



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

November 15, 2018

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Seattle Moves & More LLC*
Commission Staff's Response to Application for Mitigation of Penalties
Docket TV-180748

Dear Mr. Johnson:

On October 2, 2018, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Seattle Moves and More LLC (Seattle Moves or Company) in the amount of \$600 for violations of WAC 480-15-555 – Criminal Background Checks for Prospective Employees, and WAC 480-15-560 – Equipment Safety Requirements, which adopts Title 49 Code of Federal Regulations (CFR) Part 396 – Inspection, Repair, and Maintenance, as follows:

- **Five violations of WAC 480-15-555 – Failing to acquire criminal background check of prospective employees.** The Company failed to acquire criminal background checks for five prospective employees, Justin Johnson, Conner Jordan, Lauren Ritter, Taylor Cox, and Troy Mundale.
- **One violation of Title 49 CFR Part 396.3(b) – Required records.** The Company failed to keep the minimum required records of inspection and maintenance for two of the commercial vehicles examined.

Mitigation Request: On November 6, 2018, Seattle Moves filed with the Commission its application for mitigation of penalties. In the request for mitigation, Lars Kaldestad, owner of Seattle Moves, admitted the violations, stated he believed that the penalty should be reduced, and requested a hearing to present evidence to an administrative law judge for a decision. Mr. Kaldestad failed to provide any information in support of his requests for mitigation or a hearing.

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Staff Response: Staff finds the Company's request for mitigation to be both untimely and non-compelling. Companies are asked to submit a request for mitigation within 15 days of receiving the notice of penalties and directed to provide reasons in support of its request for mitigation or a hearing, otherwise the request can be denied.

Staff recommendation: Because the Company's request for mitigation is untimely and incomplete, staff recommends no mitigation of the \$600 penalty.

If you have any questions, please contact Brian Braun, Compliance Investigator, Consumer Protection, at (360) 664-1129, or by e-mail at brian.braun@utc.wa.gov.

Sincerely,



Bridgit Feeser
Assistant Director, Consumer Protection