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WHAT THE LAW SAYS

(1) Under ORS 479.620(1), a person may not, without an electrical contractor's license, 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 installations.¹

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

(3) Under to ORS 479.550(1), no person shall work on any new electrical installation for which a permit has not been issued.

(4) Under the 2008 Oregon Residential Specialty Code, Section R 105.1, any owner or authorized agent who intends to construct, enlarge, alter, repair, move, or change the occupancy of a building or structure or to erect, install, enlarge, alter, repair, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

ORDER

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

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

Under ORS 455.895(2) and OAR 918-001-0036, the Director of the Department of Consumer and Business Services assesses the following sanction:

- (1) a \$1,000 civil penalty for violating the 2008 Oregon Residential Specialty Code, Section R105.1.

The civil penalties assessed total \$7,000.

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¹ Pursuant to OAR 918-030-0010(8), for purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, 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.

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STIPULATED AGREEMENT

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

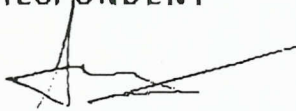
(1) You admit to committing the violations as alleged in the Findings of Fact and Conclusions of Law and agree the Board will issue an order imposing the proposed civil penalties for such violations in order to resolve this matter.

(2) The Board agrees to suspend \$4,250 of the \$7,000 in civil penalties for a period of five years under the following terms:

- (a) You agree not to commit further violations of Building Codes Division's statutes and/or rules.
 - (b) You agree to pay the remaining \$2,750 of the civil penalty.
 - (c) *If you are able to submit a full payment of \$2,250, an additional \$500 will be suspended. The \$2,250 must be paid by the due date found on the invoice. The invoice will be included with your copy of the Final Order after it is signed by the Board.*
 - (d) If you fail to make a payment within the time period stated on a Final Demand collection of the entire civil penalties, including any suspended amount will be initiated.
- Payments are to be made to:
DCBS Fiscal Services
P.O. Box 14610
Salem, OR. 97309-0445
- (e) You understand and agree any violation of the terms of this Settlement Agreement and Consent Order will result in further enforcement action.
 - (f) 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.
 - (g) 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 (h) You have read and fully understand the terms of this Consent Order, freely
2 and voluntarily consent to the entry of this Order without further hearing,
3 without any force or duress, and expressly waives all rights to hearing or
4 appeal in this matter.
- 5 (i) You understand that, upon signature of all parties, this Settlement Agreement
6 and Consent Order will be a FINAL ORDER.
- 7 (j) You understand once this Settlement Agreement and Consent Order become a
8 FINAL ORDER it becomes a public document.
- 9 (k) You further agree by signing this Settlement Agreement and Consent Order
10 that he is the respondent and/or authorized representative for the respondent in
11 this matter.

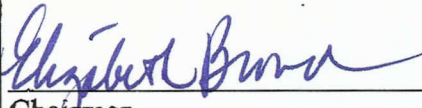
12 FOR THE RESPONDENT

13 


14 Petru Murzea

15 Date: 5-6-11

16 FOR THE BOARD

17  for
18 Chairman
19 Electrical and Elevator Board
20 State of Oregon

21 Date: 5-10-11

22  5-10-11
23 Director
24 Dept. of Consumer + Business
25 Services