

1 **ORDER**

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

4 (1) a \$3,000 civil penalty for violating OAR 918-282-0140(2)(f).

5 **STIPULATED AGREEMENT**

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

8 (1) You admit to committing the violations as alleged in the Findings of Fact and
9 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.

10 (2) The Board agrees to suspend \$1,750 of the \$3,000 in civil penalties for a period of
five years under the following terms:

- 11 (a) You agree not to commit further violations of Building Codes Division's
12 statutes and/or rules.
- 13 (b) You agree to pay the remaining \$1,250 of the civil penalty *or \$750 if full*
14 *payment is submitted by the due date on the invoice included with your copy*
15 *of the Order signed by the Board. The additional \$500 will then be added to*
16 *the suspended amount.*
- 17 (c) 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.

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

- 21 (d) You understand and agree any violation of the terms of this Settlement
Agreement and Consent Order will result in further enforcement action.
- 22 (e) You understand and agree that any violations of Building Code Division's
23 statutes and/or rules not alleged in the Findings of Fact above, whether
24 committed before or after the execution of this Settlement Agreement and
Consent Order, shall be the basis for further enforcement action.
- 25

- 1 (f) You understand the suspended civil penalty will be waived five years after the
2 execution of this Settlement Agreement and Consent Order, provided you
3 comply with its terms and have not committed any further violations of
4 Building Codes Division's statutes and/or rules.
- 5 (g) You have read and fully understand the terms of this Consent Order, freely
6 and voluntarily consent to the entry of this Order without further hearing,
7 without any force or duress, and expressly waives all rights to hearing or
8 appeal in this matter.
- 9 (h) You understand that, upon signature of all parties, this Settlement Agreement
10 and Consent Order will be a FINAL ORDER.
- 11 (i) You understand once this Settlement Agreement and Consent Order become a
12 FINAL ORDER it becomes a public document.
- 13 (j) You further agree by signing this Settlement Agreement and Consent Order
14 that he is the respondent and/or authorized representative for the respondent in
15 this matter.

16 **FOR THE RESPONDENT**

17 Philip J. Eide
18 Philip J. Eide

19 Date: 2-21-2011

20 **FOR THE BOARD**

21 Elizabeth Bond for
22 Chairman
23 Electrical Board
24 State of Oregon
25

Date: 2-25-11