Service Date: October 11, 2019

# BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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

PAUL HENRICKSON D/B/A CONCRETE AND MORE **DOCKET TG-190793** 

DECLARATION OF KATHRYN MCPHERSON

Kathryn McPherson, under penalty of perjury under the laws of the State of Washington, declares as follows:

- 1. I am employed by the Washington Utilities and Transportation Commission (Commission) as an investigator in the Solid Waste Enforcement program within the Transportation Safety Division. As an investigator, my responsibilities include conducting investigations regarding the business practices of regulated transportation companies. As part of those duties, I investigate transportation companies that may be operating without the required Commission-issued certificate.
- 2. On May 3, 2019, I found information that Paul Henrickson, d/b/a Concrete and More (Concrete and More or Company), advertised on Craigslist as a solid waste carrier.<sup>1</sup>
- 3. On May 3, 2019, a search of Washington State Department of Revenue's (DOR) records showed that Paul Henrickson has an active business registration under the name Concrete and More.<sup>2</sup> DOR's records indicate that Concrete and More's business address is 8821 20<sup>th</sup> St SE Unit A, Lake Stevens, Washington, 98258. The same address appears on advertising found online at <a href="https://www.hirerush.com">www.hirerush.com</a> on May 3, 2019. The Company's business phone number, listed as (425) 686-5270, matches the phone number on the Craigslist advertisement.
- 4. On May 3, 2019, I reviewed Commission records to determine if Paul Henrickson or Concrete and More had authority to operate as a solid waste carrier in the state of Washington. I learned that the Commission has no record of the Company.
- 5. On May 6, 2019, I sent a letter to Concrete and More at 8821 20<sup>th</sup> Street SE, Unit A, Lake Stevens, Washington, 98258, stating that I believed his business was in violation of

<sup>&</sup>lt;sup>1</sup> See Attachment A for copies of online advertising from Craigslist.

<sup>&</sup>lt;sup>2</sup> See Attachment B for copy of Washington State Department of Revenue Online.

Commission rules by operating as a solid waste carrier without the required certificate.<sup>3</sup> The Company was required to respond by May 20, 2019, by either submitting a completed application for solid waste transportation certificate, or by explaining in writing why the business does not require a solid waste certificate.

- 6. May 27, 2019, I received returned mail from the Company. The note on the envelope stated "return to sender, not at this address."
- 7. On July 16, 2019, I called Concrete and More at (425) 686-5270 and spoke with Paul Henrickson. I identified myself and explained that the Commission sent the Company a letter providing technical assistance that was returned, and I requested a valid address. I explained the technical assistance provided was regarding online advertisements for solid waste services and household moving. I explained that the Commission requires permitting prior to providing either of those services. Paul Henrickson refused to provide an address, expressing concerns that the phone call may be a scam.
- 8. On July 18, 2019, I called Paul Henrickson at (425) 686-5270. Paul Henrickson did not want to discuss the Craigslist advertising and stated the Commission has no proof the Company was advertising. Paul Henrickson stated that the Company probably has the smallest truck at the dump, and the rules do not apply to Concrete and More. Paul Henrickson refused to provide a new address and stated the Company was not going to accept mail from the Commission.
- 9. On August 20, 2019, I researched current known addresses for Paul Henrickson and Concrete and More. I found an address of 22720 3<sup>rd</sup> Ave SE A, Bothell, Washington, 98021. The address appeared in Accurint as active as of August 2019. <sup>4</sup>
- 10. On August 22, 2019, I sent a second letter to Paul Henrickson at 22720 3<sup>rd</sup> Ave SE A, Bothell, Washington, 98021, stating that I believed the business was in violation of Commission rules by operating as a solid waste carrier without the required certificate.<sup>5</sup> Paul Henrickson was required to respond by September 5, 2019, by either submitting a completed application for solid waste transportation certificate, or by explaining in writing why the business does not require a solid waste certificate.
- 11. On September 4, 2019, Paul Henrickson called me stating he had received the non-compliance letter. He stated he does not own Concrete and More and has not owned the Company in more than fifteen years. I stated that I discovered a current registration with his name on the DOR website. Paul Henrickson stated that DOR's information is inaccurate. I explained the laws and regulations regarding household goods and solid waste operating in Washington state. I explained that if the Company intends to transport

<sup>&</sup>lt;sup>3</sup> See Attachment C for a copy of the compliance letter dated May 6, 2019, sent to Paul Henrickson d/b/a Concrete and More.

<sup>&</sup>lt;sup>4</sup> See Attachment D for a copy of Accurint report.

<sup>&</sup>lt;sup>5</sup> See Attachment E for a copy of the compliance letter dated August 22, 2019, sent to Paul Henrickson d/b/a Concrete and More.

solid waste it must apply for a certificate. Paul Henrickson stated he would remove or change the advertisments, but did not feel he should have to. I informed Paul Henrickson that staff would follow-up with his advertising to ensure compliance in the future.

- 12. September 4, 2019, I found current advertising for Concrete and More on Craigslist.<sup>6</sup>
- 13. September 17, 2019, I checked Craigslist for Concrete and More advertisements. I found the Company's advertisement to haul "anything." The Craigslist advertisement was posted September 16, 2019.
- 14. September 17, 2019, using an assumed name, I responded to Concrete and More's Craigslist advertisement via Gmail. I explained that I had bagged old stuff I needed hauled away. It was placed roadside. The email included a photo of approximately eight large black garbage bags. Paul Henrickson responded September 19, 2019, requesting that I send photos via text message of the solid waste to be hauled to (360) 686-5270.
- 15. September 19, 2019, I texted Concrete and More the photo of the garbage bags. In the text message I stated I needed the stuff taken to the dump. I included a photo. Paul Henrickson responded that he could do it for one hundred dollars.<sup>8</sup>

DATED this 2 <sup>nd</sup>	¹ day of	October,	2019,	at Lacey,	Washington.
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Kathryn McPherson	

<sup>&</sup>lt;sup>6</sup> Attachment F Craigslist advertisement from September 4, 2019.

<sup>&</sup>lt;sup>7</sup> Attachment G Email between Paul Henrickson and staff September 17 to September 19, 2019 regarding solid waste service booking.

<sup>&</sup>lt;sup>8</sup> Attachment H Copy of text message between staff and Paul Henrickson.

#### Attachment A

F-250 Hauling everything - labor / hauling / moving

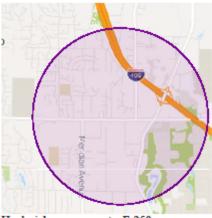
Page 1 of 1



CL) seattle > snohomish co > services > labor / hauling / moving

Contact Information:

# F-250 Hauling everything (ALL)



Haul-pick up, move, etc. F-250

I will haul, move, pick up anything.

Landscape materials

Furniture

Garbage

Whatever.

Call me at 425-686-5270

QR Code Link to This Post



## Attachment B

eServices Page 1 of 1

### Washington State Department of Revenue Business Lookup CONCRETE AND MORE License Information: New search Back to results Entity name: HENRICKSON, PAUL Business name: CONCRETE AND MORE Entity type: Sole Proprietor UBI #: 604-183-181 Business ID: 001 Location ID: 0001 Location: 8821 20TH ST SE UNIT A LAKE STEVENS WA 98258-4711 USA Location address: 8821 20TH ST SE UNIT A LAKE STEVENS WA 98258-4711 USA Mailing address: Open (Vlew) Governing People sky nature governing people not registered with the century of State Governing people HENRICKSON, PAUL Registered Trade Names Registered trade names First Issued CONCRETE AND MORE Active Nov-02-2017 The Business Lookup information is updated nightly. Search date and time: 3/13/2019 7:46:06 AM

Working together to fund Washington's future

#### Attachment C



#### STATE OF WASHINGTON

#### UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250 (360) 664-1160 • TTY (360) 586-8203

May 6, 2019

Paul Henrickson Concrete and More 8821 20<sup>th</sup> St SE, Unit A Lake Stevens, WA 98258

Dear Mr. Henrickson:

The Washington Utilities and Transportation Commission (commission) believes Paul Henrickson d/b/a Concrete and More (Concrete and More) is engaged in services that require a permit from the commission. The purpose of this letter is to provide technical assistance to you with respect to Washington's household goods moving and solid waste hauling requirements.

Operating as a household goods carrier without the commission-issued permit is illegal and subject to a penalty of \$5,000 per violation. Under the law, advertising of moving services is evidence of operating as a household goods carrier. Until Concrete and More obtains a household goods carrier permit, you must immediately cease and desist from operating or advertising as a household goods carrier in Washington state.

Operating or advertising as a solid waste hauler without the required certificate also is illegal, and subject to a penalty of \$1,000 per violation. Under the law, advertising of solid waste collection services is evidence of operating as a solid waste hauler. Solid waste collection includes residential and commercial garbage, residential recycling, yard waste, and drop box service. Until Concrete and More obtains a solid waste hauling certificate, you must immediately cease and desist from operating or advertising as a solid waste hauler in Washington State.

To avoid enforcement action by the commission, by May 20, 2019, you must either:

 Submit completed applications (enclosed) for household goods moving and solid waste hauling permits, along with the required fees, proof of insurance, and supporting documents,

OT.

<sup>1</sup> RCW 81.80.075

<sup>2</sup> RCW 81.04.380

May 6, 2019 Paul Henrickson Page 2

b) Explain in writing why you believe your operations do not require authority from the commission. Please explain your operations in detail.

Please direct your written response, to <a href="mailto:Kathryn.McPherson@utc.wa.gov">Kathryn.McPherson@utc.wa.gov</a> or to P.O. Box 47250, Olympia, WA 98504. You may also reach Ms. McPherson at 360-664-1108.

Sincerely,

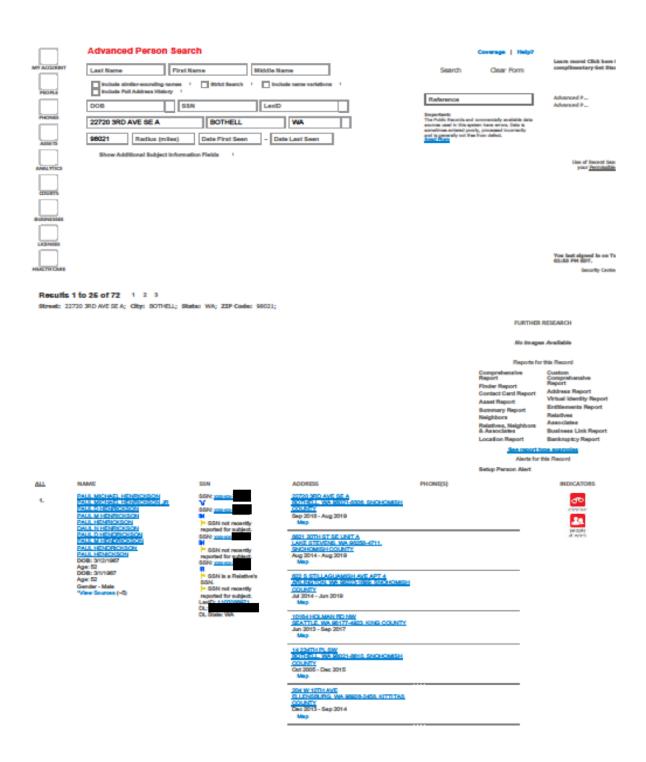
Mike Turcott Compliance Investigations Supervisor

Enclosures (3)

#### Attachment D

#### Advanced Person Search

Page 1 of 14



#### Attachment E



#### STATE OF WASHINGTON

#### UTILITIES AND TRANSPORTATION COMMISSION

1306 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250 (360) 664-1160 • TTY (360) 585-8203

August 22, 2019

Paul Henrickson Concrete and More 22720 3<sup>rd</sup> Avenue SE A Bothell, WA 98021

Dear Mr. Henrickson:

The Washington Utilities and Transportation Commission (commission) believes Paul Henrickson d/h/a Concrete and More (Concrete and More) engaged in solid waste collection and household goods transportation services that require a permit from the commission. The purpose of this letter is to provide technical assistance to you with respect to Washington's household goods moving and solid waste transportation laws.

Operating as a household goods carrier without the commission-issued permit is illegal and subject to a penalty of \$5,000 per violation. Under the law, advertising of moving services is evidence of operating as a household goods carrier. Until Concrete and More obtains a household goods carrier permit, it must immediately cease and desist from operating or advertising as a household goods carrier in Washington state.

Operating or advertising as a solid waste hauler without the required certificate is also illegal, and subject to a penalty of \$1,000 per violation. Under the law, advertising of solid waste collection services is evidence of operating as a solid waste hauler. Solid waste collection includes residential and commercial garbage, residential recycling, yard waste, and drop box service. Until Concrete and More obtains a solid waste hauling certificate, it must immediately cease and desist from operating or advertising as a solid waste hauler in Washington State.

To avoid enforcement action by the commission, by September 4, 2019, you must either:

 Submit completed applications (enclosed) for household goods moving and solid waste hauling permits, along with the required fees, proof of insurance, and supporting documents.

RCW 81.80.075

<sup>2</sup> RCW 81.04.380

August 22, 2019 Paul Henrickson Page 2

or,

 Explain in writing why you believe your operations do not require authority from the commission. Please explain your operations in detail.

Please direct your written response, to Kathryn McPherson Qute.wa.gov or to P.O. Box 47250, Olympia, WA 98504. You may also reach Ms. McPherson at 360-664-1108.

Sincerely,

Mathew Perkinson

Assistant Director, Transportation Safety

Enclosures (3)

## Attachment F

9/4/2019

F-250 Hauling everything and Demolition - labor / hauling / moving

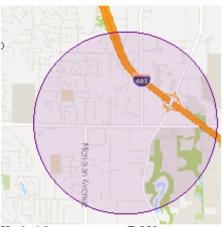
(CL) seattle > snohomish co > services > labor / hauling / moving

P flag favorite hide

Posted about 2 hours ago on: 2019-09-04 10:25

Contact Information:

# F-250 Hauling everything and Demolition (ALL)



Haul-pick up, move, etc. F-250

QR Code Link to This

I will haul, move, pick up anything.

Landscape materials

Furniture

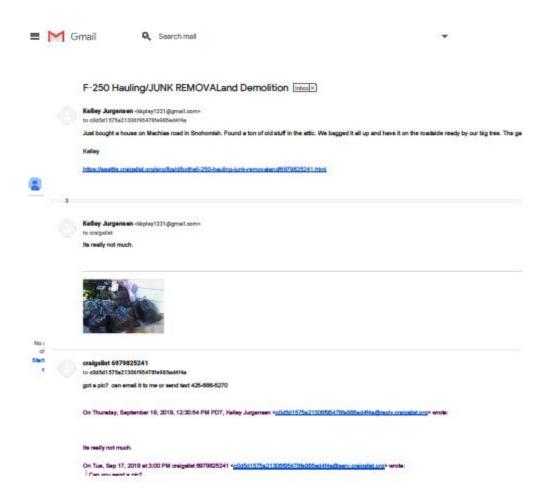
Garbage

Construction

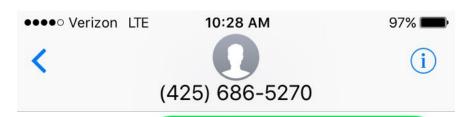
https://seattle.craigslist.org/sno/ibs/d/bothell-250-hauling-everything-and/6971313133.html

## Attachment G

F-250 Hauling/JUNK REMOVAL and Demolition - kkplay1221@gmail.com - Gmail Page 1 of 2



## **Attachment H**



Hi here is a pic of the stuff. I just need it taken to dump.

Kelley



Where are you and I can do a.s.a.p

How much will it cost the garbage company wants to charge me way extra

100



Text Message

