

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

2  
3 **IN THE MATTER OF:**

**CONSENT ORDER**

4 **ERIC REICH,**  
5 **AN INDIVIDUAL,**

6 **RESPONDENT.**

**BCD CASE C2015-0118**

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7 The Building Codes Division (Division), acting on behalf of the Electrical and Elevator  
8 Board of the State of Oregon (Board), determined that Eric Reich (Respondent) should not be  
9 issued a general supervising electrician license and should be disqualified from obtaining such a  
10 license for a period of one year based on the Findings of Fact and Conclusions of Law that follow.

11 The parties agree to settle this matter without a hearing. Respondent understands that  
12 Respondent has the right to a contested case hearing under the Administrative Procedures Act,  
13 Oregon Revised Statutes (ORS), chapter 183, and Respondent fully and finally waives the right to a  
14 hearing and any appeal therefrom by the signing of this Consent Order.

15 **FINDINGS OF FACT**

- 16 1. Respondent has held journeyman electrician license number 14928J since February 21,  
17 1996.
- 18 2. On or about October 23, 2012 Respondent applied for a general supervising electrician  
19 license.
- 20 3. Respondent sat for the general supervising electrician license exam on or about  
21 December 19, 2012. Respondent failed that exam.
- 22 4. Beginning in or about December 2014, the Division, on behalf of the Board, opened an  
23 investigation regarding the activities of Aaron Zachary, a licensed journeyman (license  
24 number 22059J) and general supervising electrician (license number 5889S).<sup>1</sup>
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<sup>1</sup> See BCD case C2014-0289.

- 1 5. As a result of the investigation into Mr. Zachary, the Division, on behalf of the Board,  
2 opened an investigation regarding the activities of E.R. Electric, Inc. (E.R. Electric).
- 3 6. Respondent is the president and owner of E.R. Electric, a domestic business corporation.
- 4 7. At all relevant times, E.R. Electric has held electrical contractor license number 3-591C.
- 5 8. In BCD Case 2015-0015, the Division determined that E.R. Electric violated provisions  
6 of the Division's statutes and administrative rules as follows:
- 7 a. From approximately April 2014 through the present, E.R. Electric failed to  
8 continuously employ a general supervising electrician in violation of Oregon  
9 Administrative Rule (OAR) 918-282-0010(1).
- 10 b. Between approximately April 2014 and December 2014, on seven occasions,  
11 E.R. Electric used Mr. Zachary's name, supervising electrician license number,  
12 and signature without Mr. Zachary's permission in order to obtain seven permits  
13 in violation of OAR 918-309-0000(1).
- 14 9. Respondent performed the work at the jobs for which E.R. Electric obtained permits  
15 between April 2014 and December 2014 without holding a general supervising  
16 electrician license and without the supervision, direction, and control of a general  
17 supervising electrician license.
- 18 10. The Board settled BCD Case 2015-0015 with E.R. Electric with a settlement agreement  
19 that included, among other things, the payment of \$2,500 in civil penalties, the  
20 suspension of E.R. Electric's electrical contractor license for a period of six (6) months,  
21 and the conditioning E.R. Electric's electrical contractor license for six (6) additional  
22 months following the suspension.

#### 23 **APPLICABLE LAW**

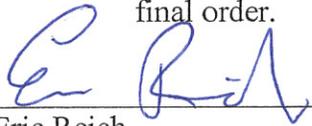
- 24 1. Under OAR 918-282-0170(1)(b), a journeyman electrician shall work under the  
25 supervision, direction, and control of a general supervising electrician.



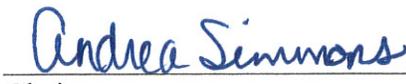


- 1 4. Respondent may continue to work as a journeyman electrician, as long as he works for a
- 2 properly licensed electrical contractor and otherwise complies with this Consent Order
- 3 and the Division's statutes and rules.
- 4 5. Respondent agrees to fully cooperate with the Division's enforcement efforts in other
- 5 cases that rely on the facts underlying this case. Cooperation may include, but not be
- 6 limited to, making sworn statements or testifying in administrative hearings.
- 7 6. Respondent understands that further enforcement action may be taken for any violation
- 8 of the Division's statutes or rules not identified in this Consent Order, whether
- 9 committed before or after the execution of this Consent Order, and/or for any violation
- 10 of the terms of this Consent Order.
- 11 7. Respondent understands that failure to comply with this Consent Order may be used as a
- 12 basis for the denial of a future license, certificate, registration, or other application, or for
- 13 the refusal to renew the same; for the suspension, revocation, or conditioning of a
- 14 license, certificate, or registration issued by the Division or other state agencies; and/or
- 15 for any other reason provided for in law.
- 16 8. Respondent understands that this Consent Order is a public record.
- 17 9. Respondent has read and fully understands the terms of this Consent Order, freely and
- 18 voluntarily consents to the entry of this Consent Order without any force or duress, and
- 19 expressly waives all rights to hearing or appeal in this matter.
- 20 10. Respondent understands that, upon signature of all parties, this Consent Order will be a

21 final order.

22   
Eric Reich

7/1/15  
Date

24  for  
25 Chair,  
Electrical and Elevator Board  
State of Oregon

7/8/15  
Date