

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper  
Carrier Classification of, and Complaint  
for Penalties against:

JEAN FRANCOIS ASSIN d/b/a  
STRONG MUSCLES MOVERS aka  
TCHAMAN MOVERS

DOCKET TV-161077

ORDER 03

IMPOSING SUSPENDED PENALTY

**BACKGROUND**

- 1 On October 25, 2016, the Washington Utilities and Transportation Commission (Commission) entered Order 02, Initial Order Classifying Respondent as a Household Goods Carrier; Ordering Respondent to Cease & Desist; Imposing and Suspending Penalties on Condition of Future Compliance (Order 02). Order 02 required Jean Francois Assin d/b/a Strong Muscles Movers aka Tchaman Movers (Mr. Assin) to cease and desist operating as a household goods carrier and imposed a fine of \$5,000 for two violations of RCW 81.80, all but \$500 of which was suspended for a period of two years conditioned on the Company: (1) permanently refraining from operating as a household goods carrier without first obtaining a permit from the Commission, and (2) paying the \$500 portion of the penalty that was not suspended according to the approved payment schedule.
- 2 On February 20, 2018, Commission staff (Staff) filed with the Commission a letter requesting the Commission impose the \$4,500 suspended penalty. Staff alleges that Mr. Assin continues to operate as a household goods carrier without first obtaining a permit from the Commission.
- 3 Staff explained that on December 21, 2017, while investigating a consumer complaint against Glodi F. Loleke d/b/a Double Strength Movers (Mr. Loleke), Staff spoke with Mr. Loleke, who explained that his brother, Mr. Assin, performed the move in question. Mr. Loleke advised Staff that he does not conduct household goods moves, and that he obtained a household goods permit on his brother's behalf.
- 4 On December 22, 2017, Staff referred to Mr. Loleke the consumer complaint via email. On December 26, Mr. Loleke responded to Staff. The email chain Mr. Loleke provided showed that he and Mr. Assin had exchanged emails related to the consumer's complaint.

5 Because it appears that Mr. Assin continues to operate as a household goods carrier without first obtaining the required permit from the Commission, Staff recommends the Commission impose the remaining \$4,500 suspended portion of the penalty for failing to comply with the terms of Order 02.

6 On February 21, 2018, the Commission issued a Notice of Opportunity to Respond and Notice of Opportunity to Request a Hearing (Notice). The Notice gave the Company until February 28, 2018, to submit a written response or request a hearing to contest Staff's allegations of illegal operations. The Company did not file a response.

### **DISCUSSION AND DECISION**

7 We find that Mr. Assin violated the conditions of Order 02 and impose the \$4,500 suspended portion of the penalty. Staff submitted evidence that Mr. Assin is engaging in the business of a household goods carrier by providing household goods moves. Mr. Assin failed to rebut that evidence. Accordingly, we find on basis of the evidence in the record that the Company has failed to fulfill one of the conditions under which the Commission suspended \$4,500 of the assessed penalty. The \$4,500 penalty is therefore now due and payable.

### **ORDER**

#### **THE COMMISSION ORDERS That**

- 8 (1) Jean Francois Assin d/b/a Strong Muscles Movers aka Tchaman Movers has not complied with the conditions under which the Commission suspended \$4,500 of the \$5,000 penalty assessment.
- 9 (2) The full \$4,500 suspended penalty is now due and payable.

DATED at Olympia, Washington, and effective March 2, 2018.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**RAYNE PEARSON**  
Administrative Law Judge