

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

2 **IN THE MATTER OF:**)

) **CONSENT ORDER**

3)
4 **MICHAEL E. DOSS,**)
5 **AN INDIVIDUAL**)

6) **CASE NO. C2013-0240**
7)
8)

9 The Electrical and Elevator Board of the State of Oregon (Board) conducted an
10 investigation and determined that Respondent violated certain provisions of the Oregon Building
11 Codes statutes, administrative rules, and specialty codes.

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

- 20 1. During or about the period October 31, 2013, through November 18, 2013, at a Travel
21 Lodge located at 1950 NW 6th Street, Grants Pass, Oregon, you engaged in the business
22 of installing new electrical sockets inside two signs, for the account of another, without
23 an Oregon electrical contractor's license.
24 2. You made the installation at the 1950 NW 6th Street, Grants Pass, Travel Lodge, without

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1 having an Oregon supervising or journeyman electrician's license.

- 2 3. Installing new electrical sockets inside a sign, as described above, is an electrical
3 installation as defined by ORS 479.530(10).

4 **WHAT THE LAW SAYS**

- 5 1. Under ORS 479.620(3), a person may not make any electrical installations without a
6 supervising or journeyman electrician's license.
7 2. Under ORS 479.620(1), a person may not, without an electrical contractor's license,
8 ~~engage in the business of making electrical installations, advertise as or otherwise~~
9 purport to be licensed to make electrical installations or purport to be acting as a
10 business that makes electrical installations.¹

11 **STIPULATED AGREEMENT**

12 You and the Board agree to resolve this matter, without a hearing, with the entry of this
13 Consent Order subject to the following terms and conditions:

- 14 1. The Board hereby assesses a civil penalty of \$6,000 for violating ORS 479.620(1) and ORS
15 479.620(3) of which \$5,000 will be suspended for a period of five years under the following
16 terms:
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18 1.1 Respondent agrees to pay the remaining \$1000 of the civil penalty. *(The invoice will*
19 ~~*be included with Respondent's copy of the Final Order after it is signed by the*~~
20 *Board.)*

- 21 2. You agree that if a final order is issued by a Board or the Director finding you violated any

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25 ¹ 918-030-0010(8) For purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform, work for which a license or permit is required under Oregon law, including but not limited to a single instance.

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2 of Building Codes Division's statutes or rules within five years from the date this Consent
3 Order was signed by the Board, you will then pay any subsequent penalty and the suspended
4 penalty from this order.

5 3. You agree not to commit further violations of the Building Codes Division's statutes or
6 rules.

7 4. You understand that if you fail to comply with any of the terms of this Consent Order, then
8 the entire civil penalty, including the amount suspended, will be immediately due and

9 payable. Failure to comply includes failure to pay the civil penalty amount on the Final
10 Demand Notice by the due date, or failure to make payments according to the terms of any
11 payment arrangement or Final Demand Notice.

12 5. You understand and agree any violation of the terms of this Consent Order will result in
13 further enforcement action.

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

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

20 8. You have read and fully understand the terms of this Consent Order, freely and voluntarily
21 consent to the entry of this order without further hearing, without any force or duress, and
22 expressly waive all rights to a hearing or appeal in this matter.

23 9. You understand that, upon signature of all parties, this Consent Order will be a
24 FINAL ORDER.

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1 10. You further agree by signing this Consent Order that you are the Respondent or authorized
2 representative for the Respondent in this matter.
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4 **FOR THE RESPONDENT**

5 Michael E Doss

Date: 2-1-2014

6 Michael E. Doss
7

8 **FOR THE BOARD**

9 [Signature]

for

Date: 2/4/14

Chairman

10 Electrical and Elevator Board
11 State of Oregon
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