

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 )  
3 **IN THE MATTER OF:** )

**CONSENT ORDER**

4 **ALL SEASONS FLOORS, INC., AN OREGON** )  
5 **CORPORATION** )

6 **RESPONDENT** )  
7 )

**CASE NO. 2011-0130**

8 The Electrical and Elevator Board of the State of Oregon (Board) has conducted an investigation  
9 and determined that Respondent violated certain provisions of the Oregon Building Codes statutes,  
administrative rules, and specialty codes.

10 The parties wish to settle this matter informally. Respondent agrees to conduct all future business in  
11 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.

12 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

13  
14 (1) During or about February 2011, at 26 Avenue A, Seaside, Oregon, Respondent  
15 engaged in the business of installing electrical branch circuit wiring, for the account of another,  
without an electrical contractor's license, in violation of ORS 479.620(1).

16 (2) During or about February 2011, at 26 Avenue A, Seaside, Oregon, Respondent  
17 allowed employees, without a supervising or journeyman electrician's license, to install electrical  
branch circuit wiring, in violation of OAR 918-282-0120(1).

18 (3) During or about February 2011, at 26 Avenue A, Seaside, Oregon, Respondent  
19 installed electrical branch circuit wiring, for the account of another, without an electrical permit, in  
violation of ORS 479.550(1).

20 (4) Installing electrical branch circuit wiring, as set forth in the Findings of Fact, is an  
21 electrical installation as defined in ORS 479.530(10).

22 **WHAT THE LAW SAYS**

23 (1) Under ORS 479.550(1), except as provided in ORS 479.540, no person shall work on  
24 any new electrical installation for which a permit has not been issued.

25 (2) Under OAR 918-282-0120(1), No person or entity shall allow any individual to  
perform electrical work for which the individual is not properly registered or licensed.

1 (3) Under ORS 479.620(1), a person may not, without an electrical contractor's license,  
2 engage in the business of making electrical installations, advertise as or otherwise purport to be  
3 licensed to make electrical installations or purport to be acting as a business that makes electrical  
4 installations.

4 (4) Under OAR 918-030-0010(8) "engaging in the business" means to advertise or solicit,  
5 contract or agree to perform, or to perform, work for which a license or permit is required Under  
6 Oregon law, including but not limited to a single instance.

### 6 ORDER

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

8 (1) \$3,000 civil penalty for violating ORS 479.620(1).

9 (2) \$2,000 civil penalty for violating OAR 918-282-0120(1).

10 (3) \$1,000 civil penalty for violating ORS 479.550(1).

11 The civil penalties assessed total \$6,000

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

14 (1) Respondent admits to committing the violations as alleged in the Findings of Fact and  
15 Conclusions of Law and agree the Board will issue an order imposing the proposed civil penalties  
16 for such violations in order to resolve this matter.

16 (2) The Board agrees to suspend \$3,000 of the \$6,000 in civil penalties for a period of  
17 five years under the following terms:

18 (a) Respondent agrees not to commit further violations of Building Codes Division's  
19 statutes and/or rules.

20 (b) Respondent agrees to pay the remaining \$3,000 of the civil penalties *or \$2,500 if*  
21 *full payment is submitted within 30 days of the date this Settlement Agreement is*  
22 *signed. The remaining \$500 will be added to the suspended amount.*

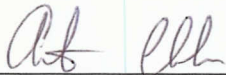
22 (c) If Respondent fails to make a payment within the time period stated on a Final  
23 Demand, collection of the entire civil penalties including any suspended amount  
24 will be initiated.

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

- 1 (d) Respondent understands and agrees any violation of the terms of this Settlement  
2 Agreement and Consent Order will result in further enforcement action.
- 3 (e) Respondent understands and agrees that any violations of Building Code  
4 Division's statutes and/or rules not alleged in the Findings of Fact above,  
5 whether committed before or after the execution of this Settlement Agreement  
6 and Consent Order, shall be the basis for further enforcement action.
- 7 (f) Respondent understands the suspended civil penalty will be waived five years  
8 after the execution of this Settlement Agreement and Consent Order, provided  
9 you comply with its terms and have not committed any further violations of  
10 Building Codes Division's statutes and/or rules.
- 11 (g) Respondent states they have carefully read this Settlement Agreement and  
12 Consent Order and understand the intent and content of the document, and sign  
13 below of your own free will. Respondent waives any and all rights to appeal or  
14 challenge of this Settlement Agreement and Consent Order.
- 15 (h) Respondent understands that, upon signature of all parties, this Settlement  
16 Agreement and Consent Order will be a FINAL ORDER.
- 17 (i) Respondent understands once this Settlement Agreement and Consent Order  
18 become a FINAL ORDER it becomes a public document.

19 It is so stipulated.

20 **FOR THE RESPONDENT**

21 

22 Anton Chumakov

23 Date: 8/1/11

24 **FOR THE BOARD**

25  for

Chairman

Electrical and Elevator Board  
State of Oregon

Date: 8-4-11