

# WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

## NOTICE OF PENALTIES INCURRED AND DUE FOR VIOLATIONS OF LAWS AND RULES

PENALTY ASSESSMENT: TV-091621  
PENALTY AMOUNT: \$3,100

JORGE HUMBERTO LUNA-LOPEZ  
D/B/A UR MOVING SOLUTIONS  
2529 14<sup>TH</sup> AVENUE SOUTH, #625  
SEATTLE, WASHINGTON 98144

The Commission believes that you have committed violations of Washington Administrative Code (WAC) Code 480-15-610 which requires household goods carriers include the Commission-issued permit number, name or trade name as recorded at the Commission, business address and business telephone number in any advertising for household goods moving services. In addition, carriers may not advertise services or rates and charges that conflict with the tariff.

Revised Code of Washington (RCW) 81.04.405 allows penalties of \$100 for every such violation. Each and every such violation shall be a separate and distinct offense and, in the case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.

As a result, the Commission hereby notifies you that it has assessed penalties against you in the amount \$3,100, as follows:

On October 5, 2009, a search of Craigslist revealed 14 advertisements for UR Moving Solutions posted between September 28, 2009, and October 5, 2009. An additional advertisement was posted on [www.backpage.com](http://www.backpage.com) on September 24, 2009. All advertisements contained violations of WAC 480-15-610. They are as follows:

- Craigslist, posted September 28, 2009, at 6:36 a.m. – missing the company name, business address and states there is no minimum “for most moving jobs;” three violations.
- Craigslist, posted September 28, 2009, at 4:23 p.m. – missing the business address; one violation.
- Craigslist, posted September 29, 2009, at 8:41 a.m. – missing the company name and business address; two violations.
- Craigslist, posted September 29, 2009, at 3:01 p.m. – missing the company name, business address and commission-issued permit number; three violations.

- Craigslist, posted September 30, 2009, at 8:19 a.m. – missing the company name, business address, and states there is no minimum for “most moving jobs” ... “M-F from 8:00 am to 5:00 pm;” three violations.
- Craigslist, posted September 30, 2009, at 9:22 p.m. – missing the company name and business address; two violations.
- Craigslist, posted October 1, 2009, at 8:22 a.m. – missing the company name and business address; two violations.
- Craigslist, posted October 1, 2009, at 3:42 p.m. – missing the company name and business address; two violations.
- Craigslist, posted October 2, 2009, at 4:47 p.m. – missing the company name and business address; two violations.
- Craigslist, posted October 3, 2009, at 1:27 p.m. – missing the company name, business address, and states there is “no minimum of hours for most moving jobs;” three violations.
- Craigslist, posted October 3, 2009, at 4:23 p.m. – missing the company name, business address and states “we do not have a minimum of hours Mon-Fri from 8:00 am to 5:00 pm;” three violations.
- Craigslist, posted October 4, 2009, at 9:20 p.m. – missing the company business address; one violation.
- Craigslist, posted October 4, 2009, at 9:26 p.m. – missing the company business address; one violation.
- Craigslist, posted October 5, 2009, at 7:57 a.m. – missing the company business address; one violation.
- Backpage.com, posted September 24, 2009 – missing the company name, business address and states “THERE IS NO MINIMUM OF HOURS M-F 8:00 am to 5:00 pm;” three violations.

This information, if proved at a hearing and not rebutted or explained, is sufficient to support the penalty assessment.

Your penalty is due and payable now. If you believe the violation did not occur, you may request a hearing to contest the penalty assessment. If there is a reason for the violation that you think should excuse you from the penalty, you may ask for mitigation (reduction) of this penalty. See RCW 81.04.405.

You have the right to present your request for review or mitigation at a hearing, but you are not required to do so. If you do, the Commission will review the evidence supporting your request in an informal hearing, called a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider your plea and notify you of his or her decision.

**You must act within 15 days after receiving this notice** to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

**If you do not act within 15 days**, the Commission may refer this matter to the Office of the Attorney General for collection. The Commission may then sue you to collect the penalty.

DATED at Olympia, Washington, and effective October 16, 2009.

A handwritten signature in black ink, appearing to read 'D J Moss', is written over a horizontal line.

DENNIS J. MOSS  
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TV-091621

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

- 1. **Payment of penalty.** I admit that the violation occurred and enclose \$3,100 in payment of the penalty.
- 2. **Request for a hearing.** I believe that the alleged violation did not occur, based on the following information, and request a hearing for a decision by an administrative law judge:

- 3. **Application for mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reason(s) set out below.
  - a) I ask for a hearing for a decision by an administrative law judge
  - OR  b) I waive a hearing and ask for an administrative decision on the information I present here:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: \_\_\_\_\_ [month/day/year], at \_\_\_\_\_ [city, state]

\_\_\_\_\_  
Name of Respondent (company) – please print

\_\_\_\_\_  
Signature of Applicant

-----  
RCW 9A.72.020:

“Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor’s mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony.”