

**BEFORE THE BOARD OF BOILER RULES OF THE STATE OF OREGON**

**IN THE MATTER OF:  
RON DUGAN, AN INDIVIDUAL**

**CONSENT ORDER**

**CASE NO. 2006-0086**

**RESPONDENT**

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WHEREAS the BOARD OF BOILER RULES of the State of Oregon, acting pursuant to its authority as set forth in Oregon Revised Statutes Chapter 455, has conducted an investigation of the Respondent and has determined that the Respondent violated certain provisions of the Oregon Building Codes statutes, administrative rules, and specialty codes:

WHEREAS the Board and Respondent wish to settle this matter informally. Respondent agrees to conduct all future business in compliance with the applicable statutes, administrative rules, and specialty codes:

NOW THEREFORE, as evidenced by the authorized signature subscribed on this Order, Respondent hereby consents to the entry of this Order:

**FINDINGS OF FACT**

1. In February, 2006, Respondent did not hold any license under OAR 918-225-0691. At that time, Respondent was employed by Diamond Heating Inc., a licensed boiler and pressure vessel business and Limited Maintenance Contractor HVAC/R electrical contractor in the state of Oregon.
2. On or about the period of February 16 to 21, 2006 at 321 West Niagara in Astoria, Oregon, Diamond Heating sent Respondent to install a Weil McLain CGI III hot-water-heating boiler for the account of Michelle Bright-Berthelsen.

**CONCLUSIONS OF LAW**

1. Installing a Weil McLain CGI III hot-water-heating boiler, as outlined in the Findings of Fact, is a boiler installation under ORS 480.5 15(2).
2. By making a boiler installation as an employee of a boiler business without a license, as outlined in the Findings of Fact, Respondent violated ORS 480.630(2).

**ORDER**

The Board, acting pursuant to ORS 455.775(2) hereby ORDERS that the Respondent shall:

CEASE AND DESIST from further violations of the Oregon Building Codes, statutes, administrative rules, specialty codes, or any Order issued by a State Building Codes Advisory Board.

Pursuant to ORS 455.895(1)(a) and OAR 918-001-0036, Respondent is assessed a \$1000 civil penalty for violation of ORS 693.030(1).

The Board further ORDERS the imposition of the \$1,000.00 civil penalty under the following terms and conditions:

The Respondent shall not violate any provision of Oregon Building Codes Statutes, administrative rules, specialty codes, or any Order issued by a State Building Codes Advisory Board.

The civil penalty is due and payable ten (10) days after this document becomes a Final Order. Failure to submit payment will result in your account being forwarded to the Department's Business Administration Division for collection. The Department will pursue collection of unpaid civil penalties by filing a lien against your real estate holdings, by tax refund offsets through the Department of Revenue, or through an outside collection agent.

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Dated this \_\_\_\_\_ day of \_\_\_\_\_.

BOARD OF BOILER RULES OF THE STATE OF OREGON

by Philip A. Johnson, II, Enforcement Officer for the Board

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**CONSENT TO ENTRY OF ORDER**

I, RON DUGAN, state that I am, or represent the Respondent herein; that I have read the foregoing Order, and that I know and fully understand its contents; that I consent to the entry of this Order, and admit the allegations contained in the Findings of Fact therein; that I have been advised of my right to a contested case hearing, and to be represented by legal counsel in this matter; that I freely and voluntarily consent to the entry of this Order without further hearing and without any force or duress, expressly waiving all rights to a contested case hearing, judicial review or any further appeal in this matter. I understand that the Board may take further actions to enforce this Order or upon discovery of other conduct in violation of the Oregon Building Codes statutes, administrative rules, and specialty codes. I further state that I will fully comply with the terms and conditions stated therein. I further assure the Board that I will not perform work or conduct business in Oregon unless such activities are in full compliance with Oregon Building Codes statutes, administrative rules, and specialty codes. I understand that this Consent Order is a public document.

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Signature of Respondent

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