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2 **ORDER**

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

- 5 (1) a \$2,000 civil penalty for violating ORS 479.620(3)
6 (2) a \$1,000 civil penalty for violating ORS 479.550(1)

7 The civil penalties assessed total \$3,000.

8 **STIPULATED AGREEMENT**

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

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

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

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

18 (b) If you fail to make a payment within the time period stated on a Final
19 Demand, collection of the entire civil penalties including any suspended
20 amount will be initiated.

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

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

(d) 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.

(e) You understand the suspended civil penalty will be waived five years after the
execution of this Settlement Agreement and Consent Order, provided you
comply with its terms and have not committed any further violations of
Building Codes Division's statutes and/or rules.

- 1 (f) You state you have carefully read this Settlement Agreement and Consent
2 Order and understand the intent and content of the document, and sign below
3 of your own free will. You waive any and all rights to appeal or challenge of
4 this Settlement Agreement and Consent Order.
- 5 (g) You understand that, upon signature of all parties, this Settlement Agreement
6 and Consent Order will be a FINAL ORDER.
- 7 (h) You understand once this Settlement Agreement and Consent Order become a
8 FINAL ORDER it becomes a public document.

9 **FOR THE RESPONDENT**

10 Cecil Barrett
11 Cecil Barrett

Date: 12-14-10

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14 **FOR THE BOARD**

15
16 Elizabeth Brown for
17 Chairman
18 Electrical and Elevator Board
19 State of Oregon

Date: 12-16-2010

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