

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STIPULATED AGREEMENT

Respondent and the Boards agree to resolve this matter, without a hearing, by the entry of this Consent Order subject to the following terms and conditions:

(1) The Boards hereby assesses a civil penalty of \$3,000 for violating ORS 447.040(1) and ORS 449.620(1), of which \$2,750 will be suspended for a period of five years under the following terms:

(1.1) Respondent agrees to pay the remaining \$250 of the civil penalty.

(2) The \$250 civil penalty will be paid in 5 monthly payments of \$42 each and 1 payment of \$40. Payments will be due the **25th of the month. (An invoice will be included with the Respondent's copy of the Final Order after it is signed by the Board.)**

(2.1) You will send a \$42 payment to The Department of Consumer and Business Services Fiscal Services Section, PO Box 14610, Salem, OR. 97309-0445 **no later than**

- 2.1.1 October 25, 2013
- 2.1.2 November 25, 2013
- 2.1.3 December 25, 2013
- 2.1.4 January 25, 2014
- 2.1.5 February 25, 2013
- 2.1.6 March 25, 2013 payment of \$40

(3) You agree not to commit further violations of Building Codes Division's statutes or rules.

(4) You understand that if you fail to comply with any of the terms of this consent agreement, including failure to make a payment under this order within 10 days of due date, that the entire civil penalty, including the amount suspended, will be immediately due and payable. Failure to comply includes failure to pay the civil penalty amount on the Final Demand Notice by the due date, or failure to make payments according to the terms of any payment arrangement or Final Demand Notice.

(5) You understand and agree any violation of the terms of this Consent Order will result in further enforcement action.

(6) You understand and agree that any violations of Building Code Division's statutes or rules not alleged in this Order, whether committed before or after the execution of this Consent Order, may be the basis for further enforcement action.

(7) You understand the suspended civil penalty will be waived five years after the execution of this Consent Order, provided you comply with its terms and have not committed any further violations of Building Codes Division's statutes or rules.

1 (8) You have read and fully understand the terms of this Consent Order, freely and
2 voluntarily consent to the entry of this Order without further hearing, without any force or duress,
3 and expressly waive all rights to hearing or appeal in this matter.

4 (9) You understand that, upon signature of all parties, this Consent Order will be a FINAL
5 ORDER.

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

8 **FOR THE RESPONDENT**

9 Phillip Chung Date: 10-5-13
10 In Phillip Chung

12 **FOR THE BOARD**

13 Andrea Simmons for Date: 10/16/13
14 Chairman
15 Plumbing Board
16 State of Oregon

17 Andrea Simmons for Date: 10/16/13
18 Chairman
19 Electrical and Elevator Board
20 State of Oregon