

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

- (1) \$1,000 civil penalty for violating OAR 918-785-0200(1)(a).
- (2) \$3,000 civil penalty for violating ORS 447.040(1).

The civil penalties assessed total \$4,000

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

(1) Respondent admits to committing the violations as alleged in the Findings of Fact and Conclusions of Law and agrees 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 \$2,750 of the \$4,000 in civil penalties for a period of five years under the following terms:

- (a) Respondent agrees not to commit further violations of Building Codes Division's statutes and/or rules.
- (b) Respondent agrees to pay the remaining \$1,250 of the civil penalties *or \$750 if full payment is submitted within 30 days of the date this Settlement Agreement is signed. The remaining \$500 will be added to the suspended amount.*
- (c) If Respondent fails 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

- (d) Respondent understands and agrees any violation of the terms of this Settlement Agreement and Consent Order will result in further enforcement action.
- (e) Respondent understands and agrees 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 complies with its terms and have not committed any further violations of Building Codes Division's statutes and/or rules.
- (g) Respondent has read and fully understands the terms of this Consent Order, freely and voluntarily consents to the entry of this Order without further hearing, without any force or duress, and expressly waives all rights to hearing or appeal in this matter.
- (h) Respondent understands that, upon signature of all parties, this Settlement Agreement and Consent Order will be a FINAL ORDER.
- (i) Respondent understands once this Settlement Agreement and Consent Order becomes a FINAL ORDER it becomes a public document.

It is so stipulated.

FOR THE RESPONDENT

Monica Robinson
Monica Robinson, Manager

Date: 2/10/11

FOR THE BOARD

Elizabeth Browder for
Chairman
Plumbing Board
State of Oregon

Date: 2-22-11