

- 1 8. The installations described in the Findings of Fact and Conclusions of Law 2 through 5
2 are plumbing as defined in ORS 447.010(6).

3 **WHAT THE LAW SAYS**

- 4 1. Under ORS 693.030(1) a person may not, except as exempted by ORS 693.020, engage
5 in the trade of journeyman plumber without a journeyman plumber license issued
6 under this chapter.

7 **ORDER**

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

- 10 (1) A \$2,500 civil penalty for a second violation of ORS 693.030(1) within five (5) years.

11 The civil penalties assessed total \$2,500.

12 **NOTICE OF RIGHT TO HEARING**

13 Respondent is entitled to a hearing as provided by the Administrative Procedures Act, Oregon
14 Revised Statutes, Chapter 183. If Respondent requests a hearing, the request must be in writing
15 and filed with the Division. The postmarked date on the request for hearing must be no later than
16 20 days from the date the Notice of Intended Action (Notice) was served on Respondent. If this
17 Notice was served to you in person, the service date is the date you received this Notice. If this
18 Notice was served through the mail, the service date is the day the Notice was mailed, not the day
19 Respondent received it.

20 If a request for hearing is not received with a postmark dated within 20 days, Respondents right to
21 a hearing is considered waived unless the failure to request a hearing was beyond your reasonable
22 control. Mail hearing requests to Building Codes Division, Enforcement Section, P.O. Box 14470,
23 Salem, Oregon, 97309.

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

NOTICE TO ACTIVE DUTY SERVICE MEMBERS

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

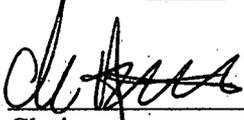
1 **NOTICE OF FINAL ORDER**

2 If Respondent does not timely request a hearing, withdraws a hearing request, notifies the Board
3 or the administrative law judge that Respondent 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 the
10 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 it
12 was received by Respondent.

13 If Respondent does not file a petition for judicial review within 60 days, Respondent will lose the
14 right to appeal. The informational phone number for the Oregon Court of Appeals is 503-986-
15 5555.

16 Dated this 17 day of December, 2013

17  Chris Huntington for
18 Chairman
19 Plumbing Board
20 State of Oregon
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