

1 **BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

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

3  
4 **IN THE MATTER OF:**

5 **AISG SECURITY SERVICES, LLC,**  
6 **AN UNREGISTERED FOREIGN**  
7 **BUSINESS CORPORATION,**

8 **RESPONDENT.**

**NOTICE OF PROPOSED ASSESSMENT OF CIVIL PENALTIES**

**NOTICE OF PROPOSED ORDER TO CEASE AND DESIST**

**WITHDRAWAL OF CITATION**

**NOTICE OF FINAL ORDER ON DEFAULT**

**BCD CASE C2015-0082**

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11 **IF YOU DO NOT REQUEST A HEARING IN WRITING WITHIN 20 DAYS**  
12 **OF THE POSTMARK DATE OF THIS NOTICE,**  
13 **THIS NOTICE WILL BECOME A FINAL ORDER**

14 **More information about this Notice and how to request a hearing is included below.**

15 Pursuant to Oregon Revised Statutes (ORS) 455.895(1)(b) and Oregon Administrative Rules  
16 (OAR) 918-001-0036, the Electrical and Elevator Board of the State of Oregon (Board) proposes to  
17 assess civil penalties against AISG Security Services, LLC (Respondent) totaling \$4,000 because  
18 Respondent violated Building Codes Division (Division) statutes and rules as identified below.

19 Pursuant to ORS 455.775(2), the Director of the Department of Consumer and Business  
20 Services (Director) proposes an order directed to Respondent to cease and desist from violations of  
21 ORS 479.620(1), ORS 479.550(1), and OAR 918-282-0120(1), because the Director has reason to  
22 believe that Respondent has been engaged, is engaging, or is about to engage in violations of those  
23 statutes and the rules adopted thereunder.

24 **FINDINGS OF FACT**

25 1. On or about April 3, 2015, Respondent allowed its employee James Hord<sup>1</sup> to install a

<sup>1</sup> See related BCD Case C2015-0080.

**FINAL ORDER**

**As of: October 15, 2015**

1 security system at Bluemercury at 1037 NW Couch Street in Portland, Oregon (jobsite).

- 2 2. During the installation of the security system at the jobsite, Respondent allowed Hord to  
3 terminate cables into a power supply and install a BNC connector and a pigtail connector on  
4 the cables. The installation of the security system also required the installation of a branch  
5 circuit and limited energy panel/signal circuits.
- 6 3. On or about April 3, 2015, a city of Portland electrical inspector issued Respondent a  
7 citation, number 15648, for: performing electrical installations without a valid electrical  
8 contractor license; performing electrical installations without a valid supervising or  
9 journeyman electrician license; allowing an unlicensed person to do electrical work; and  
10 failing to have a supervising electrician ensure an individual was properly licensed.
- 11 4. Respondent did not obtain a permit prior to performing work at the jobsite.
- 12 5. Hord does not hold a journeyman electrician, supervising electrician, or any other electrician  
13 license in Oregon.
- 14 6. At no relevant time has Respondent held an electrical contractor license in Oregon.

15 **APPLICABLE LAW**

- 16 1. Some of the terms used in this Notice may be defined in ORS 183.310(1)-(10), ORS  
17 455.010(1)-(10), ORS 479.530(1)-(23), ORS 479.905(1)-(5), OAR 918-001-0005(1)-(4),  
18 OAR 918-030-0010(1)-(11), OAR 918-090-0010(1)-(12), OAR 918-098-1005(1)-(20), and  
19 OAR 918-251-0090(1)-(43).
- 20 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of  
21 electrical wiring and the permanent attachment or installation of electrical products in or on  
22 any structure that is not itself an electrical product.
- 23 3. Under ORS 479.550(1), no person shall work on any new electrical installation for which a  
24 permit has not been issued.
- 25

- 1 4. Under ORS 479.620(1), a person who does not hold an electrical contractor license may not  
2 engage in the business of making electrical installations, advertise as or otherwise purport to  
3 be licensed to make electrical installations or purport to be acting as a business that makes  
4 electrical installations.
- 5 5. OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630, and any  
6 other license regulated by ORS chapter 455, "engaging in the business" means to advertise  
7 or solicit, contract or agree to perform, or to perform work for which a license or permit is  
8 required under Oregon law, including but not limited to a single instance.
- 9 6. Under ORS 479.620(3), a person may not make any electrical installation without a  
10 supervising or journeyman electrician's license.
- 11 7. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform  
12 electrical work for which the individual is not properly registered or licensed.

#### 13 CONCLUSIONS OF LAW

- 14 1. Terminating cables into a power supply, installing a BNC connector and a pigtail connector  
15 on cables, installing a branch circuit, and installing limited energy panel/signal circuits are  
16 electrical installations under ORS 479.530(10).
- 17 2. Making the electrical installations described above requires a supervising or journeyman  
18 electrician license under ORS 479.620(3).
- 19 3. Hord violated ORS 479.620(3) by making electrical installations without holding a  
20 supervising or journeyman electrician license.
- 21 4. Respondent violated OAR 918-282-0120(1) by allowing Hord to make the electrical  
22 installations for which he is not properly licensed.
- 23 5. By contracting, agreeing to perform, or performing work for which a license or permit is  
24 required under Oregon law, Respondent engaged in the business of making electrical  
25 installations under OAR 918-030-0010(8).

1 8. Respondent violated ORS 479.620(1) by engaging in the business of making electrical  
2 installations without holding an electrical contractor license.

3 6. Respondent violated ORS 479.550(1) by failing to obtain a permit prior to working on the  
4 electrical installations described above.

5 **ORDER**

6 1. The Director hereby withdraws citation number 15648 that was issued to Respondent on  
7 April 3, 2015.

8 2. Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Board assesses a total of  
9 \$4,000 in civil penalties as follows:

10 a. \$3,000 for violating ORS 479.620(1); and

11 b. \$1,000 for violating ORS 479.550(1).

12 **ORDER TO CEASE AND DESIST**

13 Pursuant to ORS 455.775(2), the Director orders Respondent to cease and desist from of  
14 engaging in the business of making electrical installations without holding a valid electrical  
15 contractor license in Oregon (ORS 479.620(1)), from working on electrical installations without  
16 first obtaining a permit (ORS 479.550(1)), and from allowing an individual to perform electrical  
17 work for which the individual is not properly registered or licensed (OAR 918-282-0120(1)),  
18 because the Director has reason to believe that Respondent has been engaged, is engaging, or is  
19 about to engage in violations of those statutes and the rules adopted thereunder.

20 **NOTICE OF RIGHT TO HEARING**

21 Respondent is entitled to a hearing as provided by the Administrative Procedures Act, ORS  
22 chapter 183. If Respondent requests a hearing, the request must be in writing and postmarked no  
23 later than 20 days from the date of service of this Notice. If the Notice was served on Respondent in  
24 person, the date of service is the date Respondent received the Notice. If the Notice was served  
25 through the mail, the date of service is the day the Notice was mailed, not the day it was received by

1 the Respondent. If a request for hearing is not received within the 20-day period, Respondent's right  
2 to a hearing shall be considered waived. Mail hearing requests to Building Codes Division,  
3 Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309.

4 Respondent may be represented by legal counsel. Pursuant to ORS 183.457 and OAR 918-  
5 001-0030, a corporate Respondent may be represented by an authorized representative at the  
6 hearing. If Respondent requests a hearing, Respondent will be notified of the time and place of the  
7 hearing. The Division will give Respondent information on the procedures, right of representation,  
8 and other rights of parties relating to the conduct of the hearing before the commencement of the  
9 hearing.

#### 10 NOTICE TO ACTIVE DUTY SERVICEMEMBERS

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

#### 16 NOTICE OF FINAL ORDER

17 This Notice will become a final order by default if Respondent does any of the following:  
18 fails to request a hearing in writing within 20 days from the date of service of this Notice;  
19 withdraws a hearing request; notifies the Building Codes Division or the administrative law judge  
20 that Respondent will not appear at a scheduled hearing; or fails to appear at a scheduled hearing. If  
21 this Notice becomes a final order by default, the Division's file on the matter, including all  
22 materials submitted by Respondent, becomes the record for the purpose of establishing a prima  
23 facie case.

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1 **RIGHT TO JUDICIAL REVIEW**

2 Respondent is entitled to judicial review of a final order in this matter. Judicial review may  
3 be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after a  
4 final order is served upon Respondent. See ORS 183.482. If a final order is served on Respondent in  
5 person, the date of service is the date Respondent receives the order. If a final order is served  
6 through the mail, the date of service is the day the order is mailed, not the day it is received by the  
7 Respondent. If Respondent does not file a petition for judicial review within the 60-day time  
8 period, Respondent will lose the right to appeal. The phone number for the Oregon Court of  
9 Appeals is 503-986-5555.

10  
11 **FOR THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS  
12 SERVICES**

13 Roseanne Nelson for Date: 8-3-15  
14 Director,  
15 Department of Consumer and Business Services  
16 State of Oregon

17 **FOR THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

18 Roseanne Nelson for Date: 8-3-15  
19 Chair,  
20 Electrical and Elevator Board  
21 State of Oregon