

FINAL ORDER

BEFORE THE DIRECTOR OF THE DEPARTMENT OF
CONSUMER AND BUSINESS SERVICES

As of: 2/17/2010 *[Signature]*

IN THE MATTER OF:) NOTICE OF INTENT TO SUSPEND
DONALDSON DEVELOPMENT, INC) ELECTRICAL CONTRACTOR'S
AN OREGON CORPORATION) LICENSE NUMBER: C397
RESPONDENT) AND FINAL ORDER ON DEFAULT
Case # 2009-0327

The Director of the Department of Consumer and Business Services proposes to suspend Respondent's Oregon electrical contractor's license number C397 until such time as the Respondent shows proof to the Department that Respondent has on file with the Construction Contractor's Board (CCB) an active license.

The authority of the Director to suspend this license is OAR 918-030-0015(4).

The Director intends to suspend the aforementioned license because Respondent's CCB license is suspended for unpaid disciplinary fines.

On January 11, 2010 a Special Notice was served upon the Respondent. That Notice provided the Respondent with 15 days in which to contact the division to resolve the matter. At the time of this Notice, Respondent has not contacted the division and a search of the CCB database shows that the Respondent's CCB license remains suspended for unpaid disciplinary fines.

This action shall commence 21 days from the date of service of this notice unless Respondent requests a hearing pursuant to the Administrative Procedures Act, Oregon Revised Statutes, Chapter 183. If Respondent requests a hearing, then the suspension of the Respondent's license will be stayed pending resolution of the hearing.

Definitions relevant to this Notice are contained in ORS 447.010, ORS 455.010 and ORS 693.010.

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1 **NOTICE OF RIGHT TO HEARING**

2 Respondent is entitled to a hearing as provided by the Administrative Procedures Act, Oregon
3 Revised Statutes, Chapter 183. If Respondent requests a hearing, the request must be in writing and
4 filed with the Division no later than 20 days from the date of service. If the Notice was served on
5 Respondent in person, the date of service is the date Respondent received the Notice. If the Notice
6 was served through the mail, the date of service is the day the Notice was mailed to the Respondent.
7 If a request for hearing is not received within the 20-day period, Respondent's right to a hearing
8 shall be considered waived unless the failure to request a hearing was beyond Respondent's
9 reasonable control. Hearing requests shall be mailed to Building Codes Division, Enforcement
10 Section, P.O. Box 14470, Salem, Oregon, 97309.

11 Respondent has the right to be represented by legal counsel. ORS 183.457 provides that a
12 corporation may be represented by an authorized representative at the hearing. If Respondent
13 requests a hearing the Board and Director will notify Respondent of the time and place of the
14 hearing. The Board and Director will give Respondent information on the procedures, right of
15 representation and other rights of parties relating to the conduct of the hearing before
16 commencement of the hearing.

17 **NOTICE OF FINAL ORDER**

18 If Respondent does not request a hearing within 20 days from the date of mailing of this notice or if
19 Respondent withdraws a hearing request or fails to appear at a scheduled hearing, the Boards may
20 issue a Final Order by Default and revoke Respondents electrical contractor's license. If the Boards
21 issue a Final Order by Default against Respondent, it will designate the Building Codes Division's
22 file on the matter as the record.

23 Respondent is entitled to judicial review of this Order. Judicial review may be obtained by filing a
24 petition for review with the Oregon Court of Appeals within 60 days after the final order is served
25 upon Respondent. See ORS 183.482. If the Order was served on Respondent in person, the date of
service is the date Respondent received the Order. If the Order was served through the mail, the
date of service is the day the Order was mailed to the Respondent. If Respondent does not file a
petition for judicial review within the 60 day time period, Respondent will lose the right to appeal.
The informational phone number for the Oregon Court of Appeals is (503) 986-5555.

26 Dated this 27th day of January, 2010

27 Elizabeth Brunker
28 Director

29 Department of Consumer and Business Services
30 State of Oregon