

1 **WHAT THE LAW SAYS**

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3 (1) Under ORS 479.620(1), a person may not engage in the business of making
4 electrical installations, advertise as or otherwise purport to be licensed to make
5 electrical installations or purport to be acting a business that makes electrical
6 installations.

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

9 **ORDER**

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

12 (1) a \$3,000 civil penalty for violating ORS 479.620(1)

13 (2) a \$1,000 civil penalty for violating ORS 479.550(1)

14 Total civil penalties are \$4,000

15 **NOTICE OF RIGHT TO HEARING**

16 Respondent is entitled to a hearing as provided by the Administrative Procedures Act,
17 Oregon Revised Statutes, Chapter 183. If Respondent requests a hearing, the request
18 must be in writing and filed with the Division no later than 20 days from the service date.
19 If this Notice was served to Respondent in person, the service date is the date
20 Respondent received this Notice. If this Notice was served through the mail, the service
21 date is the day the Notice was mailed, not the day Respondent received it.

22 If a request for hearing is not received within 20 days, Respondent's right to a hearing
23 is considered waived unless the failure to request a hearing was beyond Respondent's
24 reasonable control. Mail hearing requests to Building Codes Division, Enforcement
25 Section, P.O. Box 14470, Salem, Oregon, 97309.

Respondent has the right to be represented by legal counsel. ORS 183.457 provides
that a corporation may be represented by an authorized representative at the hearing.
If Respondent requests a hearing, Respondent will be notified of the time and place of
the hearing and be given information on procedures, right of representation, and other
rights of parties relating to the hearing before it begins.

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NOTICE OF FINAL ORDER

If Respondent does not request a hearing within 20 days, withdraws a hearing request, notifies the Board or the administrative law judge that they will not appear, or fails to appear at a scheduled hearing, the Board will issue a Final Order by Default. If the Board issues a Final Order by Default, it designates the file, including any materials submitted by Respondent that relate to this matter, as the record for purpose of proving a prima facie case.

Respondent is entitled to judicial review of any final order issued in the matter of this Notice of a Proposed Civil Penalty. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after the Final Order is served. See ORS 183.482. If the Order was served in person, the service date is the date Respondent received the Order. If the Order was served through the mail, the service date is the day the Order was mailed, not the day it was received by Respondent. If Respondent does not file a petition for judicial review within 60 days, Respondent will lose the right to appeal. The informational phone number for the Oregon Court of Appeals is (503) 986-5555.

Dated this 10th day of January, 2011

Elizabeth Brown for
Chairman
Electrical and Elevator Board
State of Oregon