

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

2)
3 **IN THE MATTER OF:**)

4 **KRISTOPHER J BROWN, AN INDIVIDUAL**)

**NOTICE OF PROPOSED ASSESSMENT
OF A CIVIL PENALTY AND FINAL
ORDER ON DEFAULT**

5)
6 **RESPONDENT.**)
7)

CASE NO. 2006-0246

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

10 **FINDINGS OF FACT**

- 11 1. On or about the period of January 23, 2006 through May 25, 2006 at 2847 N.E. Rainier
- 12 Drive, Bend, Oregon, in conjunction with the construction of a new home, Respondent
- 13 installed electrical power wiring without first having obtained a valid electrical permit.
- 14 2. On or about the period of January 23, 2006 through May 25, 2006 at 2847 N.E. Rainier
- 15 Drive, Bend, Oregon, in conjunction with the construction of a new home, Respondent
- 16 installed electrical power wiring without a valid Oregon electrical contractors license.
- 17 3. On or about the period of January 23, 2006 through May 25, 2006 at 2847 N.E. Rainier
- 18 Drive, Bend, Oregon, in conjunction with the construction of a new home, Respondent
- 19 installed electrical power wiring without a valid Oregon journeyman electricians license.

20 **CONCLUSIONS OF LAW**

- 21 1. The installation of electrical products, as outlined in the Findings of Fact, is an electrical
- 22 installation under ORS 479.530(10).
- 23 2. By making an electrical installation without first obtaining a valid electrical contractors
- 24 license, as outlined in Findings of Fact, Respondent violated ORS 479.620(1).
- 25 3. By making an electrical installation without first obtaining a valid electrical permit, as
- outlined in Findings of Fact, Respondent violated ORS 479.550(1).
- 4. 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).

1 **ORDER**

2 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, Respondent is assessed a \$1,000 civil
3 penalty for violation of ORS 479.550(1); and

4 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, Respondent is assessed a \$1,000 civil
5 penalty for violation of ORS 479.620(1); and

6 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, Respondent is assessed a \$1,000 civil
7 penalty for violation of OAR 918-282-0120(1); and

8 For a total civil penalty of \$3000.

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 for a
12 hearing with the Board no later than 20 days from the date of service of this notice. If a request for
13 hearing is not received within the 20-day period your right to a hearing shall be considered waived
14 unless the failure to request a hearing was beyond your reasonable control. Hearing requests shall
15 be mailed to Building Codes Division, Enforcement and Licensing Section, PO Box 14470, Salem,
16 Oregon, 97309.

17 You have the right to be represented by legal counsel. ORS 183.457 provides that a
18 corporation may be represented by an authorized representative at the hearing. If you request a
19 hearing the Board and Director will notify you of the time and place of the hearing. The Board and
20 Director will give you information on the procedures, right of representation and other rights of
21 parties 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 21
24 days after it was served on you. If you do not request a hearing or fail to appear at a scheduled
25 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.

26 Dated this ____ day of _____, 2006

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