

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

2		)	
3	<b>IN THE MATTER OF:</b>	)	<b>STIPULATED ORDER</b>
4	<b>YOUNG ELECTRIC LLC, A DOMESTIC</b>	)	
5	<b>LIMITED LIABILITY COMPANY,</b>	)	
6	<b>RESPONDENT.</b>	)	<b>BCD CASE C2014-0229</b>

7 1.

8 The Electrical and Elevator Board of the State of Oregon (Board), with the assistance of  
9 the Department of Consumer and Business Service's Building Codes Division (Division), is  
10 authorized to regulate electrical installations and persons engaged in making those installations, in  
11 the State of Oregon. On or about December 16, 2014, the Division served Respondent with a Notice  
12 of Proposed Assessment of Civil Penalties on behalf of the Board that alleges Respondent violated a  
13 rule under the Board's authority when Respondent allowed Scott McNamara to make electrical  
14 installations without having a supervising or journeyman electrician license.

15 2.

16 Following Respondent's timely request for a hearing on the matter, the parties decided that  
17 they wish to settle this matter informally. Respondent understands that Respondent has the right to a  
18 hearing under the Administrative Procedures Act (chapter 183), Oregon Revised Statutes (ORS),  
19 and Respondent fully and finally waives the right to a contested case hearing and any appeal  
20 therefrom by the signing and entry of this order in the Board's records.

21 3.

22 The Board finds and Respondent stipulates:

23 3.1 At all relevant times Respondent held Oregon electrical contractor license C353.

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1 3.2 At all relevant times, Scott McNamara (McNamara) was employed by Respondent as  
2 a second period Oregon Electrical Apprentice, license number 917788. At no  
3 relevant time has McNamara held any other electrician license.

4 3.3 On or about August through September 2014, Respondent allowed McNamara,  
5 without supervision, to install electrical wiring, electrical conduit, light fixtures, light  
6 switches, and electrical outlets at 4174 NW 176<sup>th</sup> Avenue, Portland, Oregon, for the  
7 account of another.

8 3.4 At all relevant times, Respondent employed Dennis Young, general supervising  
9 electrician license number 3783S, as its signing supervising electrician.

10 4.

11 The Board and Respondent agree to resolve this matter by the entry of this Stipulated Order  
12 subject to the following conditions:

13 4.1 Respondent is hereby assessed a \$2,000 civil penalty for violating OAR 918-282-  
14 0120(1), \$1,750 of which will be suspended for a period of five (5) years from the date this  
15 Stipulated Order is executed, and considered satisfied after those (5) five years if the  
16 following terms and conditions are timely fulfilled in their entirety:

17 4.1.1 Respondent shall pay \$250 of the total civil penalty due.<sup>1</sup>

18 4.1.2 Respondent shall fully cooperate with the Building Codes Division's  
19 enforcement efforts in cases against other entities or individuals that involve the  
20 underlying facts in the case subject to this Stipulated Order. Cooperation may  
21 include, but is not limited to, making sworn statements or testifying in administrative  
22 hearing to the enclosed stipulated facts and other relevant facts.

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25 <sup>1</sup> An invoice will be included with Respondent's copy of the final order after it is fully executed.

1 4.1.3 Respondent shall not commit further violations of the Building Codes  
2 Division's statutes and rules for five (5) years from the execution of this Stipulated  
3 Order.

4 5.

5 Respondent understands and agrees that Respondent's failure to comply with any term or  
6 condition of this Stipulated Order, or failure to comply by any deadline provided, shall result in any  
7 unpaid portion of the entire civil penalty, including the stayed amount, being immediately due and  
8 payable.

9 6.

10 Respondent understands that any violation of the terms of this Stipulated Order will also  
11 result in further enforcement action.

12 7.

13 Respondent understands that any violation of the Building Codes Division's statutes or  
14 rules, whether committed before or after the execution of this Stipulated Order, may be the basis for  
15 further enforcement action.

16 8.

17 Respondent understands that failure to comply with this Stipulated Order also provides a  
18 statutory basis to deny future license and certification applications, and to suspend licenses and  
19 certifications not subject to this Stipulated Order, if issued by the Division, other divisions of the  
20 Department of Consumer and Business Services, and certain other state agencies.

21 9.

22 Respondent stipulates and agrees that this Stipulated Order is fully executed and becomes  
23 effective the date it is signed by the Board Chair or the Chair's designee.

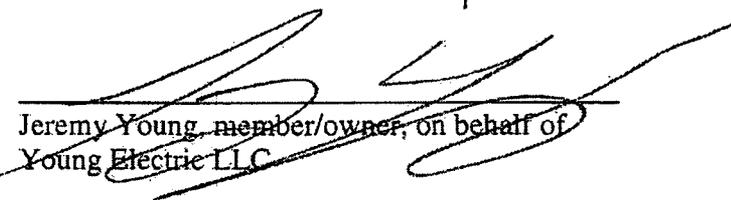
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10.

Respondent understands this Stipulated Order is a Final Order and a public record. By his signature below, Respondent attests that he has read and understands this Stipulated Order and agrees to abide by each and every one of its terms and conditions, and further attests that no duress or coercion has been used to induce him to sign this Stipulated Order.

IT IS SO STIPULATED THIS 5 day of February, 2015.

  
Jeremy Young, member/owner, on behalf of  
Young Electric LLC

IT IS SO ORDERED THIS 9<sup>th</sup> day of February, 2015.

Andrea Simmons for  
Chair  
Electrical and Elevator Board  
State of Oregon