

May 13, 2025

OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON
Telephone (206) 477-0860
hearingexaminer@kingcounty.gov
www.kingcounty.gov/independent/hearing-examiner

ORDER OF DISMISSAL

SUBJECT: King County For-Hire Licensing file no. **89698**

ALI SHIRZAD

For-Hire Driver Enforcement Appeal

For Hire no.: 89698

Appellant: **Ali Shirzad**

[REDACTED]
Bonney Lake, WA 98391

Telephone: [REDACTED]

Email: [REDACTED]

King County: King County For-Hire Licensing
represented by **Tyson Taylor**
King County For-Hire Licensing
201 S. Jackson Street Suite 206
Seattle, WA 98104
Telephone: (206) 263-1373
Email: ttaylor@kingcounty.gov

FINDINGS and ORDER:

1. On March 14, 2024, King County For-Hire Licensing Section (Licensing) issued a Notice and Order of Violation to Ali Shirzad (Appellant) for violation of KCC 6.64.650.A and assessed a \$250 civil penalty. March 13, 2024, Notice and Order of Violation.
2. Licensing sent the Notice and Order by certified mail, postage prepaid, return receipt requested to Appellant at 17203 NE. 4th St., Bellevue, WA 98034, the address it had on file. Proof of Service; testimony of Ofc. Taylor.

3. United States Postal Service records indicate that the Notice was left to pick up at certified mail on April 1 and April 6 but was returned to Licensing as “unclaimed” on April 18. Motion to Dismiss.
4. Appellant filed an appeal on January 10, 2025. Licensing filed a Motion to dismiss the appeal as untimely on January 30, 2025. Motion to Dismiss.
5. At the motion hearing, Appellant testified that he had moved from the address to which the Notice and Order was sent 3 years prior and that he notified the United States Postal Service of his change of address. He did not notify the Transportation Network Company. Testimony of Ali Shirzad.
6. A license holder has a duty to keep licensing advised of its current address. KCC 6.01.080 provides:

Any person licensed, registered or permitted pursuant to any business license ordinance shall notify the director [the Manager of the Licensing Services Division] of any change in address or business name, or in the officers, directors or partners of the person, within fourteen days of any such change.

Further, KCC 6.64.281 requires that an applicant for a transportation network company vehicle endorsement or a transportation network company on behalf of the applicant file annually with the director [the Manager of the Licensing Services Division] a signed application form including, among other things, the residence or business address of the applicant. See also, KCC 6.64.510.

7. Appellant conceded that his appeal was untimely but asked the Examiner to reduce the amount of the civil penalty. Shirzad testimony.
8. In many scenarios, an examiner has a fair amount of discretion and flexibility. For example, if an appeal is timely but inadequate in content, an examiner “may” dismiss the appeal, but alternatively “may” allow a party to clarify the appeal issues. KCC 20.22.090.B. Requiring clarification, instead of dismissal, is almost always the approach the Examiner chooses in such a scenario. The Examiner would do so here if *content* were the shortcoming in this appeal.
9. However, untimely appeal statements are decidedly different. The examiner “shall” (not “may”) dismiss an untimely appeal. KCC 20.22.090.A. As KCC 20.22.080.H. states, where:

a person fails to timely deliver the appeal statement[, the] examiner does not have jurisdiction to consider the appeal and the decision of the department ... becomes final and unreviewable.

10. Having no jurisdiction, the Examiner has no authority to reduce the amount of the civil penalty.

The motion is accordingly GRANTED and the appeal DISMISSED.

Additionally, Mr. Shirzad sent us his new address in Bonney Lake. We will send our mailed copy of this order to that address. When Mr. Shirzad pays the fine with Licensing, he needs to provide them with his current address.

If we have misunderstood the situation, by **June 12, 2025**, either party may email us a motion for reconsideration explaining why we should not be dismissing this appeal. A timely motion postpones the deadline (described below the signature line) for seeking judicial review.

DATED May 13, 2025.



Alison Moss
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *June 12, 2025*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

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CERTIFICATE OF SERVICE

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ALI SHIRZAD

For-Hire Driver Enforcement Appeal

I, Lauren Olson, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **ORDER OF DISMISSAL** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, through Quadient-Impress, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED May 13, 2025.



Lauren Olson
Legislative Secretary

Bailey, Kendall

Finance and Admin Svcs, Consumer Protection Div

Cantu, Eddie

King County For-Hire Licensing

City of Seattle Hearing Examiner

Megow, John

Finance and Admin Svcs, Consumer Protection Div

Newhouse, Cregan

Finance and Admin Svcs, Consumer Protection Div

Shirzad, Ali

Hardcopy

Taylor, Tyson

King County For-Hire Licensing