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**BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE BUREAU OF HOUSEHOLD GOODS AND SERVICES
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues
Against:
SAFE AND FAST MOVERS INC.
353 West Ontario Avenue
Corona, CA 92882

Household Movers Permit

Respondent.

Case No. HHM 2023-127

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On March 8, 2024, Complainant Justin Paddock, in his official capacity as the Chief of the Bureau of Household Goods and Services (Bureau), Department of Consumer Affairs (Department), filed Statement of Issues No. HHM 2023-127 against: Safe and Fast Movers Inc. (Respondent SAFM); Vladislav Vokhmyakov (Respondent VV), President of Respondent SAFM; and Andrey Vokhmyakov (Respondent AV), an officer of Respondent SAFM; before the Director of the Department (Director), to affirm the Bureau’s denial of Respondent SAFM’s Application No. MTR0192488 for a Household Movers Permit. (Statement of Issues attached as Exhibit A.)
2. On or about December 5, 2021, Respondent SAFM applied for a Household Movers Permit (Application No. MTR0192488).

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1 3. On March 6, 2023, Respondent SAFM filed its certificate of dissolution with the
2 Secretary of State (SOS) representing that it had dissolved by a vote of all shareholders, that it
3 was completely wound up and dissolved, that it filed all final tax returns with the Franchise Tax
4 Board, and that it had distributed all its assets.

5 4. On March 20, 2023, the Bureau denied Application No. MTR0192488.

6 5. On April 25, 2023, Respondent SAFM appealed the denial of Application No.
7 MTR0192488.

8 6. On March 12, 2024, the Bureau served Respondent SAFM by Certified and First
9 Class Mail with copies of the Statement of Issues No. HHM 2023-127, Statement to Respondent,
10 Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections
11 11507.5, 11507.6, and 11507.7) at the address Respondent SAFM designated as its address of
12 record, mailing address, and physical address on Application No. MTR0192488. At all times,
13 Respondent SAFM's address was and is: 353 West Ontario Avenue, Corona, CA 92882.

14 7. As of April 9, 2024, Respondent SAFM's corporate status remained dissolved.

15 8. Service of the Statement of Issues was effective as a matter of law under the
16 provisions of Government Code section 11505(c) and/or Business and Professions Code section
17 124.

18 9. Corporations Code section 1905, subdivision (b), provides that upon the filing of a
19 certificate of dissolution with the SOS, the corporation's powers, rights, and privileges cease.

20 10. Corporations Code section 2010 governs a dissolved corporation's limited capacity to
21 exercise powers, rights, or privileges after it has dissolved, and states:

22 (a) A corporation which is dissolved nevertheless continues to exist for the
23 purpose of winding up its affairs, prosecuting and defending actions by or against
24 it and enabling it to collect and discharge obligations, dispose of and convey its
25 property and collect and divide its assets, but not for the purpose of continuing
26 business except so far as necessary for the winding up thereof.

26 11. Government Code section 11506(c) states:

27 (c) The respondent shall be entitled to a hearing on the merits if the respondent
28 files a notice of defense . . . and the notice shall be deemed a specific denial of all
parts of the accusation . . . not expressly admitted. Failure to file a notice of defense

1 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
2 discretion may nevertheless grant a hearing.

3 12. The Director takes official notice of its records; the SOS's records showing
4 Respondent SAFM dissolved; and ceased to have any corporate powers, rights, or privileges as of
5 March 6, 2023.

6 13. The Director further finds Respondent SAFM, through Respondents AV and VV,
7 filed a Notice of Defense/Request for Hearing after it dissolved. Respondent SAFM's appeal
8 serves to continue its business beyond its capacity, because under Business and Professions Code
9 section 19237, subdivision (a)(1), the purpose of a permit is to lawfully allow Respondent SAFM
10 to engaged in, or attempt to engage in, the business of a licensed household mover. The Director
11 further finds that appealing the denial of Application No. MTR0192488 is inconsistent with
12 winding up Respondent SAFM's affairs, and does not constitute the discharge of obligations,
13 disposal of and conveyance of property, or the collection and division of its assets.

14 14. The Director further takes official notice of the absence of any SOS records showing
15 Respondent SAFM regained its corporate status, powers, rights, or privileges after March 6, 2023.
16 Accordingly, Respondent SAFM failed to file a valid Notice of Defense/Request for Hearing.

17 15. California Government Code section 11520(a) states:

18 (a) If the respondent either fails to file a notice of defense . . . or to appear at
19 the hearing, the agency may take action based upon the respondent's express
20 admissions or upon other evidence and affidavits may be used as evidence without
21 any notice to respondent

22 16. Pursuant to the authority under Government Code section 11520, the Director finds
23 Respondent is in default. The Director will take action without further hearing, and based on the
24 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
25 finds that the charges and allegations in Statement of Issues No. HHM 2023-127, are separately
26 and severally, found to be true and correct by a preponderance of the evidence.

27 **DETERMINATION OF ISSUES**

28 1. Based on the foregoing findings of fact, Respondent SAFM failed to file a Notice of
Defense/Request for Hearing, and Application No. MTR0192488 is subject to denial.

2. The Department has jurisdiction to adjudicate this case by default.

