BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

IN THE MATTER OF:	)	**CONSENT ORDER**
KIMBALL PROPERTIES LLC, A LIMITED LIABILITY COMPANY	)	
RESPONDENT	)	**CASE NO. 2011-0116**

The Electrical and Elevator Board of the State of Oregon (Board) has conducted an investigation of Respondent and determined that Respondent violated certain provisions of the Oregon Building Codes statutes, administrative rules, and specialty codes. The Board and the Respondent wish to settle this matter informally.

Respondent agrees to conduct all future business in compliance with the applicable statutes, administrative rules, and specialty codes. As evidenced by the authorized signatures on this Order, Respondent hereby consents to the entry of this Order and its following terms.

FINDINGS OF FACT and CONCLUSIONS OF LAW

(1) On or about May 24, 2011, at 1095 West 7th Avenue, Eugene, Oregon, Respondent allowed Brandon C. Joosse, an unlicensed person, to install electrical wiring, electrical conduit and electrical receptacle boxes, in violation of ORS 479.620(6).

(2) Installing electrical wiring, electrical conduit and electrical receptacle boxes are electrical installations as defined under ORS 479.530(10).

WHAT THE LAW SAYS

(1) Under ORS 479.620(6), a person may not permit or suffer any electrical installation on property which the person owns, controls, manages or supervises to be made by a person not licensed to make such an installation.

(2) Under ORS 479.620(3), a person may not make an electrical installation without a supervising or journeyman electrician's license.

ORDER

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

(1) a $2,000 civil penalty for violating ORS 479.620(6)

STIPULATED AGREEMENT

The Respondent and the Board agrees to resolve this matter without a 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 $750 of the $2,000 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.

(c) If Respondent is able to submit a full payment of $750, an additional $500 will be suspended. The $750 must be paid by the due date found on the invoice. The invoice will be included with your copy of the Final Order after it is signed by the Board.

(d) If Respondent makes payment arrangements but fails to make a payment within the time period stated on any final demand notice, 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

(e) Respondent understands and agrees that any violation of the terms of this Settlement Agreement and Consent Order will result in further enforcement action.