

BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

CONSENT ORDER

IN THE MATTER OF:

**IAN B MINSKER, AN INDIVIDUAL,
DBA DAMINSK BUILDING**

**CASE NO. 2006-
0131**

RESPONDENT

8 WHEREAS the ELECTRICAL AND ELEVATOR BOARD 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:

10 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:

14 **FINDINGS OF FACT**

- 16 1. On or about the period of August 18, 2005 through April 21, 2006 at 52745 Golden Astor
Road, LaPine, Oregon, Respondent installed electrical wiring and fixtures on a garage and shop
structure, for the account of Anne Gregersen, without a valid electrical contractor's license.
- 18 2. On or about the period of August 18, 2005 through April 21, 2006 at 52745 Golden Astor
Road, LaPine, Oregon, Respondent installed electrical wiring and fixtures on a garage and shop
structure, for the account of Anne Gregersen, without a valid Oregon journeyman electrician's
license.
- 19 3. On or about the period of August 18, 2005 through April 21, 2006 at 52745 Golden Astor
20 Road, LaPine, Oregon, Respondent engaged in the business of installing electrical wiring and
fixtures on a garage and shop structure, for the account of Anne Gregersen, without first obtaining
a valid electrical permit.

CONCLUSIONS OF LAW

- 24 1. The installation of electrical wiring, as outlined in the Findings of Fact above, is an
electrical installation under ORS 479.530(10).
2. By making an electrical installation without a valid Oregon journeyman electrician's
license, as set forth in Finding of Fact, Respondent violated ORS 479.620(3).

- 3. By engaging in the business of making an electrical installation without a valid Oregon electrical contractor's license, as set forth in Finding of Fact, Respondent violated ORS 479.620(1).
- 4. By making an electrical installation without first obtaining a valid electrical permit, as outlined in Finding of Fact, Respondent violated ORS 479.550(1).

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)(b) and OAR 918-001-0036, Respondent is assessed a \$1000 civil penalty for violation of ORS 479.620(1).

Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, Respondent is assessed a \$1000 civil penalty for violation of ORS 479.620(3).

Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, Respondent is assessed a \$1000 civil penalty for violation of ORS 479.550(1).

The Board further ORDERS the imposition of \$750.00 of the \$3,000.00 total civil penalty be stayed for the period of three years from the date of this Order, 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 remaining \$2,250 civil penalty is due and payable on or before 5:00 P.M. July 31, 2006. Failure to submit payment by the due date indicated 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.

If Respondent fully complies with all conditions imposed herein, the \$750.00 stayed civil penalty shall be waived at the end of the three-year period and shall no longer be imposed. If the Board finds that the Respondent has violated any of the terms and conditions stated herein during the three-year period from the date of this Order, the Board by and through Director of the Department of Consumer and Business Services may impose the \$750.00 stayed civil penalty. Further, this Order does not limit the Board from other actions to enforce other violations of the Oregon Building Codes statute, administrative rules, and specialty codes.

Dated this _____ day of _____.

ELECTRICAL AND ELEVATOR BOARD

by Tony Guidone, Enforcement Officer for the Board

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I, IAN B MINSKER, 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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