

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

2 **IN THE MATTER OF:**

) **CONSENT ORDER**

3 **DR. ROOF, INC.,**
4 **A CORPORATION OF WASHINGTON, A**
5 **FOREIGN BUSINESS CORPORATION,**

) **CASE NO. C2014-0061**

6 **RESPONDENT.**

7 The Oregon Electrical and Elevator of the State of Oregon (Board) conducted an
8 investigation and determined that Respondent violated certain provisions of the Oregon Building
Codes statutes and administrative rules.

9 Respondent and the Board prefer to settle this matter informally by the entry of this
10 consent order. Respondent understands that it has the right to a hearing under the Administrative
11 Procedures Act, chapter 183, Oregon Revised Statutes (ORS), and fully and finally waives the
12 right to a contested case hearing and any appeal therefrom by the signing and entry of this order
in the Board's records. Respondent agrees to conduct all future business in compliance with the
applicable statutes, administrative rules, and specialty codes. Respondent understands that this
order is a public record.

13 **FINDINGS OF FACT**

- 14 1. At no relevant time did Respondent possess an Oregon electrical contractor's license.
- 15 2. At no relevant time did Respondent employ an individual licensed as an Oregon general
16 supervising electrician or journeyman electrician license.
- 17 3. During or about the period of May to July 2013, at 290 12th Avenue, Hammond, Oregon,
18 Respondent allowed Clay Brasket, Jay Rinehart, and Wayne Pietila to install motion lights
and install ground-fault circuit interrupters (GFCI) on the exterior of a house after they
19 installed new siding on the house, without an electrical contractor's license, without using
licensed individuals, and without first obtaining an electrical permit.
- 20 4. An electrical contractor has obtained valid electrical permits for the above-mentioned
21 installations and the installations are now in compliance.

22 **WHAT THE LAW SAYS**

- 23 1. ORS 479.530(10) defines an electrical installation as the construction or installation of
electrical wiring and the permanent attachment or installation of electrical products.
- 24 2. Under ORS 479.620(1), no person may, without an electrical contractor's license, engage
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1 in the business¹ of making electrical installations, advertise as or otherwise purport to be
2 licensed to make electrical installations or purport to be acting as a business that makes
electrical installations.

- 3 3. Under Oregon Administrative Rules (OAR) 918-282-0120(1), no person or entity shall
4 allow any individual to perform electrical work for which the individual is not properly
5 registered or licensed.
- 6 4. Under ORS 479.620(3), a person may not make any electrical installation without a
7 supervising or journeyman electrician's license.
- 8 5. Under ORS 479.550(1), no person shall work on any new electrical installation for which
a permit has not been issued.

8 CONCLUSIONS OF LAW

- 9 1. Installing motion lights and GFCI are electrical installations as defined in ORS
10 479.530(10).
- 11 2. By making electrical installations without an Oregon electrical contractor's license,
Respondent violated ORS 479.620(1).
- 12 3. By allowing unlicensed individuals to make install motion lights and GFCI, Respondent
13 violated OAR 918-282-0120(1).
- 14 4. By making electrical installations without first obtaining a valid electrical permit,
Respondent violated ORS 479.550(1).

15 ORDER

16 Respondent and the Electrical and Elevator Board agree to resolve this matter without a
17 hearing with the entry of this consent order subject to the following terms and conditions:

- 18 1. The Board hereby assesses a civil penalty of \$6,000 for violating ORS 479.620(1),
19 479.550(1), and OAR 918-282-0120(1) of which \$4,000 will be suspended for a period of
five (5) years under the following terms:
- 20 1.1 Respondent agrees to pay the remaining \$2,000 of the civil penalty.
*(The invoice will be included with Respondent's copy of the Final Order after it
21 is signed by the Board.)*
- 22 1.2 If Respondent fails to make a payment or otherwise defaults on any term of this
23 settlement agreement, the case may be turned over to the Department of Consumer
and Business Services collections department for collection of the civil penalty,
24 along with interest and applicable fees.

25 ¹ Pursuant to OAR 918-030-0010(8), for purposes of ORS 447.040, 479.620, 480.630, and any other license regulated
by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to
perform work for which a license or permit is required under Oregon law.

1 9. Respondent understands that, upon the signature of all parties, this consent order will be a
2 FINAL ORDER.

3 10. Respondent further agrees by signing this consent order that it is the Respondent or
4 authorized representative for the Respondent in this matter.

5 **FOR THE RESPONDENT**

6 *L. Glenn Trusty, Pres*
7 L. Glenn Trusty, President
8 Dr. Roof, Inc.

Date: Oct. 20, 2014

9 **APPROVED AS TO FORM**

10 *Tyler J. Storti*
11 Tyler J. Storti, Attorney for Respondent
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Date: Oct. 15, 2014

13 **FOR THE BOARD**

14 *Roseanne Johnson* for
15 Chair, Electrical and Elevator Board
16 State of Oregon
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Date: 10-23, 2014