




STATE OF WASHINGTON
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MEMORANDUM

To: David Pratt, Assistant Director for Transportation Safety
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From: Sharon Wallace, Assistant Director
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Date: November 4, 2011

Subject: Commission Staff's Response to Application for Household Goods Moving
Company Permit for Moving On Up, LLC, Docket TV-111886

On November 1, 2011, the Utilities and Transportation Commission received household goods permit application 6707, filed in Docket TV-111886, for Moving On Up, LLC, a limited liability corporation. The application lists Jody Webb as the sole member and owner of Moving On Up, LLC (Moving On Up). Staff recommends the application be denied for the reasons set forth below.

Background

Jody Webb's history with the commission dates back to 2001. At that time, Jody Webb and his brother, Jesse Webb (f/k/a Jesse Aislinn), were doing business as "Miracle Movers" and "Motivated Movers." Jody Webb was listed as the owner of Miracle Movers, Inc. until 2004, when ownership was transferred to his brother, whose legal name at that time was Jesse Aislinn.

On September 11, 2003, the commission issued a Final Order to Cease and Desist against Jody Webb d/b/a Motivated Movers and/or Miracle Movers, Inc. in Docket TV-030010, which required Jody Webb to immediately cease operating as a household goods carrier within the state of Washington without first obtaining permit authority from the commission. A copy of the Final Order is enclosed as Attachment A.



In 2004, ownership of Miracle Movers, Inc. was transferred to Jesse Aislinn. Earlier this year, Jesse Aislinn legally changed his name back to Jesse Webb. Jody Webb's application for Moving On Up indicates that he plans to purchase all of the trucks and equipment from his brother, Jesse Webb.

In 2010, staff began an investigation into Miracle Movers, Inc. and Jesse Webb. A copy of the updated investigation summary is enclosed as Attachment B. The investigation summary details the relationship between Jesse Aislinn (now Webb), Jody Webb, Maria Gamman, and seven vehicles used by these individuals to transport household goods without a permit.

On September 12, 2010, the Department of Licensing cancelled vehicle registrations for five trucks used by Miracle Movers at staff's request, based on violations of commission orders to cease and desist and failure to pay \$13,500 in related penalties. Each of these five vehicles were registered to one of two fictitious corporate entities at a residential address that belongs to Jody Webb. On July 21, 2011, registrations for two additional vehicles were cancelled at staff's request. As part of his application, Jody Webb submitted a statement of his intent to purchase the vehicles in question from Jesse Webb. It appears that Jody Webb already holds a secured interest at least five of the vehicles with cancelled registrations. This permit application and proposal appears to staff to be designed to allow Jody Webb, Jesse Webb, Miracle Movers and any of its many incarnations, to circumvent outstanding legal and financial responsibilities.

Grounds for Denying Application for Household Goods Permit

1. WAC 480-15-330(4)(a) The application is incomplete.

The application submitted by Jody Webb contains no financial information. Instead, Jody Webb has attached a "Business Plan" stating that he plans to purchase all vehicles and equipment from his brother, Jesse Webb. The business plan contains no information regarding the company's assets or liabilities, and provides no information to demonstrate that the company has sufficient financial resources, as required by WAC 480-15-330(4)(d)(iii).

2. WAC 480-15-330(4)(b) The application indicates evidence of fraud, misrepresentation, or erroneous information.

The insufficient business plan submitted by Jody Webb states that he plans to "purchase, from Jesse Webb, moving equipment, service marks, intellectual property, and vehicles necessary to conduct business." As previously noted, five of the seven vehicles with cancelled registrations, however, are registered to Jody Webb's home address. As recently as 2009, it appeared that Jody Webb was the legal owner of those vehicles. The UCC filing referenced in the investigation summary as Attachment J lists Jody Webb as the creditor, and Jesse Aislinn as the debtor, for property owned by the fictitious corporate entities to which the vehicles are registered. The investigation summary details the various transfers of ownership (and attempted transfers of ownership) that Jesse and Jody Webb have engaged in with respect to the vehicles in question. Staff believes this application represents yet another shell transfer between these two individuals. In addition, Jody Webb made false statements on the application regarding his criminal history, as well as his history with the commission, discussed further in the two items that follow.

3. WAC 480-15-330(4)(e)(ii) The applicant has been convicted of a crime.

Jody Webb states on his application that he has not “ever” been convicted of a crime. Staff research indicates that Jody Webb has an extensive criminal history and was arrested as recently as October 24, 2011. A copy of his criminal history is enclosed as Attachment C.

4. WAC 480-15-330(4)(e)(v) The applicant has been subject to other enforcement actions for violations of state law or commission rules.

As discussed above, Jody Webb was ordered to cease and desist operating as a household goods carrier by commission Final Order in Docket TV-030010.

5. WAC 480-15-330(4)(g) Other circumstances exist that cause the commission to believe issuing the permit is not in the public interest.

Jody Webb has evaded regulation by the commission for more than a decade. Until the commission cancelled the vehicle registrations for the trucks that his brother, Jesse Webb, is using to transport household goods without a permit, neither Jody nor Jesse Webb expressed any interest in coming into compliance with commission laws and rules. In March of this year, Jesse Webb attempted to transfer ownership of the vehicles to Alice Cowles. Ms. Cowles claimed to have no relation to Mr. Webb; however, as noted in Attachment B, the address Mr. Webb used to renew the business license for Miracle Movers is the personal residence owned by Ms. Cowles. Their relationship is detailed in the enclosed investigation summary. Jesse Webb tried again to transfer ownership to an alleged unaffiliated party, Maria Gamman, earlier this year. Staff research indicates that Ms. Gamman is related to Jesse Webb by marriage, and that she and Jesse Webb co-own a Nevada corporation. Staff believes that Jody Webb’s application represents yet another attempt by Jesse and/or Jody Webb to get the vehicle registrations reinstated without satisfying state regulatory requirements and their outstanding legal and financial responsibilities.

Recommendation

Staff recommends that Moving On Up’s application for a household goods permit be denied on the grounds stated above.