

1 **BEFORE THE PLUMBING BOARD OF THE STATE OF OREGON**

2 **FINAL ORDER**

3 **As of: January 31, 2014**

4 **IN THE MATTER OF:**

5 **JEFF G. BRYANT, AN INDIVIDUAL**

6 **RESPONDENT**

) **NOTICE OF PROPOSED ASSESSMENT**
) **OF CIVIL PENALTY AND FINAL**
) **ORDER ON DEFAULT**

) **CASE NO. C2013-0247**
)
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10 Under ORS 455.895(1)(a) and OAR 918-001-0036, the Oregon Plumbing Board
11 (Board) proposes disciplinary action against Respondent in the form of a \$2,000 civil penalty for
12 violations of Building Codes Division statutes as follows:

13 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

14 (1) On or about May 28, 2013, at 32172 East Puntin Center Road, Hermiston, Oregon,
15 Respondent installed hot and cold plumbing piping, mixing valves, and shower floor drain
16 plumbing piping, without an Oregon journeyman plumber's license, in violation of ORS
693.030(1).

17 (2) Installing hot and cold plumbing piping, mixing valves, and floor drain plumbing
18 piping is "plumbing", as defined in ORS 447.010(6).

19 **WHAT THE LAW SAYS**

20 (1) Under ORS 693.030(1), a person may not engage in the trade of a journeyman plumber
21 without a journeyman plumber's license.

22 **ORDER**

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

25 (1) a \$2,000 civil penalty for violating ORS 693.030(1).

1 **NOTICE OF RIGHT TO HEARING**

2 Respondent is entitled to a hearing as provided by the Administrative Procedures Act, Oregon
3 Revised Statutes, Chapter 183. If Respondent requests a hearing, the request must be in writing
4 and filed with the Division. The postmarked date on the request for hearing must be no later than
5 20 days from the date the Notice of Intended Action (Notice) was served on Respondent. If this
6 Notice was served to you in person, the service date is the date you received this Notice. If this
7 Notice was served through the mail, the service date is the day the Notice was mailed, not the day
8 Respondent received it.

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

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

18 **NOTICE TO ACTIVE DUTY SERVICE MEMBERS**

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

24 **NOTICE OF FINAL ORDER**

25 If Respondent does not timely request a hearing, withdraw a hearing request, notify the Board or
the administrative law judge that Respondent will not appear, or fail to appear at a scheduled
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.

Respondent is entitled to judicial review of any final order issued in the matter of this Notice of a
Proposed Civil Penalty. 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 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 mailed, not the day it
was received by Respondent.

1 If Respondent does not file a petition for judicial review within 60 days, Respondent will lose the
2 right to appeal. The informational phone number for the Oregon Court of Appeals is 503-986-
3 5555.

4 Dated this 9 day of January, ^{2014 Ch} ~~2013~~

5  Chris Huntington for
6 Chairman
7 Plumbing Board
8 State of Oregon
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