated 1/25/12 (8 pages)
DT-14	Darren Tinnerstet	.,		WATCH Report for Heath, Larry E., from Washington State Patrol, dated 7/28/15 (11 pages)

Exhibit No. (DT-1) Docket TV-151116 Page 1 of 11

TV-151116



FOR OFFICIAL USE QNLY

Date Filed:

Staff Assigned

1300 S. Evergreen Park Orive SW P.O. Box 47250 Olympia, WA 98504-7250 Phone: 360-664-1222 Fax: 360-586-1181

TTY: 360-586-8203

1-800-416-5289

email: transportation@utc.wa.gov

Docket#

Permit Issued THG-

# HOUSEHOLD GOODS MOVING COMPANY PERMIT APPLICATION

ID:

Inspection

DOL/SOS:0

Insurance

Reception #	111-0268-207-02	111-0268-013-20		
Type of Hou	sehold Goods Auth	ority Requested – cl	neck one	Fee Required
		The fee for provisional, and Complete pages 3-8 and A		\$ 550
interest (at I		ng in a change in ownershi rved on a temporary provi		\$ 550
☐ Permanent a		the exceptions in WAC 480	)-15-187.	\$ 250
on criteria se		within 30 days of cancellar 2). Complete pages 3-4 and		\$ 250
	<u>se</u> – Complete pages 3-4 an			\$ 35
realta na sail	BUSINI	ESS INFORMATION		
Legal Name: HtA	TH, ANNAVILLA L (must be individual, )	DBA MOVERS	41j oration)	
Trade Name, if appl	icable MOVERSAU			
Physical Address	620 132nd Ave E,	SUMNER, WA 98	3910-9632	
Mailing Address(	120 132nd Ave E	SUMINER LUX 98	390 - 9638	
	(25 <sub>7</sub> ) 988- 5009	Fax Number (	)	

	BI	JSINESS INFORMA		
JBI#: 6034	91683		Email: move	5412015@ yahn. com
SDOT #: 26.	2 88 24 wood	(If you curr		e one, go online at 2 for assistance.)
epartment of	Labor & Industries	Worker's Comp acco	ount#	
		t registration numbe		
your busines	s registered with the	ne <u>Department of Re</u>		
		TYPE OF BUSINE	SS STRUCTU	RE
Individual	☐ Partnership	☐ Corporation		LLP, LLC) State of Incorporation
ist the name,	title and percentag	e of partner's snare	DI 200K GISTI IDE	ution for major stockholders:
Name Innavilla L	. Heath	Title Owror		Stock Distribution or % of Shares
promote co	ompetition, or fill a	n unmet need for se	rvice: Household	ces will enhance customer choice, I goods puring and packing
Briefly design FAC	cribe your experier	ice in the transportation of the real of t	cion/household  FAMILYS  Think the	goods moving industry:  will he a great busin
				as a motor carrier of property?
		If yes, please explain		s a motor carrier of property in
. Do you cur	rently operate inte	rstate? ⊠ No □ Yes	If yes, please in	dicate your MC#
		an agent of another of company?		

7. Do you have, or have you ever had a business-related legal proceeding against you in Washington, or in any other state? ☑ No ☐ Yes If yes, please list below:

<sup>\*</sup>attach additional pages if necessary

8. Has any person named in this application ever been convicted of any crime involving theft, burglary, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance? ☑ No ☐ Yes If yes, please list below:

Type of Conviction	Date	City/State

<sup>\*</sup>attach additional pages if necessary

9. Has any person named in this application, been cited for violation of state laws or Commission rules? ☒ No ☐ Yes If yes, please list below:

Violation	Date	RCW/WAC

<sup>\*</sup>attach additional pages if necessary

#### FINANCIAL STATEMENT Complete the following financial statement or attach a balance sheet, profit and loss statement, or business plan. Liabilities **Assets** \$ \$ 2.500.00 Salaries/Wages Payable Cash in Bank \$ Accounts Payable Notes Receivable \$ Notes Payable \$ Investments \$ \$ Mortgages Payable Other Current Assets \$ **TOTAL LIABLITIES** \$ **Prepaid Expenses NET WORTH** \$ Land and Buildings \$ **Preferred Stock** \$ 8,000 .00 **Trucks and Trailers** Ś Common Stock \$ Office Furniture \$ **Retained Earnings** \$ 1,500.00 Other Equipment \$ Capital \$ Other Assets \$ TOTAL LIABILITIES & NET WORTH \$12,000.00 TOTAL ASSETS

	Describe t	EQUIPM he equipment you will owr (attach additional s	or lease to provide moving serv	ices
Year	Make	License Number	Vehicle ID Number	Gross Vehicle Weight
1998	FOKD	W 792 467	IFDWE 3759WAB57391	12,000

#### SAFETY AND OPERATIONS

CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING (<u>Title 49</u>, Code of Federal Regulations Part 382 and Part 40). If you operate commercial motor vehicles, your drivers must be in a Controlled Substance and Alcohol Use and Testing program. You must have an alcohol and controlled substances testing program. Please attach evidence of your enrollment in a drug and alcohol testing program.

#### SAFETY RESPONSIBILITIES

List the person and position responsible for understanding and complying with the <u>Federal Motor Carrier Safety</u> <u>Regulations</u> (FMCSR) and Washington State Laws and commission rules (WAC) as described below. Please refer to the WAC rules, Fact Sheets and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements that may apply to your specific operations

COMMERCIAL DRIVER'S LICENSE (CDL) STANDARDS REQUIREMENT AND PENALTIES (Title 49, Code of Federal Regulations Part 383). If you operate commercial motor vehicles, your drivers must have a valid CDL.

DRIVER QUALIFICATION REQUIREMENTS: (Title 49, Code of Federal Regulations Part 391). Each of your drivers must meet minimum qualification requirements. You must maintain driver qualification files for each driver.

DRIVERS HOURS OF SERVICE (Title 49, Code of Federal Regulations Part 395). Each of your drivers must maintain hours of service logs. You must maintain true and accurate hours of service records for each driver.

INSPECTION, REPAIR AND MAINTENANCE (Title 49, Code of Federal Regulations Part 396). You must systematically inspect, repair, and maintain all motor vehicles.

PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION (Title 49, Code of Federal Regulations Part 393). You must maintain parts and accessories in a safe condition.

LIABILITY INSURANCE REQUIREMENTS (WAC 480-15-530). You must file and maintain proof of public liability and proper damage insurance (\$300,000 minimum coverage for vehicles under 10,000 pounds GVWR and \$750,000 minimum coverage for vehicles 10,000 pounds GVWR or more)

CARGO INSURANCE REQUIREMENTS (WAC 480-15-550). You must maintain cargo insurance coverage (\$10,000 for household goods transported in motor vehicles under 10,000 pounds GVWR and \$20,000 for vehicles 10,000 pounds GVWR or more).

Name:	Annavilla	1	Heath	Position: Owner
	1111, 1001110.3	C	7,00	

OPERATIONA	L RESPONSIBILITIES	
Annual Reports and Regulatory Fees (WAC 480	-15-480). You must annually	file a report of your
financial operations and pay regulatory fees.		
Name:	Position:	
Annavilla L. Heath	Owner	
STATE OF WASHINGTON – general laws, rules and r	regulations: Individuals and con	npanies doing business in
the State of Washington must comply with the regulation name and position of the person in your organic	ulations of local, state, and lede	or ensuring compliance
with the laws of the State of Washington, such as, I	but not limited to the Departme	ent of Labor and Industries
(industrial insurance, safety, prevailing wage); Depa	artment of Licensing (vehicle an	d drivers licenses, business
licensing. Unified Business Identifier (UBI number),	fuel permits, fuel tax; Secretary	of State (corporate
registrations); Department of Transportation (over-	-size or over-weight permits); D	epartment of Revenue,
Internal Revenue Service (taxes); and Employment	Security.	
Name:	Position	
Annavilla L. Heath	Owner	
If you would like to receive information about	new household goods carrier	s, check here
		6 "
	ON OF APPLICANT	
I understand that filing this application does not	in itself constitute authority to	operate as a household
goods mover.		
		s of a motor carrior and l
As the applicant for a household goods permit, I	understand the responsibilitie	sor a motor carrier and r
am in compliance with all local, state and federal	regulations governing busines	sses, melading nouseriord
goods movers, in the state of Washington.		
I understand that if the commission grants my ap	pplication as a new entrant I w	ill receive temporary
authority to provide service as a household good	s carrier on a provisional basis	for at least six months.
During this time, the commission will evaluate w	hether I have met the criteria	in WAC 480-15-305 to
obtain permanent authority. I also understand th	nat I must comply with all cond	litions placed on my
temporary permit and that failure to do so will re	esult in cancellation of my peri	nit.
		Common Co
My employees are sufficiently trained to comply	with commission rules regard	ing estimates, bills of
lading, rates and charges and terms and conditio	ns of household goods moves.	In addition, my
employees are sufficiently trained to comply with	h commission rules regarding v	renicle operation,
maintenance, and all other safety requirements.		by of the customer survey
to each customer for whom we provide transpor	tation service.	
I understand the commission will complete a crir	ninal background check on each	ch person named in the
application.		
присатот.		
I certify or declare under penalty of perjury under	r the laws of the State of Was	hington that the
information contained in this application is true a		
Annavilla L. Heath	or feather	4-80-15/Summer
Print name of applicant Sig	enature of Applicant	Date and Location





**Applicant Name:** 

#### ATTACHMENT A

#### HOUSEHOLD GOODS STATEMENT OF SUPPORT

Your application must include at least three shipper or public statements supporting the proposed household goods moving service. Shipper statements may come from persons or organizations with a need for household goods moving services, or who support your request for a permit to provide those services. These forms may be copied by you as needed.

Annavilla L Heath D.B. A. MIVEKS4U
The following must be completed by the Supporter of the applicant
Name, Title, and Business Name:  WAILY LAVE, MWAGE, BUCK Y'S  Address (include street address, mailing address, city, state, zip, and county):
701 37 TH ST. N.E. AUBURN, WA- 98002
Phone Number: 253-269-2144 253-833-4036 Strd.
Do you currently need the services of a residential household goods moving company?
No New If yes, please describe your current moving needs: They Po A GREAT JOB!
of come ABOUT THINGS THEY MOVE
Do you anticipate a future need for the services of a residential household goods moving company?  No Dives If yes, please describe your future moving needs:  NO SCRATCHINY, DENTINY  L'OVERED.  Briefly describe how granting this company a permit to provide household goods moving services in Washington State will benefit you, your business, and/or your community: Because They Do Ayoud JOB, We COULD DO BUSINESS WITH THEM WORKING ON TAXCES CCT
Is there anything else the Commission should consider when making a determination about this company's application for a household goods permit? YEAH I KNOW THEM & HAVE SEEN THEM BYAND ON THICK WORD & DO AYREAT JOB!
I certify (or declare) under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct. $H-23-2015$
Signature of Verson Completing Form Date and Location



## ATTACHMENT A

Exhibit No. \_\_\_ (DT-1) Docket TV-151116 Page 8 of 11

## HOUSEHOLD GOODS STATEMENT OF SUPPORT

Your application must include at least three shipper or public statements supporting the proposed household goods moving service. Shipper statements may come from persons or organizations with a need for household goods moving services, or who support your request for a permit to provide those services. These forms may be copied by you as needed.

Applicant Name: Annavilla L Heath D.B.A MUVEKSAU	
The following must be completed by the Supporter of the applicant	
Name, Title, and Business Name:  Charlie Your Owner MEJ Mar	Ł
Address (include street address, mailing address, city, state, zip, and county):  427	
Phone Number: 253 854 1141	
Do you currently need the services of a residential household goods moving company?  No XYes If yes, please describe your current moving needs:	
Move Services are better for consum	vers.
Do you anticipate a future need for the services of a residential household goods moving composition of the service of a residential household goods moving composition of the service of	oring compan
Briefly describe how granting this company a permit to provide household goods moving service State will benefit you, your business, and/or your community:  Having more company to raise higher having	
Is there anything else the Commission should consider when making a determination about this application for a household goods permit?	s company's
I certify (or declare) under penalty of perjury under the laws of the state of Washington that the and correct.	foregoing is true
Carrier 4-23-15 1	Kent WA
Signature of Person-Completing form  Date and Location	



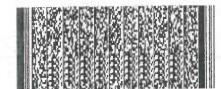
#### **ATTACHMENT A**

Exhibit No. (DT-1) Docket TV-151116 Page 9 of 11

## HOUSEHOLD GOODS STATEMENT OF SUPPORT

Your application must include at least three shipper or public statements supporting the proposed household goods moving service. Shipper statements may come from persons or organizations with a need for household goods moving services, or who support your request for a permit to provide those services. These forms may be copied by you as needed.

Applicant Name:
Annavilla L. Heath D.B.A. MOVERSAU
The following must be completed by the Supporter of the applicant
Name, Title, and Business Name:  Jordan A. Smith Gators handy man
Address (include street address, mailing address, city, state, zip, and county):
426 4th ST.SE. Auburn WA 98002
Phone Number. 253 - 709 - 2070
Do you currently need the services of a residential household goods moving company?
Do you currently need the services of a residential household goods moving company?  No TYes If yes, please describe your current moving needs: Moving from House  To Appartment Within one Month.
Do you anticipate a future need for the services of a residential household goods moving company?
□ No □ Yes If yes, please describe your future moving needs:
$^{\prime\prime}$
Briefly describe how granting this company a permit to provide household goods moving services in Washington
State will benefit you, your business, and/or your community:
State will benefit you, your business, and/or your community:  Its a good Company and its Going To Go far
Is there anything else the Commission should consider when making a determination about this company's
application for a household goods permit?
I certify (or declare) under penalty of perjury under the laws of the state of Washington that the foregoing is true
and correct.
1-28-2015
Signature of Person Completing Form Date and Location



## DEPARTMENT OF LICENSING.

PO Box 9038 - Olympia, Washington 98507-9038

## **Vehicle Title Application/Registration Certificate**

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License pla	2.5	1	W7924		04/29/2			200	2015	12	~	12	G	COM
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Seats	Gross weight		wt start	0	Gwt exp	0	rieet	Equipin	ent number			01404		CA
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RPT ID: ATITPR-4 VehicleTitlePage2 (R/8/14)E This document is not proof of ownership.

TD-420-801 (R/1-12) Page 1 of 2

OMB No. 2126-0013

U.S Department of Federal Motor Ca Safety Administra	rrier										CATION		PORT		
REASON FOR FI		(Check	k Only On		OUT OF BUSI	NESS NOT	RFICATION		REAP	PLICAT	TION (AFTER REVO	CATION C	F NEW EN	FRANT)	
1. NAME OF MOT ANNAVILLA L HI	OR CARRI	ER		and the second s			TRADE (		A. (DOING	BUSII	NESS AS) NAME	-			MARKET PROPERTY.
3. PRINCIPAL AD 1620 132ND AVE				4. CITY SUMNEI		1	STATE/F		E	and the second second second second	6. ZIP CODE + -	4 7. CC	OLONIA (M	EXICO ON	ILY)
8. MAILING ADDR 1620 132ND AVE		, , , , , , , , , , , , , , , , , , ,		9. CITY SUMNE	3		0. STATE		ICE	and the second second	11. ZIP CODE+ 98390	4 12. C	OLONIA (	MEXICO O	NLY)
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24. CARGO CLASS  A. GENERAL FREIGHT  B. HOUSEHOLD GOODS  C. METAL: SHEETS COILS; ROLLS  D. MOTOR VEHICL	G.	LOGS, POI BEAMS, LI BUILDING MATERIAL MOBILE H MACHINEI LARGE OF	LES. UMBER LS COMES	K. LIQ L. INT	ESH PRODUCE UJDS/GASES ERMODAL CONT. SSENGERS FIELD EQUIPMEN	R.	GRAIN, F COAL/CC MEAT GARBAG U.S. MAII	e, refu		W. F.	COMMODITIES DRY REFRIGERATED FOO BEVERAGES PAPER PRODUCTS UTILITY			NSTRUCTIO TER WELL HER	N
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[Service date August 18, 2015]

## BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application of	)	DOCKET TV-151116
HEATH, ANNAVILLA L. d/b/a MOVERS4U	)	NOTICE OF INTENT TO DENY APPLICATION FOR PERMANENT AUTHORITY
for a permit to operate as a motor carrier of household goods.	)	NOTICE OF OPPORTUNITY FOR HEARING
	)	

#### BACKGROUND

- On May 26, 2015, Annavilla L. Heath d/b/a Movers4U (Movers4U or Applicant) filed with the Washington Utilities and Transportation Commission (Commission) an application for authority to operate as a household goods carrier in the state of Washington (Application). Annavilla L. Heath, the company's owner, signed the Application.
- 2 RCW 81.80.075(3) requires the Commission to consider whether an applicant for a household goods carrier permit is fit to perform the services proposed and conform to the requirements, rules, and regulations of the Commission, and whether the operations are consistent with the public interest.
- The Commission will grant or deny an application for permanent authority after it conducts a complete review of the application, including supporting statements, reports, or other information necessary to determine fitness. Commission rules provide that the Commission may reject or deny an application for permanent authority if the Commission believes the applicant is unfit, or if issuing the permit is not in the public interest.
- An application must not contain any indication of fraud, misrepresentation, or erroneous information. The applicant must have no outstanding Commission-issued monetary penalties. The Commission also will not grant permanent authority if an applicant or any of its employees has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale or

<sup>&</sup>lt;sup>1</sup> WAC 480-15-302(2).

<sup>&</sup>lt;sup>2</sup> WAC 480-15-305(1)(f).

DOCKET TV-151116 PAGE 2

distribution of a controlled substance more than five years prior to the date of the application if the Commission determines that the nature or extent of the crime(s) will likely interfere with the proper operation of a household goods moving company.<sup>3</sup>

- If it is necessary to resolve outstanding issues or concerns related to fitness or the public interest, or any other issue resulting from a complaint or public comment, the Commission may hold a hearing or brief adjudicative proceeding on any application for permanent authority.<sup>4</sup>
- 6 Commission Staff (Staff) has reviewed the Application, and recommends that the Commission deny the Application for reasons set out below.

#### **FACTUAL ALLEGATIONS**

- Staff's review of Commission records produced a 2011 staff investigation of a non-permitted moving company called Northwest Moving Services, which was being operated by Larry E. Heath. Mr. Heath was found to be operating without a permit and ordered to attend a classification hearing. Mr. Heath failed to appear for the hearing, and on January 25, 2012, the Commission issued a default order in Docket TV-111943, assessing a \$5,000 penalty and ordering Larry Heath d/b/a Northwest Moving Services to cease and desist operations. Mr. Heath has not paid that penalty.
- Staff viewed Larry Heath's Facebook profile, which indicates that he married Annavilla Heath on or about July 8, 2013. His profile also included photographs posted on June 1, 2015, of unmarked moving trucks. One photograph had a caption reading, "Our most used trucks out almost every day!" Another photograph shows eight moving trucks parked in front of 1620 132<sup>nd</sup> Ave. E., Sumner, Washington, the personal residence of Larry and Annavilla Heath and the business address provided by Annavilla Heath in the Application.
- Staff located a third photograph posted on June 1, 2015, with the caption, "The 3 'Big Boys' Our true Money makers!" One of the trucks has a visible Washington state license plate of C45851B. Staff obtained the vehicle registration information for this truck from the Department of Licensing, and the truck is registered to Larry E. Heath at 1620 132<sup>nd</sup> Ave. E., in Sumner, Washington.
- On July 28, 2015, Staff generated a Washington Access to Criminal History (WATCH) report, issued by the Washington State Patrol Identification and Criminal History Section

<sup>&</sup>lt;sup>3</sup> WAC 480-15-305(2).

<sup>&</sup>lt;sup>4</sup> WAC 480-15-350.

DOCKET TV-151116 PAGE 3

for Larry E. Heath. Mr. Heath has a felony conviction for domestic violence on August 31, 2010. Mr. Heath also has a domestic violence conviction in March 2006, and a second degree theft conviction in June 2005. Staff believes that the nature of these crimes would likely interfere with the proper operation of a household goods moving company.

Staff recommends the Commission deny the Application because it fails to accurately represent the company. Annavilla Heath listed herself as the sole owner of Movers4U, but the available information indicates that her husband also owns the company or is otherwise involved in its operations. Staff believes that the Applicant misrepresented the company by intentionally omitting this information because of Larry Heath's criminal history and the outstanding penalty the Commission assessed in 2011 for operating as a household goods moving company without a permit. Staff contends that this conduct and Mr. Heath's involvement in the company demonstrate that the Applicant has failed to meet the fitness requirements to operate as a household goods moving company.

#### DISCUSSION

- The Commission agrees with Staff's recommendation and intends to deny the Application. The information Staff has discovered indicates that Larry Heath is involved in the ownership or operations of Movers4U, which Annavilla Heath did not disclose in the Application. Mr. Heath's involvement, moreover, renders the company unfit to operate as a household goods moving company because of his criminal history and his failure to comply with the Commission's 2011 cease and desist order assessing a \$5,000 penalty for operating without a permit.
- Staff's findings support the conclusion that issuing the permit is not in the public interest, and the Commission should deny the Application.

#### NOTICE

- The Commission hereby provides notice of its intention to deny Movers4U's Application for permanent authority for failure to meet the application requirements in RCW 81.80 and WAC 480-15.
- NOTICE OF OPPORTUNITY FOR HEARING. Movers4U may request a hearing to contest the factual allegations set out in this notice. Movers4U may request such a hearing by filing a written request for a hearing with the Commission by September 2, 2015. An original and five (5) paper copies of the request must be directed to the attention of Steven V. King, Acting Executive Director and Secretary, Washington

DOCKET TV-151116 PAGE 4

Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, and must reference Docket TV-151116.

If Movers4U requests a hearing by **September 2, 2015**, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If Movers4U does not request a hearing by that date, the Commission will enter an order rejecting the Application.

DATED at Olympia, Washington, and effective August 18, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING Executive Director and Secretary August 20, 2015

Attention: Steven V. King

**Acting Executive Director and Secretary** 

Washington Utilities and Transportation Commission

P.O.Box 47250

Olympia, WA 98504-7250

STATE OF WASS

RECORDS MANAGEMENT

Re: Docket - TV-151116

May I request a hearing to appeal the intent to deny a household goods moving permit for Movers4u.

Respectfully,

Annavilla L. Heath

#### **MEMORANDUM**

To:

David Pratt, Assistant Director

Transportation Safety

From:

Sharon Wallace, Assistant Director

**Consumer Protection and Communications** 

Date:

Aug. 11, 2015

Subject:

Research and recommendation regarding application for a household goods

permit for Heath, Annavilla L. d/b/a Movers4U.

- On May 26, 2015, commission staff received a household goods permit application for Heath, Annavilla L. d/b/a Movers4U. The application listed Annavilla L. Heath as the sole owner of the business and a physical address of 1620 132<sup>nd</sup> Ave. E., Sumner, WA. The docket number for this application is TV-151116
- A search of the Washington Department of Revenue's Business Licensing Services produced a record for UBI# 603491683, issued July 8, 2015. The entity has a registered trade name of Movers4U and is governed by Annavilla Lozada Heath. The address is the same as the permit application, 1620 132<sup>nd</sup> Ave. E., Sumner, WA.
- A review of commission records produced a 2011 staff investigation of a non-permitted moving company called Northwest Moving Services, which was being operated by a Larry E. Heath. Mr. Heath was found to be operating without a permit and ordered to attend a classification hearing. Mr. Heath failed to appear for the hearing, and on Jan. 25, 2012, the commission issued a default order in Docket TV-111943, assessing a \$5,000 penalty and ordering Larry Heath, d/b/a Northwest Moving Services to cease and desist operations. Mr. Health failed to pay the assessed penalty and it was sent to collections on May 15, 2012.
- Staff reviewed Larry Heath's Facebook profile and determined that he married Annavilla Heath on or about July 8, 2013. Staff was unable to locate a marriage record in Washington state, however, a photograph of the wedding ceremony was found on Larry Heath's Facebook profile.<sup>2</sup>
- Staff located a photograph posted on Larry Heath's Facebook profile with several unmarked moving trucks. The photograph was posted on June 1, 2015, with the caption, "Our ever growing business! Trucks #7 & 8!! Thanks Lord for the blessings! Time to have a great season!"
- Staff located additional photographs of unmarked moving trucks on Mr. Heath's Facebook profile. The photos were posted on June 1, 2015, with one of the captions reading, "Our most used trucks out almost every day!" The other photograph shows eight moving trucks parked in front of 1620 132<sup>nd</sup> Ave. E., Sumner, WA. This is the

<sup>&</sup>lt;sup>1</sup> See Attachment A for copy of Business License registration for Movers4U, from Department of Revenue website.

<sup>&</sup>lt;sup>2</sup> See Attachment B for Larry Heath's Facebook post from July 8, 2013, which was last viewed on July 31, 2015.

<sup>&</sup>lt;sup>3</sup> See Attachment C for Larry Heath's Facebook post from June 1, 2015, printed on Aug. 7, 2015.

<sup>&</sup>lt;sup>4</sup> See Attachment D for Larry Heath's Facebook post from June 1, 2015, printed on Aug. 7, 2015.

- personal residence of Annavilla Heath and her husband Larry Heath. It is also the business address provided by Annavilla Heath on her household goods application.
- Staff located a third photograph posted on June 1, 2015, with the caption, "The 3 'Big Boys' Our true Money makers!" One of the trucks has a visible Washington state license plate of C45851B. Staff obtained the vehicle registration information for this truck from the Department of Licensing. The truck is registered to Larry E. Heath at 1620 132<sup>nd</sup> Ave. E., in Sumner, WA.<sup>6</sup>
- On July 28, 2015, staff generated a WATCH report through the Washington State Patrol for Larry E. Heath. Mr. Heath has a felony conviction for domestic violence on Aug. 31, 2010. Mr. Heath also has a domestic violence conviction in March 2006, and a second degree theft conviction in June 2005.

#### **Findings**

- Annavilla L. Heath is listed as the sole owner of Movers4U on the May 26, 2015, household goods application submitted to the commission.
- Records located in the Department of Revenue database indicate that Annavilla L. Heath is the sole governing person of Movers4U.
- Annavilla L. Heath is married to Larry E. Heath on or about July 8, 2013. Larry E. Heath
  was the subject of a 2011 staff investigation of a non-permitted moving company called
  Northwest Moving Services.
- On Jan. 26, 2012, in Docket TV-111943, Mr. Heath was found to be operating without a permit and a default cease and desist order assessing a \$5,000 penalty was imposed. Mr. Heath failed to pay the assessed penalty and it was sent to collections on May 15, 2012.
- On Aug. 31, 2010, Larry Heath was convicted of domestic violence. This offense is within the five-year conviction window for offenses outlined in WAC 480-15-302(8)(a).
   Mr. Heath also has two other felony convictions since 2005, one for domestic violence in 2006, and one for second degree theft in 2005.
- On June 1, 2015, Larry Heath posted multiple pictures on his Facebook profile with as many as eight moving trucks. Mr. Heath also made multiple references that the trucks are currently operational and being used to transport household goods.
- One of the trucks identified on Mr. Heath's Facebook profile is registered to Larry Heath at the current business address of Movers4U.

#### Recommendation

Annavilla Heath submitted an application on May 26, 2015, listing herself as the sole owner of Heath, Annavilla L. d/b/a Movers4U. Staff believes that Annavilla Heath's husband, Larry Heath, is also an owner of the company. Staff believes Mr. Heath's involvement in the company was purposely omitted because Larry Heath's criminal history is in conflict with the commission's fitness requirements. In addition, Mr. Heath has an outstanding \$5,000 penalty from a 2011 default cease and desist order that must be paid before he can receive a permit as required by WAC 480-15-305(f). Staff recommends the commission deny permanent authority of Movers4U, based on WAC 480-15-305(a), which states the applicant has met all of the

<sup>&</sup>lt;sup>5</sup> See Attachment E for Larry Heath's Facebook post from June 1, 2015, printed on Aug. 7, 2015.

<sup>&</sup>lt;sup>6</sup> See Attachment F for vehicle registration from the Department of Licensing.

<sup>&</sup>lt;sup>7</sup> See Attachment G for July 28, 2015, WATCH report transcript for Larry E. Heath.

Exhibit No. \_\_\_ (DT-4) Docket TV-151116 Page 3 of 11

criteria required for a provisional permit as described in WAC 480-15-302. Staff believes that Movers4U failed to meet the requirements of WAC 480-15-302(2), which states that an application does not contain any indication of fraud, misrepresentation, or erroneous information.

#### Attachment A

State of Washington **Business Licensing Service**  Centact us | Forms | About us

Start your business | Change or update your business information | How to renew your license

#### Search Business Licenses

License Information:

Entity Name: ANNAVILLA LOZADA HEATH

Business Name: MOVERS4U

License Type: Washington State Business

Entity Type: Sole Proprietor

UBI: 603491683 Business ID:001 Location ID:0001

Status: To check the status of this business, go to Department of Revenue

**Location Address:** 1620 132ND AVE E SUMNER, WA, 98390-9638 Mailing Address:

1620 132ND AVE E SUMNER, WA, 98390-9638

Status

**Expires** 

First Issued

Licenses Held at this location

Sumner General Business

Active

03/31/2016

07/08/2015

Governing People: ANNAVILLA LOZADA HEATH

Information Current as of 08/05/2015 8:44AM Pacific Time

New Search

This site is limited to searching for business licenses issued through the Washington State Business Licensing Service.

Contact us | Forms | About us | Privacy

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AccessWashing

## Washington State Department of Revenue State Business Records Database Detail

TAX REGISTRATION NO: 603491683

ACCOUNT OPENED: 3/1/2015 12:00:00 AM

UBI:

603491683

**ENTITY NAME:** 

**HEATH ANNAVILLA L** 

**BUSINESS NAME:** 

**HOVERS4U** 

MAILING ADDRESS:

1620 132ND AVE E

**BUSINESS LOCATION:** 1620 132ND AVE E

ACCOUNT CLOSED: OPEN

SUMNER, WA 98390-9638 **SUMNER, WA 98390-9638** 

**ENTITY TYPE: SOLE PROPRIETOR** 

RESELLER PERMIT NO: N/A

PERMIT EFFECTIVE:

N/A

**NAICS CODE: 484210** 

PERMIT EXPIRES:

N/A

NAICS DEFINITION USED HOUSEHOLD AND OFFICE

GOODS MOVING

FOR NON-COMMERCIAL USE ONLY

8/5/2015 10:57 AM

#### Attachment B



## The happiest day of my life!



Share

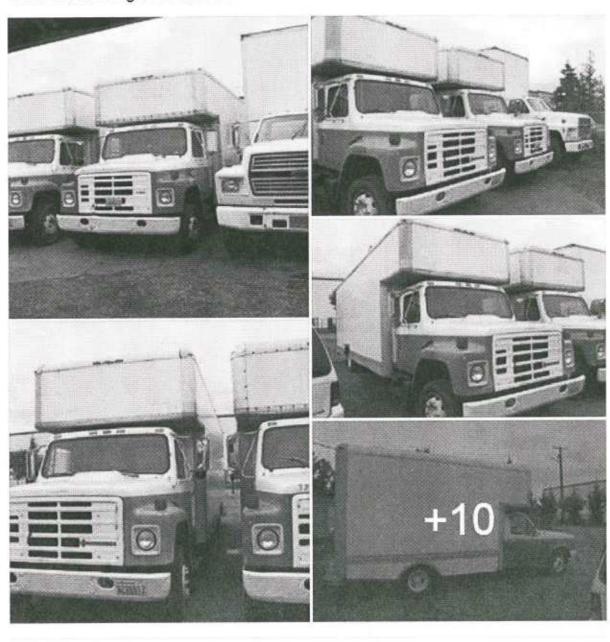
#### Attachment C



Larry Heath added 14 new photos.

June 1 - 🕙

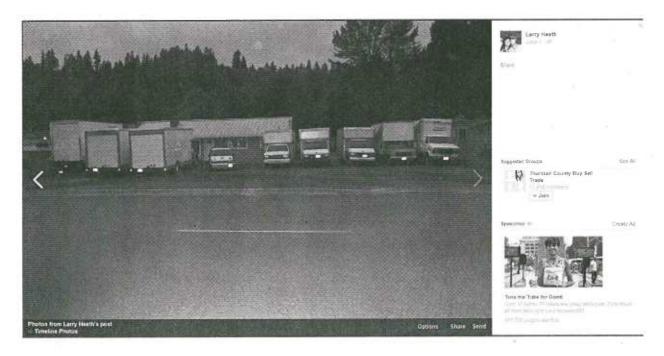
Our ever growing business! Trucks # 7 & 8 !! Thanks Lord for the blessings! Time to have a great season!





#### Attachment D





## Attachment E



#### Attachment F

MADIC45851B LIC: 0458518 EXP-DT: 08081015 18808-DT: 081014 TR/MR: 1080/HAV PYTHERIDORM DEPRIZ TAX: VER/VOR: 2014 DE1485. HERDEN/ROHTSTOK MODIFER RDICO MCALE: 11640 GMT: 018000 MG: 12 GWT-EXP: 08082010 GWWR:0 TL:1424041709 DEJ: CO/AG:11 19 XFEED::08282014 SPCL LIG: VIN:1877HTRK9KH674639 REGISTERED OWNER: TARE IN HISSESTY 15 HEATH, LARRY E PARTY TAR NOT AVAIL 1620 122ND AVE E LTC INVALID-SEE C1002SE SCHOKER WA 982909638 CENTERNITAL PLATE COLORI MHITE LEGAL DENERS SAME AS REGISTERED OWNER ABOVE COR. COUNTER TREY RECO CHIER OF MAIL ACCRECA TITLE #: #DT/DATE: 00/00/0000 #DT/DATE: 00/00/0000 CUES VIE DREY VIEW DATE: 05/16/2015 TIME: 13:06 PLATE: 0458518 VERTCLE BRANDS INCIDENT DATE SCORE JUSTS EMECRIPATION

#### Attachment G

WATCH Profile Management - Washington State Patrol

Tuesday, July 28, 2015



#### Web Search Transcript

Washington State Patrol Identification and Criminal History Section P.O. Box 42633 Olympia, Washington 98504-2633 Telephone (360) 534-2000

This report was generated from a transaction run on 07/28/2015 at 09:04 Conviction Criminal History RCW 10.97.050(1)

Pursuant to the purpose of inquiry, A possible match was found in the Washington State Criminal History Repository based on the descriptors provided: HEATH, LARRY E DOB 07/20/1962 SEX M RAC U

WASHINGTON STATE CRIMINAL HISTORY RECORD FOR SID/WA12009993 MASHINGTON STATE PAPROL IDENTIFICATION AND CRIMINAL HISTORY SECTION P.O. BOX 42633 OLYMPIA, WASHINGTON 98504-2633

CRIMINAL HISTORY INFORMATION AS OF 07/28/2015 \_\_\_\_\_\_\_\_

#### NOTICE

THE FOLLOWING TRANSCRIPT OF RECORD IS FURNISHED FOR OFFICIAL USE ONLY. SECONDARY DISSEMINATION OF THIS CRIMINAL HISTORY RECORD INFORMATION IS PROBLIBITED UMLESS IN COMPLIANCE WITH THE WASHINGTON STATE CRIMINAL RECORDS PRIVACY ACT, CHAPTER 10.97 RCW.

POSITIVE IDENTIFICATION CAN ONLY BE BASED UPON FINGERPRINT COMPARISON, BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED FOR SUBSEQUENT USE. WHEN EXPLANATION UP A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT SUPPLIED THE INFORMATION TO THE WASHINGTON STATE PATROL.

THIS CONVICTION RECORD INCLUDES INFORMATION FOR WHICH A PERSON IS CURRENTLY BEING PROCESSED BY THE CRIMINAL JUSTICE SYSTEM.

MASTER INFORMATION

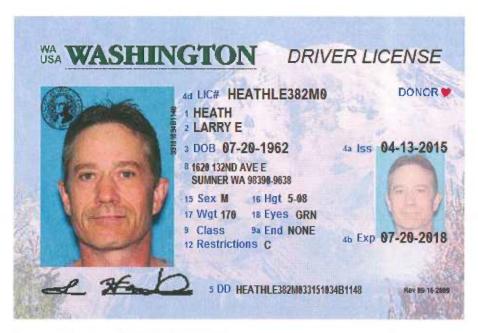
NAME: HEATH, CRAIG E SID NUMBER: #A12089993

008: 07/20/1962

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***			*******		WA	
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HEATH, LARRY F						
HEATH, LARRY E	UGENE					
LARSON, CRAIG	E					
LARSON, CRAIG	H					
LARSON, CRAIG	HEATH					
	*******	******			*********	********
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					MDING SOMMAS	
FELONY(S)						DISPOSITIO
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ASSAULT					ASS C FELONY	03/27/21
THEFT-2					ASS C FELONY	06/17/20
6 GROSS MISDE						
	C VIOL CO		AIOF			08/31/2
	C VIOL CO					08/31/2
DOMEST	C VIOL CO	OURT ORD	VIOL			10/20/2
COMEST	C VIOL CO	ORT ORD	VIOL			07/09/2
ASSAULT	7-4					09/15/1
SIMPLE	ASSAULT					12/30/1
2 MISDEMEANOR						
			OR REVOKE			10/24/1
			OR REVOKE	0-3		10/24/1
7 CLASSIFICAT						07/21/2
	C AIOT CO		VIOL			02/03/2
	DUS MISCH	r.23				08/04/1
ASSAULT		ung werabe	ON VIOLAT	ION		09/15/1
	ME FISH 1			a 1969		11/25/1
	AME FISH Y					11/25/1
	VIOLATION					12/30/1
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*********	******		******			
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BURGLARY-2					DAMITMENT	05/14/19
TAKING MOTOR	VEHICLE (	THOUT	PERMISSIO	N C	THENT	05/14/19
*********			*******	******		********
			MINAL HIS			
					**********	



## **Department Of Licensing – IDL System**



Picture Number: HEATHLE382M0 Control Number: 33151034B1148

Name: HEATH, LARRY E

Production Status: Mailed – 04–17–2015

Issue Date: 04-13-2015

Report Date: Jul 27, 2015 1:26:32 PM

Exhibit No. (DT-7) Docket TV-151116 Page 1 of 1

LIC: C45851B EXP-DT: 08282015 ISSUE-DT: 082014 YR/MK: 1989/NAV

P/USE:DCOM DEPR:2 TAX: VYR/VCDE:2014 001485. SERIES:BOXTRUCK MOD:6LP BT:CC

SCALE: 11640 GWT: 018000 MG: 12 GWT-EXP: 08282015 GVWR:5 TL:1424041709

DRJ: CO/AG:17 18 XFERDT:08282014 SPCL LIC:

VIN: 1HTJUZRK9KH674639

REMARKS:

REGISTERED OWNER:

TAB# IS M596877 15 HEATH, LARRY E

PREV TAB NOT AVAIL 1620 132ND AVE E

LIC INVALID-SEE C10220E SUMNER . WA 983909638

CENTENNIAL PLATE

COLOR: WHITE

LEGAL OWNER:

SAME AS REGISTERED OWNER ABOVE

CUR ODOMETER PREV REGIS OWNER OPT MAIL ADDRESS

E

CURR VIN:

TITLE #:

SOT/DATE: 00/00/0000 SOT/DATE: 00/00/0000

PREV VIN:

TITLE #: 501/DATE: 07/16/2015 TIME: 13:06 PLATE: C45851B VEHICLE BRANDS

JURIS DESCRIPTION

INCIDENT DATE SOURCE



## The happiest day of my life!



Share

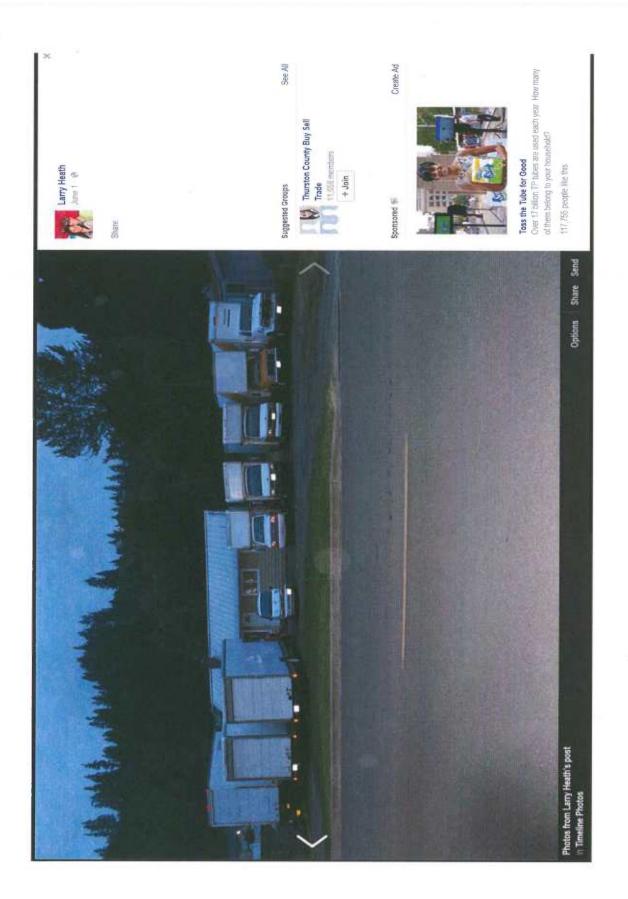
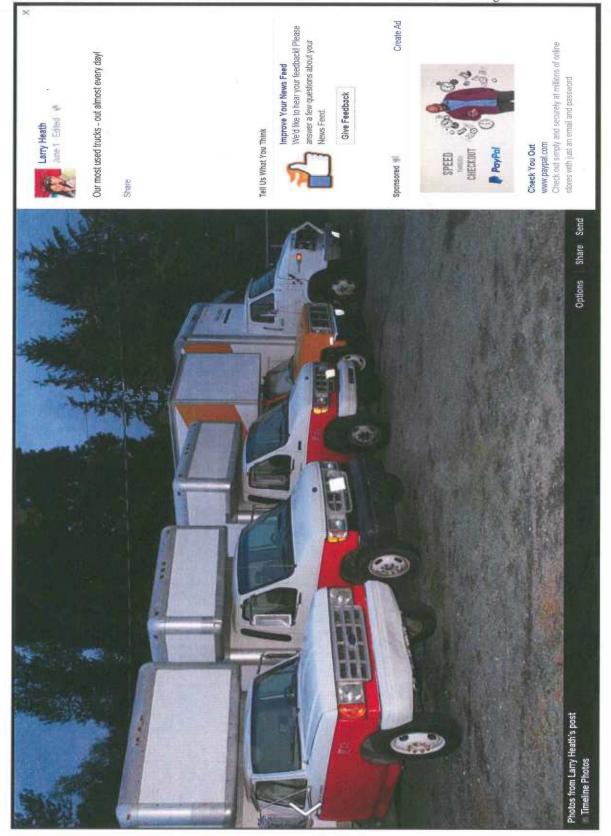


Exhibit No. \_\_\_ (DT-10) Docket TV-151116 Page 1 of 1





## Larry Heath added 14 new photos.

June 1 · 🔞

Our ever growing business! Trucks # 7 & 8 !! Thanks Lord for the blessings! Time to have a great season!







# BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper Carrier Classification of, and Complaint	) DOCKET TV-111943
for Penalties against:	ORDER 02
HEATH, LARRY d/b/a NORTHWEST MOVING SERVICES aka SEATTLE MOVING SERVICES	initial order classifying respondent as household goods carrier; ordering respondent to cease & Desist; and imposing Penalties; default order
	/

## INTRODUCTION

- Synopsis. This is an Administrative Law Judge's Initial Order that is not effective unless approved or allowed to become effective as described in the notice at the end of this Order. If this Initial Order becomes final, the Commission will find Larry Heath d/b/a Northwest Moving Services aka Seattle Moving Services in default for failing to appear at the hearing. In addition, if this Initial Order becomes final, Larry Heath d/b/a Northwest Moving Services aka Seattle Moving Services will be classified as a household goods carrier, assessed a financial penalty in the amount of \$5,000 for five (5) violations of RCW 81.80.075(1), and required to cease and desist from operating as a household goods carrier without first obtaining a permit from the Commission.
- Nature of Proceeding. The Washington Utilities and Transportation Commission (Commission) initiated this special proceeding to determine whether Larry Heath d/b/a Northwest Moving Services aka Seattle Moving Services (Larry Heath), has engaged, and continues to engage, in business as a common carrier for transportation of household goods for compensation within the state of Washington without possessing the permit required for such operations.
- Procedural History. On December 13, 2011, the Commission entered Order 01, Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; and Notice of Hearing, pursuant to RCW 81.04.510, initiating this docket on its own motion. The Complaint alleges that Larry Heath violated RCW 81.80.075(1) by:

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- (1) offering on at least one occasion to transport household goods within the state of Washington
- (2) advertising household goods moving services within the state of Washington on at least four occasions,

without the necessary permit required for such operations. On the same date, the Commission issued a *Subpoena and Subpoena Duces Tecum For Production of Documents* (Subpoenas) to the company commanding Larry Heath to appear before the Commission at a special proceeding scheduled to convene at 9:30 a.m. on January 25, 2012, in the Commission's offices at 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and to bring the documents specified in the *Subpoenas*.

- On December 21, 2011, the Commission personally served (via legal messenger) the Complaint and Order Initiating Special Proceeding and Subpoenas on Larry Heath in Seattle, Washington.
- Hearing. On January 25, 2012, the hearing convened, as scheduled, in Olympia, Washington, before Administrative Law Judge Martin Lovinger. Commission Staff was the only party appearing at the hearing. Commission Staff moved for default pursuant to RCW 34.05.440(2) and WAC 480-07-450. Commission Staff also requested that it be allowed to present a prima facie case demonstrating that Larry Heath was operating as a household goods carrier without the required permit being issued by the Commission.
- RCW 34.05.440(2) allows the presiding officer discretion to enter a "default or other dispositive order" if a party fails to appear at the hearing. Based on the failure of Larry Heath to appear or otherwise comply with the Commission's subpoenas, the Administrative Law Judge granted Commission Staff's request to enter a default order and to allow for presentation of its case.
- Commission Staff presented the testimony of one witness, Ms. Charity Thompson.
  Commission Staff provided a brief summary oral argument at the close of the hearing.
- Initial Order. The presiding administrative law judge finds Larry Heath in default pursuant to RCW 34.05.440(2) and WAC 480-07-450(1). Further, the presiding administrative law judge finds that Larry Heath is operating as a household goods carrier without a permit. Further, the presiding administrative law judge orders Larry Heath to

PAGE 3

pay a \$5,000 penalty for five (5) violations of RCW 81.80.075(1). Finally, the presiding administrative law judge orders Larry Heath to cease and desist from future unauthorized operations.

9 Appearances. Charity Thompson, Compliance Investigator, Olympia Washington, represents Commission Staff.

#### **MEMORANDUM**

#### A. Default

- The Complaint and Order Instituting Special Proceeding includes a notice that any party who fails to attend or participate in the hearing may be held in default in accordance with the terms of RCW 34.05.440 and WAC 480-07-450. RCW 34.05.440(2) provides: "If a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding ... the presiding officer may serve upon all parties a default or other dispositive order, which shall include a statement of the grounds for the order." WAC 480-07-450(1) provides that that the Commission may find a party in default if the party fails to appear at the time and place set for a hearing.
- The Subpoenas include language ordering Larry Heath to appear for the hearing and produce specified documents in compliance with subpoena powers granted to the Commission in RCW 34.05.446 and RCW 81.04.510.
- At the time of the hearing, the Commission had served Larry Heath with the Complaint and Order Instituting Special Proceeding and Subpoenas by personal service upon Larry Heath, owner of Northwest Moving Services aka Seattle Moving Services.
- Decision. Larry Heath was properly and legally served with the Complaint and Order Instituting Special Proceeding and Subpoenas and provided due and proper notice of the January 25, 2012, hearing. Larry Heath did not appear at the hearing and is hereby held in default. Further, Larry Heath did not comply with the Subpoenas; he failed to appear and also failed to produce or otherwise provide any of the specified documents.

RCW 34.05.440(3) states: "Within seven days after service of a default order under subsection (2) of this section ... the party against whom it was ordered may file a written motion requesting that the order be vacated, and stating the grounds relied upon." A notice appearing at the end of this order provides instructions for filing such a motion with the Commission.

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## B. Operating as a Household Goods Carrier Without Authority.

Applicable Law. RCW 81.80.010(5) defines "household goods carrier" as

a person who transports for compensation, by motor vehicle within this state, or who advertises, solicits, offers, or enters into an agreement to transport household goods.

RCW 81.80.070 prohibits household goods carriers from operating for compensation in Washington without first obtaining the required permit from the Commission. Upon proof of unauthorized operations, RCW 81.04.510 authorizes the Commission to order the unpermitted company to cease and desist its activities. Additionally, RCW 81.04.110 authorizes the Commission to file a complaint on its own motion setting forth any act or omission by a company that violates any law, or any order or rule of the Commission.

- RCW 81.80.075(4) subjects persons who engage in business as a household goods carrier in the state of Washington without the required permit to a penalty of up to \$5,000 for each violation. In deciding the penalty amount to be imposed per violation, RCW 81.80.075(4)(b) requires the Commission to consider two factors: (a) willingness to comply with the provisions of RCW 81.80.070 and the rules governing household goods carriers contained in WAC 480-15 and (b) compliance history.
- In a proceeding initiated under RCW 81.05.510, the responding company has the burden of proving that its alleged operations are not subject to the provisions of RCW 81.80.070.
- If the company is found to be operating as a household goods carrier without the required permit, the Commission is authorized and directed to enter an order requiring the corporation to cease and desist activities subject to regulation under Title 81.
- The evidence in this matter unquestionably demonstrates that Larry Heath has offered and advertised to engage in the business of moving household goods without a permit.
- Ms. Charity Thompson, a compliance investigator with the Commission, testified
   concerning her investigation into the operations and business practices of Larry Heath.
   Ms. Thompson prepared a declaration summarizing her investigation, with appendices

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documenting her investigation. Ex. 1.

- The Commission has never received a permit application from Northwest Moving Services aka Seattle Moving Services or from its owner, Larry Heath.
- Decision. By failing to appear at the hearing held on January 25, 2012, Larry Heath has also failed to meet the burden of proving that its business operations are not subject to the provisions of RCW 81.80.070. The evidence presented by Commission Staff through exhibits and witness testimony establishes that Larry Heath has engaged in business as a household goods carrier without the necessary permit required by RCW 81.80.070.

## FINDINGS OF FACT

- 22 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with authority to regulate persons engaged in the business of transporting household goods for compensation over public roads in Washington.
- On at least one occasion, Larry Heath offered to transport household goods within the state of Washington without first having obtained a household goods carrier permit from the Commission.
- On at least four occasions, Larry Heath advertised to transport household goods without first having obtained a household goods carrier permit from the Commission.
- 25 (4) Larry Heath failed to comply with the Subpoenas properly served.
- 26 (5) Larry Heath failed to appear at the hearing convened on January 25, 2012, pursuant to notice that was properly served.

## **CONCLUSIONS OF LAW**

27 (1) The Washington Utilities and Transportation Commission has jurisdiction over the subject matter of this proceeding and over Larry Heath, pursuant to RCW

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81.04.510, RCW 81.80.010, and RCW 81.80.070.

- 28 (2) Pursuant to RCW 34.05.440(2), Larry Heath is held in default for failing to appear at the January 25, 2012, hearing.
- 29 (3) Larry Heath offered to perform household goods moving services without first having obtained a permit from the Washington Utilities & Transportation Commission, in violation of RCW 81.80.070.
- Larry Heath advertised to perform household goods moving services without first having obtained a permit from the Washington Utilities & Transportation Commission, in violation of RCW 81.80.070.
- Larry Heath is classified as a common carrier of household goods within the state of Washington, pursuant to RCW 81.80.010(4) and WAC 480-15-020.
- The Commission is directed by RCW 81.04.510 to order Larry Heath to cease and desist from conducting operations requiring permit authority unless or until the required authority is obtained from the Commission.

## **ORDER**

## THE COMMISSION ORDERS:

- 13 (1) Larry Heath is held in default. Should Larry Heath fail to respond to this Order by filing written motion within seven (7) days requesting that the order be vacated pursuant to RCW 34.05.440(3), the default in this proceeding shall remain in place.
- Larry Heath is classified as a common carrier of household goods within the state of Washington.
- 35 (2) Larry Heath is ordered to immediately cease and desist operations as a household goods carrier within the state of Washington.
- 36 (3) Larry Heath is assessed a penalty of \$5,000, payable immediately.

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The Commission retains jurisdiction over the subject matter and the parties to this proceeding to effectuate the terms of this Order.

DATED at Olympia, Washington, and effective January 25, 2012.

MARTIN LOVINGER

Martin Laringer

Administrative Law Judge

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#### NOTICE TO THE PARTIES

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

WAC 480-07-825(2) provides that any party to this proceeding has twenty (20) days after the entry of this initial order to file a *Petition for Administrative Review*. Section (3) of the rule identifies what you must include in any petition as well as other requirements for a petition. WAC 480-07-825(4) states that any party may file an *Answer* to a Petition for review within (10) days after service of the petition.

WAC 480-07-830 provides that before the Commission enters a final order any party may file a petition to reopen a contested proceeding to permit receipt of evidence essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. The Commission will not accept answers to a petition to reopen unless the Commission requests answers by written notice.

RCW 80.01.060(3), as amended in the 2006 legislative session, provides that an initial order will become final without further Commission action if no party seeks administrative review of the initial order and if the Commission fails to exercise administrative review on its own motion. You will be notified if this order becomes final either by operation of law or on administrative review.

You must serve on each party of record one copy of any Petition or Answer filed with the commission, including proof of service as required by WAC 480-07-150(8) and (9). To file a Petition or Answer with the Commission, you must file an original and **three (3)** copies of your Petition or Answer by mail delivery to:

Attn: David W. Danner, Executive Director and Secretary Washington Utilities and Transportation Commission P.O. Box 47250
Olympia, Washington 98504-7250

Tuesday, July 28, 2015



# Web Search Transcript

Washington State Patrol
Identification and Criminal History Section
P.O. Box 42633
Olympia, Washington 98504-2633
Telephone (360) 534-2000

This report was generated from a transaction run on 07/28/2015 at 09:04 Conviction Criminal History RCW 10.97.050(1)

Pursuant to the purpose of inquiry, A possible match was found in the Washington State Criminal History Repository based on the descriptors provided: **HEATH,LARRY E DOB 07/20/1962 SEX M RAC U** 

WASHINGTON STATE CRIMINAL HISTORY RECORD FOR SID/WA12009993

WASHINGTON STATE PATROL

IDENTIFICATION AND CRIMINAL HISTORY SECTION
P.O. BOX 42633

OLYMPIA, WASHINGTON 98504-2633

CRIMINAL HISTORY INFORMATION AS OF 07/28/2015

#### NOTICE

THE FOLLOWING TRANSCRIPT OF RECORD IS FURNISHED FOR OFFICIAL USE ONLY. SECONDARY DISSEMINATION OF THIS CRIMINAL HISTORY RECORD INFORMATION IS PROHIBITED UNLESS IN COMPLIANCE WITH THE WASHINGTON STATE CRIMINAL RECORDS PRIVACY ACT, CHAPTER 10.97 RCW.

POSITIVE IDENTIFICATION CAN ONLY BE BASED UPON FINGERPRINT COMPARISON. BECAUSE ADDITIONS OR DELETIONS MAY BE NADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED FOR SUBSEQUENT USE. WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT SUPPLIED THE INFORMATION TO THE WASHINGTON STATE PATROL.

THIS CONVICTION RECORD INCLUDES INFORMATION FOR WHICH A PERSON IS CURRENTLY BEING PROCESSED BY THE CRIMINAL JUSTICE SYSTEM.

MASTER INFORMATION

NAME:

HEATH, CRAIG E

DOB:

07/20/1962

SID NUMBER: WA12009993

DOC NUMBER: 282320 \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* PERSON INFORMATION RACE HEIGHT WEIGHT EYES HAIR PLACE OF BIRTH CITIZENSHIP 508 170 HAZ BRO ID US WA OTHER NAMES USED OTHER DATES OF SOC SEC MISC NUMBER HEATH, CRAIG EUGENE BIRTH USED NUMBER HEATH, LARRY E HEATH, LARRY EUGENE LARSON, CRAIG E LARSON, CRAIG H LARSON, CRAIG HEATH CONVICTION AND/OR ADVERSE FINDING SUMMARY \*\*\*\*\*\*\*\*\*\*\*\*\* DISPOSITION DATE 3 FELONY(S) CLASS C FELONY 08/31/2010 ASSAULT-3 ASSAULT-3 CLASS C FELONY 03/27/2006 THEFT-2 CLASS C FELONY 06/17/2005 6 GROSS MISDEMEANOR(S) DOMESTIC VIOL COURT ORD VIOL 08/31/2010 DOMESTIC VIOL COURT ORD VIOL 08/31/2010 DOMESTIC VIOL COURT ORD VIOL 10/20/2008 07/09/2008 DOMESTIC VIOL COURT ORD VIOL ASSAULT-4 09/15/1995 SIMPLE ASSAULT 12/30/1981 2 MISDEMEANOR(S) DRIVING WHILE LIC SUSP OR REVOKED-3 10/24/1997 DRIVING WHILE LIC SUSP OR REVOKED-3 10/24/1997 7 CLASSIFICATION(S) UNKNOWN DOMESTIC VIOL COURT ORD VIOL 07/21/2004 02/03/2004 MALICIOUS MISCHIEF-3 08/04/1999 ASSAULT 09/15/1995 FIREARMS/DANGEROUS WEAPON VIOLATION 11/25/1987 GAME/GAME FISH VIOLATION 11/25/1987 GAME/GAME FISH VIOLATION LIQUOR VIOLATION 12/30/1981 DOC SUMMARY ASSAULT-3 COMMITMENT 09/21/2010 BURGLARY-2 COMMITMENT 05/14/1982 TAKING MOTOR VEHICLE WITHOUT PERMISSION COMMITMENT 05/14/1982 CRIMINAL HISTORY INFORMATION \*\*\*\*\*\*\*\*\*\*\*\*\* THE ARRESTS LISTED MAY HAVE BEEN BASED ON PROBABLE CAUSE AT THE TIME OF ARREST OR ON A WARRANT. PROBABLE CAUSE ARRESTS MAY OR MAY NOT RESULT IN THE FILING OF

CHARGES. CONTACT THE ARRESTING AGENCY FOR INFORMATION ON THE FORMAL CHARGES AND/OR DISPOSITIONS.

AN ARREST IS NOT A CONVICTION OR FINDING OF GUILT.

ARREST 15

DATE OF ARREST: 02/22/2010

NAME USED: HEATH, LARRY EUGENE

CONTRIBUTING AGENCY: WASPDOOOO SEATTLE POLICE DEPARTMENT

\_\_\_\_\_

LOCAL ID: A133508

PCN: 207848905 TCN: WA1700000200894604

ARREST OFFENSES

DISPOSITION

| CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017173J KING COUNTY DISTRICT COURT

COURT CASE NO: 570110724

REFER TO 11/20/2008

CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017015J KING COUNTY SUPERIOR COURT

COURT CASE NO: 10100024146

STATUS:

GUILTY

0044500 DOMESTIC VIOL COURT ORD

VIOL

RCW:

26.50.110(1)

DOMESTIC VIOLENCE GROSS MISDEMEANOR

STATUS DATE: 08/31/2010

SENTENCE: SENT. DESC.: 12M+1D DOC CT 2. 12M COMM CUSTODY. 12M JAIL SUSPD CTS 1&3 (NONFELONY) EACH CT CONSEC TO EACH OTHER & CONSEC TO CT 2. 24M PROB.

STATUS: GUILTY

0110200 ASSAULT-3

RCW:

9A.36.031(2)

DOMESTIC VIOLENCE

CLASS C FELONY

STATUS DATE: 08/31/2010

STATUS:

GUILTY

0044500 DOMESTIC VIOL COURT ORD AIOT

RCW:

26.50.110(1)

DOMESTIC VIOLENCE

GROSS MISDEMEANOR

STATUS DATE: 08/31/2010

Exhibit No. \_\_\_ (DT-14) **4**Docket TV-151116
Page 4 of 11

DATE OF ARREST: 11/20/2008 HEATH, LARRY EUGENE NAME USED: CONTRIBUTING AGENCY: WAKCS0000 KING COUNTY SHERIFFS OFFICE PCN: 207694070 TCN: WA1700000200739773 LOCAL ID: A133508 ARREST OFFENSES DISPOSITION | CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017173J KING COUNTY DISTRICT COURT COURT CASE NO: 570110724 STATUS: GUILTY 0044500 DOMESTIC VIOL COURT ORD VIOL 26.50.110(1) RCW: DOMESTIC VIOLENCE GROSS MISDEMEANOR STATUS DATE: 10/20/2008 COUNTS: 1 SENTENCE: JAIL: 365 D, JAIL SUS.: 335 D FINE: \$5000.00, FINE SUS.: \$5000.00 DATE OF ARREST: 06/17/2008 ARREST 13 NAME USED: HEATH, LARRY EUGENE CONTRIBUTING AGENCY: WA0060000 CLARK COUNTY SHERIFF PCN: 658059203 TCN: WA0600000100284026 LOCAL ID: 193672 ARREST OFFENSES DISPOSITION | CONTRIBUTOR OR RESPONSIBLE AGENCY: WA006023J CLARK COUNTY DISTRICT COURT COURT CASE NO: 204601D STATUS: GUILTY 0044500 DOMESTIC VIOL COURT ORD VIOL RCW: 26.50.110(1) DOMESTIC VIOLENCE GROSS MISDEMEANOR STATUS DATE: 07/09/2008 COUNTS: COMMENT: PROTECTION ORDER VIOLATION SENTENCE: JAIL: 365 D, JAIL SUS.: 335 D FINE: \$5000.00, FINE SUS.:

Page 5 of 11

\$4900.00 DATE OF ARREST: 05/29/2007 ARREST 12 HEATH, LARRY EUGENE CONTRIBUTING AGENCY: WA031013C SCSO - CORRECTIONS BUREAU LOCAL ID: 2007011299 PCN: 492293695 TCN: WA3100000100075998 ARREST OFFENSES DISPOSITION CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017015J KING COUNTY SUPERIOR COURT COURT CASE NO: 06100017613 REFER TO 02/17/2006 ARREST 11 DATE OF ARREST: 02/17/200 NAME USED: HEATH, LARRY EUGENE CONTRIBUTING AGENCY: WAKCS0000 KING COUNTY SHERIFFS OFFICE PCN: 207240940 TCN: WA1700000200286642 LOCAL ID: A133508 ARREST OFFENSES 1 DISPOSITION CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017023J SOUTHWEST DISTRICT COURT COURT CASE NO: Y30288866 REFER TO 09/12/2003 CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017015J KING COUNTY SUPERIOR COURT COURT CASE NO: 06100017613 STATUS: GUILTY 0110200 ASSAULT-3 9A.36.031(2) DOMESTIC VIOLENCE CLASS C FELONY STATUS DATE: 03/27/2006 SENTENCE: SENT. DESC.: 4M JAIL CT 1. 12M COMM CUSTODY. CT 2 DISMISSED. DATE OF ARREST: 05/27/2005 ARREST 10 HEATH, LARRY EUGENE CONTRIBUTING AGENCY: WAKCS0000 KING COUNTY SHERIFFS OFFICE PCN: 213501437 TCN: WA1700000300121293 LOCAL ID: A133508 ARREST OFFENSES DISPOSITION CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017023J SOUTHWEST DISTRICT COURT

Exhibit No. \_\_\_ (DT-14) 6 Docket TV-151116 Page 6 of 11

COURT CASE NO: Y30288866 REFER TO 09/12/2003 | CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017015J KING COUNTY SUPERIOR 1 COURT COURT CASE NO: 04100128443 REFER TO 07/01/2004 . 1 ARREST 9 DATE OF ARREST: 07/16/2004 \_\_\_\_\_ NAME USED: HEATH, LARRY EUGENE CONTRIBUTING AGENCY: WA0170700 KENT POLICE DEPARTMENT LOCAL ID: 24065 PCN: 235633540 TCN: WA1707000100003853 ARREST OFFENSES DISPOSITION CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017111J KENT MUNICIPAL COURT COURT CASE NO: K44537FV STATUS: GUILTY 0044000 DOMESTIC VIOL COURT ORD VIOL RCW: 26.50.110 DOMESTIC VIOLENCE CLASS UNKNOWN STATUS DATE: 07/21/2004 SENTENCE: JAIL: 365 DS, JAIL SUS.: 359 DS FINE: \$5000.00, FINE SUS.: \$4900.00 ARREST 8 DATE OF ARREST: 07/01/200@ HEATH, LARRY EUGENE NAME USED: CONTRIBUTING AGENCY: WAKCSOOOO KING COUNTY SHERIFFS OFFICE PCN: 200426720 TCN: WA1700001100012536 LOCAL ID: A133508 ARREST OFFENSES DISPOSITION | CONTRIBUTOR OR RESPONSIBLE AGENCY: | WA017015J KING COUNTY SUPERIOR COURT COURT CASE NO: 04100128443 1 STATUS: GUILTY 0255200 THEFT-2 9A.56.040(2) RCW: CLASS C FELONY STATUS DATE: 06/17/2005 SENTENCE: SENT. DESC.:

Exhibit No. \_\_\_(DT-14)7 Docket TV-151116 Page 7 of 11

CHG 01: JAIL-60 DS ARREST 7 DATE OF ARREST: 09/12/2003 NAME USED: HEATH, LARRY EUGENE CONTRIBUTING AGENCY: WAKCS0000 KING COUNTY SHERIFFS OFFICE LOCAL ID: 197648 PCN: 206827289 TCN: N/A ARREST OFFENSES DISPOSITION CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017023J SOUTHWEST DISTRICT COURT COURT CASE NO: Y30288866 STATUS: GUILTY 02190 MALICIOUS MISCHIEF-3 RCW: 9A.48.090 CLASS UNKNOWN STATUS DATE: 02/03/2004 SENTENCE: JAIL: 365 DS, JAIL SUS.: 360 DS FINE: \$5000.00, FINE SUS.: \$4750.00 ARREST 6 DATE OF ARREST: 10/21/1991 HEATH, CRAIG EUGENE CONTRIBUTING AGENCY: WAKCS0000 KING COUNTY SHERIFFS OFFICE LOCAL ID: 197648 PCN: 002814595 TCN: N/A DISPOSITION ARREST OFFENSES | CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017143J REGIONAL JUSTICE CENTER KENT COURT CASE NO: CP49421KC STATUS: GUILTY 07633 DRIVING WHILE LIC SUSP OR REVOKED-3 RCW: 46.20,342(C) MISDEMEANOR STATUS DATE: 10/24/1997 ARREST 5 DATE OF ARREST: 09/10/1997 NAME USED: HEATH, LARRY E CONTRIBUTING AGENCY: WA0170700 KENT POLICE DEPARTMENT LOCAL ID: 24065 PCN: 002430193 TCN: N/A ARREST OFFENSES DISPOSITION CONTRIBUTOR OR RESPONSIBLE AGENCY:

Exhibit No. \_\_\_ (DT-14) 8 Docket TV-151116 Page 8 of 11

WA017051J KENT MUNICIPAL COURT COURT CASE NO: K00011375 STATUS: GUILTY 01000 ASSAULT RCW: 9A.36.000 CLASS UNKNOWN STATUS DATE: 08/04/1999 SENTENCE: SENT. DESC.: CHG 01: FINE-5000.00/ SUSPENDED 4800.00, JAIL-SUSPENDED 365 DS ARREST 4 DATE OF ARREST: 02/27/1997 NAME USED: HEATH, LARRY E CONTRIBUTING AGENCY: WAKCSOOOO KING COUNTY SHERIFFS OFFICE LOCAL ID: 197648 PCN: 001861794 TCN: N/A ARREST OFFENSES DISPOSITION | CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017103J RENTON DISTRICT COURT COURT CASE NO: CP49421KC STATUS: GUILTY 07633 DRIVING WHILE LIC SUSP OR REVOKED-3 RCW: 46.20.342(C) MISDEMEANOR STATUS DATE: 10/24/1997 ARREST 3 DATE OF ARREST: 08/22/199 NAME USED: HEATH, LARRY E CONTRIBUTING AGENCY: WA0171200 REDMOND POLICE DEPARTMENT PCN: N/A TCN: N/A LOCAL ID: 22229 ARREST OFFENSES DISPOSITION CONTRIBUTOR OR RESPONSIBLE AGENCY: WA017083J NORTHEAST DISTRICT COURT COURT CASE NO: R67966 | STATUS: GUILTY 01135 ASSAULT-4 RCW: 9A.36.041 DOMESTIC VIOLENCE GROSS MISDEMEANOR STATUS DATE: 09/15/1995 | CONTRIBUTOR OR RESPONSIBLE AGENCY:

Exhibit No. (DT-14)g Docket TV-151116 Page 9 of 11

			WA0171200 REDMOND POLICE DEPARTMENT COURT CASE NO: R67966  STATUS: GUILTY 00520 FIREARMS/DANGEROUS WEAPON VIOLATION RCW: 9.41.000 CLASS UNKNOWN STATUS DATE: 09/15/1995
ARREST 2	will had back with and any five our new our man man man man and over		DATE OF ARREST: 11/24/198
	: WA0040000	CHEL	AN COUNTY SHERIFF N/A TCN: N/A
ARREST OFFEN	SES		DISPOSITION  CONTRIBUTOR OR RESPONSIBLE AGENCY: WA0040000 CHELAN COUNTY SHERIFF COURT CASE NO: 11488  STATUS: GUILTY 09200 GAME/GAME FISH VIOLATION RCW: 77.00.000 CLASS UNKNOWN STATUS DATE: 11/25/1987  CONTRIBUTOR OR RESPONSIBLE AGENCY: WA0040000 CHELAN COUNTY SHERIFF COURT CASE NO: 11489  STATUS: GUILTY 09200 GAME/GAME FISH VIOLATION RCW: 77.00.000 CLASS UNKNOWN STATUS DATE: 11/25/1987
ARREST 1			DATE OF ARREST: 10/31/198
NAME USED; CONTRIBUTING AGENCY LOCAL ID: M21499		WENAS PCN:	TCHEE POLICE DEPARTMENT N/A TCN: N/A
ARREST OFFEN		Τ	DISPOSITION  CONTRIBUTOR OR RESPONSIBLE AGENCY: WA0040400 WENATCHEE POLICE DEPARTMENT  STATUS: GUILTY 07410 LIQUOR VIOLATION

Exhibit No. (DT-14)10 Docket TV-151116 Page 10 of 11

RCW:

66.44.000

CLASS UNKNOWN

STATUS DATE: 12/30/1981

SENTENCE: SENT. DESC.:

CHG 01: JAIL - 30 DS

CONTRIBUTOR OR RESPONSIBLE AGENCY: WA0040400 WENATCHEE POLICE

DEPARTMENT

STATUS:

GUILTY

00454 SIMPLE ASSAULT

RCW:

9A.36.040

GROSS MISDEMEANOR

STATUS DATE: 12/30/1981

SENTENCE:

SENT. DESC.:

CHG 01: JAIL - 90 DS,

CONSECUTIVE

STATE DEPARTMENT OF CORRECTIONS

CUSTODY HISTORY

\*COMMITMENT\*

NAME USED: HEATH, LARRY EUGENE

DATE: 09/21/2010

CONTRIBUTING AGENCY: WA023025C WA DOC-SHELTON CORRECTIONS

DOC NUMBER: 282320

COURT CASE NO: 101024146 COUNTY/STATE: KING

CHARGE:

0110200 ASSAULT-3 CLASS C FELONY

9A.36.031(2)

DOMESTIC VIOLENCE

DOO:

02/22/2010

CDD:

09/21/2010

CPL:

12 MOS+1 DAY CT II

\*COMMITMENT\*

CHARGE:

DATE: 05/14/1982

NAME USED:

HEATH, LARRY E

DOC NUMBER: 282320

CONTRIBUTING AGENCY: WA023025C WA DOC-SHELTON CORRECTIONS

COUNTY/STATE: DOUGLAS

COURT CASE NO:

1802

02312 BURGLARY-2 CLASS B FELONY

9A.52.030

D00:

05/14/1982

COURT CASE NO:

1802

COUNTY/STATE: DOUGLAS

CHARGE;

02724 TAKING MOTOR VEHICLE WITHOUT PERMISSION CLASS

C FELONY

9A.56.070

DOO:

05/14/1982

******************
NO KNOWN SEX/KIDNAPPING OFFENDER REGISTRATIONS
**************************************
************************
NO KNOWN APPLICANT DETAILS
***************
NO KNOWN MONITORED POPULATION REGISTRATION TRACKING INFORMATION
************************
**************************************
GLOSSARY OF TERMS IS AVAILABLE IN THE CRIMINAL JUSTICE TRAINING MANUAL (CJTM)
LOCATED AT http://www.wsp.wa.gov/crime/crimhist.htm
**************************************
RESOURCES
**************************************
ADMINISTRATIVE OFFICE OF
THE COURTS (AOC)WWW.COURTS.WA.GOV
WSP CHRUCRIMHIS@WSP.WA.GOV OR (360) 534-2000
WSP CRIMINAL HISTORY &
FINGERPRINT TRAININGWWW.WSP.WA.GOV/_SECURED/IDENT/RESOURCE.HTM
DEPARTMENT OF CORRECTIONS (DOC) WWW. DOC. WA.GOV
WSP SOR UNIT(360) 534-2000
WSP CRIME LAB CODIS(206) 262-6020
RCWHTTP://APPS.LEG.WA.GOV/RCW/
LEGISLATIONHTTP://APPS.LEG.WA.GOV
END OF RECORD