

1 **BEFORE THE PLUMBING BOARD OF THE STATE OF OREGON**

2 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF**  
3 **OREGON**

4  
5 **IN THE MATTER OF:**

6 **OXWORKS NW INC., A FOREIGN BUSINESS**  
7 **CORPORATION**

8 **RESPONDENT**

)  
) **NOTICE OF PROPOSED ASSESSMENT**  
) **OF A CIVIL PENALTY AND FINAL**  
) **ORDER ON DEFAULT**  
)  
)  
)  
) **CASE NO. C2015-0052**  
)  
)

10  
11 Under ORS 455.895(1)(a) and OAR 918-001-0036, the Oregon Plumbing Board (Board)  
12 proposes disciplinary action against you in the form of a \$3,000 civil penalty because you  
violated Building Codes Division statutes and rules as follows:

13 Under ORS 455.895(1)(b) and OAR 918-001-0036, the Oregon Electrical and Elevator  
14 Board (Board) proposed disciplinary action against you in the form of a \$3,000 civil penalty  
because you violated Building Codes Division statutes and rules as follows:

15 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

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17 (1) On or about March 17, 2015, on www.craigslist.com, you advertised to perform  
18 plumbing work for the account of another, without an Oregon plumbing contractor's license, in  
violation of ORS 447.040(1).

19 (2) On or about March 17, 2015, on www.craigslist.com, you advertised to perform  
20 electrical work for the account of another, without an Oregon electrical contractor's license, in  
violation of ORS 479.620(1).

21 **WHAT THE LAW SAYS**

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23 (1) Under ORS 447.040(1), except as exempted by OAR 918-695-0020, a person may  
not advertise or purport to be a plumbing contractor, without a plumbing contractor's license.

24 (2) Under ORS 479.620(1), subject to ORS 479.540, a person may not advertise or  
25 purport to be an electrical contractor, without an electrical contractor's license.

**FINAL ORDER**

As of: June 18, 2015

1 **ORDER**

2 Under ORS 455.895(1)(a) and OAR 918-001-0036, the Oregon Plumbing Board assesses  
3 the following:

4 (1) a \$3,000 civil penalty for violating ORS 447.040(1).

5 Under ORS 455.895(1)(b) and OAR 918-001-0036, the Oregon Electrical and Elevator  
6 Board assesses the following:

7 (1) a \$3,000 civil penalty for violating ORS 479.620(1).

8 The total civil penalties assessed is \$6,000.

9 **NOTICE OF RIGHT TO HEARING**

10 Respondent is entitled to a hearing as provided by the Administrative Procedures Act,  
11 Oregon Revised Statutes, chapter 183. If Respondent requests a hearing, the request must be in  
12 writing and postmarked no later than 20 days from the service date. If this notice was served to  
13 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.

14 If a request for hearing is not received by the Building Codes Division (division) with a  
15 postmark dated within 20 days, Respondent's rights to a hearing is considered waived. Mail  
16 hearing requests to Building Codes Division, Enforcement Section, P.O. Box 14470, Salem,  
Oregon, 97309.

17 Respondent has the right to be represented by legal counsel. ORS 183.457 provides that a  
18 corporation may be represented by an authorized representative at the hearing. If Respondent  
19 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.

20 **NOTICE TO ACTIVE DUTY SERVICE MEMBERS**

21 Active duty service members have a right to stay proceedings under the federal  
22 Servicemembers Civil Relief Act. Contact the Oregon State Bar at 800-452-8260 or the Oregon  
23 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>

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1 **NOTICE OF FINAL ORDER**

2 If Respondent does not timely request a hearing, withdraws a hearing request, notifies the Board  
3 or the administrative law judge that they will not appear, or fails to appear at a scheduled  
4 hearing, the Board will issue a Final Order by Default. If the Board issues a Final Order by  
5 Default, it designates the file, including any materials submitted by Respondent that relate to this  
6 matter, as the record for purpose of proving a prima facie case.

7 Respondent is entitled to judicial review of any final order issued in the matter of this Notice of a  
8 Proposed Civil Penalty. Judicial review may be obtained by filing a petition for review with the  
9 Oregon Court of Appeals within 60 days after the Final Order is served. See ORS 183.482. If  
10 the Order was served in person, the service date is the date Respondent received the Order. If the  
11 Order was served through the mail, the service date is the day the Order was mailed, not the day  
12 it was received by Respondent. If Respondent does not file a petition for judicial review within  
13 60 days, Respondent will lose the right to appeal. The informational phone number for the  
14 Oregon Court of Appeals is 503-986-5555.

15 Dated this 26<sup>th</sup> day of March, 2015

16 Roseanne Nelson for  
17 Chairman  
18 Plumbing Board  
19 State of Oregon

20 Roseanne Nelson for  
21 Chairman  
22 Electrical and Elevator Board  
23 State of Oregon  
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