BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES OF THE STATE OF OREGON

IN THE MATTER OF: **TIMOTHY F. FERRANDO, AN INDIVIDUAL** **RESPONDENT**	**NOTICE OF INTENT TO SUSPEND RESPONDENT'S OREGON JOURNEYMAN PLUMBER LICENSE, #3364JP, AND FINAL ORDER ON DEFAULT** **CASE NO. 2013-0148**

FINAL ORDER
As of: 9/14/13

Pursuant to ORS 305.385, the Director of the Oregon Department of Revenue has requested that the Oregon Department of Consumer and Business Services suspend your Oregon Journeyman Plumber's license, #3364JP.

The Director of the Department of Revenue has determined that:

1. You have neglected or refused to file tax return(s) or pay tax, and

2. You have not filed a good-faith petition before the department, and

3. The Department of Revenue has been unable to obtain payment of the tax through other collection methods.

As described below, you are entitled to a hearing in this matter. Unless this matter is resolved, your Oregon Journeyman Plumber's license will be suspended pursuant to ORS 305.385(4)(c) and will remain suspended until the Department of Revenue certifies you are in good standing.

NOTICE OF RIGHT TO HEARING

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

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

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

NOTICE OF FINAL ORDER

If Respondent does not timely request a hearing, withdraws a hearing request, notifies the Board or the administrative law judge that they will not appear, or fails 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. If Respondent does not file a petition for judicial review within 60 days, Respondent will lose the right to appeal. The informational phone number for the Oregon Court of Appeals is (503) 986-5555.

Dated this 16th day of August, 2013

Andrea Simmons for
Director
Department of Consumer and Business Services
State of Oregon