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BEFORE THE PLUMBING BOARD OF THE STATE OF OREGON

IN THE MATTER OF:

)
) **CONSENT ORDER**
)
)
)
) **CASE NO. 2010-0107**
)
)
)

**ASHLAND MEDFORD PLUMBING, INC., AN
OREGON CORPORATION**

RESPONDENT

The Plumbing Board of the State of Oregon (Board) acting according to authority set forth in Oregon Revised Statutes Chapter 455, has determined that Respondent violated provisions of the Oregon Building Code's statutes, administrative rules, and specialty codes.

FINDINGS OF FACT and CONCLUSIONS OF LAW

(1) On or about May 06, 2010, at 1476 SW 4th Avenue, Ontario, Oregon, Respondent permitted or suffered Brandon Van Wey, an unlicensed individual, to install drain/waste/vent (DWV) piping, for the account of another, in violation of ORS 693.030(2)(a).

(2) The installations of DWV piping are plumbing installations as defined in ORS 447.010(6).

WHAT THE LAW SAYS

(1) Under ORS 693.030(2)(a), no person or entity shall permit or suffer any individual to make an plumbing installation for which the individual is not licensed.

ORDER

Under ORS 455.895(1)(a) and OAR 918-001-0036, the Board assesses the following:

(1) A \$2,000 civil penalty for violating ORS 693.030(2)(a).

1 Respondent and the Board agrees to resolve this matter without hearing, according to the
2 following terms:

3 1. Respondent admits to committing the violation as alleged in the Findings of Fact and
4 Conclusions of Law and agrees the Board will issue an order imposing the proposed civil penalty
5 for such violation in order to resolve this matter.

6 2. The Board agrees to suspend \$500 of the \$2,000 civil penalty for a period of five years
7 under the following terms:

8 (a) Respondent agrees not to commit further violations of Building Codes Division's statutes
9 and/or rules.

10 (b) Respondent agrees to pay the remaining \$1,500 of the civil penalties or \$1000 if full
11 payment is submitted within 30 days of the date this Settlement Agreement is signed.

12 (c) If Respondent fails to make a payment within the time period stated on a Final Demand,
13 collection of the entire civil penalties, including any suspended amount, will be initiated.

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

17 (d) Respondent understands and agrees any violation of the terms of this Settlement
18 Agreement and Consent Order will result in further enforcement action.

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

23 (f) Respondent understands the suspended civil penalty will be waived five years after the
24 execution of this Settlement Agreement and Consent Order, provided Respondent
25 complies with its terms and have not committed any further violations of Building Codes
Division's statutes and/or rules.

(g) Respondent has carefully read this Settlement Agreement and Consent Order and
understands the intent and content of the document, and signs below under free will.
Respondent waives any and all right to appeal or challenge of this Settlement Agreement
and Consent Order.

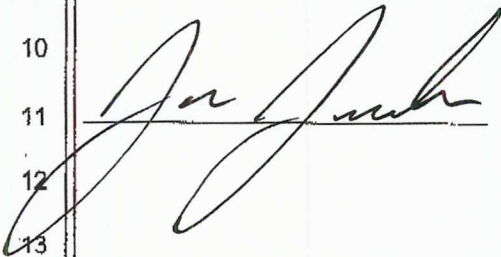
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(h) Respondent understands that, upon signature of all parties, this Settlement Agreement and Consent Order will be a FINAL ORDER.

(i) Respondent understands once this Settlement Agreement and Consent Order become a FINAL ORDER it becomes a public document.

It is so stipulated.

SIGNATURE FOR THE RESPONDENT



Date: 12-23-10

FOR THE BOARD

 for

Date: 1-12-11

Chairman
Plumbing Board
State of Oregon