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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
COUNTY OF KING

NORMA REYES VASQUEZ, on behalf of herself
and on behalf of others similarly situated,

Plaintiff,

v.

DIRECTORS RESIDENTIAL CLEANING CORP., a
Washington Profit Corporation, and KASMAEI
FAEZEH ANAFJEH, individually and/or the
marital community composed of KASMAEI
FAEZEH ANAFJEH and JOHN DOE ANAFJEH,

Defendants.

NO.

**CLASS ACTION COMPLAINT FOR
DAMAGES**

JURY TRIAL DEMANDED

Plaintiff Norma Reyes Vasquez brings this action on her own behalf and on behalf of all
others similarly situated and alleges as follows

I. INTRODUCTION

1.1 Nature of action. Plaintiff Norma Reyes Vasquez brings this class action against
Defendants Directors Residential Cleaning Corp. ("DRCC") and Kasmaei Faezeh Anafjeh.
Defendant DRCC operates a Molly Maid franchise that provide residential cleaning services in
Renton, Maple Valley, and Des Moines, Washington. Defendant Kasmaei Faezeh Anafjeh is the
owner and managing officer of DRCC. Plaintiff alleges Defendants have engaged in a common
course of wage and hour abuse against their employees. This abuse includes willfully failing to

1 provide employees with the rest and meal breaks to which they are entitled, willfully failing to
2 ensure employees take the rest and meal breaks to which they are entitled, willfully failing to
3 compensate employees for missed rest and meal breaks, willfully failing to pay employees for
4 all hours of work, and willfully failing to pay overtime wages to employees.

5 **II. JURISDICTION AND VENUE**

6 2.1 Jurisdiction. Defendants are within the jurisdiction of this Court. Defendants
7 conduct business in Washington. Defendants hire employees that reside and work in
8 Washington. Thus, Defendants have obtained the benefits of the laws of Washington as well
9 as Washington's commercial and labor markets.

10 2.2 Venue. Venue is proper in King County because Defendants transact business in
11 King County, and Class members performed work for Defendants in King County.

12 2.3 Governing Law. The claims asserted on behalf of Plaintiff and Class members in
13 this complaint are brought solely under state law causes of action and are governed
14 exclusively by Washington law.

15 2.4 Lack of CAFA Jurisdiction. Federal jurisdiction is inappropriate under the Class
16 Action Fairness Act, 28 U.S.C. § 1332(d)(4)(A), because more than two-thirds of the members
17 of the proposed plaintiff class in the aggregate are citizens of Washington; Defendant DRCC is
18 a defendant from whom significant relief is sought by members of the plaintiff class; the
19 alleged conduct of Defendant DRCC forms a significant basis for the claims asserted by the
20 proposed plaintiff class; Defendant DRCC is a citizen of Washington; the principal injuries
21 resulting from the alleged conduct were incurred in Washington; and during the three-year
22 period preceding the filing of this action, no other class action has been filed asserting same
23 or similar factual allegations against the Defendants on behalf of the same or other persons.
24 Alternatively, federal jurisdiction is inappropriate under the Class Action Fairness Act, 28
25 U.S.C. § 1332 (d)(4)(B), because two-thirds or more of the members of all proposed plaintiff
26 classes in the aggregate, and Defendants, are citizens of the state of Washington.

1 **III. PARTIES**

2 3.1 Plaintiff Norma Reyes. Plaintiff worked for Defendants from approximately
3 March 2015 to June 2017 as a residential house cleaner. Plaintiff performed her work for
4 Defendants in King County, Washington. During the duration of her employment, and at the
5 time this complaint was filed, Plaintiff was a resident of Puyallup, Washington.

6 3.2 Defendant Directors Residential Cleaning Corp. Defendant DRCC is a
7 Washington for-profit corporation doing business in King County, Washington. Defendant
8 DRCC operates a Molly Maid franchise covering Renton, Maple Valley, and Des Moines,
9 Washington. Defendant DRCC provides residential cleaning services to residents of King
10 County. Defendant DRCC has employed Plaintiff and dozens of other employees in the state of
11 Washington and has exercised control over how and when those employees were paid.

12 3.3 Defendant Kasmaei Faezeh Anafjeh (“Defendant Anafjeh”). Defendant Anafjeh
13 has at all relevant times been an owner and managing officer of DRCC who is engaged in
14 running the company’s business, managing the company’s finances, determining employment
15 practices, maintaining employment records, and exercising control over how DRCC’s
16 employees are paid and their working conditions. Defendant Anafjeh is a citizen of
17 Washington. Defendant Anafjeh has employed Plaintiff and dozens of other employees in the
18 state of Washington and has exercised control over how and when those employees were
19 paid. At all relevant times, Defendant Anafjeh has been married to John Doe Anafjeh and did
20 the acts complained of in pursuit of financial gain or livelihood for herself individually and on
21 behalf of and for the benefit of her marital community.

22 **IV. CLASS ACTION ALLEGATIONS**

23 4.1 Class Definition. Under Civil Rule 23(a) and (b)(3), Plaintiff brings this case as a
24 class action against Defendants on behalf of the class defined as follows (the “Class”):
25
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1 All persons who have worked in Washington as non-exempt
2 employees of Directors Residential Cleaning Corp. at any time
3 between January 10, 2015 and the date of final disposition of
this action.

4 Excluded from the Class are any entity in which Defendants have a controlling interest or that
5 has a controlling interest in Defendants, and Defendants' legal representatives, assignees, and
6 successors. Also excluded are the judge to whom this case is assigned and any member of the
7 judge's immediate family.

8 4.2 Numerosity. Plaintiff believes that dozens of individuals have worked as
9 cleaning employees for Defendants in Washington during the proposed class period. The Class
10 members are so numerous that joinder of all members is impracticable. Moreover, the
11 disposition of the claims of the Class in a single action will provide substantial benefits to all
12 parties and the Court.

13 4.3 Commonality. There are numerous questions of law and fact common to
14 Plaintiff and Class members. These questions include, but are not limited to, the following:

- 15 a. Whether Defendants have engaged in a common course of failing to pay
16 Class members at no less than minimum wage for all work performed;
- 17 b. Whether Defendants have engaged in a common course of failing to pay
18 Class members overtime compensation for hours worked beyond 40 in
19 a week;
- 20 c. Whether Defendants have engaged in a common course of failing to
21 ensure Class members have taken the rest breaks to which they are
22 entitled;
- 23 d. Whether Defendants have engaged in a common course of failing to
24 separately pay Class members for rest breaks, whether received or not;

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- e. Whether Defendants have engaged in a common course of failing to provide Class members with a thirty-minute meal break for every five hours of work;
- f. Whether Defendants have engaged in a common course of failing to pay Class members an additional thirty minutes of compensation for each missed meal break;
- g. Whether Defendants have engaged in a common course of failing to keep true and accurate records of all hours worked by Class members;
- h. Whether Defendants’ failure to pay all wages owed to Class members was willful;
- i. Whether Defendants have violated RCW 49.12.020;
- j. Whether Defendants have violated WAC 296-126-092;
- k. Whether Defendants have violated RCW 49.46.090;
- l. Whether Defendants have violated RCW 49.46.130;
- m. Whether Defendants have violated WAC 296-128-010;
- n. Whether Defendants have violated WAC 296-128-020;
- o. Whether Defendants have violated WAC 296-126-040;
- p. Whether Defendants have violated WAC 296-126-050;
- q. Whether Defendants have violated RCW 49.48.010;
- r. Whether Defendants have violated RCW 49.52.050; and,
- s. The nature and extent of Class-wide injury and the measure of compensation for such injury.

4.4 Typicality. Plaintiff’s claims are typical of the claims of the Class. Plaintiff has performed work for Defendants as an employee while residing in the state of Washington and is thus a member of the Class. Plaintiff’s claims, like the claims of the Class, arise out of the

1 same common course of conduct by Defendants and are based on the same legal and
2 remedial theories.

3 4.5 Adequacy. Plaintiff will fairly and adequately protect the interests of the Class.
4 Plaintiff has retained competent and capable attorneys who have significant experience in
5 complex and class action litigation, including employment law. Plaintiff and her counsel are
6 committed to prosecuting this action vigorously on behalf of the Class and have the financial
7 resources to do so. Neither Plaintiff nor her counsel have interests that are contrary to or that
8 conflict with those of the Class.

9 4.6 Predominance. Defendants have engaged in a common course of wage and
10 hour abuse toward Plaintiff and members of the Class. The common issues arising from this
11 conduct that affect Plaintiff and members of the Class predominate over any individual issues.
12 Adjudication of these common issues in a single action has important and desirable
13 advantages of judicial economy.

14 4.7 Superiority. Plaintiff and Class members have suffered and will continue to
15 suffer harm and damages as a result of Defendants' unlawful and wrongful conduct. Absent a
16 class action, however, most Class members likely would find the cost of litigating their claims
17 prohibitive. Class treatment is superior to multiple individual suits or piecemeal litigation
18 because it conserves judicial resources, promotes consistency and efficiency of adjudication,
19 provides a forum for small claimants, and deters illegal activities. There will be no significant
20 difficulty in the management of this case as a class action. The Class members are readily
21 identifiable from Defendants' records.

22 **V. SUMMARY OF FACTUAL ALLEGATIONS**

23 5.1 Common Course of Conduct: Failure to Provide Proper Rest Breaks. Defendants
24 have engaged in a common course of failing to provide Plaintiff and Class members with a
25 paid ten-minute rest break for every four hours of work.

1 5.2 Defendants have engaged in a common course of requiring or permitting
2 Plaintiff and Class members to work more than three consecutive hours without a rest break.

3 5.3 Defendants have engaged in a common course of failing to ensure that Plaintiff
4 and Class members have taken the rest breaks to which they are entitled.

5 5.4 Defendants have engaged in a common course of failing to separately pay Class
6 members for rest breaks, whether received or not, at their average hourly or overtime rate, as
7 appropriate.

8 5.5 As a result of Defendant’s common course of failing to provide proper rest
9 breaks to Plaintiff and Class members, Defendants have failed to maintain accurate records of
10 hours worked by Plaintiff and Class members.

11 5.6 Defendants have actual or constructive knowledge of the facts set forth in
12 Paragraphs 5.1 through 5.5.

13 5.7 Common Course of Conduct: Failure to Provide Proper Meal Breaks.
14 Defendants have engaged in a common course of failing to provide Plaintiff and Class
15 members with a thirty-minute meal break for every five hours of work.

16 5.8 Defendants have engaged in a common course of requiring or permitting
17 Plaintiff and Class members to work more than five consecutive hours without a meal break.

18 5.9 Defendants have engaged in a common course of failing to ensure Plaintiff and
19 Class members have taken the meal breaks to which they are entitled.

20 5.10 Defendants have engaged in a common course of failing to provide Plaintiff and
21 Class members with thirty minutes of additional pay for each missed meal break.

22 5.11 Defendants have had actual or constructive knowledge of the facts set forth in
23 Paragraphs 5.7 through 5.10.

24 5.12 Common Course of Conduct: Failure to Pay for All Hours of Work. Defendants
25 have engaged in a common course of failing to pay Plaintiff and Class members for all hours
26 worked.

1 5.13 Defendants pay their employees on a commission basis for time spent cleaning
2 houses. Specifically, Plaintiff and Class members earn a percentage of the overall rate
3 Defendants charge each client for residential cleaning services.

4 5.14 Defendants have engaged in a common course of requiring or permitting
5 Plaintiff and Class members to perform other work activities for which they receive no
6 compensation. These additional work activities include but are not limited to the following:
7 preparing cleaning supplies, refilling cleaning supplies, driving between Defendants' offices
8 and clients' homes, driving between clients' homes, cleaning company vehicles, cleaning the
9 company office, completing paperwork, and other tasks.

10 5.15 Defendants have actual or constructive knowledge of the facts set forth in
11 Paragraphs 5.12 through 5.14.

12 5.16 Common Course of Conduct: Failure to Pay Minimum Wages. Defendants have
13 engaged in a common course of failing to pay minimum wages to Plaintiff and Class members
14 for all hours worked.

15 5.17 Defendants have engaged in a common course of failing to pay Plaintiff and
16 Class members minimum wages for all hours worked by failing to pay any money to Plaintiff
17 and Class members for non-commissionable time, including time spent preparing cleaning
18 supplies, refilling cleaning supplies, driving between Defendants' offices and clients' homes,
19 driving between clients' homes, cleaning company vehicles, cleaning the company office,
20 completing paperwork, and performing other tasks.

21 5.18 Defendants have engaged in a common course of failing to pay Plaintiff and
22 Class members minimum wages for all hours worked by failing to separately pay Plaintiff and
23 Class members for rest breaks, whether received or not, and failing to provide Plaintiff and
24 Class members with meal breaks.

25 5.19 Defendants have actual or constructive knowledge of the facts set forth in
26 Paragraphs 5.16 through 5.18.

- 1 F. Award prejudgment and post-judgment interest to Plaintiff and Class members,
2 as provided by law;
- 3 G. Permit Plaintiff and members of the Class leave to amend the complaint to
4 conform to the evidence presented at trial; and
- 5 H. Grant such other and further relief as the Court deems necessary, just, and
6 proper.

7 RESPECTFULLY SUBMITTED AND DATED this 10th day of January, 2018.

8 REKHI & WOLK, P.S.

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