

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

2
3 **IN THE MATTER OF:**

) **CONSENT ORDER**

4 **MATHEW H. WATKINS,**
5 **AN INDIVIDUAL**

) **CASE NO. 2012-0225**

6 **RESPONDENT**
7)

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RECEIVED
BUILDING CODES

8
9 The Oregon Electrical and Elevator Board (Board) conducted an investigation and determined that you violated certain provisions of the Oregon Building Codes statutes and administrative rules.

10 The parties desire to settle this matter informally. You understand that you have the right to a
11 contested case hearing under the Administrative Procedures Act (Chapter 183), Oregon Revised
12 Statutes, and fully and finally waive the right to a hearing and any appeal therefrom by the signing
13 and entry of this Order in the Board's record. You agree to conduct all future business in
14 compliance with the applicable statutes, administrative rules, and specialty codes. You understand
15 that this Order, once final, is a public record.

16 As evidenced by the authorized signatures on this Order, the Board finds and you stipulate to the
17 entry of this Order and its following terms.

18 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

- 19 1. You are a licensed Oregon general supervising electrician, holding license number 4596S.
- 20 2. You were registered with the Building Codes Division (Division) as Alpha Electric
21 Corporation's sole general-signing supervisor at all relevant times.
- 22 3. On November 8, 2012, at 36735 Katrina Street, Sandy, Oregon, you failed to ensure Anton
23 Rybak, an employee of Alpha Electric Corp, was properly licensed to install electrical
24 wiring.
- 25 4. On November 14, 2013, at 14133 SE 139th Avenue, Happy Valley, Oregon, you failed to
ensure Anton Dobrotolyubov, an employee of Alpha Electric Corp, was properly licensed to
install electrical wiring.
5. On July 19, 2013, at 1925 SE Rex Street, Portland, Oregon, you failed to ensure Aleksandr
Serov, an employee of Alpha Electric Corp, was properly licensed to install electrical
wiring.

- 1 6. On July 19, 2013, at 1925 SE Rex Street, Portland, Oregon, you failed to ensure Alexandr
2 Isakov, an employee of Alpha Electric Corp, was properly licensed to install electrical
3 wiring.
4 7. Installing electrical wiring is an electrical installation as defined in ORS 479.530(10).

5 **WHAT THE LAW SAYS**

- 6 1. Under OAR 918-282-0140(2)(f), the general supervising electrician must ensure
7 electricians have proper licenses for the work performed, and may not permit either by
8 assent or by failure to prevent, an individual to perform work for which they are not properly
9 licensed.
10 2. Under ORS 479.620(3), subject to ORS 479.540, a person may not make an electrical
11 installation without an Oregon supervising or journeyman electrician's license.

12 **STIPULATED AGREEMENT**

13 You and the Board agree to resolve this matter, without a hearing, according to the following terms
14 and conditions:

- 15 (1) The Board hereby assesses a \$12,000 civil penalty for violation of OAR 918-282-
16 0140(2)(f) of which \$8,000 will be suspended for a period of five years under the
17 following terms:

18 (1.1) You agree to pay \$4,000 of the civil penalty. **(An invoice will be included
19 with your copy of the Final Order after it is signed by the Board.)**

- 20 (2) You agree not to work in Oregon in a Supervising Electrician capacity for a period of
21 one (1) year from the date on which this agreement becomes final. You may perform the
22 work allowed under the scope of a journeyman electrician's license. After one year, the
23 condition will be removed from your General Supervising License number 4596S,
24 without the requirement of taking the General Supervising Electrician's licensing
25 examination.
(3) You agree not to commit further violations of Building Codes Division's statutes or
rules.
(4) You understand that if you fail to comply with any of the terms of this consent
agreement, then 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) You understand and agree any violation of the terms of this Consent Order will result in
further enforcement action.

1 (6) You understand and agree that any violations of Building Code Division's statutes or
2 rules not alleged in this Order, whether committed before or after the execution of this
Consent Order, may be the basis for further enforcement action.

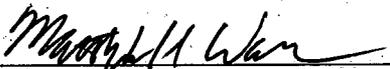
3 (7) You understand the suspended civil penalty will be waived five years after the execution
4 of this Consent Order, provided you comply with its terms and have not committed any
further violations of Building Codes Division's statutes or rules.

5 (8) You have read and fully understand the terms of this Consent Order, freely and
6 voluntarily consent to the entry of this Order without further hearing, without any force
or duress, and expressly waive all rights to hearing or appeal in this matter.

7 (9) You understand that, upon signature of all parties, this Consent Order will be a FINAL
8 ORDER.

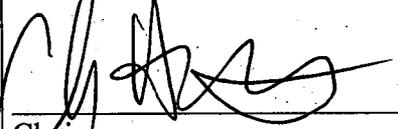
9 (10) You further agree by signing this Consent Order that you are the Respondent or
10 authorized representative for the Respondent in this matter.

11 **SIGNATURE FOR THE RESPONDENT**

12
13 
14 Mathew H. Watkins

Date: 1-8-14

15
16 **FOR THE ELECTRICAL AND ELEVATOR BOARD**

17 
18 Chairman
19 Electrical and Elevator Board
State of Oregon

Date: 1/9/14