



1 **ORDER**

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

4 (1) \$4,000 in civil penalties for violating ORS 479.620(6) on two occasions.

5 **NOTICE OF RIGHT TO HEARING**

6 Respondent is entitled to a hearing as provided by the Administrative Procedures Act, Oregon  
7 Revised Statutes, chapter 183. If Respondent requests a hearing, the request must be in writing  
8 and filed with the Building Codes Division. The postmarked date on the request for hearing must  
9 be no later than 20 days from the date the Notice of Intended Action (Notice) is served. If this  
10 Notice was served in person, the service date is the date Notice was received. If this Notice was  
11 served through the mail, the service date is the day the Notice was mailed.

12 If a request for hearing is not received with a postmark dated within 20 days, respondent's right  
13 to a hearing is considered waived unless the failure to request a hearing was beyond respondent's  
14 reasonable control. Mail hearing requests to Building Codes Division, Enforcement Section,  
15 P.O. Box 14470, Salem, Oregon, 97309.

16 Respondent has the right to be represented by legal counsel. ORS 183.457 provides that a  
17 corporation may be represented by an authorized representative at the hearing. If respondent  
18 request a hearing, it will be notified of the time and place of the hearing and be given  
19 information on procedures, right of representation and other rights of parties relating to the  
20 hearing before it begins.

21 **NOTICE TO ACTIVE DUTY SERVICE MEMBERS**

22 Active duty service members have a right to stay proceedings under the federal Servicemembers  
23 Civil Relief Act. Contact the Oregon State Bar at 800-452-8260 or the Oregon Military  
24 Department at 800-452-7500 for more information. If you need help finding legal assistance,  
25 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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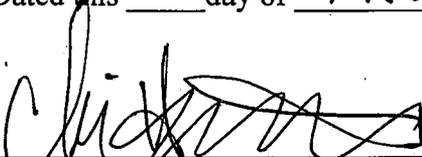
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**NOTICE OF FINAL ORDER**

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

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

Dated this 24 day of March, 2014

  
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Chairman  
Electrical and Elevator Board  
State of Oregon