

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

2 **IN THE MATTER OF:**

3 **BRETT D. RENFROE, AN INDIVIDUAL**

4
5 **RESPONDENT (You)**

)
)
) **CONSENT ORDER**
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) **CASE NO. 2010-0278**
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7 The Electrical and Elevator Board of the State of Oregon (Electrical Board) acting according to
8 authority set forth in Oregon Revised Statutes Chapter 455, determined that you violated provisions
of the Oregon Building Code's statutes, administrative rules, and specialty codes.

9 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

10 (1) On or about November 3, 2010, at 17919 SW Robert Lane, Beaverton, Oregon, you
11 advertised to perform electrical work and agreed to install 220V electrical wiring for a washer and
12 dryer, for the account of another, without an electrical contractor's license in violation of ORS
479.620(1).

13 (2) The installation of 220V electrical outlet and wires are electrical installations under ORS
14 479.530(10).

15 **WHAT THE LAW SAYS**

16 (1) Under ORS 479.620(1), a person may not, without an electrical contractor's license,
17 engage in the business of making electrical installations, advertise as or otherwise purport to be
licensed to make electrical installations or purport to be acting as a business that makes electrical
18 installations.

19 (2) Under OAR 918-030-0010(8) "engaging in the business" means to advertise or solicit,
20 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.

21 **ORDER**

22 (1) Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, Respondent is found in
23 violation of ORS 479.620(1) and assessed a \$3,000 civil penalty.
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1 **STIPULATED AGREEMENT**

2 You and the Boards agree to resolve this matter without hearing according to the following
3 terms:

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

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

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

11 (b) **You agree to pay the remaining \$250 of the civil penalties.**

12 (c) If you fail 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
14 initiated.

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

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

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

24 (f) You understand the suspended civil penalty will be waived five years after the
25 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.

(g) You state you have 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
Settlement Agreement and Consent Order.

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

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

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Dec

DATED this 12/03/10 day of 03, 2010

Brett Penfold
Signature of Respondent

FOR THE BOARD

DATED this 7th day of December, 2010

Elizabeth Browder for
Chairman
Electrical and Elevator Board
State of Oregon

Elizabeth Browder for
Chairman
State Plumbing Board
State of Oregon