

1 **BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS**  
2 **SERVICES OF THE STATE OF OREGON**

3 **IN THE MATTER OF:** )  
4 **THEODORE LONGORIA, AN INDIVIDUAL** ) **NOTICE OF PROPOSED REVOCATION**  
5 ) **OF JOURNEYMAN ELECTRICIAN**  
6 **RESPONDENT** ) **LICENSE NO. 20490J**  
7 ) **CASE NO. C2014-0107**  
8 )

9 Pursuant to Oregon Revised Statutes (ORS) 455.129(2)(a), the Director of the  
10 Department of Consumer and Business Services (Director) proposes revocation of Respondent's  
11 journeyman electrician license number 20490J, because Respondent violated Building Codes  
12 Division (BCD) statutes or rules as follows:

11 **FINDINGS OF FACT**

- 12 (1) Respondent was a licensed Oregon journeyman electrician, holding license number  
13 20490J.
- 14 (2) On June 3, 2013, Respondent's journeyman electrician's license number 20490J was  
15 suspended by Final Order in case number 2013-0088 because Respondent was in  
16 violation of ORS 305.385(4)(c) [neglect or refusal to pay tax].
- 17 (3) On October 15, 2013, a Final Order on Default was issued against Respondent (case  
18 number 2013-0126) which sanctioned \$4,000 in penalties for two violations of Oregon  
19 Administrative Rules (OAR) 918-282-0170(1)(b) [making electrical installations without  
20 being under the supervision, direction and control of a general supervising electrician].
- 21 (4) Respondent failed to comply with the terms of the Final Order on Default by failing to  
22 make payment of the \$4,000 in penalties.

20 **APPLICABLE LAW**

- 21 1. Under ORS 455.129(2)(b), a regulatory body listed in ORS 455.129(3) may revoke a  
22 license if the regulatory body finds that the license, certificate holder, registrant or  
23 applicant has failed to comply with an order of the regulatory body or the Director of  
24 the Department of Consumer and Business Services.
- 25 2. Under ORS 455.129(3)(d), subsection (2) of ORS 455.129 applies to the department  
for purposes of licenses issued under this chapter.

**FINAL ORDER**

**As of: June 20, 2014**

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**CONCLUSIONS OF LAW**

By failing to comply with the Final Order for case number 2013-0126, Respondent's journeyman electrician's license number 20490J may be revoked under ORS 455.129.

**ORDER**

Under ORS 455.129(2)(b), the Director of the Department of Consumer and Business Services revokes Respondent's journeyman electrician license number 20490J for violating the Final Order in case number 2013-0126.

**NOTICE OF RIGHT TO HEARING**

Respondent is entitled to a hearing as provided by the Administrative Procedures Act, Oregon Revised Statutes, chapter 183. If Respondent requests a hearing, the request must be in writing and postmarked no later than 20 days from the service date. If this notice was served to Respondent in person, the service date is the date Respondent received this notice. If this notice was served through the mail, the service date is the day the notice was mailed, not the day Respondent received it.

If a request for hearing is not received within 20 days, Respondent's right to a hearing is considered waived. Mail hearing requests to Building Codes Division, Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309.

Respondent has 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 Respondent requests a hearing, Respondent will be notified of the time and place of the hearing and be given information on procedures, right of representation and other rights of parties relating to the hearing before it begins.

**NOTICE TO ACTIVE DUTY SERVICE MEMBERS**

Active duty service members have a right to stay proceedings under the federal Servicemembers Civil Relief Act. Contact the Oregon State Bar at 800-452-8260 or the Oregon Military Department at 800-452-7500 for more information. If you need help finding legal assistance, visit the United States Armed Forces Legal Assistance Legal Services Locator website at <http://legalassistance.law.af.mil/content/locator.php>.

**NOTICE OF FINAL ORDER**

If Respondent does not request a hearing within 20 days, withdraws a hearing request, notifies the Director or the administrative law judge that they will not appear, or fails to appear at a scheduled hearing, the Director will issue a Final Order by Default. If the Director issues a Final Order by Default, it designates the file, including any materials submitted by Respondent that relate to this matter, as the record for purpose of proving a prima facie case.

1 Respondent is entitled to judicial review of any final order issued in the matter of this  
2 Notice of a Proposed Revocation of Journeyman Electrician License Number 20490J. Judicial  
3 review may be obtained by filing a petition for review with the Oregon Court of Appeals within  
4 60 days after the Final Order is served. See ORS 183.482. If the Order was served in person, the  
5 service date is the date Respondent received the Order. If the Order was served through the mail,  
6 the service date is the day the Order was mailed, not the day it was received by Respondent. If  
7 Respondent does not file a petition for judicial review within 60 days, Respondent will lose the  
8 right to appeal. The phone number for the Oregon Court of Appeals is 503-986-5555.

9 Dated this 29 day of May, 2014

10    
11 for

12 Director  
13 Department of Consumer and Business Services  
14 State of Oregon  
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