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### WHAT THE LAW SAYS

1. Under ORS 693.030(2), a licensed plumbing contractor or a person required under ORS 447.010 to 447.156 to be licensed as a plumbing contractor may not permit or suffer any person to work as a journeyman plumber who does not hold a valid journeyman plumber license.
2. Under OAR 918-785-0200(1)(a), except as allowed by OAR 918-780-0035(1)(a), no person, firm or corporation shall do plumbing work in Oregon without first obtaining a plumbing permit.
3. Under ORS 455.125(1)(a), in addition to any other sanction, remedy or penalty provided by law, an appropriate advisory board may revoke a registration, certification, license or other authority to perform work or conduct business issued under laws administered by the Department of Consumer and Business Services or advisory board if the holder fails to comply with a provision of ORS 446.003 to 446.200, 446.225 to 446.285, 446.395 to 446.420, 479.510 to 479.945, 479.950 or 480.510 to 480.670 or this chapter or ORS chapter 447, 460 or 693, or with any rule adopted under those statutes.

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### ORDER

Under ORS 455.895(1)(a) and OAR 918-001-0036, the Plumbing Board assesses the following:

- (1) A \$2,000 civil penalty for violating OAR 918-785-0200(1)(a) on two (2) occasions.
- (2) A \$5,000 civil penalty for two (2) repeat violations of ORS 693.030(2)(a) within five (5) years.

The civil penalties assessed total \$7,000.

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### NOTICE OF RIGHT TO HEARING

Respondent is entitled to a hearing as provided by the Administrative Procedures Act, Oregon Revised Statutes, Chapter 183. If Respondent requests a hearing, the request must be in writing and filed with the Division. The postmarked date on the request for hearing must be no later than 20 days from the date the Notice of Intended Action (Notice) was served on Respondent. If this Notice was served to Respondent in person, the service date is the date Respondent received this Notice. If this Notice was served through the mail, the service date is the day the Notice was mailed, not the day Respondent received it.

If a request for hearing is not received with a postmark dated within 20 days, Respondent's right to a hearing is considered waived unless the failure to request a hearing was beyond their reasonable control. Mail hearing requests to Building Codes Division, Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309.

Respondent has the right to be represented by legal counsel. ORS 183.457 provides that a corporation may be represented by an authorized representative at the hearing. If Respondent requests a hearing, Respondent will be notified of the time and place of the hearing and be given

1 information on procedures, right of representation and other rights of parties relating to the hearing  
2 before it begins.

3 **NOTICE TO ACTIVE DUTY SERVICE MEMBERS**

4 Active duty service members have a right to stay proceedings under the federal Servicemembers  
5 Civil Relief Act. Contact the Oregon State Bar at 800-452-8260 or the Oregon Military Department  
6 at 800-452-7500 for more information. If you need help finding legal assistance, visit the United  
States Armed Forces Legal Assistance Legal Services Locator website at  
<http://legalassistance.law.af.mil/content/locator.php>.

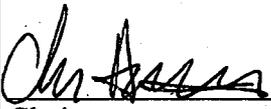
7 **NOTICE OF FINAL ORDER**

8 If Respondent does not timely request a hearing, withdraws a hearing request, notifies the Board or  
9 the administrative law judge that Respondent will not appear, or fails to appear at a scheduled  
10 hearing, the Board will issue a Final Order by Default. If the Board issues a Final Order by Default,  
it designates the file, including any materials submitted by Respondent that relate to this matter, as  
the record for purpose of proving a prima facie case.

11 Respondent is entitled to judicial review of any final order issued in the matter of this Notice of a  
12 Proposed Civil Penalty and Intent to Revoke. Judicial review may be obtained by filing a petition  
for review with the Oregon Court of Appeals within 60 days after the Final Order is served. See  
13 ORS 183.482. If the Order was served in person, the service date is the date Respondent received  
the Order. If the Order was served through the mail, the service date is the day the Order was  
14 mailed, not the day it was received by Respondent.

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16 If Respondent does not file a petition for judicial review within 60 days, Respondent will lose the  
right to appeal. The informational phone number for the Oregon Court of Appeals is 503-986-5555.

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18 Dated this 16 day of December, 2013

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20  Chris Huntington for  
21 Chairman  
22 Plumbing Board  
State of Oregon