

**California Public Utilities Commission**  
**505 Van Ness Ave., San Francisco**

**FOR IMMEDIATE RELEASE**

**PRESS RELEASE**

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**CPUC INVESTIGATIONS RESULT IN ENFORCEMENT ACTIONS AND  
FINES IMPOSED ON VARIOUS MOVING COMPANIES**

SAN FRANCISCO, March 15, 2012 – The California Public Utilities Commission (CPUC), in its ongoing commitment to consumer protection, has recently taken a number of actions to protect consumers from illegally operating moving companies.

During the fourth quarter of 2011, CPUC staff took the following enforcement actions against moving companies for violations of the Public Utilities Code and CPUC rules and regulations, including Maximum Rate Tariff 4 (MAX 4), which contains maximum rates that carriers must observe as well as rules and regulations governing intrastate moves.

**Administrative Citations**

Royal Moving Services, Inc. dba Careful Movers (MTR 190156) based in San Carlos, Calif., was fined \$6,000 for the following violations:

1. Engaged four employees without evidence of workers' compensation insurance coverage in effect and on file with the CPUC;
2. Issued Estimated Cost of Services without performing visual inspections;
3. Failed to issue a Change Order for Services to justify exceeding the Estimated Cost of Services or the Not to Exceed price;
4. Failed to provide the Important Notice About Your Move document at least three days prior to the move date;
5. Failed to provide the "Important Information for Persons Moving Household Goods" booklet;
6. Failed to charge distance rates on moves that exceed 100 constructive miles;
7. Deviated from the units of measurement specified in Maximum Rate Tariff 4; and,
8. Issued incomplete moving documents.

Ori Van Lines, Inc. (MTR 190576) based in San Jose, Calif., was fined \$2,000 for the following violations:

1. Issued incomplete moving documents;
2. Failed to provide Important Notice About Your Move;

3. Failed to perform a visual inspection when issuing estimates;
4. Overcharges;
5. Failed to issue Change Order of Services;
6. Failed to maintain a Claims Register;
7. Failed to note times when performing hourly moves;
8. Issued a release of liability in violation of Public Utilities Code;
9. Underreported revenue; and,
10. Failed to obtain weigh master's certificate.

The company was ordered to pay back fees and restitution to customer.

Popeye Moving & Storage, LLC, (MTR 189749) based in Los Angeles was fined \$1,000 for the following violations:

1. Failed to provide the "Important Notice About Your Move" document; and,
2. Failed to provide a "Not to Exceed Price".

Coast 2 Coast Movers, LLC, (MTR 190686) based in Los Angeles was fined \$1,000 for the following violations:

1. Operated during suspension; and,
2. Failed to provide shippers the Important Notice About Your Move document.

Zhiyuan Zhang dba Express Moving Services, (MTR 189756) based in Union City, Calif., was fined \$2,000 for the following violations:

1. Operated after suspension and revocation of permit;
2. Failed to provide the Important Notice About Your Move document at least three days prior to the move date;
3. Failed to provide the Important Information for Persons Moving Household Goods booklet;
4. Failed to state valuation rates; and,
5. Issued incomplete moving documents.

SM&S Relocation, Inc., dba Speedee Movers (MTR 190474) based in San Jose, Calif., was fined \$3,500 for the following violations:

1. Failed to provide the Important Notice About Your Move document at least three days prior to the move date;
2. Failed to provide the Important Information for Persons Moving Household Goods booklet;
3. Failed to charge distance rates on moves that exceed 100 constructive miles
4. Failed to apply correct charges based on weight certificates;
5. Failed to disclose all charges and willfully quoted a lower rate knowing the actual charge will be more than the quote;
6. Under-reported gross revenue and underpaid fees;
7. Issued incomplete moving documents;
8. Failed to state valuation rates; and,
9. Other Max 4 tariff violations.

## **Phone Disconnections**

As part of its ongoing efforts to clamp down on illegal moving companies, the CPUC had telephone service shut off to four moving companies operating in California without a household goods permit. These companies continued to advertise and hold themselves out to engage in the business of transporting used household goods, notwithstanding CPUC staff directives to immediately cease and desist unlawful acts and to obtain a household goods permit.

1. Mutunga Maithya, dba Central Valley Movers, Modesto, Calif. (Unlicensed): The company advertised and offered household goods moving services on the Internet. The advertisements listed one phone number. Despite CPUC staff's cease and desist letters directing the company to immediately halt all unlawful advertisements and operations, the company continued to violate the law as evidenced by reviews appearing on the Internet. On October 12, 2011, CPUC staff obtained a Finding of Probable Cause signed by a Stanislaus County Superior Court Judge. The Finding orders disconnection of telephone service to the number advertised and used by the company.
2. Tyson Mol dba All Care Moving Company, Santa Clara, Calif. (MTR 189681): After CPUC staff obtained a court order on March 26, 2010, directing the disconnection of telephone numbers, the company obtained a new telephone number and willfully continued to advertise his unlicensed business on the Internet offering household goods moves after revocation of his permit. On October 14, 2011, CPUC staff obtained a second Finding of Probable Cause signed by a Santa Clara County Superior Court Judge. The order finds that telephone service at the number advertised was being used to violate criminal laws of the State of California and orders disconnection of the number.
3. Dustan Bartlett and/or Tom Brouillette, acting as individuals or in concert, dba Sultans of Schlep, San Francisco (Unlicensed): The company advertised and offered household goods moving services on the Internet. The advertisements listed three phone numbers. The company continued to violate the law after receiving written and oral communications from CPUC staff to cease and desist. The court Finding obtained by CPUC staff orders disconnection of telephone service to the three telephone numbers advertised and used by the company.
4. Juan G. Diaz Hernandez dba Complete Moving Service Company, Aromas, Calif. (Unlicensed): The company advertised household goods moving services on the side of a truck. The company failed to remove the sign on the truck after being directed to do so by CPUC staff. A court order was obtained authorizing the disconnection of the advertised phone number.

## **Criminal Filings**

Following is an update on two criminal cases previously filed:

1. Duncan and Elbaz, Inc. dba Worldwide Relocations, Worldwide Moving, Moving US Moving & Storage, Marten Transport, Marten Movers, Atlas Van Lines and S Van Lines, and its President Edan Elbaz, Santa Clara (MTR190482-Denied): In conjunction with the Moving

Companies Task Force, CPUC staff had been providing the Santa Clara County District Attorney's office with copies of consumer complaints filed with the CPUC. In addition, CPUC staff submitted a report on two consumer complaints alleging goods held hostage and exorbitant moving charges. The company did not have a valid household goods carrier permit to conduct these moves. Based on the complaints received and sting operations, the District Attorney's office filed a felony complaint charging Edan Elbaz and Mellisa Gisselle Jimenez (sales person) with 12 counts of conspiracy with others to commit a crime, a violation of Penal Code section 484-487(a) (Grand Theft). Warrants for their arrest were issued. Ms. Jimenez was booked and released on \$150,000 bail. The whereabouts of Elbaz is unknown. **Update:** Ms. Jimenez pled no contest to one count of grand theft and one count of conspiracy. She was sentenced to 5 years of probation and 480 hours of community service. Her plea allows consideration of all the other charges when determining restitution. Restitution will be determined by the probation department.

2. MTF Relocation, Inc. dba Best Local Relocation, San Jose (MTR 190354-Revoked): CPUC staff participated in a multiagency taskforce along with the Santa Clara District Attorney's office, the Federal Bureau of Investigation, the Department of Transportation, Immigration and Customs Enforcement, Weights and Measures, and other agencies targeting problem moving companies in Santa Clara County. A search warrant was executed on MTF's place of business. Oren Avitan, owner of MTF, was not present and fled the country. Employee Rodney Duque was arrested and charged with 32 counts of conspiracy and grand theft. **Update:** A preliminary hearing was held in November 2011 in the Superior Court of Santa Clara County for Duque. Five charges were dropped due to the inability to locate some of the victims. Duque was held to answer on 26 of the 27 remaining counts.

### **Official Notice**

The following five companies were issued an Official Notice for advertising and operating without a permit.

1. Jose Diaz dba Jose Diaz Hauling & Moving and Jose's Low Cost Moving & Hauling, Hayward (Unlicensed)
2. Sean J. Sullivan dba Movers Anonymous, Berkeley (MTR 190796)
3. Ricky Harlen Richardson dba Best Way Movers, Placerville (MTR 189010)
4. Robbie Reidy O'Keeffe dba Big Leprechaun Moving & Storage, San Francisco (MTR 190843)
5. Stafford dba Sent Packing, Oakland (Unlicensed)

### **Cease and Desist Notice**

Nineteen companies were issued a cease and desist notice for operating and advertising without a valid permit (unlicensed, revoked, or denied).

Companies issued a cease and desist notice:

1. Safe Movers, Oakland (Unlicensed)

2. Claddagh Moving, San Francisco (Unlicensed)
3. Mr. Mover's Moving Assistance, Oakland (Unlicensed)
4. Joy Ayiko Drati dba Ayiko Express, Pittsburg (Unlicensed)
5. Brianne Rosado and Robert Rosado dba Cal Movers, Mountain View (MTR 190868)
6. Neal Crofton dba Claddagh Moving, San Francisco (unlicensed)
7. Robert Titus dba Titus Moving, Menifee (Unlicensed)
8. Pacific Island Logistics, Encino (Unlicensed)
9. Elmer Shannon dba Safe Movers, Emeryville (Unlicensed)
10. Rick Arthur Lopez Jr. dba My Dad's Moving, San Jose (MTR 190484)
11. Henry Fu dba Bay Area moving Service, San Francisco (Unlicensed)
12. Robert Bellot & Estella Drati dba B&P Moving, Pittsburg (Unlicensed)
13. Isabel Fuentealba, dba Moves Made Easy, Citrus Heights (Unlicensed)
14. Antonio R. Chavez dba Neway Moving, Concord (Unlicensed)

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