

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION



March 28, 2016

Rendered Services, Inc. :
Applicant :
 :
 : 74 RTV-R SUB 15
 : 81440 MC
 :
Application for a renewal of a Commercial Relocator's :
License pursuant to the provisions of Section 18a-401 :
of the Illinois Commercial Relocation of Trespassing :
Vehicles Law. : March 23, 2016
 : DATE OF ORDER

(DENIED)

Notice is hereby given that the Illinois Commerce Commission in Session this date Denied the renewal application in the above referenced case.

If you have any questions, please call the Transportation Issuing and Docket Section at (217)557-8602.

Transportation Division
Processing Section

MEMORANDUM

TO: The Commission

FROM: Jennifer Anderson, Transportation Counsel

DATE: February 26, 2016

SUBJECT: Rendered Services, Inc.

Application for renewal of a Commercial Relocation
Towing License pursuant to the provisions of Section
18a-401 of the Illinois Commercial Relocation of
Trespassing Vehicles Law

RECOMMENDATION: Enter Order denying the renewal application and set for hearing as provided for in Sections 18a-400 and 18a-401 of the Illinois Commercial Relocation of Trespassing Vehicles Law

The Commission issued Relocator License No. 74 RTV-R to Rendered Services, Inc. ("Applicant") on October 27, 1992. On June 26, 2014, the Applicant filed an application for renewal of Relocator License 74 RTV-R. Although its current License expired on August 9, 2014, the Applicant is permitted to operate pending a final order regarding the renewal of its relocator license pursuant to Section 401 of the Illinois Commercial Relocation of Trespassing Vehicles Law ("ICRTVL"), 625 ILCS 5/18a-401. This renewal has remained pending due to an ongoing Chicago Police Department investigation into the Applicant's towing practices as well as pending administrative citations.

A review of Applicant's file indicates the following with respect to Commission regulations and statutory requirements.

1. Leah Rae Richert is the sole stockholder of the Applicant.
2. Stockholder Leah Rae Richert's fingerprints and personally identifying information were submitted to the IL State Police and the Federal Bureau of Investigation. On February 26, 2015, and March 2, 2015, the results of the background check were received and indicated that Leah Rae Richert is free of criminal convictions since the Applicant's last renewal. Additionally, the fingerprints and personally identifying information of the Applicant's General Manager James Damion were submitted to the IL State Police and Federal Bureau of Investigation on February 10, 2015. On February 11, 2015 and March 9, 2015, the results of the background check were received and indicated that James Damion is also free of criminal convictions since the Applicant's last renewal.
3. The Applicant has on file with the Commission the required proof of insurance.

4. The Applicant has paid the applicable \$900.00 renewal application fee.
5. Information available to Staff indicates the need for further inquiry into Applicant's compliance with Commission regulations and statutory requirements. Section 1710.22(a)(1) of the Commission's Administrative Rules provides in part that "[t]he Commission shall consider, with regard to applications for . . . renewed relocators' licenses, criminal conviction records (see Section 1710.22(b)(1)) of the applicant, its owners or controllers, directors, officers, members, managers, employees and agents; the safety record of those persons; the compliance record of those persons; the equipment, facilities and storage lots of the applicant; and other facts that may bear on their fitness to hold the license." 92 Ill. Adm. Code 1710.22(a)(1).
- With respect to the Applicant's compliance since the most recent date of issuance of License # 74 RTV-R on August 9, 2012, Commission records indicate the following:
 - The Applicant has been issued 373 Administrative Citations. Of these citations:
 - 140 Administrative Citations have been dismissed
 - 87 Administrative Citations have been paid
 - 11 Administrative Citations are unpaid
 - 135 Administrative Citations are pending
 - The Applicant has not been the subject of Civil Penalties since its last renewal.
 - Additionally, Staff has confirmed through the Cook County State's Attorney's Office an ongoing Chicago Police Department investigation into the Applicant's towing practices.

Although the pending administrative citations themselves are in the process of being resolved through an administrative hearing procedure before the Commission's administrative law judge, setting a fitness hearing would permit the Commission to further inquire into the management and conduct of the business to evaluate whether management is taking sufficient action to ensure that the Applicant operates in compliance with the ICRTVL and the Commission's Administrative Rules published at 92 Ill. Adm. Code Part 1710. Commission Staff recommends that License 74 RTV-R be set for a fitness hearing as provided for in Section 18a-400 and 18a-401 of the ICRTVL.

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

In re the matter of:

Rendered Services, Inc.,
Applicant.

Docket No. 74 RTV-R Sub 15
81440 MC

Application for renewal of a Commercial
Relocator's License pursuant to Section
401 of the Illinois Commercial Relocation
of Trespassing Vehicles Law, 625 ILCS
5/18a-401.

ORDER

By the Commission:

On June 26, 2014, Rendered Services, Inc. ("Applicant") filed an application for renewal of its authority to operate as a commercial vehicle relocator under the Illinois Commercial Relocation of Trespassing Vehicles Law ("ICRTVL"), 625 ILCS 5/18a-100 *et seq.* Pursuant to Section 401 of the ICRTVL, all relocator licenses expire every two years. 625 ILCS 5/18a-401. That Section permits the Applicant to continue operating as a commercial vehicle relocator until a final order is entered formally approving or denying the renewal application. *Id.* That Section further provides that the Commission shall renew an authority to operate as a commercial vehicle relocator if a renewal application has been properly filed unless it has information of cause not to renew such license, in which case the Applicant must be notified and a hearing held as provided in Section 400 of the Law. *Id.*

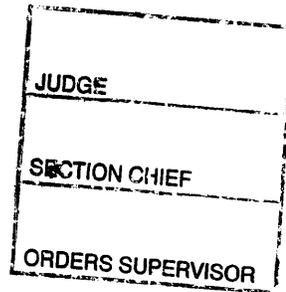
Commission Staff has reviewed Commission records to ascertain the Applicant's compliance with Commission regulations and statutory requirements. According to the Commission's Policy on Applications for commercial vehicle relocator's licenses set forth in 92 Ill. Adm. Code 1710.22, "[t]he Commission shall consider, with regard to applications for . . . renewed relocator's licenses, criminal conviction records (see Section 1710.22(b)(1)) of the applicant, its owners or controllers, directors, officers, members, managers, employees and agents; the safety record of those persons; the compliance record of those persons; the equipment, facilities and storage lots of the applicant; and other facts that may bear on their fitness to hold the license." 92 Ill. Adm. Code 1710.22(a)(1).

Since August 9, 2012, the most recent date of issuance of a renewed commercial vehicle relocator's license to the Applicant, it has been issued 373 Administrative Citations. Of these, 140 have been dismissed, 87 have been paid, 11 are unpaid, and 135 are pending. This volume of administrative citations constitutes information of cause to set the renewal application for a fitness hearing to further inquire into the

management and conduct of the business to evaluate whether management is taking sufficient action to ensure that the Applicant operates in compliance with the ICRTVL and the Commission's Administrative Rules published at 92 Ill. Adm. Code Part 1710.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the Applicant's application for renewal of its authority to operate as a commercial vehicle relocater be set for hearing pursuant to 625 ILCS 5/18a-401.

By Order of the Commission this 23rd day of March 2016.



*Brien Sheahan*₂
BRIEN SHEAHAN
CHAIRMAN