



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 2103-N-18-L

RE: APPLICATION OF HHC WARM-HEARTED HOME CARE LLC TO  
OPERATE ONE (1) GENERAL LIVERY VEHICLE, WITH A SEATING  
CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A  
HEADQUARTERS IN EAST HARTFORD

DECISION

June 15, 2021

## I. INTRODUCTION

### A. APPLICATION

By application filed on March 22, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, HHC Warm-Hearted Home Care LLC (hereinafter "applicant") with a mailing address of 52 Mercer Avenue, East Hartford, Connecticut 06118 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in East Hartford.

### B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held by telephone on June 10, 2021.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required pursuant to Connecticut General Statutes Section 13b-103, as amended. Legal notice to the public was given by publication on the department's website.

A hearing officer designated by the Commissioner pursuant to Connecticut General Statutes Section 13b-17 conducted the hearing on this matter.

### C. APPEARANCES

Festus and Lina Acheampong appeared pro se on behalf of the applicant. The applicant's mailing address is 52 Mercer Avenue, East Hartford, Connecticut 06118.

## II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in East Hartford.
2. The applicant will operate a handicapped accessible 2019 Ford Transit Van which is owned outright.
3. The applicant's first six months of expenses includes insurance costs of \$2,184, maintenance costs of \$2,070, communication costs of \$2,058, advertising costs of \$1,416, legal expenses of \$330 and property tax of \$820.

4. The applicant has \$36,371 in a business bank account.
5. The applicant has operated a home care business for the past four years.
6. Before operating a home care business Ms. Acheampong was a Certified Nursing Assistant and Mr. Acheampong was employed as a delivery and Uber driver.
7. The applicant's clients often have difficulty getting transportation to medical appointments, shopping, and church. The applicant wants to add transportation to the services they offer their clients.
8. Both Mr. and Mrs. Acheampong will be getting a public service license to drive the livery vehicle.
9. This application is not opposed.

### III. DISCUSSION

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to Connecticut General Statutes Section 13b-102, as amended.

In determining whether a livery permit should be granted, the department shall take into consideration the present or future public convenience and necessity. The applicant must prove that the public's convenience and necessity will be improved by the proposed service. Additionally, the applicant must show the suitability of the applicant or the suitability of the management if the applicant is a limited liability company or corporation, the financial responsibility of the applicant, the ability of the applicant efficiently and properly to perform the service for which authority is requested and the fitness, willingness and ability of the applicant to conform to the provisions of the statutes and the requirements and regulations of the department thereunder, in accordance with Connecticut General Statutes Section 13b-103.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Lina and Festus Acheampong which disclosed no criminal record. The applicant has been operating a home health care business for the past four years. Mr. Acheampong has been a driver and has experience transporting clients. Based on the evidence presented, the applicant is suitable to conduct the proposed business.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the first six months of expenses includes insurance costs of \$2,184, maintenance costs of \$2,070, communication costs of \$2,058, advertising costs of \$1,416, legal expenses \$330 and property tax of \$820 for a total expense of \$8,878. The applicant has \$36,371 in a bank account

which will cover these expenses. The applicant is financially suitable.

On the issue of public convenience and necessity, the applicant is already operating an ongoing home health care business. The applicant has a built-in client base for its proposed transportation services and plans to provide transportation to the general public. Based on the evidence presented, the applicant will be granted livery authority.

#### IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of HHC Warm-Hearted Homecare LLC is hereby granted, and Livery Permit Number 3710 is hereby issued as follows:

#### **LIVERY PERMIT NUMBER 3710**

HHC Warm-Hearted Home Care LLC is authorized to operate one (1) motor vehicle in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in East Hartford.

#### **RESTRICTIONS:**

**The applicant must register and insure the one (1) general livery vehicle granted in this decision within ninety (90) days. Failure to do so may result in revocation of this authority.**


The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

This permit shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke said permit.

A memorandum of this permit, bearing the seal of the department, shall be conspicuously posted in each motor vehicle operated under this permit.

Dated at Newington, Connecticut on the 15th day of June 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

  
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Judith Almeida  
Staff Attorney III  
Administrative Law Unit  
Bureau of Finance and Administration