

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

3 **IN THE MATTER OF:**)
4 **BIG SKY ELECTRIC, INC., A WASHINGTON CORPORATION**) **NOTICE OF PROPOSED ASSESSMENT**
5) **OF A CIVIL PENALTY AND FINAL**
6) **ORDER UPON DEFAULT**
7) **CASE NO. 2006-0218**
8 **RESPONDENT**)
9)
10)

11 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator
12 Board proposes to impose a civil penalty against you in the amount of \$3,000.

13 **FINDINGS OF FACT**

- 14 1. On or about April 17, 2006, at 17928 Hidden Lake Dr., Oregon City, Oregon,
15 Respondent installed and connected electrical wiring, for the account of another, without
16 first obtaining a valid electrical permit.
- 17 2. On or about April 17, 2006, at 17928 Hidden Lake Dr., Oregon City, Oregon,
18 Respondent allowed an unlicensed person, Mark Winston, to make an electrical
19 installation. Winston, on behalf of Respondent installed electrical wiring without an
20 Oregon supervising or journeyman electrician's license as required by ORS 479.620(3).
- 21 3. On or about April 17, 2006, at 17928 Hidden Lake Dr., Oregon City, Oregon,
22 Respondent allowed an unlicensed person, Seth Lulay, to make an electrical installation.
23 Lulay, on behalf of Respondent connected electrical wiring without an Oregon
24 supervising or journeyman electrician's license as required by ORS 479.620(3).

25 **CONCLUSIONS OF LAW**

1. Installing and connecting electrical wiring, as outlined in the Findings of Fact, are
electrical installations as defined in ORS 479.530(10).
2. By making electrical installations without first obtaining a valid electrical permit, as
outlined in the Findings of Fact, Respondent violated ORS 479.550(1).
3. By allowing Mark Winston, an unlicensed person, to make an electrical installation, as
outlined in the Finding of Fact (2), Respondent violated OAR 918-282-0120(1).
4. By allowing Seth Lulay, an unlicensed person, to make an electrical installation, as
outlined in the Finding of Fact (3), Respondent violated OAR 918-282-0120(1).

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2 **ORDER**

3 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator
4 Board finds Respondent violated ORS 479.550(1) and is assessed a \$1,000 civil penalty.

5 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator
6 Board finds Respondent violated OAR 918-282-0120(1) and is assessed a \$1,000 civil penalty.

7 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator
8 Board finds Respondent violated OAR 918-282-0120(1) and is assessed a \$1,000 civil penalty.

9 **NOTICE OF RIGHT TO HEARING**

10 You are entitled to a hearing as provided by the Administrative Procedures Act, Oregon
11 Revised Statutes, Chapter 183. If you wish to receive a hearing you must file a written request
12 for a hearing with the Board no later than 20 days from the date of service of this notice. If a
13 request for hearing is not received within the 20-day period your right to a hearing shall be
14 considered waived unless the failure to request a hearing was beyond your reasonable control.
15 Hearing requests shall be mailed to Building Codes Division, Enforcement and Licensing
16 Section, PO Box 14470, Salem, Oregon, 97309.

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

22 **NOTICE OF FINAL ORDER**

23 If you do not request a hearing within 20 days, this citation will become a final order, effective
24 21 days after it was served on you. If you do not request a hearing or fail to appear at a
25 scheduled hearing, the Division's file on the matter becomes record. You are entitled to judicial
review of this order. Judicial review may be obtained by filing for review within 81 days from
the date this order was served. Judicial review is pursuant to the provisions of ORS 183.482 to
the Court of Appeals.

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Dated this ____ day of _____, 2006

BY
BRENT A. GRIFFITHS, Enforcement Officer
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Building Codes Division
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