

1 BEFORE THE WASHINGTON STATE
2 UTILITIES AND TRANSPORTATION COMMISSION
3 _____
4 In the Matter of Determining) Docket No. TV-151655
the Proper Carrier)
5 Classification of and)
Complaint for Penalties)
6 against:)
)
7 Dexter Petrie and Dexter)
Wendler d/b/a Budget Family)
8 Moving)

9 _____

10 VOLUME II
11 PAGES 50-83
12 ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

13 _____

14 9:30 a.m.
15 November 10, 2015
16
17 Washington Utilities and Transportation Commission
18 1300 South Evergreen Park Drive Southwest
 Olympia, Washington 98504-7250

19 _____

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HEARING

VOLUME II: INDEX

WITNESSES: PAGE

MEGAN BANKS

Examination by Ms. Cameron-Rulkowski 59

Examination by Ms. Cameron-Rulkowski 75

DEXTER PETRIE

Testimony by Mr. Petrie. 69

Examination by Ms. Cameron-Rulkowski 74

EXHIBITS FOR IDENTIFICATION ADMITTED

DP-1 - Comcast document 74

1 OLYMPIA, WASHINGTON, NOVEMBER 10, 2015

2 9:30 A.M.

3

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

5

6 JUDGE PEARSON: Okay. Then we will be on
7 the record.

8 Good morning. Today is Tuesday,
9 November 10th, 2015, and the time is approximately
10 9:30 a.m.

11 This is Docket TV-151655, which is captioned
12 In the Matter of Determining the Proper Carrier
13 Classification of and Complaint for Penalties Against
14 Dexter Petrie and Dexter Wendler d/b/a Budget Family
15 Moving.

16 My name is Rayne Pearson. I'm the
17 administrative law judge presiding over today's hearing.
18 So let's start by taking appearances from both parties,
19 and then we will talk about how we're going to proceed
20 this morning.

21 So let's start with Commission staff.

22 MS. CAMERON-RULKOWSKI: Did you want just a
23 short appearance?

24 JUDGE PEARSON: Yes, that's fine.

25 MS. CAMERON-RULKOWSKI: Thank you,

1 your Honor.

2 Jennifer Cameron-Rulkowski, Assistant
3 Attorney General, representing Staff.

4 JUDGE PEARSON: Thank you.

5 And Mr. Petrie, if you could state your
6 first and last name and spell your last name.

7 MR. PETRIE: Dexter Petrie, P-e-t-r-i-e.

8 JUDGE PEARSON: Okay. And can you provide
9 your address, telephone number, and your e-mail address
10 if you have one.

11 MR. PETRIE: 1212 North Woodlawn Street,
12 Tacoma, Washington 98406, (253) 666-8711, and I don't
13 have an e-mail.

14 JUDGE PEARSON: You don't have an e-mail
15 address?

16 MR. PETRIE: No.

17 JUDGE PEARSON: So this is a classification
18 hearing that was brought by the Commission on its own
19 motion based on Staff's finding that you were conducting
20 a household goods moving company without the required
21 permit from the Commission.

22 So if we determine here today that you are
23 conducting business as a household goods carrier, or you
24 have in the past, then we will issue an order requiring
25 you to cease and desist all operations unless and until

1 you apply and obtain a permit from the Commission.

2 We also have a complaint for penalties
3 that's somewhat of a separate issue. The complaint for
4 penalties alleges that you have engaged in activities as
5 a household goods mover. So today is an evidentiary
6 hearing to consider whether you should, number one, be
7 classified as a household goods carrier, and then,
8 number two, whether the penalties are appropriate for
9 your past conduct.

10 And I take it that you're representing
11 yourself today?

12 MR. PETRIE: (Nods head.)

13 JUDGE PEARSON: Okay. So I'll go into a
14 little more detail than I normally would in a hearing
15 where both parties are represented by attorneys, because
16 I want to make sure that you understand what we're doing
17 here and how we're going to proceed and I can answer any
18 questions if you have them.

19 So the applicable law here is RCW 81.80.010,
20 subsection (5), which defines a household goods carrier
21 as any person who, quote, advertises, solicits, offers
22 or enters into an agreement to transport household goods
23 for compensation within the state of Washington.

24 So the term "person" can include a company,
25 which would be Budget Family Moving in this instance, as

1 well as an individual like yourself.

2 And "household goods" are defined under the
3 rules as the personal effects and property used or to be
4 used in a residence.

5 And under RCW 81.80.075, subsection (1),
6 it's illegal to engage in business as a household goods
7 carrier within the state of Washington without first
8 obtaining a household goods carrier permit from the
9 Commission.

10 Any person who does engage in business as a
11 household goods carrier without a permit is subject to a
12 penalty of up to \$5,000 per violation, and if the basis
13 for the violation is an advertisement, each
14 advertisement is a separate violation. So for example,
15 each Craigslist ad would constitute a separate and
16 distinct violation.

17 So when deciding the amount of the penalty
18 to be ordered for illegal operations as a household
19 goods carrier, the Commission considers the carrier's
20 willingness to comply with the requirements of State
21 laws and Commission rules.

22 It's alleged that you have at least once
23 offered to transport household goods without having
24 first obtained a permit, and that you have also at least
25 once advertised to transport household goods.

1 And if I understand from the complaint,
2 Staff is requesting less than the maximum penalty, or
3 \$2,500 per violation.

4 So Staff will go first today to present its
5 case, and you will have the opportunity to cross-examine
6 Staff's witness, who is Ms. Megan Banks, seated over
7 there. And then after that, you'll have a chance to
8 testify, and Ms. Cameron-Rulkowski will have some
9 cross-examination questions for you.

10 Do you have any questions before we proceed?

11 MR. PETRIE: No.

12 JUDGE PEARSON: Okay. And it looks like you
13 brought some documents with you today. Are those
14 things that you would like to offer?

15 MR. PETRIE: I didn't know it was gonna be
16 this long. I just got one. If it's not gonna work,
17 then I'll just take the penalty.

18 JUDGE PEARSON: I'm sorry. What's that?

19 MR. PETRIE: I have one document to try to
20 clear my name off of it, and if it's not gonna hold up,
21 then I'll just pay the penalty. I don't want to go
22 through cross-examination. I'm not gonna do all that.

23 MS. CAMERON-RULKOWSKI: Your Honor, we've
24 had a chance to examine the document that Mr. Petrie
25 would like to submit as an exhibit, and we don't have

1 any objection to it being offered and admitted as a
2 late-filed exhibit.

3 JUDGE PEARSON: Okay. So when it's your
4 turn, I can take a look at that, if you want to --

5 MR. PETRIE: Yeah.

6 JUDGE PEARSON: -- bring it up here. Okay.

7 So do you have any other questions?

8 MR. PETRIE: No.

9 JUDGE PEARSON: Okay. So
10 Ms. Cameron-Rulkowski, you can proceed when you're
11 ready.

12 MS. CAMERON-RULKOWSKI: Thank you,
13 your Honor.

14 Just as a preliminary matter, I want to be
15 sure that the declaration of Megan Banks that Staff is
16 relying on is considered to be part of the record.

17 JUDGE PEARSON: It is, yes.

18 MS. CAMERON-RULKOWSKI: Thank you,
19 your Honor.

20 So Staff sees that there are three issues
21 that we need to address here. First, Budget Family
22 Moving bears the burden to prove that Budget Family
23 Moving did not advertise, solicit, offer, enter into
24 any -- one or more agreements to transport household
25 goods within the state of Washington without first

1 having obtained a household goods carrier permit from
2 the Commission. And the other issue is that Mr. Dexter
3 Petrie bears the burden of proving exactly that.

4 And then finally, Staff likely will
5 recommend a penalty. And Staff bears the burden of
6 proving the violations underlying the penalty.

7 And at this time, I would like to call
8 Ms. Banks to the stand.

9 JUDGE PEARSON: Okay. Great.

10 If you could stand and raise your right
11 hand.

12

13 MEGAN BANKS, witness herein, having been
14 first duly sworn on oath,
15 was examined and testified
16 as follows:

17

18 JUDGE PEARSON: Okay. Thank you.

19

DIRECT EXAMINATION

20 BY MS. CAMERON-RULKOWSKI:

21 Q. Good morning, Ms. Banks.

22 Please state and spell your name.

23 A. Megan Banks, M-e-g-a-n, B-a-n-k-s.

24 Q. And please state the name of your employer.

25 A. The Washington Utilities and Transportation

1 Commission.

2 Q. In what position are you employed by the
3 Commission?

4 A. I'm a compliance investigator in the consumer
5 protection and communications section.

6 Q. And how long have you been employed in this
7 position?

8 A. About a year and a half.

9 Q. And how long have you been employed with the
10 Commission?

11 A. The same amount of time that I've been in the
12 position.

13 Q. And please tell us about your educational
14 background and your experience.

15 A. So I received my bachelor's degree in English
16 history and philosophy from Pacific Lutheran University.
17 I received my JD from Willamette University.

18 During law school, I worked as a law clerk for
19 the Oregon Department of Justice, and I investigated the
20 advertisements of car dealers to ensure compliance with
21 the rules.

22 Following law school, I worked as a program
23 supervisor at the Office of Superintendent of Public
24 Instruction, where I investigated complaints against
25 school district special education programs.

1 I've also attended State-sponsored investigator
2 training.

3 Q. Please briefly describe your responsibilities as
4 they pertain to this matter.

5 A. As a compliance investigator, my
6 responsibilities include conducting investigations
7 regarding the business practices of regulated utility
8 and transportation companies.

9 And as part of those duties, I investigate
10 household goods carriers that may be operating without
11 the required Commission permits, such as Budget Family
12 Moving.

13 Q. And are you familiar with Budget Family Moving?

14 A. Yes, I am.

15 Q. And how are you familiar with Budget Family
16 Moving?

17 A. I originally became familiar with them and began
18 my investigation after twice observing and photographing
19 a large moving truck in Tacoma, Washington.

20 Q. And besides photographing the truck, did you
21 document your investigation in any other way?

22 A. Yes, I did; in my declaration.

23 Q. And you're referring to the declaration of Megan
24 Banks, dated September 9th, 2015?

25 A. Yes.

1 Q. I'd like to go ahead and discuss the offers that
2 you discuss in your declaration at paragraph seven.

3 How did you contact Budget Family Moving?

4 A. I sent a text message. On the side of the truck
5 that I observed, there was two phone numbers, and I sent
6 a text message to one of the phone numbers.

7 Q. And did you receive the offers via text message?

8 A. Yes, I did. I received a response the same day
9 that I had sent a text message also by text message.

10 Q. Okay.

11 Let's discuss the June offer first.

12 What rate were you quoted?

13 A. I was quoted \$80 an hour for two men and a
14 truck.

15 Q. And was the offer for a move within Washington?

16 A. Yes, it was for a move within Tacoma.

17 Q. All right.

18 Now let's discuss the August offer.

19 What rate were you quoted?

20 A. I was again quoted \$80 an hour for two men and a
21 truck.

22 Q. And was the offer for a move within Washington?

23 A. Yes. It was a move from Tacoma to Burien.

24 Q. And was the offer for a household goods move?

25 A. Yes. It was a -- the offer was for a move from

1 a two-bedroom house in Tacoma to a three-bedroom house
2 in Burien.

3 Q. All right.

4 Let's talk about the advertisements that you
5 discussed in the declaration. Please refer to the
6 Facebook printouts in Attachment B and in Attachment F.

7 A. I'm there.

8 Q. Is there any difference between the two other
9 than the date that you printed them?

10 A. No, there is not.

11 Q. And what indicates to you on the Facebook
12 advertisement that Budget Family Moving provides
13 transportation as part of its moving services?

14 A. On the side of the truck that's pictured in the
15 Facebook advertisements, it says, "2 Men and Truck,
16 Affordable Rates." It also says, "Budget Family
17 Moving."

18 And then the picture of the truck shows up
19 multiple times, so the fact that it actually advertises
20 a truck being included told me that there was
21 transportation included in the move.

22 Q. And what indicates to you on the Facebook
23 advertisement that Budget Family Moving moves household
24 goods?

25 A. The fact that it's a Budget -- it says "Budget

1 Family Moving" tends to indicate that it is for smaller
2 moves. The fact that it's a smaller truck. It's not
3 one of the huge trucks, which, in my experience, tends
4 to mean that it's more residential.

5 Also the picture that was posted on April 6th
6 shows a man packing goods that -- they appear to be
7 household goods in the picture on the Facebook page.

8 Q. And what indicates to you on the Facebook
9 advertisement that Budget Family Moving provides moving
10 services within Washington state?

11 A. There's a couple factors. On the Facebook page,
12 it says that it services the Puget Sound area, and
13 Tacoma, Washington is specified. And there's also --
14 the two numbers shown are 253 numbers, which tend to be
15 Tacoma telephone numbers.

16 Q. And what indicates to you on the Facebook
17 advertisement that Budget Family Moving provides moving
18 services for compensation?

19 A. On the side of the truck that's shown in the
20 Facebook page multiple times, it says, "Affordable
21 Rates," which indicates to me that they are expecting
22 compensation.

23 It also says that it's business services, which,
24 again, makes it seem like that it's an actual business
25 where they are going to expect compensation for their

1 activities.

2 Q. And have you checked Facebook for the Budget
3 Family Moving page since you printed it in August?

4 A. Yes, I have.

5 Q. And is it still active?

6 A. Yes, it was.

7 Q. When did you check it last?

8 A. This morning.

9 Q. All right.

10 Please refer to the printout of the Fixr web
11 page now, which is also in Attachment B.

12 A. I'm there.

13 Q. What indicates to you on the Fixr advertisement
14 that Budget Family Moving provides transportation as
15 part of its moving services?

16 A. It says that "Budget Family Moving is a
17 professional moving business," and "no job's too big or
18 small." The fact that it says it's a professional
19 moving business tends to indicate to me that it would
20 include transportation.

21 Q. And what indicates to you on the Fixr
22 advertisement that Budget Family Moving moves household
23 goods?

24 A. It says, "No job's too big or too small," which
25 indicates to me again that it offers all types of moving

1 services, including household goods moves.

2 Q. And what indicates to you on the Fixr
3 advertisement that Budget Family Moving provides
4 services within Washington state?

5 A. Again, there's two factors here. It says that
6 it's located in Tacoma, Washington 98406. It also says,
7 "Cities served, Seattle, Tacoma, Everett, Olympia, Kent,
8 Bellevue, Renton, Puyallup, Federal Way, Bothell, and
9 other cities within 85 miles of Tacoma."

10 Q. And what indicates to you on the Fixr
11 advertisement that Budget Family Moving provides moving
12 services for compensation?

13 A. It says, "Payment options," and it says, "Dexter
14 Petrie accepts cash and checks."

15 Q. Have you checked the Fixr advertisement for
16 Budget Family Moving since you printed it in June?

17 A. Yes, I have.

18 Q. When's the last time you checked it?

19 A. This morning.

20 Q. And was it still active?

21 A. Yes, it was.

22 Q. In your declaration at paragraph five, you
23 discuss a compliance letter that the Commission sent to
24 Mr. Wendler in 2012.

25 Do you know what the purpose of the compliance

1 letter was?

2 A. Compliance letters are a courtesy that the
3 Commission sends to non-permitted carriers that we have
4 found that have been operating, and it's technical
5 assistance that we send to tell them that they need to
6 either get a permit or stop operating.

7 Q. And does the Commission routinely send such
8 compliance letters?

9 A. Yes, it does.

10 Q. In your declaration, you note that the attempt
11 to send the compliance letter through US mail was
12 unsuccessful.

13 To your knowledge, were there any delivery
14 problems with the letter that the Commission e-mailed to
15 Mr. Wendler?

16 A. No, there were not.

17 Q. And to your knowledge, prior to last month's
18 hearing, had Mr. Wendler, Mr. Petrie, or anyone from
19 Budget Family Moving ever contacted the Commission?

20 A. Not to my knowledge.

21 Q. All right.

22 I want to talk now about where the name Dexter
23 Petrie appears in your documentation.

24 Let's go back to -- let's go to Attachment A.

25 This is the photo you took of the truck.

1 A. I'm there.

2 Q. Thank you.

3 When you conducted the reverse search of the
4 telephone numbers, which you discuss in your declaration
5 at paragraphs 3 and 4, who did you find that they
6 belonged to?

7 A. The phone number (253) 517-5773 that's on the
8 side of the truck, I found that that belonged to Dexter
9 Petrie. The (253) 353-1251 phone number I found
10 belonged to Dexter Wendler.

11 Q. And regarding the number that you found belonged
12 to Mr. Petrie, did you call that telephone number?

13 A. Yes, I did.

14 Q. And what happened?

15 A. It just rang.

16 Q. And did you try it more than once?

17 A. Yes, I did.

18 Q. All right.

19 Please refer to the Fixr advertisement in
20 Attachment B.

21 Who is the contact listed there?

22 A. The contact person listed on this advertisement
23 is -- it says, "Contact Dexter Petrie."

24 Q. And what's the name listed under "Payment
25 Options"?

1 A. Dexter Petrie.

2 Q. Does Mr. Wendler's name appear anywhere in this
3 advertisement?

4 A. No, it does not.

5 MS. CAMERON-RULKOWSKI: Your Honor, Staff
6 would like to reserve its recommendation until after
7 Mr. Petrie presents its case [sic].

8 JUDGE PEARSON: Sure.

9 MS. CAMERON-RULKOWSKI: And at that time I
10 would like to recall Ms. Banks.

11 JUDGE PEARSON: Okay.

12 Mr. Petrie, do you have any questions for
13 Ms. Banks at this point?

14 MR. PETRIE: No.

15 JUDGE PEARSON: Okay. So if you want to go
16 ahead and stand and raise your right hand, I'll swear
17 you in and then you can present your testimony.

18 MR. PETRIE: All right.

19

20 DEXTER PETRIE, witness herein, having been
21 first duly sworn on oath,
22 was examined and testified
23 as follows:

24

25 JUDGE PEARSON: Okay. Go ahead and take a

1 seat. And you can begin whenever you're ready.

2 MR. PETRIE: Okay. So I don't know when all
3 this started, but my dad asked me what I wanted to do,
4 and this is what I told him. I wanted to start a moving
5 business.

6 He bought the truck. Therefore, the Fixr --
7 I went online, I set it up, but I never paid; therefore,
8 it's still gonna show to today.

9 But the truck broke down, I moved;
10 therefore, my number's no longer -- like she said, she
11 could call and it just rang and rang.

12 But the Facebook -- everything -- it's a
13 family moving business, so all my cousins, they decided
14 to do it.

15 If you look in here, the Healthy Living
16 Management, that's my business. I started that. It was
17 a medical dispensary.

18 JUDGE PEARSON: And where is that?

19 MR. PETRIE: On page -- I don't know, third
20 page to the back. So my number was disconnected in
21 April -- or actually, it was probably disconnected
22 before April, but I called and disconnected it and made
23 sure. I started a medical dispensary in Tacoma, the
24 Healthy Living Management.

25 JUDGE PEARSON: Are you talking about

1 marijuana?

2 MR. PETRIE: Yes.

3 JUDGE PEARSON: Okay.

4 MR. PETRIE: So I started that company with
5 a friend. I spent every single day for two years in
6 there, 12-hour days, so how can I make moves if I'm
7 there?

8 Therefore, I'm just trying to clear my name
9 from the moving company. My dad did it. He thought all
10 he needed was a business license.

11 I did talk to him recently. He said there
12 was a notification sent, and that's when he went and got
13 his business license, but he didn't know he had to get a
14 permit for separate moving goods.

15 But as of my part, I was never involved in
16 the moving company besides the reason why he started it.

17 JUDGE PEARSON: Okay. So you're saying he
18 bought the truck for you?

19 MR. PETRIE: Yes.

20 JUDGE PEARSON: And then it broke down?

21 MR. PETRIE: And then it broke down. I
22 started the Fixr -- I Googled how to, you know, set up,
23 like, an ad or something.

24 JUDGE PEARSON: Oh, okay.

25 MR. PETRIE: I never paid for it.

1 Therefore, if you check it today, it's still going to be
2 there. I don't know how to delete it.

3 And the Facebook, my cousin made it;
4 therefore, if you check it today -- I don't know if he
5 deleted it, but the moving truck's been sold months ago,
6 six months ago.

7 JUDGE PEARSON: Do you have proof of that --

8 MR. PETRIE: I don't.

9 JUDGE PEARSON: -- that the sale was made?

10 MR. PETRIE: It's out here somewhere. And I
11 believe, from what I was told last, the number and stuff
12 is still on it. My number right here, I have a
13 document, was disconnected back in 2014.

14 JUDGE PEARSON: Your phone number is what
15 you're talking about?

16 MR. PETRIE: Yeah, my phone number.

17 JUDGE PEARSON: Oh, okay.

18 MR. PETRIE: She says she texted the cell
19 phone number, which belongs to my dad.

20 JUDGE PEARSON: Okay.

21 MR. PETRIE: And -- yeah, it wasn't me that
22 she contacted, though.

23 JUDGE PEARSON: Okay. So after the truck
24 broke down, it was obviously fixed because it was in use
25 when Ms. Banks saw it in Tacoma?

1 MR. PETRIE: Yeah. Like I said, my
2 number -- I mean, I don't know why -- I mean, he didn't
3 ever delete it, you know, took the numbers off.

4 JUDGE PEARSON: Your phone number's on the
5 side of the truck?

6 MR. PETRIE: Yeah, exactly.

7 JUDGE PEARSON: But it's the phone number
8 that's been disconnected?

9 MR. PETRIE: Exactly.

10 JUDGE PEARSON: Okay. Do you want to bring
11 that up here for me?

12 MR. PETRIE: I will.

13 JUDGE PEARSON: Oh, so this was a Comcast
14 number?

15 MR. PETRIE: Yes, ma'am. And on there it
16 says residence, too. I just linked it because we have
17 two numbers on the truck.

18 But I went a different route. I didn't like
19 moving.

20 JUDGE PEARSON: Okay.

21 MR. PETRIE: But as far as everything else,
22 the permits, I obviously understand that he didn't get
23 the proper form, and I'm just trying to clear my name
24 from it.

25 I mean, from 2014, what time -- we did it in

1 February, we started that in February, until, what,
2 October 31 -- or October 1st of this year is when I
3 spent twelve -- eight to twelve hours a day seven days a
4 week doing what I was doing; therefore, I was not
5 involved in that.

6 JUDGE PEARSON: Okay. And just for the
7 record, Staff said that they had no objection to
8 admitting this into the record, so I will admit this
9 into the record and mark it as Exhibit DP-1.

10 (Exhibit DP-1 admitted.)

11 JUDGE PEARSON: And do you need a copy of
12 it? I can -- we can make copies of it, and we will file
13 it with the records center as well.

14 Okay. Do you have anything further?

15 MR. PETRIE: No, ma'am.

16 JUDGE PEARSON: Okay.

17 Ms. Cameron-Rulkowski, do you have any
18 questions for Mr. Petrie?

19 CROSS-EXAMINATION

20 BY MS. CAMERON-RULKOWSKI:

21 Q. I have a clarification question.

22 You had just said that you started something in
23 February of 2013. Was that the Healthy Living business
24 or was that the moving business?

25 A. The moving -- I mean, not the moving, the -- I

1 think it was February of 2014 is what I said. That was
2 the dispensary, yes, the Healthy Living.

3 MS. CAMERON-RULKOWSKI: Thank you. I don't
4 have any further questions for Mr. Petrie.

5 JUDGE PEARSON: Okay. Would you like to
6 recall Ms. Banks at this time to make your
7 recommendation?

8 MS. CAMERON-RULKOWSKI: Yes, your Honor.

9 If I could just take one moment, that would
10 be appreciated.

11 JUDGE PEARSON: Sure.

12 MS. CAMERON-RULKOWSKI: Thank you,
13 your Honor.

14 (Brief discussion off the record.)

15 EXAMINATION

16 BY MS. CAMERON-RULKOWSKI:

17 Q. All right.

18 Ms. Banks, do you have a recommendation for the
19 Commission concerning classification of Budget Family
20 Moving?

21 A. Yes. Staff recommends that Budget Family Moving
22 be classified as a household goods carrier within the
23 state of Washington.

24 Q. And are you recommending that a penalty be
25 assessed against Budget Family Moving?

1 A. Yes. Staff recommends a penalty of \$5,000 for
2 two violations of RCW 81.80.075, one violation for
3 advertising to perform household goods within
4 Washington, and the second violation for offering to
5 perform a household goods move within Washington.

6 Staff also recommends that \$4,500 of the penalty
7 be suspended for two years on the condition that Budget
8 Family Moving pay the remaining \$500 due and that the
9 company refrains from operating as a household goods
10 carrier without a permit.

11 Staff believes the suspension of the penalty is
12 appropriate to ensure the company's future compliance.

13 Q. And does your recommendation consider Budget
14 Family Moving's history of compliance with and
15 willingness to comply with State laws requiring
16 household goods carriers to obtain a permit before
17 operating?

18 A. Yes, it does.

19 Q. And could you elaborate a little bit on what
20 exactly you considered there?

21 A. Since Mr. Petrie has stated that the company has
22 shut down and they've sold the truck, Staff is taking
23 that under advisement, which is why we are recommending
24 the \$4,500 be suspended.

25 However, given the company's past history, we

1 believe that the remaining \$500 is appropriate, as well
2 as the suspension of the \$4,500 to ensure that the
3 company no longer operates.

4 MS. CAMERON-RULKOWSKI: Good. Thank you.

5 I have no further questions for Ms. Banks at
6 this time. And we'd be happy to offer a brief closing
7 statement.

8 JUDGE PEARSON: Okay.

9 Mr. Petrie, did you want to respond to
10 Staff's recommendation?

11 MR. PETRIE: No. I agree with the
12 recommendation. My argument is to get my name off of
13 it.

14 JUDGE PEARSON: Okay.

15 MR. PETRIE: Therefore, you know, he can be
16 assessed the \$500. He's the reason the company -- the
17 company, it's under his name.

18 JUDGE PEARSON: And by "he," you mean your
19 father?

20 MR. PETRIE: Yes. I'm just here -- the
21 reason why I even continued it to come back was to try
22 to clear my name from it.

23 JUDGE PEARSON: Right, I understand.

24 MR. PETRIE: I understand there's no
25 argument to try to go against the recommendation or

1 saying that there was no moving company or anything like
2 that. But as far as my name on it, I'm just trying to
3 clear my name.

4 JUDGE PEARSON: Okay. Do you think that the
5 penalty recommendation is fair? Are you saying that you
6 agree with paying the \$500?

7 MR. PETRIE: That's fine, I guess, but not
8 for me.

9 JUDGE PEARSON: Okay.

10 MR. PETRIE: He can pay the \$500 and all
11 that stuff, but I just don't want it to be linked to my
12 name.

13 JUDGE PEARSON: Okay.

14 And Ms. Cameron-Rulkowski, did you want to
15 make a closing statement?

16 MS. CAMERON-RULKOWSKI: Thank you,
17 your Honor, yes.

18 Staff has provided evidence meeting each of
19 the elements of engaging in business as a household
20 goods carrier in Washington, and Budget Family Moving
21 has not met its burden to prove that it should not be
22 classified as a household goods carrier.

23 Mr. Petrie also has not met his burden to
24 show that he had not engaged in business as a household
25 goods carrier in Washington.

1 And it's Staff's position that he should not
2 be dismissed from the proceeding. We have evidence that
3 he is -- that he is advertising household goods moving
4 services.

5 And I think we've heard the argument before
6 that it's difficult to get down Internet advertisements,
7 but it can be done, and it has not been done, and there
8 is Mr. Petrie's name out there advertising --
9 advertising his provision of household goods moving
10 services, and that's -- that's a problem.

11 So the evidence supports classifying Dexter
12 Wendler and Dexter Petrie doing business as Budget
13 Family Moving as a household goods carrier, and the
14 Commission should issue a cease and desist order against
15 Dexter Petrie and Dexter Wendler doing business as
16 Budget Family Moving.

17 And the evidence also supports issuing a
18 penalty consistent with Staff's recommendation. And
19 that completes Staff's closing.

20 JUDGE PEARSON: Okay. Thank you.

21 Do you have anything further, Mr. Petrie?

22 MR. PETRIE: Kind of towards that, too, I
23 mean, if you Google it a year from now, I'm pretty sure
24 the same ad's going to be up; therefore, I don't know
25 how to delete any of that. That was back in 2014.

1 JUDGE PEARSON: Have you tried contacting
2 Fixr?

3 MR. PETRIE: I'm not gonna -- no. This --
4 honestly, this is too much even for me. I mean, I'm way
5 too busy. I have to sit up here and argue my case that
6 I wasn't involved. I mean, it's my word.

7 I have my own business, you know, I mean, I
8 don't know how to delete any of that, and I'm not gonna
9 go and try to make phone calls to Fixr and try to erase
10 that.

11 I mean, the moving truck's been sold.
12 There's no business. I made zero money off the
13 business. He might have made something. I mean, it's
14 not my word to say, you know, if he made any money or
15 not. But I didn't make nothing; therefore, I'm not
16 gonna pay the 500. He can pay it, but nothing's out of
17 my pocket -- coming out of my pocket.

18 JUDGE PEARSON: Okay. Well, I would advise
19 you to take steps to contact Fixr to take that
20 advertisement down. Because if you truly want to clear
21 your name as a household goods mover, it would be in
22 your best interest to ensure that there are no longer
23 any advertisements.

24 MR. PETRIE: I mean, if you call both
25 numbers, neither one of them are active. Like I just

1 told you last time, my father's incarcerated for the
2 next two years.

3 JUDGE PEARSON: You're talking about the
4 numbers that are on the advertisement?

5 MR. PETRIE: Yes. Yes.

6 JUDGE PEARSON: Okay. You may be able to --

7 MR. PETRIE: Therefore, neither one of them
8 numbers are going to work.

9 JUDGE PEARSON: You may be able to resolve
10 this via e-mail just by e-mailing the company and asking
11 them to take it down. It probably would take you less
12 than five minutes.

13 MR. PETRIE: I didn't even know it was up.
14 I mean, as far as, you know, not paying for something, I
15 don't see how it even got linked to even -- when I did
16 it, it says, make payments, so I just closed it;
17 therefore, I thought it wouldn't even be up there
18 anyways, and that was back in 2014.

19 JUDGE PEARSON: Right. And we hear about
20 that happening a lot with movers who place ads, or they
21 say they don't know how to take them down, but there
22 always is a way to get it taken down.

23 MR. PETRIE: But like I said, I mean, the
24 truck's sold. I mean -- yeah -- I mean, there's no
25 business or whatever. So I mean, like I say, you can

1 Google it -- and the Facebook, I could ask my cousin if
2 he remembers the password or whatever he did. But if
3 not, then that's going to be up for the next -- whenever
4 Facebook decides to shut down.

5 JUDGE PEARSON: Okay. All right.

6 Do either of the parties have anything
7 further?

8 MS. CAMERON-RULKOWSKI: Nothing further from
9 Staff, your Honor.

10 JUDGE PEARSON: Okay. Thank you. So I will
11 take everything under advisement that I heard here
12 today, and I will be issuing an order reflecting my
13 decision.

14 Thank you.

15 MS. CAMERON-RULKOWSKI: Thank you, your
16 Honor.

17 JUDGE PEARSON: We are adjourned.

18 (Hearing concluded at 10:00 a.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

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

IN WITNESS WHEREOF, I have hereunto set my hand
and seal this 17th day of November, 2015.

ANITA W. SELF, RPR, CCR #3032