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CONCLUSIONS OF LAW

1. Signing a permit application as the responsible party with a license number that does not exist is the act of providing false or incorrect information as provided in OAR 918-309-0000(1).
2. Respondent signed the permit application and provided a license number that does not exist, and indicated on the application Respondent worked for Electric Avenue Sign & Lighting when he did not, Respondent violated OAR 918-309-0000(1).

ORDER

Under ORS 455.895(1)(b), and OAR 918-001-0036, the Electrical and Elevator Board assesses a \$1,000 civil penalty for violating OAR 918-309-0000(1).

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 Building Codes Division no later than 20 days from the service date. 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 within 20 days, Respondent's right to a hearing is considered waived. 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 TO ACTIVE DUTY SERVICE MEMBERS

Active duty service members have a right to stay proceedings under the federal Servicemembers Civil Relief Act. Contact the Oregon State Bar at 800-452-8260 or the Oregon Military Department at 800-452-7500 for more information. If you need help finding legal assistance, visit the United States Armed Forces Legal Assistance Legal Services Locator website at <http://legalassistance.law.af.mil/content/locator.php>.

NOTICE OF FINAL ORDER

If Respondent does not request a hearing within 20 days, 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

1 Order by Default, it designates the file, including any materials submitted by Respondent that
2 relate to this matter, as the record for purpose of proving a prima facie case.

3 Respondent is entitled to judicial review of any final order issued in the matter of this
4 Notice of Proposed Assessment of a Civil Penalty. Judicial review may be obtained by filing a
5 petition for review with the Oregon Court of Appeals within 60 days after the Final Order is
6 served. See ORS 183.482. If the Order was served in person, the service date is the date
7 Respondent received the Order. If the Order was served through the mail, the service date is the
8 day the Order was mailed, not the day it was received by Respondent. If Respondent does not
9 file a petition for judicial review within 60 days, Respondent will lose the right to appeal. The
10 phone number for the Oregon Court of Appeals is 503-986-5555.

11 Dated this 22nd day of August, 2014

12 Roseanne Nelson for
13 Chair
14 Electrical and Elevator Board
15 State of Oregon