

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

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

4
5 **IN THE MATTER OF:**

6 **PDX HOME CARE COMPANY, A DOMESTIC**
7 **BUSINESS CORPORATION,**

8 **RESPONDENT**

NOTICE OF PROPOSED ASSESSMENT
OF A CIVIL PENALTY

NOTICE OF FINAL ORDER ON
DEFAULT

BCD CASE NO. C2015-0203

9
10 **IF YOU DO NOT REQUEST A HEARING IN WRITING WITHIN 20 DAYS**
11 **OF THE POSTMARK DATE OF THIS NOTICE,**
12 **THIS NOTICE WILL BECOME A FINAL ORDER.**

13 More information about this Notice and how to request a hearing is included below.

14 Pursuant to Oregon Revised Statutes (ORS) 455.895(1)(a) and (1)(b) and Oregon Administrative
15 Rules (OAR) 918-001-0036, the Electrical and Elevator Board of the State of Oregon and the
16 State Plumbing Board of the State of Oregon (Boards) propose to assess civil penalties totaling
17 \$6,000 against PDX Home Care Company (Respondent) because Respondent violated Building
18 Codes Division (Division) statutes and rules as identified below.

18 **FINDINGS OF FACT**

19 (1) On or about September 30, 2015, on www.craigslist.com, Respondent advertised
20 to perform plumbing work.

21 (2) On or about September 30, 2015, on www.craigslist.com, Respondent advertised
22 to perform electrical work.

23 (3) At no relevant time has Respondent held a plumbing contractor license.

24 (4) At no relevant time has Respondent held an electrical contractor license.

25 **FINAL ORDER**

As of: October 23, 2015

1 (2) \$3,000 for violating ORS 479.620(1).

2 The total civil penalties assessed are \$6,000.

3 **NOTICE OF RIGHT TO HEARING**

4 Respondent is entitled to a hearing as provided by the Administrative Procedures Act,
5 Oregon Revised Statutes, chapter 183. If Respondent requests a hearing, the request must be in
6 writing and postmarked no later than 20 days from the service date of this Notice. If this Notice
7 was served to Respondent in person, the service date is the date Respondent received this
8 Notice. If this Notice was served through the mail, the service date is the day the Notice was
9 mailed, not the day Respondent received it. If a request for hearing is not received by the
10 Building Codes Division (division) with a postmark dated within 20 days, Respondent's rights to
11 a hearing is considered waived. Mail hearing requests to Building Codes Division, Enforcement
12 Section, P.O. Box 14470, Salem, Oregon, 97309.

13 Respondent has the right to be represented by legal counsel. ORS 183.457 and OAR 918-
14 001-0030 provide that a corporation may be represented by an authorized representative at the
15 hearing. If Respondent requests a hearing, Respondent will be notified of the time and place of
16 the hearing and be given information on procedures, right of representation and other rights of
17 parties relating to the hearing before it begins.

18 **NOTICE TO ACTIVE DUTY SERVICE MEMBERS**

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

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1 **NOTICE OF FINAL ORDER**

2 This Notice will become a final order by default if Respondent does any of the following:
3 fails to request a hearing in writing within 20 days from the date of service of this Notice;
4 withdraws a hearing request; notifies the Building Codes Division or the administrative law
5 judge that Respondent will not appear at a scheduled hearing; or fails to appear at a scheduled
6 hearing. If this Notice becomes a final order by default, the Division's file on the matter,
7 including all materials submitted by Respondent, becomes the record for the purpose of
8 establishing a prima facie case.

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