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**HEADLINE:** More consumers say movers are cheating them

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**BODY:**

When Jon and Tammy Marsh's furniture arrived from Sacramento, Calif., at their new house in New Berlin, Wis., last May, it was a month late and cost them \$8,000 more than the moving company had originally bid.

But they were excited, nonetheless, to finally get their things \_ until they got a closer look.

"As the doors of the van opened, we saw all of our stuff in a heap," Jon Marsh said. "Not one piece of furniture was undamaged. All the padding was gone; stuff was rattling around in the back of the truck. Chairs were ripped, antiques broken. "My wife almost broke down. Stuff we inherited from her mom and dad was damaged."

Like thousands of other families each year, the Marshes had little recourse other than to pay what the company asked and be thankful that their furniture was delivered at all.

That's because people in their situation can't count on law enforcement or regulatory officials to come to their rescue.

For many, the only recourse is to complain on the Internet or go to the media. After news accounts in April of Paul and Bridget Fletcher's problems with Advanced Moving Systems appeared around the country, the Thiensville, Wis., couple have been deluged by requests for interviews from news organizations.

"We've been bombarded by a lot of news shows \_ 'Eye on America,' 'Good Morning America,' '20/20,' 'Inside Edition,' '48 Hours,'" Bridget Fletcher said.

In May they visited Washington, D.C., to be interviewed, along with three other families, for a "Dateline NBC" story on moving scams.

The scam typically works like this: A consumer, attracted by an affordable estimate, hires a moving company through the Internet. A truck shows up and, once the customer's furniture is loaded, the estimate is increased to two, three or four times the original bid. The consumer is told that unless the

new bill is paid, the possessions will be sold at auction.

"At that point they have the consumer over a barrel," said Steve Meili, director of the Consumer Law Litigation Clinic in Madison, Wis.

"The movers have all their stuff. They have to move, they have deadlines for moving out of their old house and moving into their new house. They have no choice but to agree to the modified terms," Meili said.

Troubles the Marshes faced have happened to others, including:

Larry and Elaine Youngerman, who moved in May to La Crosse, Wis., from Holland, Mich. A Plantation, Fla., company wanted more than \$15,000 \_ instead of the \$3,300 originally bid \_ before making a delivery. With the help of a Baraboo, Wis., lawyer and Meili's legal clinic, they were able to get the company to tell them where their goods were stored after paying \$6,500.

Tim Alsum, a native of Friesland, Wis., and his wife, Angela, who moved from Sioux Center, Iowa, to Escondido, Calif., in February after they graduated from Dordt College in Sioux Center. They are suing Advanced Moving Systems, of Sunrise, Fla., the same company that moved the Marshes. The Alsums say Advanced forced them to pay about \$4,000 \_ four times the estimate.

Bill Pokorsky, who moved from Brown Deer, Wis., to Denver in February to take a job with an investment firm. The bid from a Hollywood, Fla., company was originally \$1,200 but jumped to more than \$2,100 once Pokorsky's goods were on the truck, he said.

Ellen Goerke, who moved from New Berlin to Naples, Fla., in March and had to pay nearly \$5,000 to another Hollywood, Fla., company. The estimate was \$1,200. A software salesman, Goerke said her new employer agreed to pay the higher bill in exchange for a cut in her base salary.

The U.S. Department of Transportation estimates it receives 3,000 to 4,000 complaints each year from consumers who feel they were victimized by moving companies.

Last year, a report by the General Accounting Office, which is the investigative arm of Congress, noted that deregulation of the moving industry in 1995 "created a vacuum that has allowed egregious carriers to flourish and take advantage of consumers."

It also concluded that the DOT was not doing enough to enforce consumer protection laws.

"Some of these things are crimes, like extortion and fraud," said James R. Hood, president of ConsumerAffairs.com, a Web-based consumer news and resource center. "But the criminal system is overworked, and the movers are here today and gone tomorrow. Practically speaking, there isn't much they (local police and prosecutors) want to do."

And the moving companies often know the law better than the authorities, Meili said.

"The perpetrators sometimes are so sophisticated with their attorneys that they load their contracts with fine print," he said. "They know that by making it a contract matter, they can convince law enforcement to leave it to civil courts instead of the criminal courts."

But sometimes local law enforcement does get involved.

Thiensville police arrested two drivers for Advanced Moving Systems in April when the drivers tried to drive away. The Fletchers had refused to pay more than \$3,000, double the estimate, for their possessions to be unloaded.

Charges were never pressed by the Ozaukee County, Wis., district attorney. But the drivers still are being held in the Ozaukee County Jail awaiting extradition to North Carolina, where they are wanted by the Davie County Sheriff's Department on accusations of assaulting another man and attempting to extort money from him to deliver his furniture.

A similar incident was alleged in Lancaster, Pa., last fall when two other Advanced Moving Systems movers were arrested and charged with theft by extortion and receiving stolen property. Those charges were later dropped, although officials say they may still file new charges.

The owner of Advanced Moving Systems said in a telephone interview that his company was being harassed by a network of "stupid, small-town, redneck police" who "hate Jews and strangers."

Zion Rokah is an Israeli national, as are many of the owners of companies against whom complaints are being filed.

In its report, the GAO chastised the DOT for failing to do more to protect consumers.

"Carriers are aware that the department does little to enforce the consumer protection regulations or provide much oversight," the report said.

It's against federal law, for instance, for movers to ask for more than 110 percent on delivery of the estimate or to hold people's furniture hostage until they pay, according to the Federal Motor Carrier Safety Administration, a division of the DOT.

But the DOT has few investigators, and since the Sept. 11 terrorist attacks, the agency has higher priorities, said David Barnes, a spokesman with the DOT's enforcement arm, the Office of Inspector General.

Barnes said his department has a total of 100 investigators with none specifically assigned to moving company scams.

Jim Balderrama, who founded a consumer Web site devoted to moving industry scams, said he called the DOT's complaint line on June 26, 2001, when he says he was victimized by a North Miami Beach, Fla., company. He got a reply in early April, he said.

He said his Web site, [www.movingadvocateteam.com](http://www.movingadvocateteam.com), receives 50 e-mails each day from disgruntled moving company customers.

"I wouldn't say the number of complaints is growing \_ it's exploding," said Consumer-Affairs.com's Hood. "The feds have washed their hands of it."

David Sparkman, vice president of communications for the American Moving and Storage Association, an industry trade group, acknowledged the existence of scam companies.

"It's very common practice by these companies to hold stuff hostage," he said, agreeing that the DOT

and the Federal Motor Carrier Safety Administration are "swamped."

Nevertheless, he said, legislation being considered by Congress that is intended to tighten industry controls isn't necessary.

Balderrama and others say it's up to consumers to do their own research.

Another valuable Internet site, Balderrama said, is [www.safersys.org](http://www.safersys.org), operated by the Department of Transportation. Armed with a company's DOT or motor carrier number, a consumer can find up-to-date information on a company's insurance, safety and inspection records.

With increased media scrutiny and complaints piling up, government is starting to pay attention, Balderrama and others said.

On April 18, Florida Gov. Jeb Bush signed a law that imposes restrictions on moving companies and how they operate. But it applies only to moves within the state of Florida and does not affect interstate laws.

"Florida, thank god, passed a law," Balderrama said. "Now we need a national law."

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