

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

3 **IN THE MATTER OF:**)

4 **BRYAN YORK,**)
5 **AN INDIVIDUAL**)

6 **RESPONDENT**)

CONSENT ORDER

7 **CASE NO. 2013-0146**

8
9 The Director of the Department of Consumer and Business Services of the State of Oregon
10 (Director) proposed revocation of your journeyman electrician's license no. 11950J for failure to
11 pay a civil penalty.

12 You and the Director desire to settle this matter informally through the entry of this
13 Consent Order. You understand that you have the right to a hearing under the Administrative
14 Procedures Act (Chapter 183), Oregon Revised Statutes, and fully and finally waive the right to a
15 contested case hearing and any appeal therefrom by the signing and entry of this order in the
16 Director's record. You agree to conduct all future business in compliance with the applicable
17 statutes, administrative rules, and specialty codes. You understand that, once final, this Consent
18 Order is a public record.

19 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

- 20 (1) You hold journeyman electrician's license no: 11950J.
- 21 (2) On or about March 2, 1998, you were served, through certified mail, a Notice of
22 Proposed Civil Penalty for \$1,000 (case No: 1997-0683.00E) for two instances of
23 making an electrical installation without a license.
- 24 (3) On June 25, 1998, The Electrical and Elevator Board issued a Default Order for \$1,000
25 in civil penalties.

⋮

- 1 (4) Your account was placed in collections on August 4, 2001. As of July 31, 2013, the
2 assessed civil penalty accrued \$1,440.65 in interest and a fee of \$830.90 from the
3 collection agency assigned the debt.¹
4 (5) You made a payment of \$1,800 on or about January 25, 2014.

5 **WHAT THE LAW SAYS**

- 6 (1) Under ORS 455.129(1)(b), the Director of the Department of Consumer and Business
7 Services may revoke a license if the licensee has failed to comply with an order of the
8 Director, including but not limited to failure to pay a civil penalty.
9

10 **STIPULATED AGREEMENT**

11 You and the Board agree to resolve this matter, without a hearing, with the entry of this
12 Consent Order, subject to the following terms and conditions:

- 13 1. You will pay the remaining \$678.75 of the civil penalty due and owing from previous case
14 number 1997-0683.00E by February 25, 2014.
15 2. You agree not to commit further violations of the Building Codes Division's statutes or
16 rules.
17 3. You understand that if you fail to comply with any of the terms of this Consent Order,
18 including failure to pay the remaining balance within 10 days of the due date, your
19 journeyman electrician's license no. 11950J will be revoked immediately without
20 opportunity for hearing.
21 4. You understand and agree that any violations of the Building Codes Division's statutes or
22 rules not alleged in this Consent Order, whether committed before or after the execution of
23 this order, may be the basis for further enforcement action.
24 5. You have read and fully understand the terms of this Consent Order, freely and voluntarily

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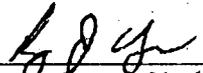
¹ As of July 31, 2013, the total amount accrued equaled \$3,271.90. The account continues to accrue interest at \$0.74 a day.

1 consent to the entry of this order without further hearing, without any force or duress, and
2 expressly waive all rights to a hearing or appeal in this matter.

3 6. You understand that, upon signature of all parties, this Consent Order will be a
4 FINAL ORDER.

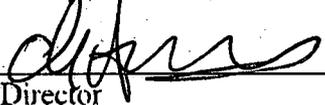
5 7. You further agree by signing this Consent Order that you are the Respondent or authorized
6 representative for the Respondent in this matter.

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8 **FOR THE RESPONDENT**

9 
10 _____
11 Bryan Joseph York

Date: 2-20-14

11 **FOR THE DIRECTOR**

12 
13 _____ for
14 Director
15 Department of Consumer and Business Services
16 State of Oregon
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Date: 2/24/14