

2011 APR 14 P 2: 14

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

**IN THE MATTER OF:**

) **CONSENT ORDER**

**PAVEL CRAINIC dba CRAINIC ELECTRIC CO., AN INDIVIDUAL**

) **CASE NO. 2009-0290**

**RESPONDENT (You)**

The Electrical and Elevator Board of the State of Oregon (Electrical Board) has conducted an investigation and determined that you violated certain provisions of the Oregon Building Codes statutes, administrative rules, and specialty codes.

The parties wish to settle this matter informally. You agree to conduct all future business in compliance with the applicable statutes, administrative rules, and specialty codes. As evidenced by the authorized signatures on this Order, you hereby consent to the entry of this Order and its following terms.

**FINDINGS OF FACT and CONCLUSIONS OF LAW**

(1) During or about the period of October 2009 through January 2010, at 1185 NW 87<sup>th</sup> Avenue, Portland, Oregon, you engaged in the business of an electrical contractor, for the account of another, without an Oregon electrical contractor's license, in violation of ORS 479.620(1).

**WHAT THE LAW SAYS**

(1) Under ORS 479.620(1), except as exempted in ORS 479.540, a person may not engage in the business of an electrical contractor without an electrical contractor's license.<sup>1</sup>

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<sup>1</sup> OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform, work for which a license or permit is required under Oregon law, including but not limited to a single instance.

1  
2 **ORDER**

3 Under ORS 455.895(1)(b) and OAR 918-001-0036, the Board assesses the following  
4 sanctions:

5 (1) a \$3,000 civil penalty for violating ORS 479.620(1)

6 The penalties assessed total \$3,000.

7 **STIPULATED AGREEMENT**

8 You and the Board agree to resolve this matter without hearing according to the  
9 following terms:

10 (1) You admit to committing the violations as alleged in the Findings of Fact and  
11 Conclusions of Law and agree the Board will issue an order imposing the proposed civil  
12 penalties for such violations in order to resolve this matter.

13 (2) The Board agrees to suspend \$1,500 of the \$3,000 in civil penalties for a period of  
14 five years under the following terms:

15 (a) You agree not to commit further violations of Building Codes Division's  
16 statutes and/or rules.

17 (b) You agree to pay the remaining \$1,500 of the civil penalty *or \$1,000 if full*  
18 *payment is submitted by the due date on the invoice you will receive with a*  
19 *copy of this executed order. The additional \$500 will then be added to the*  
20 *suspended amount.*

21 (c) If you fail to make a payment within the time period stated on a Final Demand  
22 collection of the entire civil penalties, including any suspended amount will be  
23 initiated.


24 Payments are to be made to:  
25 DCBS Fiscal Services  
P.O. Box 14610  
Salem, OR. 97309-0445

(d) You understand and agree any violation of the terms of this Settlement  
Agreement and Consent Order will result in further enforcement action.

(e) You understand and agree that any violations of Building Code Division's  
statutes and/or rules not alleged in the Findings of Fact above, whether  
committed before or after the execution of this Settlement Agreement and  
Consent Order, shall be the basis for further enforcement action.

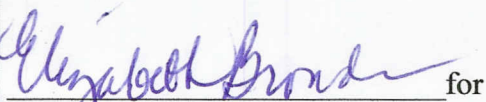
- 1
- 2 (f) You understand the suspended civil penalty will be waived five years after the
- 3 execution of this Settlement Agreement and Consent Order, provided you
- 4 comply with its terms and have not committed any further violations of
- 5 Building Codes Division's statutes and/or rules.
- 6
- 7 (g) You have read and fully understand the terms of this Consent Order, freely
- 8 and voluntarily consent to the entry of this Order without further hearing,
- 9 without any force or duress, and expressly waives all rights to hearing or
- 10 appeal in this matter.
- 11
- 12 (h) You understand that, upon signature of all parties, this Settlement Agreement
- 13 and Consent Order will be a FINAL ORDER.
- 14
- 15 (i) You understand once this Settlement Agreement and Consent Order become a
- 16 FINAL ORDER it becomes a public document.
- 17
- 18 (j) You further agree by signing this Settlement Agreement and Consent Order
- 19 that he is the respondent and/or authorized representative for the respondent in
- 20 this matter.
- 21
- 22
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- 25

**FOR THE RESPONDENT**

  
Pavel Crainic

Date: 04-07-11

**FOR THE BOARD**

  
Chairman  
Electrical and Elevator Board  
State of Oregon

Date: 04-15-11