

**DIRECTOR OF THE DEPARTMENT OF LABOR & INDUSTRIES
STATE OF WASHINGTON**

In re:

SPEED TRANS LLC and ARASHDEEP
SINGH,

Appellant,

Citation and Notice of Assessment
W-129-23 & W-130-23

OAH Docket No. 05-2023-LI-01886

No. 2023-014-WPA

DIRECTOR'S ORDER
REMANDING

RCW 49.48.084(4); RCW 34.05

Joel Sacks, Director of the Washington State Department of Labor & Industries, having considered the appeal filed by Speed Trans, LLC and Arashdeep Singh (Appellant), briefing submitted to the Director's Office, and having reviewed the record, issues this Director's Order.

The Director makes the following Findings of Fact, Conclusions of Law, and Final Decision and Order.

I. FINDINGS OF FACT

1. The Office of Administrative Hearings issued and served the Order Dismissing Appeal on June 15, 2023.
2. The Director received a timely filed petition for review from the Appellant.
3. Speed Trans has declared bankruptcy and so the matter against it is automatically stayed, and will be dismissed without prejudice below.

4. The case remains involving Arashdeep Singh.
5. The Appellant argues that the notice of pre-hearing conference was not sent to the address of record. The record reflects many addresses.

II. CONCLUSIONS OF LAW

1. Based on the Appellant's timely filed petition for review, there is authority to review and decide this matter under RCW 49.48.084 and RCW 34.05.
2. This case is remanded to Office of Administrative Hearings (OAH) to determine what the address of record was and whether there was proper service.
3. The matter as to Speed Trans is dismissed without prejudice. The matter of Arashdeep Singh remains. If OAH determines there was proper service, the matter should be dismissed. If OAH determines there was not proper notice, the matter should proceed on the merits.

III. DECISION AND ORDER

Consistent with the above Findings of Fact and Conclusion of Law, this matter is dismissed without prejudice as to Speed Trans and remanded as to Arashdeep Singh.

DATED at Tumwater this 24 day of October, 2023.



JOEL SACKS
Director

SERVICE

This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).

APPEAL RIGHTS

Reconsideration. Any party may file a petition for reconsideration. RCW 34.05.470. Any petition for reconsideration must be filed within 10 days of service of this Order and must state the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that (a) there is material clerical error in the order **or** (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by emailing it to directorappeal@lni.wa.gov or by mailing or delivering it directly to Joel Sacks, Director of the Department of Labor and Industries, P. O. Box 44001 Olympia, Washington 98504-4001, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Director's Office. RCW 34.05.010(6).

NOTE: A petition for reconsideration is not required before seeking judicial review. If a petition for reconsideration is filed, however, the 30-day period will begin to run upon the resolution of that petition. A timely filed petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the Director does not (a) dispose of the petition **or** (b) serve the parties with a written notice specifying the date by which it will act on the petition. RCW 34.05.470(3).

DECLARATION OF MAILING

I, Lisa Deck, hereby declare under penalty of perjury under the laws of the State of Washington, that the **DIRECTOR'S ORDER** was mailed on the 24 day of October 2023, to the following via regular, postage prepaid:

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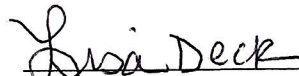
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DATED this 24 day of October, 2023, at Tumwater, Washington.



LISA DECK