

1 **BEFORE THE STATE PLUMBING BOARD OF THE STATE OF OREGON**

2 **IN THE MATTER OF:**

3 **KURTIS RYAN ISRAEL, AN INDIVIDUAL,  
4 ABN ISRAEL PLUMBING,**

5 **RESPONDENT.**

**CONSENT ORDER**

**CASE NO. 2015-0094**

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BUILDING CODES  
2015 MAY 13 A 8:30

6  
7 The Department of Consumer and Business Services, Building Codes Division (Division) is the  
8 state agency responsible for licensing, disciplining, and otherwise regulating plumbing contractors on  
9 behalf of the State Plumbing Board (Board). The Division conducted an investigation on behalf of the  
Board and determined that Kurtis Ryan Israel (Respondent), doing business as Israel Plumbing, has not  
held an Oregon plumbing contractor license since July 1, 2006.

10 The Respondent and the Board desire to settle this matter informally through the entry of this  
11 Consent Order. Respondent agrees to conduct all future business in compliance with the applicable  
12 statutes, administrative rules, and specialty codes. Respondent understands that this Consent Order is a  
public record.

13 **FINDINGS OF FACT**

- 14 1. Respondent holds Oregon journeyman plumber license number 6632JP.
- 15 2. Respondent held plumbing contractor license number 9-222PB from December 8, 2005, until  
16 July 1, 2006, when the license expired.
- 17 3. On February 25, 2015, Respondent registered with the Oregon Business Registry, a service of  
18 the Oregon Secretary of State Corporate Division (Secretary of State), indicating the entity  
19 name "Israel Plumbing" for registry number 1090136-98.
- 20 4. Respondent applied for an Oregon plumbing contractor license on May 6, 2015.

21 **APPLICABLE LAW**

- 22 1. ORS 447.010(6) defines plumbing to include the art of installing, altering or repairing pipes,  
23 fixtures and other apparatus in or adjacent to or serving buildings for bringing in the water  
24 supply and removing liquid and water-carried waste, including the water supply distributing  
25 pipes.
2. Under ORS 447.040(1), a person may not work as a plumbing contractor, or advertise or  
purport to be a plumbing contractor, and a member or employee of a firm, partnership or

1 corporation may not engage<sup>1</sup> in the layout or superintending of plumbing installations, without  
2 having obtained a plumbing contractor license.

- 3 3. Under ORS 455.129(2)(g), the State Plumbing Board may deny a license, certificate,  
4 registration or application or may suspend, revoke, condition or refuse to renew a license,  
5 certificate or registration if the Board finds that the licensee, certificate holder, registrant or  
6 applicant has engage in business as a specialty code contractor without holding a valid specialty  
7 code contractor license, certification or registration required for the business.

### 8 CONCLUSIONS OF LAW

- 9 1. Respondent purported to be a plumbing contractor by registering with the Secretary of State  
10 and indicating "Israel Plumbing" as his entity name, in violation of ORS 447.040(1).  
11 2. By failing to comply with ORS 447.040(1), the State Plumbing Board may condition  
12 Respondent's plumbing contractor license.

### 13 SETTLEMENT AGREEMENT

14 Respondent and the State Plumbing Board agree to resolve this matter with the entry of this  
15 Consent Order subject to the following terms and conditions:

- 16 1. The Board agrees to issue Respondent a plumbing contractor license, and proposes to condition  
17 any of Respondent's existing or future licenses for one year under the following terms and  
18 conditions:  
19 1.1 Respondent will provide the division's enforcement section monthly reports using a  
20 division-approved format for a period of one year. These reports shall include invoices  
21 for work performed, copies of plumbing permits issued when applicable, addresses of  
22 where the work was performed, and the customers' contact information. The first  
23 reporting period shall include invoices beginning June 1, 2015 through May 31, 2016.  
24 The first reporting is due no later than July 15, 2015. The final reporting is due no later  
25 than June 15, 2016.  
2. Respondent understands that a single failure to comply with any of the terms of this settlement  
agreement could result in the suspension of Respondent's plumbing contractor license.  
3. Respondent understands that failure to comply with this settlement agreement may result in the  
denial of future licensing applications and/or suspension of licensing or certification  
issued by the Division and/or other state agencies.  
4. Respondent agrees not to commit further violations of the Building Code Division's statutes  
and rules.

<sup>1</sup> OAR 918-0930-0010(8) states that 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 5. Respondent understands and agrees that any violation of the terms of this settlement agreement  
will result in further enforcement action.
- 2 6. Respondent understands and agrees that any violation of the Building Code Division's statutes  
3 or rules not alleged in this Consent Order, whether committed before or after the execution of  
4 this order, may be the basis for further enforcement action.
- 5 7. Respondent has read and fully understands the terms of this Consent Order, freely and  
6 voluntarily consents to the entry of this order without further hearing, without any force or  
7 duress, and expressly waives all rights to hearing or appeal in this matter.
- 8 8. Respondent understands that, upon signature of all parties, this consent order will be a FINAL  
9 ORDER.
- 10 9. The signatory for Respondent certifies that by signing the consent order, he is the Respondent  
11 or the authorized representative for the Respondent in this matter.

12 **FOR THE RESPONDENT, KURTIS RYAN ISRAEL, ABN ISRAEL PLUMBING**

13   
14 Kurtis Ryan Israel abn Israel Plumbing

15 Date: May 11<sup>th</sup>, 2015

16 **FOR THE STATE PLUMBING BOARD**

17   
18 Rosanne Nelson for  
19 Chair  
20 State Plumbing Board  
21 State of Oregon

22 Date: May 13<sup>th</sup>, 2015