

BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

IN THE MATTER OF:

CONSENT ORDER

**SERDEN GROUP LLC,
A FOREIGN LIMITED LIABILITY
COMPANY**

RESPONDENT.

BCD CASE C2023-0047

INTRODUCTION

The Building Codes Division ("Division") conducted an investigation on behalf of the Electrical and Elevator Board of the State of Oregon ("Board") and determined that Serden Group LLC ("Respondent") violated certain provisions of the Division's statutes and administrative rules as identified below.

The parties agree to resolve this matter without a hearing. Respondent understands that Respondent has the right to a contested case hearing under the Administrative Procedures Act, Oregon Revised Statutes ("ORS") chapter 183, and Respondent fully and finally waives the right to a hearing and any judicial review therefrom by the signing of this Consent Order.

FINDINGS OF FACT

1. On or about July 27, 2021, Respondent registered with the Oregon Secretary of State ("SOS") as a foreign limited liability company.
2. At all relevant times, David Bejan ("Bejan") was listed as a member of Respondent on the SOS website.
3. On or about March 28, 2022, Respondent registered with the Oregon Construction Contractor's Board ("CCB").
4. At all relevant times, Bejan was listed as a member and responsible managing individual of Respondent on the CCB website.

- 1 5. Sometime in or around January 2023, Nikolay Sergeev (“Sergeev”)¹ was subcontracted by
2 Respondent to assist with electrical work as part of a kitchen remodel at a residence located
3 at 17742 Southwest Janell Court in Beaverton, Oregon (“the property”).
- 4 6. From on or about January 16, 2023, until on or about January 22, 2023, Sergeev, on
5 Respondent’s behalf, performed the following electrical work at the property:
- 6 a. Installed three recessed lighting fixtures;
7 b. Installed Romex wiring;
8 c. Installed two GFCI receptacles; and
9 d. Installed three non-GFCI receptacles.
- 10 7. At no relevant time has Sergeev held a valid Oregon supervising electrician’s license,
11 journeyman electrician’s license, or limited residential electrician’s (“LRE”) license.

12 **APPLICABLE LAW**

- 13 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
14 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (“OAR”) 918-001-0005,
15 OAR 918-030-0010, and OAR 918-251-0090.
- 16 2. Under ORS 479.530(10), “electrical installations” means the construction or installation of
17 electrical wiring and the permanent attachment or installation of electrical products in or on
18 any structure that is not itself an electrical product. “Electrical installation” also means the
19 maintenance or repair of installed electrical wiring and permanently attached electrical
20 products.
- 21 3. Under ORS 479.530(11), “electrical product” means any electrical equipment, material,
22 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to
23 install and either conveys or is operated by electrical current.
- 24 4. Under ORS 479.620(3), except as provided in ORS 479.620(5), a person may not make any
25 electrical installation without a supervising or journeyman electrician’s license.

¹ See related Division case C2023-0046 against Sergeev.

- 1 5. Under ORS 479.620(5), a person may not make any electrical installation on a single or
2 multifamily dwelling unit not exceeding three floors above grade, as provided in ORS
3 479.630(14), without a limited residential electrician's license.
- 4 6. Under ORS 455.450(2), a person may not engage in, or procure or assist any other person to
5 engage in, any conduct or activity for which a permit, label, license, certificate, registration,
6 or other formal authorization is required by any specialty code, any provision of ORS
7 479.510 to 479.945, or any rule adopted or order issued for the administration and
8 enforcement of those provisions, without first having obtained such permit, label, license,
9 certificate, registration, or other formal authorization.

10 CONCLUSIONS OF LAW

- 11 1. The following constitute electrical products under ORS 479.530(11):
- 12 a. Lighting fixtures;
- 13 b. Romex wiring;
- 14 c. GFCI receptacles; and
- 15 d. Non-GFCI receptacles.
- 16 2. The following constitutes electrical installations under ORS 479.530(10):
- 17 a. Installing lighting fixtures;
- 18 b. Installing Romex wiring;
- 19 c. Installing GFCI receptacles; and
- 20 d. Installing non-GFCI receptacles.
- 21 3. By performing the foregoing electrical work at the property without a valid Oregon
22 supervising electrician's license, journeyman electrician's license, or limited residential
23 electrician's ("LRE") license, Sergeev violated ORS 479.620(3) and ORS 479.620(5).
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- 1 4. By procuring Sergeev to perform the foregoing electrical work without a valid Oregon
2 supervising electrician's license, journeyman electrician's license, or limited residential
3 electrician's ("LRE") license, Respondent violated ORS 455.450(2).

4 **ORDER**

- 5 1. The Board hereby assesses a total civil penalty of \$2,000.00 against Respondent for
6 violating ORS 455.450(2) as follows:
- 7 a. \$1,250.00 of the total civil penalty will be suspended for a period of five years if
8 there is compliance with all other terms of this Consent Order.
- 9 b. Respondent agrees to pay the remaining \$750.00 of the civil penalty in a lump sum
10 payment. Respondent's payment must be received no later than the 25th day of the
11 month following the month in which this Consent Order is signed by both parties(*An*
12 *invoice may be provided to Respondent after this Consent Order is signed by both*
13 *parties. Respondent understands timely payments must be made even if no invoice is*
14 *ever received.*) Checks should be made out to the Department of Consumer and
15 Business Services. **Payment shall be mailed to Department of Consumer and**
16 **Business Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-**
17 **0445. For payment questions and credit card payments call 971-375-7087.**
- 18 ***NOTE: If you fail to make your lump sum payment as stated in this signed***
19 ***Consent Order, this account may be assigned to the Department of Justice,***
20 ***Department of Revenue, or a private collection agency. You will be responsible for***
21 ***any court costs, attorney fees, any other necessary fees related to the collection of***
22 ***this debt, and any interest or penalties accrued. This debt may also appear on***
23 ***future credit reports.***
- 24 c. Respondent understands the suspended civil penalty (\$1,250.00) will be considered
25 satisfied five years after this Consent Order becomes a final order, provided
Respondent complies with its terms and has not committed any further violations of
the Division's statutes and rules within that five-year period. Respondent
understands and agrees that upon a showing that Respondent has not complied with

1 the terms of this Consent Order or that Respondent has committed any further
2 violations of the Division's statutes or rules within the five-year period, the entire
3 civil penalty, including any suspended amount, will become due and payable. Failure
4 to comply with this Consent Order includes, but is not limited to, failure to pay the
5 civil penalty amount due by the due date.

- 6 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases
7 that rely on the facts underlying this case. Cooperation may include, but may not be limited
8 to, making sworn statements or testifying in administrative hearings.
- 9 3. Respondent understands that further enforcement action may be taken for any violation of
10 the Division's statutes or rules not alleged in this Consent Order, whether committed before
11 or after the execution of this Consent Order, and for any violation of the terms of this
12 Consent Order.
- 13 4. Respondent understands that failure to comply with this Consent Order may be used as a
14 basis for the denial of future license, certificate, registration, or other applications, or for the
15 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
16 certificate, or registration issued by the Division or other state agencies; and/or for any other
17 reason provided for in law.
- 18 5. Respondent understands that this Consent Order is a public record.
- 19 6. Respondent has read and fully understands the terms of this Consent Order, freely and
20 voluntarily consents to the entry of this Consent Order without any force or duress, and
21 expressly waives all rights to hearing or judicial review in this matter.


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1 7. Respondent understands that, upon signature of all parties, this Consent Order will be a
2 Final Order.

3  It is so agreed this 19 day of September, 2023.
4 David Bejan
5 On behalf of Serden Group LLC

6  for It is so agreed this 28th day of September, 2023.
7 Chair
8 Electrical and Elevator Board
9 State of Oregon
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