

BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

IN THE MATTER OF:

CONSENT ORDER

**YEVGENIY SEREBRYANSKIY,
AN INDIVIDUAL,**

RESPONDENT.

BCD CASE C2014-0279

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 Yevgeniy Serebryanskiy (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. At all relevant times, Respondent held Washington Construction Industry Training Council (CITC) electrical apprentice agreement 179622 with reciprocity for Oregon through the Oregon Joint Apprenticeship and Training Council (JATC). At no relevant time has Respondent held an Oregon general supervising or journeyman electrician license.
2. At all relevant times Respondent was a first-term apprentice indentured to and employed by Pro Line Electric Inc., which holds Oregon electrical contractor license C1051.
3. Pro Line Electric, Inc., is approved by the JATC as a residential electrician training agent.
4. On or about November 20, 2014, at 10365 SW Lisbon Street, Wilsonville, Oregon (the subject property), Respondent installed white electrical wiring in the ceiling of a single-

1 family residence.

- 2 5. At the time the Respondent installed the white electrical wiring in the ceiling of the subject
3 property, Protech Electric LLC, an Oregon electrical contractor, had an open electrical
4 permit for the subject property.
- 5 6. Protech Electric LLC is not approved by the JATC as a residential electrician training agent.
- 6 7. Respondent installed the electrical wiring under the direction of Protech Electric.

7 **APPLICABLE LAW**

- 8 1. Terms used in this Consent Order may be defined in ORS 183.310(1)-(10), ORS
9 455.010(1)-(10), ORS 479.530(1)-(23), ORS 479.905(1)-(5), OAR 918-001-0005(1)-(4),
10 OAR 918-030-0010(1)-(11), and OAR 918-251-0090(1)-(43).
- 11 2. ORS 479.530(10) defines an electrical installation as the construction or installation of
12 electrical wiring and the permanent attachment or installation of electrical products.
- 13 3. Under ORS 479.620(4), a person may not perform work on an electrical installation as an
14 electrical apprentice without a valid electrical apprentice's license.
- 15 4. Under ORS 479.620(3), a person may not make any electrical installation without a
16 supervising or journeyman electrician license.

17 **CONCLUSIONS OF LAW**

- 18 1. Installing white electrical wire in the ceiling of a dwelling is an electrical installation as
19 defined by ORS 479.530(10).
- 20 2. Making the electrical installation described in the foregoing paragraph requires a valid
21 apprentice, supervising, or journeyman electrician license under ORS 479.620(3) and (4).
- 22 3. When Respondent performed the electrical installation described in the foregoing paragraph
23 for an electrical contractor other than his training agent, Respondent was working outside
24 the scope of his apprentice license and was therefore making an electrical installation
25 without a journeyman or supervising electrician's license, in violation of ORS 479.620(3).

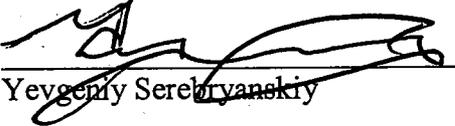
1 the Division's statutes or rules not alleged in this Consent Order, whether committed before
2 or after the execution of this Consent Order, and/or for any violation of the terms of this
3 Consent Order.

4 4. Respondent understands that failure to comply with this Consent Order may be used as a
5 basis for the denial of future license, certificate, registration, or other applications, or for the
6 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
7 certificate, or registration issued by the Division or other state agencies; and/or for any other
8 reason provided for in law.

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

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

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

15
16  It is so agreed this 05 day of SEPTEMBER, 2015.
17 Yevgeniy Serebryanskiy

18
19  for It is so agreed this 10th day of September, 2015.
20 Chair
21 Electrical and Elevator Board
22 State of Oregon
23
24
25