

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

**IN THE MATTER OF:**

**CONSENT ORDER**

**GREG ROBBERN,  
AN INDIVIDUAL,**

**RESPONDENT.**

**BCD CASE C2016-0088**

**INTRODUCTION**

The Building Codes Division (Division) conducted an investigation on behalf of the Electrical and Elevator Board of the State of Oregon (Board) and determined that Greg Robben (Respondent) violated certain provisions of the Division's statutes and administrative rules as identified below.

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

**FINDINGS OF FACT**

1. Respondent is a corporate officer of Robben, Inc.<sup>1</sup>
2. In or around November 2015, Josh Bushnell (Bushnell) and Matt Shinn (Shinn) were employed by Robben, Inc.
3. In or around November 2015, Respondent directed Bushnell and Shinn to install a tankless water heater at a residential property located at 838 SW 9<sup>th</sup> Street, in Lincoln City, Oregon (9<sup>th</sup> Street property). In particular, Respondent directed Bushnell and Shinn to disconnect electrical wiring from the line old water heater, install approximately two feet of new

<sup>1</sup> See related Division case numbers C2015-0242 and C2016-0087.

1 electrical wiring, and install an electrical receptacle. Respondent also supervised this work.

- 2 4. At no relevant time did Respondent hold a supervising electrician's license.<sup>2</sup>
- 3 5. At no relevant time did Bushnell hold a supervising or journeyman electrician's license.
- 4 6. At no relevant time did Shinn hold a supervising or journeyman electrician's license.

5 **APPLICABLE LAW**

- 6 1. The terms used in this Notice may be defined in ORS 183.310(1)-(10), ORS 455.010(1)-
- 7 (10), ORS 479.530(1)-(23), ORS 479.905(1)-(5), OAR 918-001-0005(1)-(4), OAR 918-030-
- 8 0010(1)-(11), and OAR 918-251-0090(1)-(43).
- 9 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of
- 10 electrical wiring and the permanent attachment or installation of electrical products in or on
- 11 any structure that is not itself an electrical product.
- 12 3. Under ORS 479.620(2), a person may not direct, supervise, or control the making of an
- 13 electrical installation without a supervising electrician's license.

14 **CONCLUSIONS OF LAW**

- 15 1. The following constitute electrical installations under ORS 479.530(10):
- 16 a. Installing new electrical wiring; and
- 17 b. Installing electrical receptacles.
- 18 2. By directing and supervising the foregoing electrical installations at the 9<sup>th</sup> Street property,
- 19 without a supervising electrician's license, Respondent violated ORS 479.620(3).

20 **ORDER**

- 21 1. The Board hereby assesses a total civil penalty of \$2,000.00 against Respondent for
- 22 violating ORS 479.620(3) as follows:
- 23 a. \$1,500.00 of the total civil penalty will be suspended for a period of five years if
- 24 there is compliance with all other terms of this Consent Order.
- 25 b. Respondent agrees to pay the remaining \$500.00 of the civil penalty. Respondent's

<sup>2</sup> Respondent holds qualified person license number QP775, which was issued on April 23, 2008.

1 payment shall be postmarked no later than the 25<sup>th</sup> day of the month following the  
2 month in which this Consent Order becomes a final order. (*An invoice will be*  
3 *included with Respondent's copy of the final order after the Director signs it.*  
4 *Respondent understands timely payment must be made even if no invoice is ever*  
5 *received.*) Payment shall be mailed to Department of Consumer and Business  
6 Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-0445.

7 c. Respondent understands the suspended civil penalty (\$1,500.00) will be considered  
8 satisfied five years after this Consent Order becomes a final order, provided  
9 Respondent complies with its terms and has not committed any further violations of  
10 the Division's statutes and rules within that five-year period. Respondent  
11 understands and agrees that if Respondent does not comply with the terms of this  
12 Consent Order or if Respondent commits any further violations of the Division's  
13 statutes or rules within the five-year period, then the entire civil penalty, including  
14 any suspended amount, will become immediately due and payable. Failure to comply  
15 with this Consent Order includes, but is not limited to, failure to pay the civil penalty  
16 amount due by the due date.

17 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases  
18 that rely on the facts underlying this case. Cooperation may include, but may not be limited  
19 to, making sworn statements or testifying in administrative hearings.

20 3. Respondent understands that further enforcement action may be taken for any violation of  
21 the Division's statutes or rules not alleged in this Consent Order, whether committed before  
22 or after the execution of this Consent Order, and/or for any violation of the terms of this  
23 Consent Order.

24 4. Respondent understands that failure to comply with this Consent Order may be used as a  
25 basis for the denial of future license, certificate, registration, or other applications, or for the

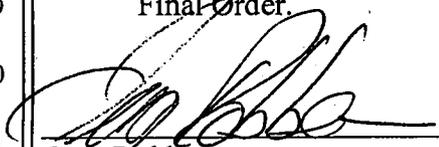
1 refusal to renew the same; for the suspension, revocation, or conditioning of a license,  
2 certificate, or registration issued by the Division or other state agencies; and/or for any other  
3 reason provided for in law.

4 5. Respondent understands that this Consent Order is a public record.

5 6. Respondent has read and fully understands the terms of this Consent Order, freely and  
6 voluntarily consents to the entry of this Consent Order without any force or duress, and  
7 expressly waives all rights to hearing or judicial review in this matter.

8 7. Respondent understands that, upon signature of all parties, this Consent Order will be a

9 Final Order.

10  
11   
12 \_\_\_\_\_  
13 Greg Robben

It is so agreed this 2 day of June, 2016.

14   
15 \_\_\_\_\_  
16 Andrea Sumner  
17 Chair  
18 Electrical and Elevator Board  
19 State of Oregon

It is so agreed this 27 day of June, 2016.