

1 **BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS**  
2 **SERVICES**

3 **IN THE MATTER OF:** ) **STIPULATED ORDER**  
4 **KURT P. LUKENS, AN INDIVIDUAL** )  
5 **APPLICANT** ) **CASE NO. 2013-0082**

6 **FINDINGS OF FACT**

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- 8 1. On March 25, 2013, Applicant submitted an application to the Building Codes Division (BCD) for a residential water-heater installer (WHI) license.
  - 9 2. On August 3, 2012, the Director of the Department of Consumer and Business Services (Director) assessed Applicant a \$3,000 civil penalty in Building Codes Division (BCD) case  
10 no. 2012-0099 for a violation of ORS 447.040(1) for advertising as a plumbing business  
11 without an Oregon plumbing contractor license.
  - 12 3. Applicant has not paid the assessed civil penalty for BCD case no. 2012-0099.

13 **STIPULATED ORDER**

14 The Director of the Department of Consumer and Business Services approves Applicant's  
15 application for a WHI license under the following conditions:

- 16 1. Applicant must comply with the signed agreement, dated May 16, 2013 (attached), entered  
17 into by Applicant and the Director which requires Applicant to pay \$100 per month for the  
18 months of June, July, and August 2013. Payments are due by the 28<sup>th</sup> of each month with no  
19 grace period.
- 20 2. After a reevaluation of Applicant's circumstances following the August payment, Applicant  
21 agrees to enter into an agreement with the Director for the remaining balance.
- 22 3. Applicant understands and agrees that a failure to submit a timely payment in June, July or  
23 August 2013, or a failure to enter into or comply with the subsequent agreement as outlined  
24 in (2) above, Applicant's license, if issued, will be suspended without opportunity for a  
25 hearing, or, if the license has not been issued, the approval to sit for the WHI examination  
// will be withdrawn without opportunity for a hearing.
4. Applicant understands and agrees that in the event his license is suspended, or the approval  
to sit for the WHI examination will be withdrawn, these actions will be effective until the  
entire civil penalty and related interest for BCD case no. 2012-0099 is paid in full.

MAY/28/2013/TUE 03:28 PM DCBS BLDG CODES

FAX No. 503 378 2322

P. 003

Attn: Brent Griffith

5. Applicant understands this stipulated agreement does not prevent the Director or any advisory board from pursuing any other sanction associated with any violation of Oregon Specialty Codes committed by Applicant.

It is so stipulated.

Dated this 29<sup>th</sup> day of June May, 2013.

Kurt P. Lukens  
Kurt P. Lukens

Dated this 30 day of May, 2013.

Andrea Simmons  
Director  
Department of Consumer and Business Services  
State of Oregon

Brent,  
Thank you for the help.

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