

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

3 **IN THE MATTER OF:**

) **CONSENT ORDER**

4 **TURNBO ELECTRIC, INC., AN OREGON**
5 **CORPORATION**

6 **RESPONDENT**

) **CASE NO. 2010-0235**
)
)
)

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

11 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

12 (1) During all relevant times, Respondent was a registered electrical contractor, holding
13 license #20-505C.

14 (2) On or about September 24, 2010, at 14615 Water Gap Road, Williams, Oregon,
15 Respondent allowed Scott Sheldon and Chad Verschoor to install electrical wiring, in violation
16 of OAR 918-282-0120(1). At the time, neither Mr. Sheldon nor Mr. Verschoor held supervising
17 or journeyman electricians licenses as required by ORS 479.620(3).

18 (3) The installation of electrical wiring is an electrical installation, as defined in ORS
19 479.530(10).

20 **WHAT THE LAW SAYS**

21 (1) Under OAR 918-282-0120(1), no person or entity shall allow any individual to
22 perform electrical work for which the individual is not properly registered or licensed.

23 (2) Under ORS 479.620(3), a person may not make an electrical installation without a
24 supervising or journeyman electrician's license.

25 **ORDER**

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

(1) a \$2,000 civil penalty for violating OAR 918-282-0120(1).

RECEIVED
BUILDING CODES
2011 JAN 27 10:46

1
2
3 **STIPULATED AGREEMENT**

4 Respondent and the Board agrees to resolve this matter without hearing according to the
5 following terms:

6 (1) Respondent admits to committing the violations as alleged in the Findings of Fact and
7 Conclusions of Law and agree the Board will issue an order imposing the proposed civil
8 penalties for such violations in order to resolve this matter.

9 (2) The Board agrees to suspend \$750 of the \$2,000 in civil penalties for a period of five
10 years under the following terms:


- 11 (a) Respondent agrees not to commit further violations of Building Codes
12 Division's statutes and/or rules.
- 13 (b) Respondent agrees to pay the remaining \$1,250 civil penalties *or \$750 if full*
14 *payment is submitted within 30 days of the date this Settlement Agreement is*
15 *signed.*
- 16 (c) If Respondent fails to make a payment within the time period stated on a Final
17 Demand collection of the entire civil penalties, including any suspended
18 amount will be initiated.
- 19 Payments are to be made to: DCBS Fiscal Services
20 P.O. Box 14610
21 Salem, OR 97309-0445
- 22 (d) Respondent understands and agree any violation of the terms of this
23 Settlement Agreement and Consent Order will result in further enforcement
24 action.
- 25 (e) Respondent understands 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.
- (f) Respondent understands the suspended civil penalty will be waived five years
after the execution of this Settlement Agreement and Consent Order, provided
Respondent comply 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 understand the intent and content of the document, and sign below of your
own free will. You waive any and all rights to appeal or challenge of this

1 Settlement Agreement and Consent Order.

2
3
4 (h) Respondent understands that, upon signature of all parties, this Settlement Agreement and Consent Order will be a FINAL ORDER.


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

7
8 **FOR THE RESPONDENT**

9
10 
11 _____
12 Authorized Representative

Date: 1-25-11

13 **FOR THE BOARD**

14 
15 _____ for
16 Chairman
17 Electrical and Elevator Board
18 State of Oregon

Date: 1-28-11

19
20
21
22
23
24
25
RECEIVED