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ORDER

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

- (1) a \$2,000 civil penalty for violating OAR 918-282-0015
- (2) a \$1,000 civil penalty for violating ORS 479.550(1)

The civil penalties assessed total \$4,000.

NOTICE OF RIGHT TO HEARING

You are entitled to a hearing as provided by the Administrative Procedures Act, Oregon Revised Statutes, Chapter 183. If you request a hearing, the request must be in writing and filed with the Division no later than 20 days from the date of service. If the Notice was served on you in person, the date of service is the date you received the Notice. If the Notice was served through the mail, the date of service is the day the Notice was mailed, not the day you received it.

If a request for hearing is not received within the 20-day period, your right to a hearing shall be considered waived unless the failure to request a hearing was beyond your reasonable control. Hearing requests shall be mailed to Building Codes Division, Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309.

You have the right to be represented by legal counsel. ORS 183.457 provides that a corporation may be represented by an authorized representative at the hearing. If you request a hearing you will be notified of the time and place of the hearing and be provided with information on the procedures, right of representation, and other rights of parties relating to the hearing before it begins.

1 **NOTICE OF FINAL ORDER**

2 If you do not request a hearing within 20 days, withdraw a hearing request, notify the Board or
3 the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the
4 Board will issue a Final Order by Default. If the Board issues a Final Order by Default, it
5 designates the file, including any materials submitted by you that relate to this matter, as the
6 record, for purpose of proving a prima facie case.

7 You are entitled to judicial review of any final order issued in the matter of this Notice of
8 Proposed Civil Penalty. Judicial review may be obtained by filing a petition for review with the
9 Oregon Court of Appeals within 60 days after the Final Order is served. See ORS 183.482. If
10 the Order was served on you in person, the date of service is the date you received the Order. If
11 the Order was served through the mail, the date of service is the day the Order was mailed, not
12 the day you received it. If you do not file a petition for judicial review within the 60 day time
13 period, you will lose the right to appeal. The informational phone number for the Oregon Court
14 of Appeals is (503) 986-5555.

15 Dated this 3rd day of October, 2011

16 Elizabeth Brunde for
17 Chairman
18 Electrical and Elevator Board
19 State of Oregon
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