

1 (4) Installations of electrical wiring and electrical receptacles, as described above,
2 are electrical installations as defined in ORS 479.530(10).

3 WHAT THE LAW SAYS

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

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

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

12 STIPULATED AGREEMENT

13 Respondent and the Board agrees to resolve this matter, without a hearing, with
14 the entry of this Consent Order subject to the following terms and conditions:

15 (1) The Board hereby assesses a civil penalty against you of \$6,000 for violating
16 ORS 479.550(1), ORS 479.620(1) and OAR 918-282-0120(1), but suspends \$3,750 of
17 the civil penalty assessed for a period of five years under the following terms:

18 (1.1) Respondent agrees to pay the remaining \$2,250 of the civil penalty.

19 **(1.2) If Respondent is able to submit a full payment of \$1,750 by the
20 invoice due date, an additional \$500 will be suspended. The
21 invoice will be included with your copy of the Final Order after it is
22 signed by the Board.**

23 (2) Respondent agrees if a final order is issued by the Board finding Respondent
24 violated any of Building Codes Division's statutes or rules, within five years from the
25 date this Order was signed by the Board, Respondent will pay any subsequent penalty
and the suspended penalty from this Order.

(3) Respondent agrees not to commit further violations of Building Codes
Division's statutes or rules.

¹ OAR 918-030-0010(8) For purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform, work for which a license or permit is required under Oregon law, including but not limited to a single instance.

1 (4) Respondent understands that if the respondent fails to comply with any of the
2 terms of this consent agreement that the entire civil penalty, including the amount
3 suspended, will be immediately due and payable. Failure to comply includes failure to
4 pay the civil penalty amount on the Final Demand Notice by the due date, or failure to
5 make payments according to the terms of any payment arrangement or Final Demand
6 Notice.

7 (5) Respondent understands and agrees any violation of the terms of this
8 Consent Order will result in further enforcement action.

9 (6) Respondent understands and agrees that any violations of Building Code
10 Division's statutes or rules not alleged in this Order, whether committed before or after
11 the execution of this Consent Order, shall be the basis for further enforcement action.

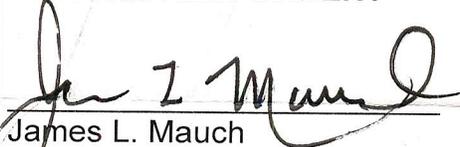
12 (7) Respondent understands the suspended civil penalty will be waived five
13 years after the execution of this Consent Order, provided Respondent complies with its
14 terms and has not committed any further violations of Building Codes Division's statutes
15 or rules.

16 (8) Respondent has read and fully understands the terms of this Consent Order,
17 freely and voluntarily consents to the entry of this Order without further hearing, without
18 any force or duress, and expressly waives all rights to a hearing or appeal in this matter.

19 (9) Respondent understands that, upon signature of all parties, this Consent
20 Order will be a FINAL ORDER.

21 (10) Respondent further agrees by signing this Consent Order that Respondent is
22 the Respondent or authorized representative for the Respondent in this matter.

23 **FOR THE RESPONDENT**

24 
25 James L. Mauch

Date: 8/12/13

26 **FOR THE BOARD**

27 
28 Andrea Simmons for
29 Chairman
30 Electrical and Elevator Board
31 State of Oregon

Date: 8/20/13