

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

3 **IN THE MATTER OF:**

4 **PRO LINE ELECTRIC INC., A DOMESTIC**
5 **BUSINESS CORPORATION**

6 **RESPONDENT**

)
) **ORDER TO CEASE AND DESIST**
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)

FINAL ORDER

As of: October 13, 2014

) **CASE NO. C2014-0196**
)
)

7 The Director of the Department of Consumer and Business Services for the State of Oregon
8 (Director), acting pursuant to Oregon Revised Statutes (ORS) 455.775(2), hereby finds that there is
9 reason to believe that Respondent has been engaged in, is engaging in, or is about to engage in
10 violations of ORS chapter 455, ORS 479.510 to 479.945 and the rules adopted thereunder.
11 Therefore, the Director issues the following Order to immediately CEASE AND DESIST any and
12 all violations of ORS chapter 455 and the rules adopted thereunder.

13 **FINDINGS OF FACT**

- 14 1. Respondent holds electrical contractor license C1051, first issued August 18, 2014.
15 2. Olga Bogoslavets served as the incorporator of Pro Line Electric Inc.
16 3. Anatoliy Bogoslavets is Olga Bogoslavet's husband, and he holds general journeyman
17 electrician license 18612J.
18 4. Anatoliy Bogoslavets has engaged in a pattern of violations of the state building code and
19 related licensing laws and orders from the Electrical and Elevator Board of the State of
20 Oregon (Board) and the Director in 15 Building Code Division cases: 2000-0319, 2000-
21 0377, 2001-0849, 2002-1029, 2002-1030, 2003-0032, 2004-0279, 2006-0126, 2007-0214,
22 2008-0229, 2008-0286, 2010-0169, 2010-0189, 2011-0240, and 2012-0201.
23 5. Anatoliy Bogoslavets's 18612J license has twice been suspended for nonpayment of civil
24 penalties arising out of BCD case 2008-0229. The license was renewed under a stipulated
25 agreement in BCD case 2012-0201 that conditioned the license on Anatoliy Bogoslavet's

1 compliance with the terms of the stipulated order and ORS chapters 455, 446, 447, 460, 479,
2 or 480, OAR division 918, and the state building code. The license is currently active but
3 remains conditioned on continued compliance for three years from the October 8, 2012,
4 execution of the Stipulated Order issued in BCD case 2012-0201.

5 6. Taras Bogoslavets is Respondent's brother-in-law, and he holds limited residential
6 electrician license 624LR.

7 7. Taras Bogoslavets violated the state building code and related licensing laws in the four
8 Building Codes Division cases: 2008-0229, 2010-0168, 2011-0241, and 2012-0203.

9 8. Taras Bogoslavets's 624LR license has previously been suspended by the Director for
10 nonpayment of civil penalties arising out of BCD case 2008-0229. The license was renewed
11 under a stipulated agreement in BCD case 2012-0203 that conditioned license 624LR on
12 Taras Bogoslavets's compliance with the terms of the stipulated order and ORS chapters
13 455, 446, 447, 460, 479, or 480, OAR division 918, and the state building code. The license
14 is currently active but remains conditioned on continued compliance for three years from the
15 October 10, 2012, execution of the stipulated Order issued in BCD case 2012-0203.

16 9. Grigoriy (aka "Gregory") Bogoslavets is Respondent's brother-in-law and he holds limited
17 residential electrician license 543LR.

18 10. Grigoriy Bogoslavets violated the state building code and related licensing laws in BCD
19 case 2003-0670.

20 **ULTIMATE FINDING OF FACT**

21 The director has reason to believe that Respondent will rely on Anatoliy Bogoslavets, Taras
22 Bogoslavets and/or Grigoriy Bogoslavets as employees, co-owners, independent contractors, or in
23 other capacities in the operation of its electrical contracting business that are known to violate
24 and/or engage in a pattern of violations of the Electrical Safety Laws.

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1 **APPLICABLE LAW**

2 Under ORS 455.775(2), if the director has reason to believe that any person has been
3 engaged, or is engaging, or is about to engage in any violation of the state building code, or ORS
4 479.510 to 479.945, or any rule adopted under those statutes, the director may issue an order,
5 subject to ORS 183.413 to 183.497, directed to the person to cease and desist from the violation or
6 threatened violation.

7 **CONCLUSIONS OF LAW**

8 Because the director has reason to believe that the individuals that Respondent will rely on
9 while engaging in the business of electrical contracting have been engaged in, are engaging in, or
10 are about to engage in violations of ORS chapter 455 and ORS 479.510 to 479.945 and the rules
11 adopted thereunder, the director may issue an order against Respondent to cease and desist from the
12 threatened violations.

13 **ORDER**

14 Pursuant to ORS 455.775(2), the Director ORDERS, effective immediately, that the
15 Respondent:

- 16 1. CEASE AND DESIST from using Anatoliy Bogoslavets, Taras Bogoslavets, and Grigoriy
17 Bogoslavets as managers, supervisors, employees, contractors, and from otherwise involving
18 any of these individuals in the activities, operation, or performance of Respondent's
19 electrical contracting business.
- 20 2. CEASE AND DESIST from employing, contracting with and conducting business with
21 unlicensed individuals while engaging in the business of electrical contracting.
- 22 3. CEASE AND DESIST any and all violations of ORS chapter 455 and ORS 479.510 to
23 479.945 and the rules adopted thereunder.

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1 **NOTICE OF RIGHT TO HEARING**

2 Respondent is entitled to a hearing as provided by the Administrative Procedures Act,
3 Oregon Revised Statutes, chapter 183. If Respondent requests a hearing, the request must be in
4 writing and filed with the Building Codes Division (Division). The postmarked date on the request
5 for hearing must be no later than 20 days from the date the Order to Cease and Desist (Order) was
6 served on the Respondent. If this Order was served on Respondent in person, the service date is the
7 date Respondent received this Order. If this Order was served through the mail, the service date is
8 the day the Order was mailed, not the day Respondent received it. Mail hearing requests to Building
9 Codes Division, Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309.

10 Respondent has the right to be represented by legal counsel. ORS 183.457 provides that a
11 corporation may be represented by an authorized representative at the hearing. If Respondent
12 requests a hearing, Respondent will be notified of the time and place of the hearing and be given
13 information on procedures, right of representation and other rights of parties relating to the hearing
14 before it begins.

15 **NOTICE OF FINAL ORDER**

16 If Respondent does not timely request a hearing, withdraws a hearing request, notifies the
17 Director or the administrative law judge that they will not appear, or fails to appear at a scheduled
18 hearing, the Director will issue a Final Order by Default (Final Order). If the Director issues a Final
19 Order by Default, it designates the file, including any materials submitted by Respondent that relate
20 to this matter, as the record for purpose of proving a prima facie case.

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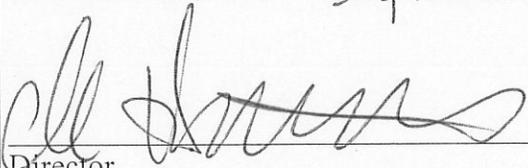
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1 Respondent is entitled to judicial review of any final order issued in the matter of this Order
2 to Cease and Desist. Judicial review may be obtained by filing a petition for review with the Oregon
3 Court of Appeals within 60 days after the Final Order is served. See ORS 183.482. If the Final
4 Order was served in person, the service date is the date Respondent received the Final Order. If the
5 Final Order was served through the mail, the service date is the day the Final Order was mailed, not
6 the day it was received by Respondent. If Respondent does not file a petition for judicial review
7 within 60 days, Respondent will lose the right to appeal. The phone number for the Oregon Court of
8 Appeals is (503) 986-5555.

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Dated this 19 day of September, 2014



Director for
Department of Consumer and Business Services
State of Oregon