

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD**  
2 **OF THE STATE OF OREGON**

3 **IN THE MATTER OF:** )  
4 **GERALD A. BETTS,** ) **NOTICE OF PROPOSED ASSESSMENT**  
5 **AN INDIVIDUAL** ) **OF A CIVIL PENALTY AND FINAL**  
6 **RESPONDENT** ) **ORDER ON DEFAULT**  
7 ) **CASE NO. 2005-0069**  
8 )

9 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator  
10 Board proposes to impose a civil penalty against you in the amount of \$1,000.

11 **FINDINGS OF FACT**

- 12 1. During all relevant times, Respondent was employed by Altec Electric LLC, as the  
13 general signing supervising electrician, license # 1913S.  
14 2. On or about February 8, 2005 at 8851 Merlin Dr., Redmond, Oregon, Respondent, as the  
15 general signing supervising electrician, failed to ensure, Slava Grishko, was properly  
16 licensed to install NMB cable. Respondent is required to ensure that all individuals doing  
17 electrical installations under his supervision are properly licensed.

18 **CONCLUSIONS OF LAW**

- 19 1. The installation of NMB cable is an electrical installation as defined in ORS 479.530(10).  
20 2. By failing to ensure that individuals working under Respondent's supervision were  
21 properly licensed, as set forth in Finding of Fact (2), Respondent violated OAR 918-282-  
22 0140(2)(f).

23 **ORDER**

24 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator  
25 Board finds Respondent violated OAR 918-282-0140(2)(f), and is assessed a \$1000 civil penalty.

**NOTICE OF RIGHT TO HEARING**

You are entitled to a hearing as provided by the Administrative Procedures Act, Oregon Revised Statutes, Chapter 183. If you wish to receive a hearing you must file a written request for a hearing with the Board no later than 20 days from the date of service of this notice. If a request for hearing is not received within the 20-day period your right to a hearing shall be

1 considered waived unless the failure to request a hearing was beyond your reasonable control.  
2 Hearing requests shall be mailed to Building Codes Division, Enforcement and Licensing  
3 Section, PO Box 14470, Salem, Oregon, 97309.

4 You have the right to be represented by legal counsel. ORS 183.457 provides that a corporation  
5 may be represented by an authorized representative at the hearing. If you request a hearing the  
6 Board and Director will notify you of the time and place of the hearing. The Board and Director  
7 will give you information on the procedures, right of representation and other rights of parties  
8 relating to the conduct of the hearing before commencement of the hearing.

### 9 NOTICE OF FINAL ORDER

10 If you do not request a hearing within 20 days, this citation will become a final order, effective  
11 21 days after it was served on you. If you do not request a hearing or fail to appear at a  
12 scheduled hearing, the Division's file on the matter becomes record. You are entitled to judicial  
13 review of this order. Judicial review may be obtained by filing for review within 81 days from  
14 the date this order was served. Judicial review is pursuant to the provisions of ORS 183.482 to  
15 the Court of Appeals.

16 Dated this \_\_\_\_ day of \_\_\_\_\_, 2005

17 \_\_\_\_\_  
18 BY  
19 HEATH M. LAWSON, Enforcement Officer  
20 Enforcement and Licensing Section  
21 Building Codes Division  
22 PO Box 14470  
23 Salem, Oregon 97309-0404  
24 PHONE: (503) 378-3102  
25 FAX: (503) 378-2322