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2 (3) The installation of a 100 amp electrical sub-panel, three electrical branch
3 circuits, electrical light fixtures, switches and electrical wiring, as described above, are
4 electrical installations as defined in ORS 479.530(10).

5 (4) During or about the period April 1, 2013 through May 8, 2013, at 17425 Andy
6 Hill Road, Lakeview, Oregon, Respondent engaged in the business of installing water
7 supply piping and three hydrant faucets, for the account of another, without having an
8 Oregon plumbing contractor license, in violation of ORS 447.040(1).

9 (5) During or about the period April 1, 2013 through May 8, 2013, at 17425 Andy
10 Hill Road, Lakeview, Oregon, Respondent installed water supply piping and three
11 hydrant faucets, for the account of another, without first obtaining a valid plumbing
12 permit, in violation of OAR 918-785-0200(1)(a).

13 (6) Installing water supply piping and three hydrant faucets, as described above, is
14 plumbing as defined by ORS 447.010(6).

15 **WHAT THE LAW SAYS**

16 (1) Under ORS 479.620(1), a person may not, without an electrical contractor's
17 license, engage in the business of making electrical installations, advertise as or
18 otherwise purport to be license to make electrical installations or purport to be acting as
19 a business that makes electrical installations.

20 (2) Under ORS 479.550(1), except as provided in ORS 479.540, no person shall
21 work on any new electrical installation for which a permit has not been issued.

22 (3) Under ORS 447.040(1), a person may not work as a plumbing contractor, or
23 advertise or purport to be a plumbing contractor, and a member or employee or a firm,
24 partnership or corporation may not engage in the layout or superintending of plumbing
25 installations, without having obtained the plumbing contractor's license required under
ORS 447.010 to 447.156 as provided by State Plumbing Board rules.

(4) Under OAR 918-785-0200(1)(a), a person, firm, or corporation shall do
plumbing work in the State of Oregon without first obtaining a plumbing permit or minor
label, when required, and paying the appropriate fees to the authorized permit issuing
agency.

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STIPULATED AGREEMENT

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

(1) The Boards hereby assess civil penalties against you of \$8,000 for violating ORS 479.620(1), 479.550(1), ORS 447.040(1) and OAR 918-785-0200(1)(a), but suspend \$5,500 of the civil penalties assessed for a period of five years under the following terms:

(1.1) Respondent agrees to pay the remaining \$2,500 of the civil penalty.

(1.2) If Respondent is able to submit a full payment of \$2,000 by the invoice due date, an additional \$500 will be suspended. The invoice will be included with your copy of the Final Order after it is signed by the Boards.

(2) Respondent agrees if a final order is issued by the Boards finding Respondent violated any of Building Codes Division's statutes or rules, within five years from the date this Order was signed by the Boards, Respondent will pay any subsequent penalty and the suspended penalty from this Order.

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

(4) Respondent understands that if the respondent fails to comply with any of the terms of this consent agreement 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) Respondent understands and agrees any violation of the terms of this Consent Order will result in further enforcement action.

(6) Respondent understands and agrees 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, shall be the basis for further enforcement action.

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

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2 (8) Respondent has read and fully understands the terms of this Consent Order,
3 freely and voluntarily consents to the entry of this Order without further hearing, without
4 any force or duress, and expressly waives all rights to a hearing or appeal in this matter.

5 (9) Respondent understands that, upon signature of all parties, this Consent
6 Order will be a FINAL ORDER and becomes a public document.

7 (10) Respondent further agrees by signing this Consent Order that Respondent is
8 the Respondent or authorized representative for the Respondent in this matter.

9 **FOR THE RESPONDENT**

10 Elmer D. Hill
11 Elmer D. Hill

Date: 9-11-13

12 **FOR THE BOARDS**

13 Andrea Simmons for
14 Chairman
15 Electrical and Elevator Board
16 State of Oregon

Date: 9/25/13

17 Andrea Simmons for
18 Chairman
19 Plumbing Board
20 State of Oregon

Date: 9/25/13