

BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

IN THE MATTER OF:

BRUCE M. GRIFFIN, AN INDIVIDUAL

RESPONDENT

) NOTICE OF PROPOSED SUSPENSION
) OF GENERAL SUPERVISING
) ELECTRICIAN LICENSE 4680S AND
) FINAL ORDER ON DEFAULT
) BCD CASE C2014-0226

Under Oregon Revised Statutes (ORS) 455.129(2)(b), the Electrical and Elevator Board of the State of Oregon (Board) proposes to suspend Respondent's general supervising electrician license number 4680S for violation of an order of the Board as follows:

FINDINGS OF FACT

- 1. On May 8, 2014, Respondent was served with a Notice of Proposed Assessment of a Civil Penalty and Final Order on Default (Notice of Civil Penalty) in case number C2014-0095 proposing \$3,000 in penalties for violating Oregon Administrative Rules (OAR) 918-282-0140(2)(f) by failing to ensure that an individual had the proper license to make electrical installations for the account of another.
2. Respondent did not reply to the Notice of Civil Penalty within the 20 days permitted, and the Notice of Civil Penalty became a Final Order by Default on May 29, 2014.
3. No payment has been received from Respondent in case C2014-0095 following the mailing of an invoice to Respondent by the Building Codes Division (division).
4. On August 12, 2014, the division, on behalf of the Board, sent a Notice of Unpaid Civil Penalties to Respondent requiring Respondent to contact the division to make payment arrangements by September 2, 2014. The Notice warned that if Respondent did not take the requested action, the case would be turned over to the collections department and license 4680S would be suspended.
5. The division did not receive a response from Respondent following the mailing of the Notice of Unpaid Civil Penalties and the notice was not returned as undeliverable.

FINAL ORDER

As of: October 20, 2014

1 6. Respondent failed to comply with the terms of the Final Order on Default by failing to make
2 the first two payments for July 2014 and August 2014.

3 **APPLICABLE LAW**

4 1. Under ORS 455.129(2)(b), a regulatory body listed in ORS 455.129(3) may revoke a license
5 if the regulatory body finds that the licensee has failed to comply with an order of the
6 regulatory body.

7 2. Under ORS 455.129(3)(b), subsection (2) of ORS 455.129 applies to the Electrical and
8 Elevator Board for purposes of licenses issued under ORS 479.510 to ORS 479.945.

9 **CONCLUSION OF LAW**

10 By failing to comply with the Final Order in BCD case C2014-0017, Respondent's general
11 supervising electrician license 4680S may be suspended under ORS 455.129(2)(b).

12 **ORDER**

13 Under ORS 455.129(2)(b), the Electrical and Elevator Board suspends Respondent's general
14 supervising electrician license 4680S for violating the Final Order in case number C2014-0095.
15 General supervising electrician license 4680S will remain suspended until Respondent becomes
16 current with the civil penalties due in BCD case C2014-0095.

17 **NOTICE OF RIGHT TO HEARING**

18 Respondent is entitled to a hearing as provided by the Administrative Procedures Act, Oregon
19 Revised Statutes, chapter 183. If Respondent requests a hearing, the request must be in writing and
20 filed with the Division no later than 20 days from the date of service. If the Notice was served on
21 Respondent in person, the date of service is the date Respondent received the Notice. If the Notice
22 was served through the mail, the date of service is the day the Notice was mailed, not the day it was
23 received by the Respondent. Hearing requests shall be mailed to Building Codes Division,
24 Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309. Respondent has the right to be
25 represented by legal counsel. ORS 183.457 provides that a corporation may be represented by an

1 authorized representative at the hearing. If Respondent requests a hearing the Board and Director
2 will notify Respondent of the time and place of the hearing. The Board and Director will give
3 Respondent information on the procedures, right of representation and other rights of parties relating
4 to the conduct of the hearing before commencement of the hearing.

5 **NOTICE TO ACTIVE DUTY SERVICE MEMBERS**

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

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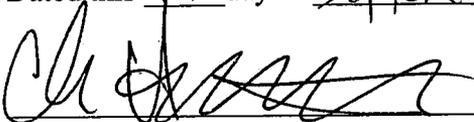
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1 **NOTICE OF FINAL ORDER**

2 If Respondent does not request a hearing within 20 days, this proposed order will become a
3 final order, effective 21 days after it was served on Respondent. If Respondent does not request a
4 hearing or fails to appear at a scheduled hearing, the Division's file on the matter becomes record.

5 Respondent is entitled to judicial review of this Order. Judicial review may be obtained by
6 filing a petition for review with the Oregon Court of Appeals within 60 days after the final order is
7 served upon Respondent. See ORS 183.482. If the Order was served on Respondent in person, the
8 date of service is the date Respondent received the Order. If the Order was served through the mail,
9 the date of service is the day the Order was mailed, not the day it was received by the Respondent. If
10 Respondent does not file a petition for judicial review within the 60 day time period, Respondent will
11 lose the right to appeal. The informational phone number for the Oregon Court of Appeals is (503)
12 986-5555.

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14 Dated this 19 day of September, 2014

15  for
16 Chair
17 Electrical and Elevator Board
18 State of Oregon
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