

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of

MAN AND A VAN, INC.

For a permit to operate as a motor carrier  
of household goods.

DOCKET TV-170284

AMENDED NOTICE OF INTENT TO  
DENY APPLICATION FOR  
PERMANENT AUTHORITY

NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING; SETTING TIME FOR  
ORAL STATEMENTS  
**(Set for March 19, 2018,  
at 9:30 a.m.)**

**BACKGROUND**

- 1 On November 4, 2014, the Washington Utilities and Transportation Commission (Commission) entered Order 02 in Docket TV-143347, Stipulated Initial Order Classifying Respondent as a Household Goods Carrier; Ordering Respondent to Cease and Desist; Imposing and Suspending Penalties on Condition of Future Compliance (Order 02). Order 02 classified Anthony Wright d/b/a Man and a Van, Inc. a/k/a Tacoma Movers (Mr. Wright) as a household goods carrier, ordered Mr. Wright to cease and desist operations until he obtained a permit, and imposed penalties for Mr. Wright's unlawful operations.
- 2 On April 20, 2017, Mr. Wright filed with the Commission an application for authority to operate as a household goods carrier in the state of Washington (Application). On June 9, 2017, Mr. Wright completed the Application.
- 3 On June 29, 2017, the Commission issued a Notice of Intent to Deny Application for Permanent Authority and Notice of Opportunity for Hearing (Notice). The Commission alleged in the Notice that Mr. Wright, is a registered sex offender who was convicted of Assault with Intent to Rape with Force in 1993 and Unlawful Taking or Driving of a Vehicle in 1997. The Commission further alleged that Mr. Wright was remanded back into custody for parole violations in 1995 for fraud, solicitation, and threats, and in 1996 for alleged robbery, accessory to robbery, hostage taking, burglary, and possession of a dangerous weapon. Finally, the Commission alleged that Mr. Wright's parole was extended in 2002 for possession of marijuana, possession of drug paraphilia, and presenting false identification to his parole officer. The Notice provided Mr. Wright with the opportunity to request a hearing to contest the factual allegations by July 14, 2017.

- 4 On June 30, 2017, Mr. Wright filed with the Commission a Request for Hearing. The Commission set the matter as a brief adjudicative proceeding, then continued it twice at the parties' requests. Commission staff (Staff) subsequently made several attempts to work with Mr. Wright to reschedule the hearing. Mr. Wright has been alternately unresponsive and uncooperative.
- 5 In January of 2018, Staff discovered advertisements for household goods moving services offered by Mr. Wright on several different websites. Posing as a consumer, staff contacted Mr. Wright and obtained an offer to provide a household goods move within Washington for compensation.
- 6 Staff alleges that Mr. Wright, who has failed to either withdraw or defend his Application, continues to advertise and offer household goods moving services without a permit, which poses a substantial risk to consumers. Accordingly, Staff recommends the Commission schedule a brief adjudicative proceeding without Mr. Wright's input to dispose of the pending Application.

#### FACTUAL ALLEGATIONS

- 7 On April 20, 2017, Staff generated a "LexisNexis" comprehensive background check report for Mr. Anthony Wright. The report identified four criminal offenses that took place in California, but did not list the specific crimes.
- 8 Staff also requested from the Washington State Patrol a Washington Access to Criminal History (WATCH) report for Mr. Wright. The WATCH Report, dated April 20, 2017, documents that Mr. Wright is a registered sex offender.
- 9 Based on information disclosed in the WATCH Report, Staff filed a public records request with the city of Tacoma to obtain Mr. Wright's sex offender registration packet. That packet shows a 1993 California conviction for Assault with Intent to Rape with Force and a 1997 California conviction for Unlawful Taking or Driving of a Vehicle.
- 10 Mr. Wright's sex offender registration packet also lists a number of parole violations, two of which resulted in returns to custody. The first occurred in December of 1995, when Mr. Wright was remanded for alleged fraud, solicitation, and threats. The second occurred in June of 1996, when Mr. Wright's parole was revoked for alleged robbery, accessory to robbery, hostage taking, burglary, and possession of a dangerous weapon. Mr. Wright also had his parole extended in March 2002 for possession of marijuana, possession of drug paraphilia, and presenting false identification to his parole officer.
- 11 The application for permanent authority asks whether the applicant has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale or distribution of a controlled substance. Mr. Wright

listed only “Assault” on his Application. Mr. Wright did not specify or acknowledge the sexual misconduct and neglected to list the prior conviction for vehicle theft.

- 12 In January 2018, Staff discovered that Mr. Wright continues to advertise household goods moving services on several websites, including [www.pickupandmove.com](http://www.pickupandmove.com), Facebook, and [www.tacomamovers.net](http://www.tacomamovers.net). Staff also discovered a Yelp page containing significant evidence that Mr. Wright is operating as a household goods carrier, including numerous negative reviews of the services he has provided.
- 13 Based on this new information, Staff contacted Mr. Wright on February 12, 2018, and posed as a consumer to determine whether he is operating without a permit. Staff obtained an offer for household goods moving services from Mr. Wright.
- 14 Staff recommends that the Commission deny Mr. Wright’s Application on three separate grounds.
- 15 First, under WAC 480-15-302(8)(b), the Commission may deny an application for operating authority if a person named in the application has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance more than five years prior to the date of the application, and the commission determines that the nature and or extent of the crime(s) will likely interfere with the proper operations of a household goods moving company.
- 16 Staff recommends the Commission deny Mr. Wright’s Application because the nature and extent of his criminal history will interfere with the proper operation of a household goods moving company. Specifically, Staff believes that the Assault with Intent to Rape with Force conviction from March 29, 1993, the vehicle theft charge in 1997, and the multiple parole violations present a significant risk to consumers.
- 17 Second, Mr. Wright was not candid with the Commission in his Application. By providing an inaccurate response to an application question and excluding relevant details of his criminal history, Mr. Wright failed to comply with WAC 480-15-302(2), which states that the Commission will grant provisional authority only if the “application does not contain any fraud, misrepresentation, or erroneous information.” Mr. Wright’s lack of candor and numerous parole violations also suggest a pattern of noncompliance.
- 18 Third, Staff recommends that the Commission deny Mr. Wright’s Application based on his extensive history of unlawful operations as a household goods carrier. The Commission found that Mr. Wright was so operating in 2014 and ordered him to cease and desist from such conduct. Nevertheless, Mr. Wright has continued to operate in violation of that order and chapter 81.80 RCW.

**DISCUSSION**

- 19 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.
- 20 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.
- 21 An applicant demonstrates fitness by establishing a willingness and ability to comply with governing rules and laws. Past violations of these laws and rules can demonstrate an applicant's lack of fitness, especially where repeated or flagrant, or where the applicant cannot offer credible assurances of future compliance.
- 22 The Commission 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 distribution of a controlled substance within five years of the date of the application or 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.
- 23 Based on the information Staff presented, the Commission agrees with Staff's recommendation and intends to deny the Application. The information Staff has discovered indicates that Mr. Wright's criminal convictions, lack of candor in the application process, and history of noncompliance render Mr. Wright unfit to operate as a household goods moving company.
- 24 Staff's findings support the conclusion that the Applicant has failed to meet the requirements of WAC 480-15-302(8) and WAC 480-15-302(13) and that the Commission should deny the Application.
- 25 We agree with Staff that Mr. Wright's failure to act on his Application, coupled with allegations that he continues to operate as a household goods carrier in violation of Order 02 and RCW 81.80, presents a serious risk to consumers that requires immediate attention. Accordingly, it is appropriate that the Commission schedule a brief adjudicative proceeding and take action on the pending Application.

## NOTICE

- 26 **THE COMMISSION HEREBY PROVIDES NOTICE of its intention to deny Man and a Van Inc.'s Application for permanent authority for failure to meet the application requirements in chapter 81.80 RCW and chapter 480-15 WAC.**
- 27 **THE COMMISSION GIVES FURTHER NOTICE that it will hold a brief adjudicative proceeding in this matter at 9:30 a.m., on Monday, March 19, 2018, in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 28 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.
- 29 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents **no later than 5 p.m. on Monday, March 12, 2018**, and bring an original and three (3) copies of those documents to the hearing. Filing shall be in accordance with WAC 480-07-140.
- 30 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**
- 31 The names and mailing addresses of all parties and their known representatives are shown as follows:
- Commission: Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250
- Representative: Jeff Roberson  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1188  
jroberson@utc.wa.gov

Respondent: Man and a Van, Inc.  
Anthony Wright, Governor  
2323 58th Ave. E Unit L3  
Fife, WA 98424  
(253) 212-5250  
thewright1move@gmail.com

32 Administrative Law Judge Rayne Pearson, from the Commission's Administrative Law Division, will preside during this proceeding.

DATED at Olympia, Washington and effective February 21, 2018.

STEVEN V. KING  
Executive Director and Secretary

**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_