

Utah Division of Consumer Protection
160 East 300 South, Second Floor
PO Box 146704
Salt Lake City, UT 84114-6704
PH. (801) 530-6601

**BEFORE THE DIVISION OF CONSUMER PROTECTION
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF:

SAFETY 1ST TREE EXPERT, LLC, a Utah
limited liability company; and

FAATAUVAA PATRICK SIA, an individual,
and as a principal of **SAFETY 1ST TREE
EXPERT, LLC**;

Respondents

**NOTICE OF DEFAULT AND FINAL
ORDER**

**DCP Legal File No. CP-2025-025
DCP Case No. 157867**

On April 28, 2025, the Division of Consumer Protection (Division) issued a Citation, Case CP-2025-025 (see Exhibit A) against the Respondents. The Division has jurisdiction over Respondents. Utah Code §§ 13-2-1 *et seq.* Service of process was made on April 28, 2025, and proper in accordance with Utah Code §§ 63G-4-201(2)(b), 13-2-6(3)(d), and Utah Admin. Code R151-4-402 *et seq.*¹

Respondents were required to request review of the Citation within 20 calendar days after the date it was issued by the Division. Utah Code § 13-2-6(3)(e)(i). More than

¹ Service was made by email, postage prepaid, first class U.S. Mail and by certified U.S. Mail, return receipt requested to the addresses listed in the Certificate of Service attached to the Citation. First class was not returned. Certified mail was returned unsigned. Email was not returned as undelivered.

20 calendar days have passed since the Citation was issued, and Respondents have not filed a request for review. Pursuant to the authority granted by Utah Code § 63G-4-209(1)(a), which empowers the presiding officer to enter a default order against the Respondents, and where Respondents have failed to participate in the proceeding by requesting review of the Citation issued by the Division, the Citation becomes a final order in accordance with Utah Code § 13-2-6(3)(e). Therefore, the Division accepts the facts and allegations as set forth in the Citation (see Exhibit A) as true.

Based on the foregoing it is hereby **ORDERED**:

1. Respondents have defaulted by failing to participate and timely request review of the Citation. The Citation is now the final order of the Division.
2. Respondents are **ORDERED to CEASE AND DESIST** from any act that violates the *Utah Consumer Sales Practices Act*, Utah Code § 13-11-1 *et seq.*
3. Respondents are jointly and severally assessed and **ORDERED TO PAY** an administrative fine in the amount of **\$5,000**.
4. This fine may be filed and entered with the appropriate court as a civil judgment.

This order shall be effective on the signature date below.

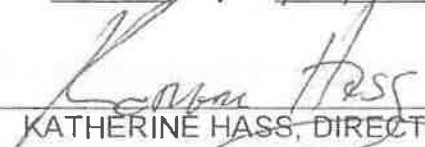
Pursuant to Utah Code § 13-2-6(2), a person who has notice of this **FINAL CEASE AND DESIST ORDER** and intentionally violates any provision contained therein is guilty of a third-degree felony.

Dated this

7th

day of

August


KATHERINE HASS, DIRECTOR



PAYMENT OF FINE

Remit payment for the ordered fine amount, within 30 days, by certified check, payable to the "Utah Division of Consumer Protection," and mailed to:

Utah Division of Consumer Protection
ATTN: Investigations
160 East 300 South, 2nd Floor
P.O. Box 146704
Salt Lake City, UT 84114

If you don't pay the fine, you may face additional costs and interest resulting from collection efforts, and this may result in the suspension or revocation of a related registration with the Division.

NOTICE

A defaulted party may make a motion to the presiding officer to set aside a default. Utah Code § 63G-4-209(3). The defaulted party may seek agency review pursuant to Utah Code § 63G-4-301, or reconsideration only of the presiding officer's decision on the motion to set aside the default pursuant to Utah Code § 63G-4-302. (See *also* Utah Code § 63G-4-209(3)(c)).

CERTIFICATE OF SERVICE

I certify that I have this day issued and served the foregoing **Notice of Default and Final Order** on the parties of record in this proceeding set forth below by mailing a copy thereof, properly addressed by first-class mail with postage prepaid, to the following:

SAFETY 1ST TREE EXPERT, LLC
C/O FAATAUVAA PATRICK SIA

[REDACTED]
HERRIMAN, UT 84096

FAATAUVAA PATRICK SIA

[REDACTED]
HERRIMAN, UT 84096

I hereby certify that I have this day issued and served the foregoing **Notice of Default and Final Order** by email to the following:

Safety 1st Tree Expert, LLC
safetytreeexpert@gmail.com

Division of Consumer Protection
dcplegal@utah.gov
chandlerberrett@utah.gov

Department of Commerce - Administrative Law Judges
CommerceALJs@utah.gov

Dated this 7th day of August, 2025.

Kim Wheeler
Kim Wheeler – Program Specialist
UTAH DIVISION OF CONSUMER PROTECTION

Exhibit A

Utah Division of Consumer Protection
160 East 300 South, Second Floor
PO Box 146704
Salt Lake City, UT 84114-6704
PH. (801) 530-6601

**BEFORE THE DIVISION OF CONSUMER PROTECTION
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF:

SAFETY 1ST TREE EXPERT, LLC, a Utah
limited liability company; and

FAATAUVAA PATRICK SIA, an individual,
and as a principal of **SAFETY 1ST TREE
EXPERT, LLC**;

Respondents

ADMINISTRATIVE CITATION

**DCP Legal File No. CP-2025-025
DCP Case No. 157867**

PURSUANT TO THE AUTHORITY granted by Utah Code § 13-2-6, which empowers the Division of Consumer Protection (Division) to issue a citation upon reasonable cause to believe a person has violated or is violating any statute listed in Utah Code § 13-2-1, it appears, upon information and belief, that you are in violation of the *Utah Consumer Sales Practices Act* (CSPA), Utah Code § 13-11-1, *et seq.* The Division incorporates by reference all information in the Notice attached to this citation (Citation). The Division alleges:

RESPONDENTS

1. Safety 1st Tree Expert, LLC is a Utah limited liability company that was administratively dissolved by the Division of Corporations and Commercial Code

in March 2024, with a business address in West Jordan, Utah.

2. Faatauva Patrick Sia (Mr. Sia) is the sole principal of Safety 1st Tree Expert, LLC.
3. The business and individual identified above will be collectively referred to as "Respondents."
4. Respondents provide residential landscaping and construction services in Utah and Wyoming.

BACKGROUND AND INFORMATION

5. On November 6, 2024, Mr. Sia solicited consumer RG (See Appendix A) at RG's home in Green River, Wyoming.
6. Mr. Sia gave RG a "Safety 1st Tree Expert, LLC" business card and told RG that Respondents were looking for work.
7. Mr. Sia agreed to construct an enclosed exterior carport at RG's residence for \$6,000.
8. Mr. Sia did not provide RG with a written estimate or contract related to the carport job.
9. Mr. Sia requested a \$4,000 deposit for materials, which RG paid via a check made payable to Mr. Sia.
10. Mr. Sia verbally agreed to perform the work that same week.
11. Mr. Sia did not return to begin construction on the carport as agreed.
12. On November 13, 2024, RG requested an update as to when the work on the carport would begin. Mr. Sia responded via text, indicating that he was "trying to

figure out the material" and represented that RG would receive a follow-up phone call the next day.

13. Mr. Sia did not call RG on November 14, 2024, as represented.
14. On November 15, 2024, RG texted Mr. Sia about the project and requested a refund. Mr. Sia did not respond.
15. On November 18, 2024, RG texted Mr. Sia and requested a refund. Mr. Sia replied that a refund would be issued via money order on November 22, 2025.
16. On November 30, 2024, RG texted Mr. Sia inquiring about the status of the refund. Mr. Sia did not respond.
17. On December 2, 2024, RG texted Mr. Sia, again requesting a refund. Mr. Sia responded with, "I'm guilty, I admit I took the money..." Mr. Sia represented to RG that a refund would be issued after Mr. Sia received a tax refund in 2025.
18. On February 10, 2025, Mr. Sia verbally represented to the Division that Respondents would issue a refund to RG in late March 2025.
19. On March 24, 2025, Mr. Sia requested an extension until early April 2025 to refund RG.
20. As of the date of this Citation, Mr. Sia has neither provided the agreed-upon services, nor issued a refund to RG.

COUNT 1

21. Respondents knowingly or intentionally received payment from RG and then failed to provide the agreed-upon goods and services to RG.
22. The above actions violate the CSPA, Utah Code § 13-11-4(2)(l):

(2) Without limiting the scope of Subsection (1), a supplier commits a deceptive act or practice if the supplier knowingly or intentionally:

...
(l) after receipt of payment for goods or services, fails to ship the goods or furnish the services within the time advertised or otherwise represented or, if no specific time is advertised or represented, fails to ship the goods or furnish the services within 30 days, unless within the applicable time period the supplier provides the buyer with the option to:

(i) cancel the sales agreement and receive a refund of all previous payments to the supplier if the refund is mailed or delivered to the buyer within 10 business days after the day on which the seller receives written notification from the buyer of the buyer's intent to cancel the sales agreement and receive the refund; or
(ii) extend the shipping date to a specific date proposed by the supplier;

23. The above actions are alleged as one violation of the above-referenced statute with a maximum potential fine of up to \$2,500 per violation.

COUNT 2

24. Respondents accepted payment from RG for goods and services that were not delivered. Respondents, on multiple occasions, represented a refund would be issued. Respondents have failed to issue a refund to RG.
25. The above actions violate the CSPA, Utah Code § 13-11-4(1):
- (1) A deceptive act or practice by a supplier in connection with a consumer transaction violates this chapter whether it occurs before, during, or after the transaction.
26. The above actions are alleged as one violation of the above-referenced statute with a maximum potential fine of up to \$2,500 per violation.

Total Alleged Counts:	2
Total Potential Fine:	\$5,000

Dated this 28 day of April, 2025.



Chandler Berrett – Investigator
UTAH DIVISION OF CONSUMER PROTECTION

Appendix A

Consumer Name	Consumer Initials	City of Residence	State of Residence
	RG		Wyoming

CERTIFICATE OF SERVICE

I certify that I have this day issued and served the foregoing citation on the parties of record in this proceeding set forth below by mailing a copy thereof, properly addressed by first class mail and certified mail with postage prepaid, to the following:

SAFETY 1ST TREE EXPERT, LLC
C/O FAATAUVAA PATRICK SIA
[REDACTED]
HERRIMAN, UT 84096

FAATAUVAA PATRICK SIA
[REDACTED]
HERRIMAN, UT 84096

I hereby certify that I have this day issued and served the foregoing citation by email to the following:

Safety 1st Tree Expert, LLC
safetytreeexpert@gmail.com

Division of Consumer Protection
dcplegal@utah.gov

Department of Commerce - Administrative Law Judges
CommerceALJs@utah.gov

Dated this 28 day of April, 2025.



Chandler Berrett – Investigator
UTAH DIVISION OF CONSUMER PROTECTION

NOTICE - IMPORTANT - READ CAREFULLY

This citation may be contested by filing a request for review, in writing, within 20 days of issuance of this citation. Following receipt of a request for review, an informal hearing will be scheduled before the State of Utah, Department of Commerce, Division of Consumer Protection pursuant to Utah Code § 63G-4-203, Procedures for Informal Adjudicative Proceedings. The purpose for the hearing is a review of the citation for factual and legal sufficiency and other questions to be determined by the presiding officer.

A citation that is not contested becomes the final default order of the Division. A defaulted party may make a motion to the presiding officer to set aside a default. Utah Code § 63G-4-209(3). The defaulted party may seek agency review pursuant to Utah Code § 63G-4-301, or reconsideration pursuant to Utah Code § 63G-4-302, only of the presiding officer's decision on the motion to set aside the default. See Utah Code § 63G-4-209(3)(c).

In addition to any fines that may be levied, a cease and desist order may be entered against you. An intentional violation of a final cease and desist order is a third degree felony. Utah Code § 13-2-6(2).

To request a review of the citation, please send your written request for review to DCPlegal@utah.gov, or by mail to:

Katherine Hass – Director
Utah Division of Consumer Protection
160 East 300 South, Second Floor
PO Box 146704
Salt Lake City, UT 84114-6704

A presiding officer will be designated by the Director of the Division of Consumer Protection to conduct the hearing in your case and may be reached at:

Department of Commerce - Administrative Law Judges
Heber M. Wells Bldg., 2nd Floor
160 East 300 South
Salt Lake City, UT 84114
(801) 530-6166
Email: CommerceALJs@utah.gov

A copy of Utah Admin. Code R477-101, Administrative Law Judge Conduct Committee, is available online at <https://rules.utah.gov/publicat/code/r477/r477-101.htm>.

Please be advised that all inquiries, correspondence, or other contacts concerning this citation, with the exception of any written request for review as set out above, should be directed to the below-named Division employee, designated by the Director of the Division of Consumer Protection pursuant to Utah Code § 13-2-6(3):

Chandler Berrett – Investigator
Utah Division of Consumer Protection
PO Box 146704
Salt Lake City, UT 84114-6704
Telephone: (801) 530-6601

FREQUENTLY ASKED QUESTIONS

1. **How can I talk to someone at the Division about this citation?** The name of the investigator assigned to your case appears at the end of your citation. If you call the Division, 801-530-6601 and press 0, the receptionist can help transfer you to the assigned investigator.
2. **Can I resolve the citation without a hearing?** Contact the investigator assigned to your case if you are interested in a settlement to see if a settlement is possible in your case.
3. **How do I respond to the citation?** You may challenge the citation by submitting a written Request for Review using the attached form or using your own form.
4. **How long do I have to respond to the citation?** You have 20 calendar days from issuance of the citation to submit a Request for Review.
5. **What happens after I submit a Request for Review?** The presiding officer will send you a Notice of Administrative Hearing specifying a time, date, and location of a hearing before the Division.
6. **Who will preside over the case?** The name of the presiding officer for the hearing will be on your Notice of Administrative Hearing. Please address the presiding officer by name (e.g., "Judge Smith"). You may contact the presiding officer with any technical or procedural questions, but the presiding officer may not discuss the merits of the case with you.
7. **What if I have a scheduling conflict with the scheduled hearing time?** Failure to attend a hearing may result in a default and entry of judgment against you. You may ask the presiding officer assigned to your case, in writing, to reschedule the hearing if you have a conflict or require more time to prepare. A request for additional time is within the discretion of the presiding officer and may not be granted, particularly if requested only shortly before the scheduled hearing.
8. **What should I expect at a hearing?** An administrative law judge will act as the presiding officer and direct the proceeding. The hearing room has two tables for the parties, with the presiding officer sitting at the front of the hearing room. Generally, you (and your counsel, if applicable) will sit at one of the tables and Division staff will sit at the other table. Beginning with the Division, both sides will have an opportunity to present witnesses, evidence, and argument in support of why the citation should or should not stand.
9. **What kind of evidence can I present?** All parties may testify, present evidence, and comment on the issues. In presenting evidence, any party may examine witnesses and submit exhibits. At the request of either party, or at his or her own initiative, the presiding officer may also choose to examine a witness. Any party may ask to present a witness by telephone. The presiding officer may exclude any evidence he or she deems irrelevant, immaterial, or unduly repetitious or improper.
10. **How can I determine what evidence the Division has?** Discovery is prohibited in informal hearings, but parties may request information contained in the agency's files to the extent permitted by law. You may contact the assigned investigator to request access to this information.
11. **What is the burden of proof for the Division at a hearing?** Generally, the Division is responsible to prove its case against you by substantial evidence.
12. **Must I have an attorney?** You may represent yourself or be represented through an attorney. You may also represent a business that you own or manage.

You should not rely on this letter alone for instructions regarding hearings. The hearing is governed by law (including the Administrative Procedures Act, see Utah Code § 63G-4 *et al.*, Utah Division of Consumer Protection, see Utah Code § 13-2 *et al.*, and Department of Commerce Administrative Procedures Act Rules, see Utah Admin. Code R151-4.) You may access these laws and rules at leg.utah.gov and rules.utah.gov.



DIVISION OF CONSUMER PROTECTION

Heber M. Wells Building
160 East 300 South
PO Box 146704
Salt Lake City, UT 84114-6741
Telephone: (801) 530-6601
Email: dcplegal@utah.gov

REQUEST FOR REVIEW

DCP Legal File No.		Date of Citation:	
Name:		Phone: ()	
Address:			
City:	State:	Zip:	
Email:			

Requests for review must be received by the division within 20 calendar days of issuance of the citation. Utah Code § 13-2-6(3). If you fail to make a timely request, the citation shall become the final order of the division. If you represent multiple respondents, please submit a separate request for each respondent.

You may wish to consult an attorney before submitting this form and any attachments.

Select only one of the following:

- ☐ I admit to the statutory violation(s) described in the citation. The presiding officer will enter an order, assess a fine, and issue a cease and desist order.
- ☐ I admit to the statutory violation(s) described in the citation, but request a hearing to explain the circumstances of the violation(s) and request a reduced fine. *(If desired, attach a brief typewritten explanation of the circumstances of the violations. The presiding officer may ask you to submit an additional response.)*
- ☐ I contest the occurrence of the violation(s) described in the citation and request a hearing to contest the citation. *(If desired, attach a brief typewritten response to the allegations in the citation. The presiding officer may ask you to submit an additional response.)*

I certify that I have knowingly and voluntarily made the above election of rights. I understand that if I request a hearing the presiding officer will notify me in writing of the hearing date. If I fail to appear at the hearing, a default judgment may be entered against me. I acknowledge that I have either sought the advice of an attorney or have voluntarily chosen not to do so.

Signature	Date of Signature
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