

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

3 **IN THE MATTER OF:**)
4 **TROY BARNETT,**) **NOTICE OF PROPOSED ASSESSMENT**
5 **AN INDIVIDUAL,**) **OF A CIVIL PENALTY AND FINAL**
6 **RESPONDENT**) **ORDER ON DEFAULT**
7) **CASE NO. 2007-0343**
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. On or about October 17, 2007 at 6212 Fern Hill Lp., Springfield, Oregon Respondent
13 installed electrical wiring for a spa, for the account of another, without a valid Oregon
14 journeyman electrician's license.

15 **CONCLUSIONS OF LAW**

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

20 **ORDER**

21 1. Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator
22 Board assesses Respondent, a \$1000 civil penalty for violation of ORS 479.620(3).

23 **NOTICE OF RIGHT TO HEARING**

24 You are entitled to a hearing as provided by the Administrative Procedures Act, Oregon
25 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
considered waived unless the failure to request a hearing was beyond your reasonable control.
Hearing requests shall be mailed to Building Codes Division, Enforcement and Licensing

1 Section, PO Box 14470, Salem, Oregon, 97309.

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

7 **NOTICE OF FINAL ORDER**

8 If you do not request a hearing within 20 days, this citation will become a final order, effective
9 21 days after it was served on you. If you do not request a hearing or fail to appear at a
10 scheduled hearing, the Division's file on the matter becomes record. You are entitled to judicial
11 review of this order. Judicial review may be obtained by filing for review within 81 days from
12 the date this order was served. Judicial review is pursuant to the provisions of ORS 183.482 to
13 the Court of Appeals.

14 Dated this _____ day of _____, 2008

15 _____
16 Chairman
17 Electrical & Elevator Board
18 State of Oregon
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