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2 **ORDER**

3 Under ORS 455.895(1)(b) and OAR 918-001-0036, the Board assesses the
4 following sanction:

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

7 The civil penalties assessed total \$3,000.

8 **STIPULATED AGREEMENT**

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

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

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

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

18 (b) You agree to pay the remaining \$1,000 of the civil penalties.

19 (c) *If you are able to submit a full payment of \$500, an additional \$500 will be
20 suspended. The \$500 must be paid by the due date found on the invoice.
21 The invoice will be included with your copy of the Final Order after it is
22 signed by the Board.*

23 (d) If you fail to make a payment within the time period stated on the Final
24 Demand, collection of the entire civil penalties, including any suspended
25 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 that any violation of the terms of this
Settlement Agreement and Consent Order will result in further
enforcement action.

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- (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 basis for further enforcement action.
- (g) You understand that 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 do not commit any further violations of Building Codes Division's statutes and/or rules.
- (h) You have read and fully understand the terms of this Consent Order. You freely and voluntarily consent to the entry of this Order without further hearing, without any force or duress, and expressly waive all rights to a hearing or appeal in this matter.
- (i) You understand that, upon signature of all parties, this Settlement Agreement and Consent Order will be a FINAL ORDER.
- (j) You understand once this Settlement Agreement and Consent Order becomes a FINAL ORDER it becomes a public document.


FOR THE RESPONDENT



Dawson R. Officer

Date: 6-15-11

FOR THE BOARD



Chairman
Electrical and Elevator Board
State of Oregon

Date: 6-20-11