

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of)	DOCKET TV-150367
)	
J&S INTEGRITY MOVERS, LLC)	NOTICE OF INTENT TO DENY
)	APPLICATION FOR PERMANENT
for a permit to operate as a motor)	AUTHORITY;
carrier of household goods.)	
)	NOTICE OF OPPORTUNITY FOR
.....)	HEARING

BACKGROUND

- 1 On February 28, 2015, J&S Integrity Movers, LLC (J&S Integrity or Applicant) filed with the Utilities and Transportation Commission (Commission) an application for authority to operate as a household goods carrier in the state of Washington (Application). The Application lists two owners, Tonette Wofford and Ruth Larkins.
- 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.
- 3 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.
- 4 The Commission will not grant provisional authority if the application contains any indication of fraud, misrepresentation, or erroneous information.¹
- 5 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

¹ See WAC 480-15-302.

Commission may hold a hearing or brief adjudicative proceeding on any application for permanent authority.²

- 6 Commission Staff (Staff) has reviewed the Application, and recommends that the Commission deny the Application for the reasons set out below.

FACTUAL ALLEGATIONS

- 7 A search of the Washington Secretary of State Corporations Registration database produced a record for J&S Integrity Movers, LLC, governed by James Larkins at 1105 S. 10th Street, Tacoma, WA, and Samuel Wofford at 2320 S. L Street, Tacoma, WA. Samuel Wofford's address is listed on the Application as J&S Integrity's physical and mailing address.
- 8 A search of the Washington Department of Revenue's Business Licensing Services produced a record for J&S Integrity Movers, LLC, also governed by James Larkins and Samuel Wofford at the South L Street address in Tacoma.
- 9 Staff's investigation found that Tonette Wofford is married to Samuel Wofford, and Ruth Larkins is married to James Larkins.
- 10 On March 3, 2015, Staff obtained a WATCH report through the Washington State Patrol for James H. Larkins. Mr. Larkins was convicted of possession of a controlled substance on June 8, 2010. He also has six other felony convictions since 1994; four of the convictions are for the possession or manufacture of a controlled substance.
- 11 On March 5, 2015, Staff obtained a WATCH report through the Washington State Patrol for Samuel L. Wofford. Mr. Wofford has two felony convictions for possession of a controlled substance in 1989 and 2001.
- 12 On March 5, 2015, staff located a post on James Larkins's Facebook page offering moving services. The post states, in part, "[I]'m licensed and fully insured, so if you or anyone you know are looking to be moved, any size home weather 1-bdrm or 6 we can handle it." The post is dated February 8, 2015.
- 13 WAC 480-15-302(8)(a) provides that the Commission will not grant provisional authority if any person named in an application has been convicted of any crime

² See WAC 480-15-350.

involving possession of a controlled substance in the past five years. Mr. Larkins's felony conviction for possession of a controlled substance in June 2010 falls within the five-year period, and would preclude Mr. Larkins from obtaining a permit.

- 14 According to multiple state records, the governing persons of J&S Integrity are James Larkins and Samuel Wofford. Staff finds that, more likely than not, this information was intentionally concealed on the Application because James Larkins's criminal history prohibits him from obtaining provisional authority under WAC 480-15-302(8)(a).
- 15 Staff finds the Application contains a misrepresentation related to the ownership of J&S Movers, and recommends the Commission deny the Application.

DISCUSSION

- 16 We agree with Staff's recommendation and deny the Application. WAC 480-15-302(2) provides a basis for denying an application if it contains any indication of fraud, misrepresentation, or erroneous information. Staff's conclusion that the company is actually owned by James Wofford and Samuel Larkins (The "J" and "S" in J&S Integrity) is reasonable and well supported. Mr. Larkins's criminal record provides a motive to conceal the true ownership of the company. In conjunction with the registration data on file with other state agencies and Mr. Larkins's Facebook post, these factors create a presumption that Mr. Larkins and Mr. Wofford are the owners of J&S Integrity.
- 17 Staff's findings support the conclusion that issuing the permit is not in the public interest, and the Application should be denied.

NOTICE

- 18 The Commission hereby provides notice of its intention to deny J&S Integrity's Application for permanent authority for failure to meet the application requirements in RCW 81.80 and WAC 480-15.
- 19 **NOTICE OF OPPORTUNITY FOR HEARING.** J&S Integrity may request a hearing to contest the factual allegations set out in this notice. J&S Integrity may request such a hearing by filing a written request for a hearing with the Commission by **April 6, 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 Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, and must reference Docket TV-150223.

- 20 If J&S Integrity requests a hearing by **April 6, 2015**, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If J&S Integrity does not request a hearing by that date, the Commission will enter an order rejecting the application for permanent authority.

DATED at Olympia, Washington, and effective March 23, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary