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

5 1. You admit to committing the violations as alleged in the Findings of Fact and
6 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.

7 2. The Board agrees to suspend \$1,000 of the \$2,000 civil penalty for a period of five years
8 under the following terms:

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

10 (b) You agree to pay the remaining \$1,000 of the civil penalties *or \$500 if full payment is*
11 *submitted within 30 days of the date this Settlement Agreement is signed.*

12 (c) If you fail to make a payment within the time period stated on a Final Demand, collection
13 of the entire civil penalties, including any suspended amount, will be initiated.

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

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

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

20 (f) You understand the suspended civil penalty will be waived five years after the execution
21 of this Settlement Agreement and Consent Order, provided you comply with its terms and
22 have not committed any further violations of Building Codes Division's statutes and/or
rules.

23 (g) You have read and fully understand the terms of this Consent Order, freely and
24 voluntarily consent 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.

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

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

It is so stipulated.

SIGNATURE FOR THE RESPONDENT



Date: 2-7-11

Brad Cook

FOR THE BOARD

 for

Date: 2-14-11

Chairman
Board of Boiler Rules
State of Oregon