

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

2 **IN THE MATTER OF:**

3 **ALEKSANDR ZALYASHKO, AN INDIVIDUAL,**

4 **RESPONDENT.**

) **STIPULATED ORDER**

) **BCD CASE C2014-0274**

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7 1.

8 The Electrical and Elevator Board of the State of Oregon (Board), with the assistance of
9 the Department of Consumer and Business Service's Building Codes Division, is authorized to
10 regulate electrical installations and persons engaged in making those installations, in the State of
11 Oregon. On or about November 11, 2014, Building Codes Division Enforcement Officer Russ
12 Darling properly served a Citation for License or Registration Violation on Aleksandr Zalyashko
13 (Respondent), alleging Respondent violated a statute under the Board's authority when Respondent
14 made an electrical installation for the account of another without holding the appropriate electrical
15 license.

16 2.

17 Following Respondent's timely request for a hearing on the matter, the parties decided that
18 they wish to settle this matter informally. Respondent understands that Respondent has the right to a
19 hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes (ORS),
20 and fully and finally waives the right to a contested case hearing and any appeal therefrom by the
21 signing and entry of this order in the Board's records.

22 3.

23 The Board finds and Respondent stipulates:

24 3.1 During all relevant times, Respondent did not hold any electrician license or
25 electrical apprentice license.

1 3.2 On November 11, 2014, at 28968 SW Costa Circle, Wilsonville, Oregon (Subject
2 Property), Respondent violated ORS 479.620(3) by installing an electrical light switch in an
3 upstairs bathroom while being unlicensed. Installing an electrical light switch is an electrical
4 installation as defined by ORS 479.530(10).

5 3.3 At the time of Respondent's violation at the Subject Property on November 11, 2014,
6 Portland Electric LLC had an employee supervising the jobsite who was aware of
7 Respondent's presence on the jobsite. Respondent attests that Portland Electric LLC's
8 management was aware that Respondent had been volunteering for a few hours each week
9 on Portland Electric LLC's jobsites for approximately 6 weeks prior to the date of the
10 citation.

11 3.4 On or about October 6, 2014, Portland Electric LLC had its status as a training agent
12 revoked by the Joint Area Training Committee (JATC) for failing to properly supervise its
13 apprentices.

14 4.

15 The Board and Respondent agree to resolve this matter by the entry of this Stipulated Order
16 subject to the following conditions:

17 4.1 Respondent is hereby assessed a \$2,000 civil penalty for violations of ORS
18 479.620(3), \$1,250 of which will be suspended for a period of five (5) years from the date
19 this Stipulated Order is executed, and considered satisfied after those (5) five years if the
20 following terms and conditions are timely fulfilled in their entirety:

21 4.1.1 Respondent shall pay \$750 of the total civil penalty due.¹

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25 ¹ An invoice will be included with Respondent's copy of the final order after it is fully executed.

1 4.1.2 Respondent shall pay the \$750 in ten (10) consecutive, monthly installments
2 of \$75, postmarked by the 25th day of each month, beginning February 2015. As
3 long as the payments remain timely, there shall be no interest added to Respondent's
4 balance. There are no penalties for paying off the remaining civil penalty balance
5 ahead of schedule.

6 4.1.3 Respondent shall fully cooperate with the Building Codes Division's
7 enforcement efforts in cases against other entities or individuals that involve the
8 underlying facts in the case subject to this Stipulated Order. Cooperation may
9 include, but is not limited to, making sworn statements or testifying in administrative
10 hearing to the enclosed stipulated facts and other relevant facts.

11 4.1.4 Respondent shall not commit further violations of the Building Codes
12 Division's statutes and rules for five (5) years from the execution of this Stipulated
13 Order.

14 5.

15 Respondent understands and agrees that Respondent's failure to comply with any term or
16 condition of this Stipulated Order, or failure to comply by any deadline provided, shall result in any
17 unpaid portion of the entire civil penalty, including the stayed amount, being immediately due and
18 payable.

19 6.

20 Respondent understands that any violation of the terms of this Stipulated Order will also
21 result in further enforcement action.

22 7.

23 Respondent understands that any violation of the Building Codes Division's statutes or
24 rules, whether committed before or after the execution of this Stipulated Order, may be the basis for
25 further enforcement action.

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8.

Respondent understands that failure to comply with this Stipulated Order also provides a statutory basis to deny future license and certification applications, and to suspend licenses and certifications not subject to this Stipulated Order if issued by the Division, other divisions of the Department of Consumer and Business Services, and certain other state agencies.

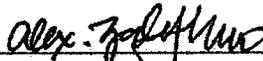
9.

Respondent stipulates and agrees that this Stipulated Order is fully executed and becomes effective the date it is signed by the Board Chair or the Chair's designee.

10.

Respondent understands this Stipulated Order is a Final Order and a public record. By his signature below, Respondent attests that he has read and understands this Stipulated Order and agrees to abide by each and every one of its terms and conditions, and further attests that no duress or coercion has been used to induce him to sign this Stipulated Order.

IT IS SO STIPULATED THIS 24 day of January, 2015.



Aleksandr Zalyashko

IT IS SO ORDERED THIS 26 day of January, 2015.



Chair
Electrical and Elevator Board
State of Oregon