

1 **BEFORE THE PLUMBING BOARD OF THE STATE OF OREGON**

2)	
3	IN THE MATTER OF:)	CONSENT ORDER
4	A-1 AMERICAN CONTRACTORS INC., AN)	
5	INACTIVE CORPORATION)	
6	RESPONDENT)	CASE NO. 2010-0267
7)	

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

10 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

11 On or about November 1, 2010, at 17919 S.W. Robert Ln., Beaverton, Oregon,
12 Respondent advertised and agreed to perform a plumbing installation, for the account of another,
without being properly licensed as a plumbing contractor, in violation of ORS 447.040(1).

13 **WHAT THE LAW SAYS**

14 Under ORS 447.040(1), a person may not work as a plumbing contractor, or advertise or
15 purport to be a plumbing contractor, and a member or employee of a firm, partnership or
16 corporation may not engage in the layout or superintending of plumbing installations, without
having obtained the plumbing contractor license required under ORS 447.010 to ORS 447.156 as
provided by State Plumbing Board rules adopted under ORS 455.117.

17 **ORDER**

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

- 20 (1) a \$3,000 civil penalty for violating ORS 447.040(1).

21 **STIPULATED AGREEMENT**

22 Respondent and the Board agree to resolve this matter without hearing according to the
23 following terms:

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

1 (2) The Board agrees to suspend \$2,750 of the \$3,000 in civil penalties for a period of
2 five years under the following terms:

- 3 (a) Respondent agrees not to commit further violations of Building Codes
4 Division's statutes and/or rules.
- 5 (b) Respondent agrees to pay the remaining \$250 of the civil penalties.
- 6 (c) If Respondent fails to make a payment within the time period stated on a Final
7 Demand collection of the entire civil penalties, including any suspended
8 amount will be initiated.

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

- 12 (d) Respondent understands and agrees any violation of the terms of this
13 Settlement Agreement and Consent Order will result in further enforcement
14 action.
- 15 (e) Respondent understands and agrees that any violations of Building Code
16 Division's statutes and/or rules not alleged in the Findings of Fact above,
17 whether committed before or after the execution of this Settlement Agreement
18 and Consent Order, shall be the basis for further enforcement action.
- 19 (f) Respondent understands the suspended civil penalty will be waived five years
20 after the execution of this Settlement Agreement and Consent Order, provided
21 Respondent complies with its terms and have not committed any further
22 violations of Building Codes Division's statutes and/or rules.

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- 1 (g) Respondent states they have carefully read this Settlement Agreement and
2 Consent Order and understand the intent and content of the document, and
3 sign below of your own free will. Respondent waives any and all rights to
4 appeal or challenge of this Settlement Agreement and Consent Order.
- 5 (h) Respondent understands that, upon signature of all parties, this Settlement
6 Agreement and Consent Order will be a FINAL ORDER.
- 7 (i) Respondent understands once this Settlement Agreement and Consent Order
8 become a FINAL ORDER it becomes a public document.
- 9 (j) Respondent further agrees by signing this Settlement Agreement and Consent
10 Order that he is the respondent and/or authorized representative for the
11 respondent in this matter.

12 **FOR THE RESPONDENT**

13 
14 Aleksandr Katko,
15 Authorized Representative

16 Date: 11/23/10

17 **FOR THE BOARD**

18  for
19 Chairman
20 Plumbing Board
21 State of Oregon

22 Date: 12-1-10

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