



September 9, 2021

Sent Via Certified and First-Class Mail

Kara Kelly, Chief Executive Officer
WBN Home Design
8647 San Fernando Road
Sun Valley, CA 91352

Subject: Citation CIT-HHM 59 Issued to WBN Home Design

Dear Ms. Kelly:

The above referenced citation has been affirmed by the Bureau of Household Goods and Services (Bureau) in accordance with the Business and Professions code sections 125.9 and 148 for violation(s) that were found during a Bureau investigation or inspection.

The decision to affirm Citation CIT-HHM 59 is based on information you provided at the Citation Review Conference, which was conducted on June 22, 2021. The enclosed Summary of Factors Considered provides the criteria and information used to make this determination.

We received your request for administrative hearing and have forwarded that request to the Office of the Attorney General.

If you have any questions regarding this matter, please contact the Bureau at (916) 999-2041.

Sincerely,

Yeaphana La Marr, Policy Manager
Bureau of Household Goods and Services

Enclosures: Summary of Factors Considered
Citation Remittance Form
Declaration of Service



SUMMARY OF FACTORS CONSIDERED

**Section(s)
Violated:**

Business and Professions Code section 19237(a)

**Description of
Violation:**

A household mover shall not engage, or attempt to engage, in the business of the transportation of used household goods and personal effects by motor vehicle over any public highway in this state, including by any means or media, advertising, soliciting, offering, arranging as a broker, or entering into an agreement regarding the transportation of used household goods and personal effects, unless both of the following are satisfied:

(1) For transportation of household goods and personal effects entirely within this state, there is in force a permit issued by the bureau authorizing those operations. Permits issued by the Public Utilities Commission pursuant to the former Chapter 7 (commencing with Section 5101) of Division 2 of the Public Utilities Code, that are valid and effective on the operative date of this chapter, shall remain in effect, subject to the provisions of this chapter, for a period of not more than two years after the operative date of this chapter, or until the time the bureau issues, reissues, renews, suspends, revokes, or otherwise alters or amends the permit, whichever occurs earlier.

(2) For transportation of household goods and personal effects from this state to another state or from another state to this state, there is in force a valid operating authority issued by the Federal Motor Carrier Safety Administration.

**Order of
Abatement:**

You are to immediately submit all licensing requirements and pay the citation fine amount.

Civil Penalty:

\$2,000 – Unlicensed Activity

Information

Presented at CRC:

On May 27, 2021, during a field investigation, the Bureau of Household Goods and Services found that you were operating as a household mover without a household mover permit. You were informed of licensing requirements and instructed to submit the application and fees to obtain a permit, as indicated in Citation Number HHM-59.

The Bureau made multiple email inquiries to you between March 9, 2020 and May 19, 2021, regarding household mover licensing requirements. You stated that you will have your legal team review the licensing requirements, however, the Bureau did not receive an update from you. Prior to issuing the citation, your assistant, Lynie Thomas, confirmed that your business is still conducting pack-out/pack-in services and the Bureau verified your business is still offering those services on its website on the date of the Citation Review Conference (CRC).



**Considerations in
Determining Fine:**

In assessing the civil penalty, criteria such as the gravity of the violation, the good faith of the licensee, and the history of previous violations were considered pursuant to Business and Professions Code section 125.9. Additionally, the reasonable expense of investigation incurred by the Bureau was considered pursuant to Business and Professions Code section 19279.1.

The Bureau also considered the following when making a determination from the Citation Review Conference (CRC): On June 22, 2021, at 2:00 p.m., a CRC was held at your request to address the original citation issued on May 27, 2021. During the CRC, you asked questions regarding applicability of the Household Movers Act, but you did not provide the Bureau with information to reconsider the issuance of your citation. Therefore, the citation issued to you is affirmed.

The CRC adjourned at 2:33 p.m. and the Bureau received an email from you at 9:22 p.m. requesting for a formal hearing. Your request for a hearing has been forwarded to the Office of the Attorney General.



CITATION REMITTANCE FORM

Kara Kelly, Chief Executive Officer
WBN Home Design
8647 San Fernando Road
Sun Valley, CA 91352

Citation Number: CIT-HHM 59
Permit Number: N/A

By initialing one of the following, I hereby acknowledge receipt of the above-referenced affirmed citation.

_____ On (date)_____, I sent a check or money order in the full amount of \$_____ as payment of the Citation and Civil Penalty assessment and/or other fees due.

_____ Enclosed is a check or money order in the full amount of \$_____ as payment of the Citation and Civil Penalty assessment and/or other fees due.

Mail Payment To:

BUREAU OF HOUSEHOLD GOODS AND SERVICES
4244 SOUTH MARKET COURT, SUITE D
SACRAMENTO, CA 95834-1243



DECLARATION OF SERVICE

In the Matter of: WBM Home Design

I, the undersigned, declare that I am over eighteen (18) years of age and not a party to the within entitled action. I am employed in the County of Sacramento, and my business address is Bureau of Household Goods and Services, 4244 North Market Court, Suite D, Sacramento, CA 95834-1243.

On September 9, 2021, I served the foregoing document described as:

Notice of Affirmed Citation CIT-HHM 59

dated September 9, 2021, on the interested party or parties to this action by placing both an original and a true copy thereof enclosed in sealed envelopes addressed as set forth below:

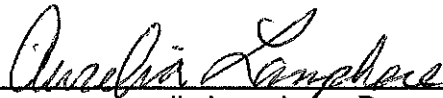
Certified Mail No.: 7019 0700 0001 9724 1286

Kara Kelly, Chief Executive Officer
WBN Home Design
8647 San Fernando Road
Sun Valley, CA 91352

On the service date, the envelopes were placed in a designated location for collection by staff and for mailing, both by regular and certified mail, with the U.S. Postal Service in accordance with ordinary business practices.

I am readily familiar with our Department's practice for collecting and processing correspondence for mailing with the U.S. Postal Service. Under that practice, it would be collected by the Department of Consumer Affairs' mailroom staff from our Sacramento office and be deposited with the U.S. Postal Service on that same day with certified mail and first-class mail postage thereon fully prepaid at Sacramento, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing contained in this declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 9th day of September 2021.


Aurelia Lamphere, Bureau Representative