



# Oregon

Kate Brown, Governor

Department of Consumer and Business Services  
Building Codes Division  
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## Electrical and Elevator Board

### Amended meeting agenda

**Meeting date:** Thursday, Sept. 22, 2022

**Time:** 9:30 a.m.

**In-person attendance:** Building Codes Division Salem office in Conference Room A

**Virtual connection and online streaming:** View the live meeting or access the connection

Information for the Zoom meeting at: [Oregon.gov/bcd/Pages/bcd-video.aspx](http://Oregon.gov/bcd/Pages/bcd-video.aspx)

#### I. Board business

- A. Call to order
- B. Roll call
- C. Approval of agenda and order of business
- D. Approval of the draft board meeting minutes of [July 28, 2022](#)
- E. Date of the next scheduled meeting: [Nov. 17, 2022](#)

#### II. Public comment

The board will hear public testimony, including testimony from individuals who have signed up in advance.

#### III. Reports and updates

- A. Board vote on consent orders for [cases proposed for resolution](#) as outlined in the enforcement board report (*Board action required*)
- B. Summary of enforcement [cases previously resolved](#) by the division as outlined in the enforcement board report (*No board action required*)
- C. Electrical program update
- D. Elevator program update

#### IV. Communications

*This item is for the division to present advisory information. This is also for the board to review any letters or emails submitted by stakeholders.*

- Board Chair will [announce membership](#) of the 2023 Oregon Electrical Specialty Code Review Committee and selection of Chair (*This Agenda Item was amended following the board meeting. Correction to original memo and an additional document added to the item, which is now included*)

## **V. Appeals**

There are no appeals for this meeting.

## **VI. Unfinished business**

There is no unfinished business for this meeting.

## **VII. New business**

- A. Review and [approval of committee recommendations](#) for new continuing education course and instructor applications
- B. Request received from [Reliance Electric for reconsideration of denial letter](#) and for retroactive approval of courses taught
- C. Request received from [AETech Electrical Training Center for correction](#) of an error on an application and for retroactive approval of courses taught

## **VIII. Announcements**

The Board Chair or Board Members can make announcements during this time.

## **IX. Adjournment**

**State of Oregon  
Electrical and Elevator Board  
Virtual meeting minutes of July 28, 2022**

**Members:** Thomas Kyle, electrical contractor, Chair  
Jon Flegel, journeyman electrician, newly elected Vice-chair  
William Barlow, electrical equipment mfr. industry  
Elizabeth Bunga, building official  
Sarah Currie, journeyman electrician  
Robert McNeill, elevator-manufacturing representative  
Ryan Richards, electrical contractor  
Richard Rudder, owner/manager of a commercial office building  
Al Schacher, electrical equipment supplier  
Randy Smith, electrical inspector

**Members absent:** Amy Beyer, public member  
Vacant, power and light industry  
Vacant, commercial underwriter  
Vacant, industrial plant employing electricians  
*Newest vacancy*, journeyman elevator installer

**Staff:** Alana Cox, Administrator, Building Codes Division  
Todd Smith, manager, Policy and Technical Services (PTS)  
Keith Anderson, electrical program chief, PTS  
Warren Hartung, elevator program chief, Statewide Services  
Andy Boulton, senior policy advisor, PTS  
Julia Hier, manager, Enforcement Services  
Michael Mayorga-Hamilton, contested case representative (CCR)  
Enforcement Services  
Kathy Rowell, CCR, Enforcement Services  
Debi Barnes-Woods, boards administrator, PTS

**Guests:** Stephen Shepherd, Bear Electric  
Bradley Smith, Bear Electric  
Nathan Philips, technical advisor, National Electrical Contractors  
Association (NECA)

**I. Board business**

**A. Call to order**

The Electrical and Elevator Board Hybrid meeting was called to order by Chair Thomas Kyle at 9:30 a.m. July 28, 2022.

**B. Roll call**

*Members in the Board Room:* Chair Thomas Kyle; Vice-chair Jon Flegel; and Ryan Richards. *Virtual attendance:* William Barlow; Elizabeth Bunga; Sara Currie; Rob McNeill; Richard Rudder; Al Schacher; and Randy Smith. *Member excused:* Amy Beyer.

This board continues to meet quorum requirements with having four vacant positions. If you are interested or know someone that would be a great fit in one

of the vacant positions, please visit the Governor's [website](#) to complete or to pass on an on-line application: <https://oregon.wd5.myworkdayjobs.com/Boards>

- *If you need assistance: Use the instructions, starting at step 2, outlined [HERE](#)*

If you are currently a board member that is interested in applying for a second four-year term, or a State of Oregon employee, please click here:

[https://wd5.myworkday.com/oregon/d/task/1422\\$387.html](https://wd5.myworkday.com/oregon/d/task/1422$387.html)

**C. Approval of the agenda and order of business**

There were no changes and no additions to the agenda. Chair Kyle ruled agenda approved as posted.

**D. Approval of the board meeting draft minutes**

Chair Kyle ruled the draft meeting minutes of May 26, 2022, final.

**E. Date of the next regularly scheduled meeting**

Sept. 22, 2022.

**F. Formal farewell to Randy Carmony, elevator installer**

During this Agenda Item, Chair Kyle bid farewell to Randy Carmony and thanked him for his time representing the elevator installer's position. His certificate of service from the Governor and letter of thanks from the Administrator is being sent.

**II. Public comment**

During this time, Senior Policy Advisor Andy Boulton left time for Aleksandr Primachenko, who registered in advance to discuss his recent exam results for a supervisor's license. Mr. Primachenko did not attend, or was available to speak virtually. After waiting a few moments, Mr. Boulton left time available for the virtual audience, no one offered to speak.

**III. Reports**

**A. Board vote on three consent orders for cases proposed for resolution as outlined in the enforcement board report (*Board action required*)**

Kathy Rowell, contested case representative, while present in the Board Room, reviewed each of the seven consent orders previously resolved by the division on behalf of the Electrical and Elevator Board and said each of the consent agreements are consistent with the board's penalty matrix.

Following discussion on the seven cases listed on the enforcement matrix, a motion was required.

**Motion by Ryan Richards** to approve the seven consent orders as presented by Contested Case Representative Rowell and issue final orders.

**Roll call vote taken:**

*Yea:* William Barlow; Elizabeth Bunga; Sara Currie; Rob McNeill; Ryan Richards; Richard Rudder; Al Schacher; Randy Smith; Vice-chair Jon Flegel; and Chair Thomas Kyle.

*Nay:* None.

**Motion carried unanimously.**

**B. Summary of enforcement cases previously resolved by the division as outlined on the enforcement board report (*No board action required*)**

One default order was discussed with no board interaction.

**C. Electrical program update**

Keith Anderson, electrical program chief, while present in the Board Room, discussed a clarification for receptacle box hood covers required in agricultural buildings. The clarification is now posted on the division [website](#).

Chief Anderson also reported that the clean-up process for the supervisor testing bank was well underway and making great progress.

**D. Elevator program update**

Warren Hartung, elevator program chief, Statewide Services, while connected virtually, reported that a new elevator inspector has recently joined the division and is currently in training. He then reviewed the stats sent out to members prior to the meeting.

*(Chair Thomas Kyle discussed Agenda Item I.F. directly following elevator program update)*

**IV. Communications - None**

**V. Appeals - None**

**VI. Unfinished business - None**

**VII. New business**

**A. Board decide on the process and a model code to use as a baseline for the 2023 Oregon Electrical Specialty Code**

Senior Policy Advisor Boulton advised the board that direction was needed from them for determination of the appropriate model code to use as a baseline for the 2023 Oregon Electrical Specialty Code; whether to form a code review committee; and to decide on the time period to accept public proposals.

Member Ryan Richards said he was a member of the review committee during a prior code adoption and was ready to make a motion.

**Motion by Member Ryan Richards** to approve the division's proposed code adoption process steps and recommended base code.

**Roll call vote taken:**

*Yea:* William Barlow; Elizabeth Bunga; Sara Currie; Robert McNeill; Ryan Richards; Richard Rudder; Al Schacher; Randy Smith; Vice-chair Jon Flegel; and Chair Thomas Kyle.

*Nay:* None.

**Motion carried unanimously.**

**B. Board recommendation on technical and scientific facts regarding Statewide Alternate Method No. 22-01; GFCI Protection for Personnel**

Chair Kyle allowed public participation from Stephen Shephard, Bear Electric, to speak while present in the Board Room for five minutes.

Mr. Shephard had a document to distribute related to circuit breaker ratings for maximum output. Industry had concerns about when to or not to install a GFCI circuit breaker. Chief Anderson said that this issue is being addressed. He said that the division has received multiple reports of circuit GFCI nuisance tripping from inspectors and contractors throughout the state. In the past, the board has addressed other instances of nuisance tripping caused by GFCI units by removing the GFCI requirement when necessary. Chief Anderson said that it is appropriate to allow removal of the GFCI protection that would otherwise be required by Section 625.54 and to replace it with a standard over current device.

Chair Kyle said the board is to vote on the technical and scientific facts of the Statewide Alternate Method No. 22-01 regarding GFCI protection for personnel.

**Motion by Member Richards** to approve the technical and scientific facts of the proposed statewide alternate method.

**Roll call vote taken:**

*Yea:* William Barlow; Elizabeth Bunga; Sara Currie; Rob McNeill; Ryan Richards; Richard Rudder; Al Schacher; Randy Smith; Vice-chair Jon Flegel; and Chair Thomas Kyle.

*Nay:* None.

**Motion carried unanimously.**

**C. Review and approval of committee recommendations for new continuing education course and instructor applications**

Senior Policy Advisor Boulton reported that 35 applications from 11 organizations were reviewed by the continuing education committee. Twenty-eight courses were recommended for approval, and two courses recommended for denial. All 13 instructors were recommended for approval.

**Motion by Member Rob McNeill** to approve all committee recommendations for approval or denial of courses or instructors.

**Roll call vote taken:**

**Yea:** William Barlow; Elizabeth Bunga; Sara Currie; Rob McNeill; Ryan Richards; Richard Rudder; Al Schacher; Randy Smith; Vice-chair Flegel; and Chair Kyle.

**Nay:** None.

**Motion carried unanimously.**

**D. Request from Scott Charpentier for board decision on renewal extension for hardship or illness**

Senior Policy Advisor Boulton said that Scott Charpentier wrote a request to the board under the hardship waiver for extension of his continuing education requirements. Mr. Charpentier was not available for discussion.

Member Ryan Richards wanted all to completely understand the requirements and time allowed to complete the requirements for a license renewal and asked that it be explained. Chief Anderson said that in 2020 all licenses that required completion of division-approved continuing education and to pay a fee, were extended because of COVID. Licenses that were due for renewal October 1 were all extended to January 15 because of COVID. Then, under normal circumstances, and during COVID the license has an additional 12-month grace period to complete all requirements before the license becomes expired requiring an individual to retest.

**Motion by Member Richards** to deny the request by Mr. Charpentier for a hardship waiver because ample time was given to complete all requirements of his electrical license.

**Roll call vote taken:**

**Yea:** William Barlow; Sara Currie; Rob McNeill; Ryan Richards; Richard Rudder; Al Schacher; Randy Smith; Vice-chair Flegel; and Chair Kyle.

**Nay:** Elizabeth Bunga.

**Motion carried.**

**VIII. Announcements - None**

**IX. Adjournment**

The meeting of the Electrical and Elevator Board was adjourned at 10:00 a.m. by Chair Thomas Kyle.

Draft meeting minutes were respectfully written and submitted by Debi Woods, division boards administrator/coordinator.

**State of Oregon**

**Board memo**

**Building Codes Division**

**September 22, 2022**

**To:** Electrical and Elevator Board

**From:** Michael Mayorga-Hamilton, contested case representative, Enforcement Services

**Subject:** Consent orders for cases resolved on behalf of the Electrical and Elevator Board

**Action requested:**

To consider the adoption of recent consent orders and issue final orders.

**Background:**

The board, through division staff, implemented a civil penalty matrix for electrical violations. The penalty matrix establishes civil penalties based upon the type and number of violations committed within five years of the date of the present violations. The penalty matrix further provides that a stay of some portion of a penalty is within the sole discretion of the board or the division acting on the board's behalf for purposes of settling cases prior to hearing.

The Enforcement Section, acting on behalf of the board, has entered into a consent agreement in eight (8) cases since the board's July 28, 2022, meeting. A copy and summary of the consent orders is included for your review.

The consent orders contain the following conditions, any additions or exceptions to these conditions is noted with the individual case information:

- Respondent agrees to fully cooperate with the division's enforcement efforts.
- Respondent understands that further enforcement action may be taken for any other violations.
- Respondent understands that failure to comply with the consent orders may be used as a basis for the denial, suspension, revocation, or conditioning of a license, certificate, or registration.

In these cases, the penalty amounts assessed, amounts suspended, and amounts due and payable are consistent with the board's penalty matrix.

## Electrical and Elevator Board Enforcement Report for September 22, 2022

Summary Report - Consent Orders						
Case #	Name	Violation relating to Electrical and Elevator Board	Location	Date of Violation	Civil Penalty	Other Comments
C2020-0006	Pro-Stat Services	Installation of electrical outlets, wall switches, indoor and outdoor lighting, and electrical wiring. <ul style="list-style-type: none"> <li>● Failed to assure that all electrical work was made by, or under the direct supervision or control of, a continuously employed full-time signing supervising electrician acting within the scope of their license</li> </ul>	Portland	January 2020 - November 2020	Assessed: \$2,000 Imposed: \$1,000 Suspended: \$1,000	Respondent's electrical contractor license shall be conditioned on the following: <ul style="list-style-type: none"> <li>● Respondent shall provide the Division with four quarterly reports for one year.</li> <li>● The quarterly reports shall include a list of all jobs worked on during the quarter, each customer's name and address, a list of all employees working on each job, copies of all invoices from each job, and copies of all permits issued for each job (jobs under \$1,000 are exempt from quarterly reports).</li> </ul>
C2021-0153	Koriukalov, Leonid	Installation of electrical wiring to electrical panels. <ul style="list-style-type: none"> <li>● Performed unlicensed work</li> </ul>	Portland	May 2021	Assessed: \$2,000 Imposed: \$250 Suspended: \$1,750	
C2021-0178	Ehsan's Interior Remodeling LLC	Installation of electrical boxes and electrical conductors. <ul style="list-style-type: none"> <li>● Performed work without an electrical contractor's license;</li> <li>● Allowed unlicensed work</li> </ul>	Portland	August 2021 - October 2021	Assessed: \$5,000 Imposed: \$500 Suspended: \$4,500	

Case #	Name	Violation relating to Electrical and Elevator Board	Location	Date of Violation	Civil Penalty	Other Comments
C2021-0213	Ehsan Hosseini	Installation of electrical boxes and electrical conductors. <ul style="list-style-type: none"> <li>● Performed unlicensed work</li> <li>● No permit</li> </ul>	Portland	August 2021 - October 2021	Assessed: \$3,000 Imposed: \$500 Suspended: \$2,500	
C2021-0214	Ihn C. Shin	Terminated switch gears, ran conduit, pulled cables and installed transformers. <ul style="list-style-type: none"> <li>● Signing supervisor allowed unlicensed work</li> <li>● Procured and assisted in the performance of unlicensed electrical installations</li> </ul>	Hillsboro	April 2021 - August 2021	Assessed: \$5,000 Imposed: \$1,000 Suspended: \$4,000	
C2021-0215	Vital Construction & Electric, LLC	Terminated switch gears, ran conduit, pulled cables and installed transformers. <ul style="list-style-type: none"> <li>● Allowed unlicensed electrical work</li> </ul>	Hillsboro	April 2021 - August 2021	Assessed: \$2,000 Imposed: \$500 Suspended: \$1,500	
C2021-0190	Louis Luna	Terminated switch gears, ran conduit, pulled cables and installed transformers. <ul style="list-style-type: none"> <li>● Performed unlicensed work</li> </ul>	Hillsboro	April 2021 - August 2021	Assessed: \$2,000 Imposed: \$250 Suspended: \$1,750	
C2022-0017	Jeffrey Sprague	Installation of electrical wiring, circuits, breakers, conductors, outlet boxes, and ground rod. <ul style="list-style-type: none"> <li>● Performed unlicensed work</li> <li>● No electrical contractor license</li> <li>● No permit</li> </ul>	Salem	January 2022	Assessed: \$6,000 Imposed: \$750 Suspended: \$5,250	

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

2 **IN THE MATTER OF:**

**CONSENT ORDER**

3  
4 **PRO-STAT SERVICES, LLC,**  
5 **A DOMESTIC LIMITED LIABILITY**  
6 **COMPANY,**

7 **RESPONDENT.**

**BCD CASE C2020-0006**

8 **INTRODUCTION**

9 The Building Codes Division (Division) conducted an investigation on behalf of the  
10 Electrical and Elevator Board of the State of Oregon (Board) and determined that Pro-Stat Services,  
11 LLC (Respondent) violated certain provisions of the Division’s statutes and administrative rules as  
12 identified below.

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

17 **FINDINGS OF FACT**

- 18 1. On or about October 13, 2009, Respondent registered as a foreign limited liability company  
19 with the Oregon Secretary of State.
- 20 a. Brandon Krueger (Krueger) is listed as the registered agent.
- 21 2. Since on or about March 13, 2010, Respondent has held Construction Contractor Board  
22 license<sup>1</sup> number 189902.
- 23 3. Since on or about March 22, 2010, Respondent has held valid Oregon electrical contractor  
24 license number C597.
- 25

<sup>1</sup> Krueger is listed as the responsible managing individual, owner, and member.

1 4. From on or about January 7, 2013, through on or about November 5, 2020, Bruce Leiby  
2 (Leiby)<sup>2</sup> was employed and listed as Respondent’s registered signing supervising  
3 electrician.

4 a. At all relevant times, Leiby held Oregon general supervising electrician license  
5 number 2275S.

6 5. At all relevant times, during Leiby’s employment with Respondent, the following applied:

7 a. Leiby’s monthly salary was \$1,200.00 with the potential to earn additional hourly  
8 pay when assisting with onsite electrical work;

9 b. Leiby did not speak daily with Respondent but Krueger stated Leiby “was around  
10 when needed”;

11 c. Krueger stated Leiby “does work on....on, yeah he does have his own jobs he works  
12 on, yeah” and that Leiby “will, he does projects like...you know, where he’s  
13 working on his own most of the time.”

14 6. From in or around January 2019 through in or around November 2020, Leiby listed  
15 Respondent’s name as the electrical contractor and used Krueger’s payment information to  
16 obtain a total of twenty-six (26) electrical permits.

17 a. Respondent had no record of invoices, bids, or payment confirmation for the  
18 electrical work performed.

19 7. At all relevant times, Leiby both performed the electrical work himself and hired unlicensed  
20 individuals to perform the electrical work for the following permits:

21 a. Permit number 2019-0260871ET; described as “small kitchen remodel (4) ckts” for a  
22 residence at 9842 SW 60<sup>th</sup> Avenue in Portland, Oregon (60<sup>th</sup> Avenue property).

23 b. Permit number 195778ET, described as “remodel bottom level of a split level home  
24 into an adult foster care facility” at a residence located at located at 12405 N.E.  
25

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<sup>2</sup> See related Division case C2020-0007 against Leiby.

1 Fremont Street in Portland, Oregon (the Fremont property).

- 2 c. Permit number 19-107900ET, described as “200 amp 120/240 volt single phase  
3 service change” for a residence located at 13533 S.E. Division Street in Portland,  
4 Oregon.
- 5 d. Permit number 19-118815ET, described as a “125amp 120/2240 single phase  
6 service” for a commercial building located at 8008 S.E. 82<sup>nd</sup> Avenue in Portland,  
7 Oregon.
- 8 e. Permit number 19-193025ET, described as “R&R 200Amp panel box—only plus 5  
9 kitchen circuits.” for a residence located at 11718 S.W. 41<sup>st</sup> Avenue in Portland,  
10 Oregon.
- 11 f. Permit number 19-138405ET, described as “wiring and services for a main residence  
12 and A.D.U.,” for a residence located at 8780 #1 and 8780 #2 S.E. Flavel Street, in  
13 Portland, Oregon.
- 14 g. Permit number 19-193016ET, described as “check, inspect & repair prior wiring  
15 done in past.” for a residence located at 5936 S.W. 30<sup>th</sup> Avenue in Portland, Oregon.
- 16 h. Permit number 19-234077ET, described as “200amp service change and 10 branch  
17 circuits” for a residence located at 935 N.E. 78<sup>th</sup> Avenue, in Portland, Oregon.
- 18 i. Permit number 19-241348ET, described as “kitchen—six circuit rewire.” for a  
19 residence located at 1815 N.E. Junior Street in Portland, Oregon.
- 20 j. Permit number 19-237025ET, described as “kitchen remodel” for a residence located  
21 at 7832 S.W. Ruby Terrace, in Portland, Oregon.
- 22 k. Permit number 19-237858ET, described as “ten (10) circuit remodel to kitchen,  
23 bathroom & other rooms. All circuits were finished in. Includes 100A panel.” for a  
24 residence located at 722 N.E. Skidmore Street in Portland, Oregon.
- 25 l. Permit number 19-161321RS, described as “100Amp service panel replacement &

1 basement and kitchen remodel.” for a residence located at 7518 N.E. Pacific Street in  
2 Portland, Oregon.

3 m. Permit number 19-251155ET, described as “200 AMP meter/main.... to existing  
4 house 200AMP. Circuit breaker pre-wired.” for a residence located at 6344 N.E.  
5 Cleveland Avenue in Portland, Oregon.

6 n. Permit number 19-251156ET, described as “200 AMP service panel changeout,” for  
7 a residence located at 2206 S.E. Woodward Street, in Portland, Oregon.

8 o. Permit number 19-253558ET, described as “2 ckts for security cabinet. 2 ckts for  
9 display case” for a commercial building located at 6218 N.E. Columbia Blvd. in  
10 Portland, Oregon.

11 p. Permit number 19-188526ET, described as “four branch ckts, lites & plugs” for a  
12 residence located at 5216 N. Albina Avenue, in Portland, Oregon.

13 q. Permit number 19-251160ET, described as “200amp 120/240 volts single phase  
14 service. Change (meter/main) with new panel in basement. Moving old panel +  
15 furnace circuit” for a residence located at 2515 N. Lombard Blvd. in Portland,  
16 Oregon.

17 r. Permit number 19-157018ET, described as “3 branch circuits, repair and/or replace”  
18 for a residence located at 12717 S.E. Lincoln Street, in Portland, Oregon.

19 s. Permit number 19-260487ET, described as “service change to main house and new  
20 ADU building in back yard” for a residence located at 2617 S.E. 67<sup>th</sup> Avenue, in  
21 Portland, Oregon.

22 t. Permit number 19-193015ET, described as “200 amp 120/240 volt . . . service  
23 change and 15 branch circuits” for a residence located at 2626 N.E. Multnomah  
24 Street, in Portland, Oregon.

25 u. Permit number 20-101878ET, described as “200amp service upgrade—stack service

1 meter & service panel & branch circuits” for a residence located at 2122 S.E. 35<sup>th</sup>  
2 Place, in Portland, Oregon.

3 v. Permit number 20-103922ET, described as “200 amp panel change plus kitchen  
4 remodel with 12-ckts” for a residence located at 6140 S.E. Reedway Street, in  
5 Portland, Oregon.

6 w. Permit number 20-103914ET, described as “1,074sf addition to existing house with  
7 100amp sub panel & 19 branch circuits” for a residence located at 1123 S.E. 148<sup>th</sup>  
8 Avenue in Portland, Oregon.

9 x. Permit number 20-124569ET, described as “four (4) 120 volt plugs on two (2)  
10 circuits” for a residence located at 123 N.W. Flanders Street in Portland, Oregon.

11 y. Permit number 20-101895ET, described as “200amp service change—complete +  
12 washer ckt” for a residence located at 5634 N.E. 16<sup>th</sup> Avenue in Portland, Oregon  
13 (16<sup>th</sup> Avenue property).

14 z. Permit number 2020-171790ET, described as “install a new 70 ampere HVAC  
15 system” at an Oregon Department of Transportation (ODOT) facility located at 3700  
16 SE 92<sup>nd</sup> Avenue in Portland, Oregon (ODOT property).

17 8. Respondent has records of invoices for twenty-seven (27) out of fifty-three (53) electrical  
18 permits obtained by Leiby for electrical work with Respondent’s oversight and involvement;  
19 but, Respondent does not have records of invoices for the foregoing twenty-six (26)  
20 electrical permits obtained by Leiby.

21 9. Related to permit number 2019-0260871ET for a residence at the 60<sup>th</sup> Avenue property:

22 a. On or about July 4, 2019, Carlos Cortes (Cortes), the general contractor of PDX  
23 Commercial Improvements, LLC, submitted a bid to the 60<sup>th</sup> Avenue property  
24 homeowner.  
25

1 b. Cortes hired Leiby<sup>3</sup> to perform the electrical work and Cortes stated Leiby  
2 supervised and managed a crew of two (2) workers, including Gildardo Hernandez-  
3 Soto (Hernandez)<sup>4</sup>, who performed the following electrical work at the 60th Avenue  
4 property<sup>5</sup>:

- 5 i. Installed new indoor and outdoor lighting fixtures;
- 6 ii. Installed new electrical outlets;
- 7 iii. Installed new wall switches; and,
- 8 iv. Installed new electrical wiring into the walls and ceilings.

9 c. On or about November 11, 2019, Cortes paid Hernandez with a check for \$2,100.00  
10 and on or about November 25, 2019, Cortes paid Hernandez with a check for  
11 \$1,100.00.

12 d. At no relevant time did Hernandez hold a valid Oregon supervising or journeyman  
13 electrician's license.

14 e. At no relevant time did Hernandez hold a valid Oregon limited residential  
15 electrician's license.

16 f. At no relevant time was Hernandez employed by Respondent.

17 10. Related to permit number 195778ET at the Fremont property:

18 a. Leiby and his "workers" performed the electrical work during a remodel of ground-  
19 floor at the Fremont property.

20 b. The homeowner paid Leiby \$8,000.00 in cash, but Leiby did not provide a bid,  
21 receipt, invoice, or any other confirmation of payment.

22 c. Respondent has a record of the permit being obtained by Leiby but does not have an  
23 invoice or record of payment.

24 <sup>3</sup> Cortes initially believed he was hiring Respondent who employed Leiby but Cortes did not receive an invoice or any  
25 documentation from Respondent. At no relevant time did Respondent have an invoice for the 60<sup>th</sup> Avenue property.

<sup>4</sup> See related Division case C2020-0073 against Hernandez.

<sup>5</sup> Cortes stated Hernandez provided Leiby's name when Cortes asked to speak to Hernandez's supervisor about the poor work quality, product, and inspection results at the 60<sup>th</sup> Avenue property.

1 11. Related to permit number 20-101895ET at the 16th Avenue property:

2 a. In or around January 2020, Leiby hired Juan Ruiz (Ruiz)<sup>6</sup> to perform the following  
3 electrical work at the 16th Avenue property:

4 i. Install a 200-ampere meter;

5 ii. Install a new electrical distribution panel; and,

6 iii. Install two (2) new electrical circuits for the washer and dryer outlets<sup>7</sup>.

7 b. Ruiz provided the homeowner of the property a bid<sup>8</sup> to perform the work for  
8 \$2,500.00 and the homeowner paid Ruiz \$1,500.00 in cash.

9 12. On or about January 15, 2020, Electrical Inspector John Jassman performed an electrical  
10 inspection at a residence located the 16<sup>th</sup> Avenue property and determined that the electrical  
11 installations performed by Ruiz were not up to code.

12 a. At no relevant time did Ruiz hold a valid Oregon supervising or journeyman  
13 electrician's license.

14 b. At no relevant time did Ruiz hold a valid Oregon limited residential electrician's  
15 license.

16 c. At no relevant time was Ruiz employed by Respondent.

17 13. Related to permit number 2020-171790ET at the ODOT property:

18 a. Luis Umana (Umana), the coordinator of construction projects for ODOT stated  
19 Omar Arellanos (Arellanos) of A&S Construction (A&S) was the general contractor  
20 hired for the ODOT property.

21 b. When Arellanos hired Leiby to perform the electrical work at the ODOT property, he  
22 believed he was hiring Respondent as the electrical contractor and Leiby as the  
23 general supervising electrician.

24  
25 <sup>6</sup> See related Division case C2020-0005 against Ruiz.

<sup>7</sup> This included connecting the distribution panel with new electrical wiring terminating at the two (2) electrical outlets.

<sup>8</sup> The homeowner showed Division Investigator Russ Darling a text message from Ruiz that served as a bid for the electrical work performed, but the homeowner did not want to provide a copy.

1 c. Arellanos stated Leiby performed the following electrical work at the ODOT  
2 property and was assisted by an unknown individual:

- 3 i. Install a new 70 ampere HVAC system;  
4 ii. Install a supply fan; and,  
5 iii. Install an exhaust fan system.

6 14. Arellanos provided a check issued directly to Leiby for the electrical work performed at the  
7 ODOT property<sup>9</sup>.

#### 8 **APPLICABLE LAW**

- 9 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS  
10 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (OAR) 918-001-0005,  
11 OAR 918-030-0010, and OAR 918-251-0090.
- 12 2. Under ORS 479.530(10), “Electrical installations” means the construction or installation of  
13 electrical wiring and the permanent attachment or installation of electrical products in or on  
14 any structure that is not itself an electrical product. “Electrical installation” also means the  
15 maintenance or repair of installed electrical wiring and permanently attached electrical  
16 products.
- 17 3. Under ORS 479.530(11), “Electrical product” means any electrical equipment, material,  
18 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to  
19 install and either conveys or is operated by electrical current.
- 20 4. Under ORS 479.620(3), except as provided in ORS 479.620(5), a person may not make any  
21 electrical installation without a supervising or journeyman electrician’s license.
- 22 5. Under ORS 479.620(5), a person may not make any electrical installation on a single or  
23 multifamily dwelling unit not exceeding three floors above grade, as provided in ORS  
24 479.630(14), without a limited residential electrician’s license.

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<sup>9</sup> While Respondent has a record of the permit, the ODOT property electrical work was accomplished and invoiced by Leiby who was paid directly.

- 1 6. Under OAR 918-282-0015, electrical contractors engaged in the business of making  
2 electrical installations that require a signing supervising electrician shall assure that all  
3 electrical work is made by, or under the direct supervision or control of, a continuously  
4 employed full-time signing supervising electrician acting within the scope of their license.
- 5 7. Under OAR 918-282-0140(1), a general supervising electrician, when working for or as an  
6 electrical contractor requiring a signing supervisor:
- 7 a. Directs, supervises, makes, or controls the making of electrical installations;
  - 8 b. May design, plan, and lay out work for the customers of the contractor with whom  
9 the supervising electrician is continuously employed; and
  - 10 c. Is the only individual authorized to direct, supervise, or control the installation or  
11 alteration of an electrical service.
- 12 8. Under OAR 918-282-0140(2)(f), a general signing supervising electrician when working for  
13 or as an electrical contractor must ensure electricians have proper licenses for the work  
14 performed, and may not permit either by assent or failure to prevent, an individual to  
15 perform work for which they are not properly licensed.
- 16 9. Under ORS 455.450(2), a person may not engage in, or procure or assist any other person to  
17 engage in, any conduct or activity for which a permit, label, license, certificate, registration,  
18 or other formal authorization is required by any specialty code, any provision of ORS  
19 chapter 455, or any rule adopted or order issued for the administration and enforcement of  
20 those provisions, without first having obtained such permit, label, license, certificate,  
21 registration, or other formal authorization.
- 22 10. Under ORS 455.129(2)(a), a regulatory body may deny a license, certificate, registration, or  
23 application or may suspend, revoke, condition, or refuse to renew a license, certificate, or  
24 registration if the regulatory body finds that the licensee, certificate holder, registrant, or  
25

1 applicant has failed to comply with the laws administered by the regulatory body or with the  
2 rules adopted by the regulatory body.

- 3 11. Under ORS 455.129 (3)(b), the Board may deny a license, certificate, registration, or  
4 application or may suspend, revoke, condition, or refuse to renew a license, certificate, or  
5 registration for those reasons enumerated in ORS 455.129(2).

### 6 CONCLUSIONS OF LAW

- 7 1. Electrical outlets, wiring, wall switches, indoor and outdoor lighting fixtures constitutes as  
8 electrical products under ORS 479.530(11).
- 9 2. Installing electrical outlets, wall switches, indoor and outdoor lighting, and electrical wiring  
10 constitutes as electrical installations under ORS 479.530(10).
- 11 3. Pursuant to ORS 479.620(3) and ORS 479.620(5), Ruiz and Hernandez must hold a valid  
12 Oregon supervising or journeyman electrician's license or, in certain circumstances, an  
13 Oregon limited residential electrician's license in order to perform electrical installations.
- 14 4. Pursuant to OAR 918-282-0015, Respondent is required to assure that all electrical work is  
15 made by, or under the direct supervision or control of continuously employ a full-time  
16 general supervising electrician acting within the scope of their license, because Respondent  
17 holds Oregon electrical contractor license number C597.
- 18 5. By permitting, either by assent or by failure to prevent, Ruiz and Hernandez to perform  
19 electrical installations at the 16<sup>th</sup> Avenue and 60<sup>th</sup> Avenue properties, for which they were  
20 not properly licensed, Leiby acted outside the scope of his signing supervisor license; and,  
21 therefore, Leiby violated OAR 918-282-0140(2)(f) on two (2) separate occasions.
- 22 6. Because Leiby acted outside the scope of his signing supervisor license by violating OAR  
23 918-282-0140(2)(f) on two (2) separate occasions, Respondent did not continuously employ  
24 Leiby under OAR 918-282-0015.
- 25

1 7. Because Respondent did not continuously employ Leiby under OAR 918-282-0015,  
2 Respondent acted outside the scope of its electrical contractor license number C597; and,  
3 therefore, Respondent violated OAR 918-282-0015.

4 8. By violating OAR 918-282-0015, Respondent has failed to comply with the rules  
5 administered and adopted by the Board; and, therefore Respondent's electrical contractor  
6 license number C597 may be suspended under ORS 455.129(2)(a).

7 9. The Board may suspend Respondent's electrical contractor license number C597 pursuant to  
8 ORS 455.129(3)(b).

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**ORDER**

1. The Board hereby assesses a total civil penalty of \$2,000.00 against Respondent for violating OAR 918-282-0015 as follows:

a. \$1,000.00 of the total civil penalty will be suspended for a period of five years if there is compliance with all other terms of this Consent Order.

b. Respondent agrees to pay the remaining \$1,000.00 of the civil penalty in a lump sum payment. Respondent's payment must be received no later than the 25<sup>th</sup> day of the month following the month in which this Consent Order becomes a final order. *(An invoice will be included with Respondent's copy of the final order after it is fully executed by both parties. Respondent understands timely payments must be made even if no invoice is ever received.)* Payment shall be mailed to Department of Consumer and Business Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-0445. ***NOTE: If you fail to make your lump sum payment as stated in this signed Consent Order, this account may be assigned to the Department of Justice, Department of Revenue, or a private collection agency. You will be responsible for any court costs, attorney fees, any other necessary fees related to the collection of this debt, and any interest or penalties accrued. This debt may also appear on future credit reports.*** For payment questions call 971-375-7087.

2. Respondent's electrical contractor license number C597 shall be conditioned as follows:

a. Respondent shall provide the Division with four (4) quarterly reports for a one year period during the reporting periods and on the report due dates listed below:

i. The first quarterly reporting period is from September 1, 2022, through November 30, 2022, and the report must be submitted to the Division on or before December 25, 2022;

1           ii. The second quarterly reporting period is from December 1, 2022, through  
2           February 28, 2023, and the report must be submitted to the Division on or  
3           before March 25, 2023;

4           iii. The third quarterly reporting period is from March 1, 2023, through May 31,  
5           2023, and the report must be submitted to the Division on or before June 25,  
6           2023;

7           iv. The fourth quarterly reporting period is from June 1, 2023, through August  
8           31, 2023, and the report must be submitted to the Division on or before  
9           September 25, 2023.

10          b. The quarterly reports shall include: a list of all jobs worked on during the quarter  
11          with each customer's name and address (including jobs reported in a previous  
12          quarter's report if the job runs longer than one quarter); a list of all employees  
13          working on each job; copies of all invoices from each job; and copies of all permits  
14          issued for each job.

15                  i. Jobs where the total invoice amount for the property address is under \$1,000  
16                  are exempt from the quarterly reports.

17          c. The quarterly reports shall report all work done in the reporting period.

18          d. The quarterly reports shall be submitted by regular or electronic mail. If mailed, they  
19          shall be sent to Building Codes Division, Enforcement Section, P.O. Box 14470,  
20          Salem, Oregon, 97309. If e-mailed, they shall be e-mailed to  
21          BCD.Complaint@dcbs.oregon.gov.

22          3. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases  
23          that rely on the facts underlying this case. Cooperation may include, but may not be limited  
24          to, making sworn statements or testifying in administrative hearings.

25          4. Respondent understands that further enforcement action may be taken for any violation of

1 the Division's statutes or rules not alleged in this Consent Order, whether committed before  
2 or after the execution of this Consent Order, and/or for any violation of the terms of this  
3 Consent Order.

4 5. Respondent understands that failure to comply with this Consent Order may be used as a  
5 basis for the denial of future license, certificate, registration, or other applications, or for the  
6 refusal to renew the same; for the suspension, revocation, or conditioning of a license,  
7 certificate, or registration issued by the Division or other state agencies; and/or for any other  
8 reason provided for in law.

9 6. Respondent understands that this Consent Order is a public record.

10 7. Respondent has read and fully understands the terms of this Consent Order, freely and  
11 voluntarily consents to the entry of this Consent Order without any force or duress, and  
12 expressly waives all rights to hearing or judicial review in this matter.

13 8. Respondent understands that, upon signature of all parties, this Consent Order will be a  
14 Final Order.

15 

16 \_\_\_\_\_ It is so agreed this 29 day of August, 2022.  
17 Brandon Krueger on behalf of Pro-Stat Services LLC

18 \_\_\_\_\_ for It is so agreed this \_\_\_\_ day of \_\_\_\_\_, 2022.  
19 Chair  
20 Electrical and Elevator Board  
21 State of Oregon  
22  
23  
24  
25

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

**IN THE MATTER OF:**

**CONSENT ORDER**

**LEONID KORIUKALOV,  
AN INDIVIDUAL,**

**RESPONDENT.**

**BCD CASE C2021-0153**

**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 Leonid Koriukalov (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. Since on or about April 9, 2015, Power Line Electric Incorporated (Power Line)<sup>1</sup> has held Oregon electrical contractor license number C1099.
2. At all relevant times Eugene Aleksandrovich Volosevych (Volosevych)<sup>2</sup> has been owner, president and a corporate officer of Power Line<sup>3</sup>.
3. From in or around January 2017, through in or around August 2021<sup>4</sup>, Power Line employed

<sup>1</sup> See related Division case number C2021-0152 against Power Line.

<sup>2</sup> See related Division case number C2021-0155 against Volosevych.

<sup>3</sup> Volosevych stated his duties included assigning daily electrical work tasks to Power Line's employees.

<sup>4</sup> Pyasetskiy stated he resigned due to a concern of being directed by Power Line and Volosevych to perform unlicensed electrical work.

1 Eugene Pyasetskiy (Pyasetskiy)<sup>5</sup> as an apprentice electrician.

2 a. On or about September 10, 2020, Pyasetskiy's apprenticeship in Washington was  
3 cancelled.

4 b. On or about March 3, 2021, Pyasetskiy's Oregon reciprocal license expired.

5 4. At all relevant times Power Line employed Respondent, as an apprentice electrician.

6 a. On or about August 13, 2021, the Oregon Bureau of Labor & Industries (BOLI)  
7 confirmed that Respondent was allowed to perform supervised electrical work  
8 through the Washington-Oregon reciprocal agreement.

9 5. In or around May 2021, Power Line was hired to perform rough-in electrical installation  
10 work in apartment buildings seven (7) and eight (8) at the North Bethany Crest Apartments  
11 located at 15752 NW Ernst Street in Portland, Oregon (the job site).

12 6. On or about August 6, 2021, Respondent and Pyasetskiy, on Power Line's behalf and  
13 directed by Volosevych, installed one-hundred ampere electrical "service wire" relating to  
14 electrical distribution panels in individual apartments units at the job site.

15 a. At no relevant time were Respondent or Pyasetskiy directly supervised by an  
16 individual holding a journeyman electrician license or higher license classification  
17 on the job site.

18 7. At no relevant time did Respondent or Pyasetskiy hold an indirect supervision electrical  
19 apprentice license.

20 8. At no relevant time did Respondent or Pyasetskiy hold a supervising or journeyman  
21 electrician's license.

22 9. On or about June 11, 2020, permit number ELEC-2005582 was issued for 1,000-amp  
23 service & 15 circuits at the job site<sup>6</sup>.

24 ///

25 \_\_\_\_\_  
<sup>5</sup> See related Division case number C2021-0154 against Pyasetskiy.

<sup>6</sup> Volosevych is listed as the applicant and Power Line is listed as the licensed professional.

**APPLICABLE LAW**

1. Definitions for terms used in this Notice may be found in ORS 183.310, ORS 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (OAR) 918-001-0005, OAR 918-030-0010, and OAR 918-251-0090.
2. Under ORS 479.530(10), “Electrical installations” means the construction or installation of electrical wiring and the permanent attachment or installation of electrical products in or on any structure that is not itself an electrical product. “Electrical installation” also means the maintenance or repair of installed electrical wiring and permanently attached electrical products.
3. Under ORS 479.530(11), “Electrical product” means any electrical equipment, material, device or apparatus that, except as provided in ORS 479.540, requires a license or permit to install and either conveys or is operated by electrical current.
4. Under ORS 479.620(3), a person may not make any electrical installation without a supervising or journeyman electrician’s license.
5. Under ORS 479.630, an electrical apprentice’s license is issued to applicants who comply with ORS 660.002 to 660.210. OAR 918-282-0270 further states that an apprenticeship licenses are issued to individuals registered in formal electrical apprenticeship programs recognized by the board and the Oregon Bureau of Labor and Industries under ORS Chapter 660.
6. Under OAR 839-011-0280, all electrical apprentices must be directly supervised in accordance with OAR 839-011-0143 unless approved for indirect supervision.
7. Under OAR 918-282-0270(5), an apprentice is required to either hold an indirect supervision electrical apprentice license or be directly supervised by a journey worker in the same or a higher license classification

1 8. Under OAR 839-011-0143(6), an apprentice must be supervised by a journey worker in the  
2 same or a higher license classification than the apprentice unless the local committee that the  
3 apprentice is registered to has approved supervision by a journey worker holding a license  
4 covering the specific work being performed by the apprentice on the job site.

#### 5 CONCLUSIONS OF LAW

- 6 1. Electrical wiring and electrical panels constitute electrical products under ORS 479.530(11).  
7 2. Installing electrical wiring to the electrical panels constitute electrical installations under  
8 ORS 479.630(10).  
9 3. Respondent acted outside the scope of his apprentice license by performing the foregoing  
10 electrical installations at the job site, on behalf of Power Line and at the direction  
11 Volosevych, without any direct supervision as required under OAR 918-282-0270(5).  
12 4. By performing the foregoing electrical installations at the job site, without holding a  
13 journeyman or general supervising electrician's license and while acting outside the scope of  
14 his apprentice license, Respondent violated ORS 479.620(3).

#### 15 ORDER

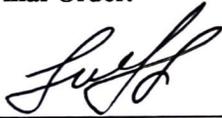
- 16 1. The Board hereby assesses a total civil penalty of \$2,000.00 against Respondent for  
17 violating ORS 479.620(3) as follows:  
18 a. \$1,750.00 of the total civil penalty will be suspended for a period of five years if  
19 there is compliance with all other terms of this Consent Order.  
20 b. Respondent agrees to pay the remaining \$250.00 of the civil penalty. Respondent  
21 will make five (5) monthly payments of \$50.00 that must be received no later than  
22 the 25<sup>th</sup> day of each month in the amount of \$50.00 per month. Respondent's first  
23 payment shall be received no later than the 25<sup>th</sup> day of the month following the  
24 month in which this Consent Order becomes a final order. *(An invoice will be*  
25 *included with Respondent's copy of the final order after it is fully executed by both*

1 **parties. Respondent understands timely payments must be made even if no invoice**  
2 **is ever received.)** Payments shall be mailed to Department of Consumer and  
3 Business Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-0445.  
4 **NOTE: If you fail to make timely payments as stated in this signed Consent Order,**  
5 **the payment agreement becomes void. In addition, this account may be assigned to**  
6 **the Department of Justice, Department of Revenue, or a private collection agency.**  
7 **You will be responsible for any court costs, attorney fees, any other necessary fees**  
8 **related to the collection of this debt, and any interest accrued. This debt may also**  
9 **appear on future credit reports.** For payment questions call 973-375-7087.

- 10 c. Respondent understands the suspended civil penalty (\$1,750.00) will be considered  
11 satisfied five years after this Consent Order becomes a final order, provided  
12 Respondent complies with its terms and has not committed any further violations of  
13 the Division's statutes and rules within that five-year period. Respondent  
14 understands and agrees that upon a showing that Respondent has not complied with  
15 the terms of this Consent Order or that Respondent has committed any further  
16 violations of the Division's statutes or rules within the five-year period, the entire  
17 civil penalty, including any suspended amount, will become due and payable. Failure  
18 to comply with this Consent Order includes, but is not limited to, failure to pay the  
19 civil penalty amount due by the due date.
- 20 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases  
21 that rely on the facts underlying this case. Cooperation may include, but may not be limited  
22 to, making sworn statements or testifying in administrative hearings.
- 23 3. Respondent understands that further enforcement action may be taken for any violation of  
24 the Division's statutes or rules not alleged in this Consent Order, whether committed before  
25 or after the execution of this Consent Order, and/or for any violation of the terms of this

1 Consent Order.

- 2 4. Respondent understands that failure to comply with this Consent Order may be used as a  
3 basis for the denial of future license, certificate, registration, or other applications, or for the  
4 refusal to renew the same; for the suspension, revocation, or conditioning of a license,  
5 certificate, or registration issued by the Division or other state agencies; and/or for any other  
6 reason provided for in law.
- 7 5. Respondent understands that this Consent Order is a public record.
- 8 6. Respondent has read and fully understands the terms of this Consent Order, freely and  
9 voluntarily consents to the entry of this Consent Order without any force or duress, and  
10 expressly waives all rights to hearing or judicial review in this matter.
- 11 7. Respondent understands that, upon signature of all parties, this Consent Order will be a  
12 Final Order.

13 

14 Leonid Koriukalov

It is so agreed this 22 day of July, 2022.

15  
16 \_\_\_\_\_ for It is so agreed this \_\_\_\_ day of \_\_\_\_\_, 2022.  
17 Chair  
18 Electrical and Elevator Board  
19 State of Oregon  
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1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 **IN THE MATTER OF:**

**CONSENT ORDER**

3  
4 **EHSAN'S INTERIOR REMODELING LLC,  
5 A DOMESTIC LIMITED LIABILITY  
6 COMPANY,**

7 **RESPONDENT.**

**BCD CASE C2021-0178**

8  
9 **INTRODUCTION**

10 The Building Codes Division (Division) conducted an investigation on behalf of the  
11 Electrical and Elevator Board of the State of Oregon (Board) and determined that Ehsan's Interior  
12 Remodeling LLC (Respondent) violated certain provisions of the Division's statutes and  
13 administrative rules as identified below.

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

18 **FINDINGS OF FACT**

- 19 1. On or about January 20, 2016, Respondent registered with the Oregon Secretary of State as a  
20 domestic limited liability company.
- 21 2. At all relevant times, Respondent held Construction Contractor's Board license number  
22 209090.
- 23 a. At all times relevant, Ehsan Hosseini (Hosseini)<sup>1</sup> was listed as Respondent's RMI  
24 owner.
- 25 3. On or about July 23, 2021, Respondent and Hosseini agreed to perform the following

<sup>1</sup> See related Division case C2021-0213 against Hosseini.

1 electrical installations at a residential property located at 9015 N Peninsular Ave., Portland,  
2 OR (the property):

- 3 a. Fixtures;
- 4 b. Circuits;
- 5 c. Switches; and,
- 6 d. Two (2) exhaust fans.

7 4. From on or about August 10, 2021, through on or about October 10, 2021, Hosseini, acting  
8 on behalf of Respondent, installed electrical boxes for both receptacles and lighting, and the  
9 associated electrical conductors.

10 a. Laura Jackson, the complainant, stated Hosseini removed all of the electrical wires  
11 he installed and Hosseini contends this is accurate.

12 5. At no relevant time did Respondent hold a valid Oregon electrical contractor license.

13 6. At no relevant time did Hosseini hold a valid Oregon supervising or journeyman electrician  
14 license.

15 7. At no relevant time did Hosseini obtain an electrical permit for the foregoing electrical  
16 installations he performed at the property.

#### 17 **APPLICABLE LAW**

18 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS  
19 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rules (OAR) 918-001-0005,  
20 OAR 918-030-0010, and OAR 918-251-0090.

21 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of  
22 electrical wiring and the permanent attachment or installation of electrical products in or on  
23 any structure that is not itself an electrical product. "Electrical installation" also means the  
24 maintenance or repair of installed electrical wiring and permanently attached electrical  
25 products.

- 1 3. Under ORS 479.530(11), “Electrical product” means any electrical equipment, material,  
2 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to  
3 install and either conveys or is operated by electrical current.
- 4 4. Under OAR 918-309-0000(5), an electrical permit, other than a restricted energy electrical  
5 permit as provided in OAR 918-309-0400, issued to one person or firm is not transferable  
6 and shall not permit any other person or firm to perform any electrical work thereunder.
- 7 5. Under ORS 479.620(1), a person who does not hold an electrical contractor license may not  
8 engage in the business of making electrical installations, advertise as or otherwise purport to  
9 be licensed to make electrical installations or purport to be acting as a business that makes  
10 electrical installations.
- 11 6. OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630, and any  
12 other license regulated by ORS chapter 455, “engaging in the business” means to advertise  
13 or solicit, contract or agree to perform, or to perform work for which a license or permit is  
14 required under Oregon law, including but not limited to a single instance.
- 15 7. Under ORS 479.620(3), a person may not make any electrical installation without a  
16 supervising or journeyman electrician’s license.
- 17 8. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform  
18 electrical work for which the individual is not properly registered or licensed

#### 19 **CONCLUSIONS OF LAW**

- 20 1. Electrical boxes, receptacles, and conductors constitute electrical product under ORS  
21 479.530(11).
- 22 2. The installation of electrical boxes, receptacles, and conductors constitute electrical  
23 installations under ORS 479.530(10).
- 24 3. By performing the aforementioned electrical installations at the property, Respondent  
25 engaged in the business of an electrical contractor as defined in OAR 918-030-0010(8).

- 1 4. By engaging in the business of electrical contractor at the property without a valid Oregon  
2 electrical contractor's license, Respondent violated ORS 479.620(1).
- 3 5. By performing the aforementioned electrical installations at the property, without holding a  
4 valid Oregon journeyman electrician license, Hosseini violated ORS 479.620(3).
- 5 6. By allowing Hosseini to perform electrical installations without holding a valid Oregon  
6 supervising or journeyman electrician license, Respondent violated OAR 918-282-0120(1).

### 7 ORDER

- 8 1. The Board hereby assesses a total civil penalty of \$5,000.00 against Respondent for  
9 violating ORS 479.620(1) and OAR 918-282-0120(1) as follows:
  - 10 a. \$4,500.00 of the total civil penalty will be suspended for a period of five years if  
11 there is compliance with all other terms of this Consent Order.
  - 12 b. Respondent agrees to pay the remaining \$500.00 of the civil penalty. Respondent  
13 will make five (5) monthly payments that must be received no later than the 25<sup>th</sup> day  
14 of each month in the amount of \$100.00 per month. Respondent's first payment  
15 shall be received no later than the 25<sup>th</sup> day of the month following the month in  
16 which this Consent Order becomes a final order. ***(An invoice will be included with  
17 Respondent's copy of the final order after it is fully executed by both parties.  
18 Respondent understands timely payments must be made even if no invoice is ever  
19 received.)*** Payments shall be mailed to Department of Consumer and Business  
20 Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-0445. ***NOTE:  
21 If you fail to make timely payments as stated in this signed Consent Order, the  
22 payment agreement becomes void. In addition, this account may be assigned to the  
23 Department of Justice, Department of Revenue, or a private collection agency.  
24 You will be responsible for any court costs, attorney fees, any other necessary fees  
25 related to the collection of this debt, and any interest accrued. This debt may also***

1            *appear on future credit reports.* For payment questions call 971-375-7087.

2            c. Respondent understands the suspended civil penalty (\$4,500.00) will be considered  
3            satisfied five years after this Consent Order becomes a final order, provided  
4            Respondent complies with its terms and has not committed any further violations of  
5            the Division's statutes and rules within that five-year period. Respondent  
6            understands and agrees that upon a showing that Respondent has not complied with  
7            the terms of this Consent Order or that Respondent has committed any further  
8            violations of the Division's statutes or rules within the five-year period, the entire  
9            civil penalty, including any suspended amount, will become due and payable. Failure  
10           to comply with this Consent Order includes, but is not limited to, failure to pay the  
11           civil penalty amount due by the due date.

12           2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases  
13           that rely on the facts underlying this case. Cooperation may include, but may not be limited  
14           to, making sworn statements or testifying in administrative hearings.

15           3. Respondent understands that further enforcement action may be taken for any violation of  
16           the Division's statutes or rules not alleged in this Consent Order, ORS 479.620(1) and OAR  
17           918-282-0120(1), whether committed before or after the execution of this Consent Order,  
18           and/or for any violation of the terms of this Consent Order.

19           4. Respondent understands that failure to comply with this Consent Order may be used as a  
20           basis for the denial of future license, certificate, registration, or other applications, or for the  
21           refusal to renew the same; for the suspension, revocation, or conditioning of a license,  
22           certificate, or registration issued by the Division or other state agencies; and/or for any other  
23           reason provided for in law.

24           5. Respondent understands that this Consent Order is a public record.

25           6. Respondent has read and fully understands the terms of this Consent Order, freely and

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voluntarily consents to the entry of this Consent Order without any force or duress, and expressly waives all rights to hearing or judicial review in this matter.

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

Ehsan Hosseini It is so agreed this 25 day of August, 2022.  
Ehsan Hosseini, RMI Owner of Ehsan's Interior Remodeling LLC

\_\_\_\_\_ for It is so agreed this \_\_\_\_ day of \_\_\_\_\_, 2022.  
Chair  
Electrical and Elevator Board  
State of Oregon

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

2 **IN THE MATTER OF:**

**CONSENT ORDER**

3  
4 **EHSAN HOSSEINI,**  
5 **AN INDIVIDUAL,**

6 **RESPONDENT.**

**BCD CASE C2021-0213**

7  
8 **INTRODUCTION**

9 The Building Codes Division (Division) conducted an investigation on behalf of the  
10 Electrical and Elevator Board of the State of Oregon (Board) and determined that Ehsan Hosseini  
11 (Respondent) violated certain provisions of the Division's statutes and administrative rules as  
12 identified below.

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

17 **FINDINGS OF FACT**

- 18 1. On or about January 20, 2016, Ehsan's Interior Remodeling LLC (Ehsan LLC)<sup>1</sup> registered  
19 with the Oregon Secretary of State as a domestic limited liability company.
- 20 2. At all relevant times, Ehsan LLC held Construction Contractor's Board license number  
21 209090.
- 22 a. At all times relevant, Respondent was listed as Ehsan LLC's RMI owner.
- 23 3. On or about July 23, 2021, Ehsan LLC and Respondent agreed to perform the following  
24 electrical installations at a residential property located at 9015 N Peninsular Ave., Portland,  
25

<sup>1</sup> See related Division case C2021-0178 against Ehsan LLC.

1 OR (the property):

- 2 a. Fixtures;
- 3 b. Circuits;
- 4 c. Switches; and,
- 5 d. Two (2) exhaust fans.
- 6 4. From on or about August 10, 2021, through on or about October 10, 2021, Respondent,
- 7 acting on behalf of Ehsan LLC, installed electrical boxes for both receptacles and lighting,
- 8 and the associated electrical conductors.
- 9 a. Laura Jackson, the complainant, stated Respondent removed all of the electrical
- 10 wires he installed, and Respondent contends this is accurate.
- 11 5. At no relevant time did Ehsan LLC hold a valid Oregon electrical contractor's license.
- 12 6. At no relevant time did Respondent hold a valid Oregon supervising or journeyman
- 13 electrician license.
- 14 7. At no relevant time did Respondent obtain an electrical permit for the foregoing electrical
- 15 installations he performed at the property.

16 **APPLICABLE LAW**

- 17 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
- 18 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rules (OAR) 918-001-0005,
- 19 OAR 918-030-0010, and OAR 918-251-0090.
- 20 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of
- 21 electrical wiring and the permanent attachment or installation of electrical products in or on
- 22 any structure that is not itself an electrical product. "Electrical installation" also means the
- 23 maintenance or repair of installed electrical wiring and permanently attached electrical
- 24 products.
- 25

- 1 3. Under ORS 479.550(1), no person shall work on any new electrical installation for which a  
2 permit has not been issued.
- 3 4. Under ORS 479.530(11), "Electrical product" means any electrical equipment, material,  
4 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to  
5 install and either conveys or is operated by electrical current.
- 6 5. Under ORS 479.620(3), a person may not make any electrical installation without a  
7 supervising or journeyman electrician's license.

8 **CONCLUSIONS OF LAW**

- 9 1. Electrical boxes, receptacles, and conductors constitute electrical product under ORS  
10 479.530(11).
- 11 2. The installation of electrical boxes, receptacles, and conductors constitute electrical  
12 installations under ORS 479.530(10).
- 13 3. By performing the aforementioned electrical installations at the property, without holding a  
14 valid Oregon journeyman electrician license, Respondent violated ORS 479.620(3).
- 15 4. By making the electrical installations at the property without having obtained a permit,  
16 Respondent violated ORS 479.550(1).

17 **ORDER**

- 18 1. The Board hereby assesses a total civil penalty of \$3,000.00 against Respondent for  
19 violating ORS 479.620(3) and ORS 479.550(1) as follows:
  - 20 a. \$2,500.00 of the total civil penalty will be suspended for a period of five years if  
21 there is compliance with all other terms of this Consent Order.
  - 22 b. Respondent agrees to pay the remaining \$500.00 of the civil penalty. Respondent  
23 will make five (5) monthly payments that must be received no later than the 25<sup>th</sup> day  
24 of each month in the amount of \$100.00 per month. Respondent's first payment shall  
25 be received no later than the 25<sup>th</sup> day of the month following the month in which this

1 Consent Order becomes a final order. *(An invoice will be included with*  
2 *Respondent's copy of the final order after it is fully executed by both parties.*  
3 *Respondent understands timely payments must be made even if no invoice is ever*  
4 *received.)* Payments shall be mailed to Department of Consumer and Business  
5 Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-0445. **NOTE:**  
6 *If you fail to make timely payments as stated in this signed Consent Order, the*  
7 *payment agreement becomes void. In addition, this account may be assigned to the*  
8 *Department of Justice, Department of Revenue, or a private collection agency.*  
9 *You will be responsible for any court costs, attorney fees, any other necessary fees*  
10 *related to the collection of this debt, and any interest accrued. This debt may also*  
11 *appear on future credit reports.* For payment questions call 971-375-7087.

12 c. Respondent understands the suspended civil penalty (\$2,500.00) will be considered  
13 satisfied five years after this Consent Order becomes a final order, provided  
14 Respondent complies with its terms and has not committed any further violations of  
15 the Division's statutes and rules within that five-year period. Respondent  
16 understands and agrees that upon a showing that Respondent has not complied with  
17 the terms of this Consent Order or that Respondent has committed any further  
18 violations of the Division's statutes or rules within the five-year period, the entire  
19 civil penalty, including any suspended amount, will become due and payable. Failure  
20 to comply with this Consent Order includes, but is not limited to, failure to pay the  
21 civil penalty amount due by the due date.

22 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases  
23 that rely on the facts underlying this case. Cooperation may include, but may not be limited  
24 to, making sworn statements or testifying in administrative hearings.

25 3. Respondent understands that further enforcement action may be taken for any violation of

1 the Division's statutes or rules not alleged in this Consent Order, ORS 479.620(3) and ORS  
2 479.550(1), whether committed before or after the execution of this Consent Order, and/or  
3 for any violation of the terms of this Consent Order.

4 4. Respondent understands that failure to comply with this Consent Order may be used as a  
5 basis for the denial of future license, certificate, registration, or other applications, or for the  
6 refusal to renew the same; for the suspension, revocation, or conditioning of a license,  
7 certificate, or registration issued by the Division or other state agencies; and/or for any other  
8 reason provided for in law.

9 5. Respondent understands that this Consent Order is a public record.

10 6. Respondent has read and fully understands the terms of this Consent Order, freely and  
11 voluntarily consents to the entry of this Consent Order without any force or duress, and  
12 expressly waives all rights to hearing or judicial review in this matter.

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

15   
16 \_\_\_\_\_ It is so agreed this 25 day of August, 2022.  
17 Ehsan Hosseini

18 \_\_\_\_\_ for It is so agreed this \_\_\_\_ day of \_\_\_\_\_, 2022.  
19 Chair  
20 Electrical and Elevator Board  
21 State of Oregon  
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**BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

**IN THE MATTER OF:**

**CONSENT ORDER**

**IHN C. SHIN  
AN INDIVIDUAL,**

**RESPONDENT.**

**BCD CASE 2021-0214**

**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 Ihn C. Shin (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. At all relevant times, Respondent was the manager and owner of Vital Construction & Electricity, LLC (Vital)<sup>1</sup>.
2. Since on or about May 30, 2007, Vital has been registered as a domestic limited liability company with the Oregon Secretary of State (SOS)<sup>2</sup>.
3. Since on or about September 17, 2007, Vital has held Oregon Construction Contractor Board (CCB) license number 178397<sup>3</sup>.
4. At all relevant times, Vital has held valid Oregon electrical contractor’s license number

<sup>1</sup> See related Division case C2021-0215 against Vital.  
<sup>2</sup> At all relevant times, Respondent was listed as the registered agent and manager on the SOS website.  
<sup>3</sup> At all relevant times Respondent was listed as the responsible managing individual (RMI) and member of Vital on the CCB website.

1 C333.

- 2 5. At all relevant times, Respondent was listed as Vital's registered signing supervising  
3 electrician and Respondent held valid Oregon general supervising electrician license number  
4 6121S.
- 5 6. At all relevant times, Respondent, on behalf of Vital, was responsible for overseeing the  
6 electrical work for the construction of a new Komico facility<sup>4</sup>, a commercial building  
7 located at 6231 NE Croeni Avenue, Hillsboro, Oregon (the job site).
- 8 7. From in or around April 2021, through in or around August 2021, Shin, acting on behalf of  
9 Vital, employed and directed Louis Luna (Luna)<sup>5</sup> to perform the following electrical work at  
10 the job site:
- 11 a. Terminating switch gears;
  - 12 b. Running conduit;
  - 13 c. Pulling 350 kcmil and 400 kcmil cables; and
  - 14 d. Installing transformers.
- 15 8. At no relevant time did Luna hold a valid Oregon supervising or journeyman electrician's  
16 license.

17 **APPLICABLE LAW**

- 18 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS  
19 455.010 ORS 479.530, and Oregon Administrative Rule (OAR) 918-001-0005.
- 20 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of  
21 electrical wiring and the permanent attachment or installation of electrical products in or on  
22 any structure that is not itself an electrical product. "Electrical installation" also means the  
23 maintenance or repair of installed electrical wiring and permanently attached electrical  
24 products.

25 \_\_\_\_\_  
<sup>4</sup> Komico is a global supplier of goods for integrated circuit manufacturers.

<sup>5</sup> See related Division case C2021-0190 against Luna.

- 1 3. Under ORS 479.530(11), “Electrical product” means any electrical equipment, material,  
2 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to  
3 install and either conveys or is operated by electrical current.
- 4 4. Under OAR 918-282-0140(2)(f), a general supervising electrician when working for or as an  
5 electrical contractor requiring a signing supervisor must ensure electricians have proper  
6 licenses for the work performed, and may not permit either by assent or failure to prevent,  
7 an individual to perform work for which they are not properly licensed.
- 8 5. Under ORS 455.450(2), a person may not engage in, or procure or assist any other person to  
9 engage in, any conduct or activity for which a permit, label, license, certificate, registration,  
10 or other formal authorization is required by any specialty code, any provision of ORS  
11 chapter 455, or any rule adopted or order issued for the administration and enforcement of  
12 those provisions, without first having obtained such permit, label, license, certificate,  
13 registration, or other formal authorization.

#### 14 **CONCLUSIONS OF LAW**

- 15 1. The following constitutes electrical products under ORS 479.530(11):
- 16 a. Switch gears;
- 17 b. Conduits;
- 18 c. 350 kcmil and 400 kcmil cables; and
- 19 d. Transformers.
- 20 2. The following constitutes electrical installations under ORS 479.530(10):
- 21 a. Terminating switch gears;
- 22 b. Running conduits;
- 23 c. Pulling 350 kcmil and 400 kcmil cables; and
- 24 d. Installing transformers.
- 25

- 1 3. By performing the foregoing electrical installations at the job site, without holding a valid  
2 Oregon supervising or journeyman electrician's license, Luna violated ORS 479.620(3).
- 3 4. By permitting Luna to perform the foregoing electrical installations at the job site for which  
4 he was not properly licensed, Respondent violated OAR 918-282-0140(2)(f).
- 5 5. By procuring and assisting Luna to engage in performing the foregoing electrical  
6 installations at the job site, for which Luna did not hold a valid Oregon electrical license,  
7 Respondent violated ORS 455.450(2).

### 9 ORDER

- 10 1. The Board hereby assesses a total civil penalty of \$5,000.00 against Respondent for  
11 violating OAR 918-282-0140(2)(f) and ORS 455.450(2) as follows:
  - 12 a. \$4,000.00 of the total civil penalty will be suspended for a period of five years if  
13 there is compliance with all other terms of this Consent Order.
  - 14 b. Respondent agrees to pay the remaining \$1,000.00 of the civil penalty in a lump sum  
15 payment. Respondent's payment must be received no later than the 25<sup>th</sup> day of the  
16 month following the month in which this Consent Order becomes a final order. (*An  
17 invoice will be included with Respondent's copy of the final order after it is fully  
18 executed by both parties. Respondent understands timely payments must be made  
19 even if no invoice is ever received.*) Payment shall be mailed to Department of  
20 Consumer and Business Services, Fiscal Services Section, P.O. Box 14610, Salem,  
21 OR 97309-0445. **NOTE: If you fail to make your lump sum payment as stated in  
22 this signed Consent Order, this account may be assigned to the Department of  
23 Justice, Department of Revenue, or a private collection agency. You will be  
24 responsible for any court costs, attorney fees, any other necessary fees related to  
25 the collection of this debt, and any interest or penalties accrued. This debt may**

1           ***also appear on future credit reports.*** For payment questions call 971-375-7087.

2           c. Respondent understands the suspended civil penalty (\$4,000.00) will be considered  
3           satisfied five years after this Consent Order becomes a final order, provided  
4           Respondent complies with its terms and has not committed any further violations of  
5           the Division's statutes and rules within that five-year period. Respondent  
6           understands and agrees that upon a showing that Respondent has not complied with  
7           the terms of this Consent Order or that Respondent has committed any further  
8           violations of the Division's statutes or rules within the five-year period, the entire  
9           civil penalty, including any suspended amount, will become due and payable. Failure  
10          to comply with this Consent Order includes, but is not limited to, failure to pay the  
11          civil penalty amount due by the due date.

12          2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases  
13          that rely on the facts underlying this case. Cooperation may include, but may not be limited  
14          to, making sworn statements or testifying in administrative hearings.

15          3. Respondent understands that further enforcement action may be taken for any violation of  
16          the Division's statutes or rules not alleged in this Consent Order, whether committed before  
17          or after the execution of this Consent Order, and/or for any violation of the terms of this  
18          Consent Order.

19          4. Respondent understands that failure to comply with this Consent Order may be used as a  
20          basis for the denial of future license, certificate, registration, or other applications, or for the  
21          refusal to renew the same; for the suspension, revocation, or conditioning of a license,  
22          certificate, or registration issued by the Division or other state agencies; and/or for any other  
23          reason provided for in law.

24          5. Respondent understands that this Consent Order is a public record.

25          6. Respondent has read and fully understands the terms of this Consent Order, freely and

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voluntarily consents to the entry of this Consent Order without any force or duress, and expressly waives all rights to hearing or judicial review in this matter.

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

 It is so agreed this 29 day of July, 2022.  
Ihn C. Shin

\_\_\_\_\_ for It is so agreed this \_\_\_\_ day of \_\_\_\_\_, 2022.  
Chair  
Electrical and Elevator Board  
State of Oregon

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

**IN THE MATTER OF:**

**CONSENT ORDER**

**VITAL CONSTRUCTION & ELECTRIC,  
LLC  
A DOMESTIC LIMITED LIABILITY  
COMPANY,**

**RESPONDENT.**

**BCD CASE 2021-0215**

**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 Vital Construction & Electric, 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. Since on or about May 30, 2007, Respondent has been registered as a domestic limited liability company with the Oregon Secretary of State (SOS).<sup>1</sup>
2. At all relevant times, Ihn C. Shin (Shin)<sup>2</sup> was the manager and owner of Respondent.
3. Since on or about September 17, 2007, Respondent has held Oregon Construction Contractor Board (CCB) license number 178397.<sup>3</sup>

<sup>1</sup> At all relevant times, Ihn C. Shin was listed as the registered agent and manager on the SOS website.

<sup>2</sup> See related Division case C2021-0214 against Shin.

<sup>3</sup> At all relevant times, Shin was listed as the responsible managing individual (RMI) and member of Respondent on the CCB website.

- 1 4. At all relevant times, Respondent has held valid Oregon electrical contractor's license  
2 number C333.
- 3 5. At all relevant times, Shin was listed as Respondent's registered signing supervising  
4 electrician and Shin held Oregon general supervising electrician license number 6121S.
- 5 6. At all relevant times, Shin, on behalf of Respondent, was responsible for overseeing the  
6 electrical work for the construction of a new Komico facility<sup>4</sup>, a commercial building  
7 located at 6231 NE Croeni Avenue, Hillsboro, Oregon (the job site).
- 8 7. From in or around April 2021, through in or around August 2021, Shin, acting on behalf of  
9 Respondent, employed and directed Louis Luna (Luna)<sup>5</sup> to perform the following electrical  
10 work at the job site:
  - 11 a. Terminating switch gears;
  - 12 b. Running conduit;
  - 13 c. Pulling 350 kcmil and 400 kcmil cables; and
  - 14 d. Installing transformers.
- 15 8. At no relevant time did Luna hold a valid Oregon supervising or journeyman electrician's  
16 license.

#### 17 **APPLICABLE LAW**

- 18 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS  
19 455.010, ORS 479.530, Oregon Administrative Rule (OAR) 918-001-0005, and OAR 918-  
20 251-0090.
- 21 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of  
22 electrical wiring and the permanent attachment or installation of electrical products in or on  
23 any structure that is not itself an electrical product. "Electrical installation" also means the  
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<sup>4</sup> Komico is a global supplier of goods for integrated circuit manufacturers..

<sup>5</sup> See related Division case C2021-0190 against Luna.

1 maintenance or repair of installed electrical wiring and permanently attached electrical  
2 products.

- 3 3. Under ORS 479.530(11), "Electrical product" means any electrical equipment, material,  
4 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to  
5 install and either conveys or is operated by electrical current.
- 6 4. Under OAR 918-282-0140(2)(f), a general supervising electrician, when working for or as  
7 an electrical contractor requiring a signing supervisor must ensure electricians have proper  
8 licenses for the work performed, and may not permit, either by assent or failure to prevent,  
9 an individual to perform work for which they are not properly licensed.
- 10 5. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform  
11 electrical work for which the person is not properly registered or licensed.

### 12 13 **CONCLUSIONS OF LAW**

- 14 1. The following constitutes electrical products under ORS 479.530(11):
- 15 a. Switch gears;
  - 16 b. Conduits;
  - 17 c. 350 kcmil and 400 kcmil cables; and
  - 18 d. Transformers.
- 19 2. The following constitutes electrical installations under ORS 479.530(10):
- 20 a. Terminating switch gears;
  - 21 b. Running conduits;
  - 22 c. Pulling 350 kcmil and 400 kcmil cables; and
  - 23 d. Installing transformers.
- 24 3. By performing the foregoing electrical installations at the job site, without holding a valid  
25 Oregon supervising or journeyman electrician's license, Luna violated ORS 479.620(3).

- 1 4. By permitting Luna to perform the foregoing electrical installations at the job site for which  
2 he was not properly licensed, Shin violated OAR 918-282-0140(2)(f).
- 3 5. By allowing Shin to employ and direct Luna to perform the foregoing unlicensed electrical  
4 work, Respondent violated OAR 918-282-0120(1).

### 6 ORDER

- 7 1. The Board hereby assesses a total civil penalty of \$2,000.00 against Respondent for  
8 violating OAR 918-282-0120(1) as follows:
  - 9 a. \$1,500.00 of the total civil penalty will be suspended for a period of five years if  
10 there is compliance with all other terms of this Consent Order.
  - 11 b. Respondent agrees to pay the remaining \$500.00 of the civil penalty in a lump sum  
12 payment. Respondent's payment must be received no later than the 25<sup>th</sup> day of the  
13 month following the month in which this Consent Order becomes a final order. (*An  
14 invoice will be included with Respondent's copy of the final order after it is fully  
15 executed by both parties. Respondent understands timely payments must be made  
16 even if no invoice is ever received.*) Payment shall be mailed to Department of  
17 Consumer and Business Services, Fiscal Services Section, P.O. Box 14610, Salem,  
18 OR 97309-0445. *NOTE: If you fail to make your lump sum payment as stated in  
19 this signed Consent Order, this account may be assigned to the Department of  
20 Justice, Department of Revenue, or a private collection agency. You will be  
21 responsible for any court costs, attorney fees, any other necessary fees related to  
22 the collection of this debt, and any interest or penalties accrued. This debt may  
23 also appear on future credit reports.* For payment questions call 971-375-7087.
  - 24 c. Respondent understands the suspended civil penalty (\$1,500.00) will be considered  
25 satisfied five years after this Consent Order becomes a final order, provided

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

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

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

 It is so agreed this 29 day of July, 2022.  
Ihn C. Shin on behalf of Vital Construction & Electric, LLC

\_\_\_\_\_ for It is so agreed this \_\_\_\_ day of \_\_\_\_\_, 2022.  
Chair  
Electrical and Elevator Board  
State of Oregon

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

**IN THE MATTER OF:**

**CONSENT ORDER**

**LOUIS LUNA,  
AN INDIVIDUAL,**

**RESPONDENT.**

**BCD CASE C2021-0190**

**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 Louis Luna (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. At all relevant times, Ihn C. Shin (Shin)<sup>1</sup> was the manager and owner of Vital Construction & Electricity, LLC (Vital)<sup>2</sup>.
2. Since on or about May 30, 2007, Vital has been registered as a domestic limited liability company with the Oregon Secretary of State (SOS)<sup>3</sup>.
3. At all relevant times, Vital has held Oregon Construction Contractor Board (CCB) license number 178397<sup>4</sup>.

<sup>1</sup> See related Division case C2021-0214 against Shin.

<sup>2</sup> See related Division case C2021-0215 against Vital.

<sup>3</sup> At all relevant times, Shin was listed as the registered agent and manager on the SOS website.

<sup>4</sup> At all relevant times Shin was listed as the responsible managing individual (RMI) and member of Respondent on the CCB website.

- 1 4. At all relevant times, Vital has held valid Oregon electrical contractor's license number  
2 C333.
- 3 5. At all relevant times, Shin was listed as Respondent's registered signing supervising  
4 electrician and Shin held Oregon general supervising electrician license number 6121S.
- 5 6. At all relevant times, Shin, acting on behalf of Vital, was responsible for overseeing the  
6 electrical work for the construction of a new Komico facility<sup>5</sup>, a commercial building  
7 located at 6231 NE Croeni Avenue, Hillsboro, Oregon (the job site).
- 8 7. From on or around April 2021, through on or around August 2021, Shin, on behalf of Vital,  
9 employed and directed Respondent to perform the following electrical work at the job site:
  - 10 a. Terminating switch gears;
  - 11 b. Running conduit;
  - 12 c. Pulling 350 kcmil and 400 kcmil cables; and
  - 13 d. Installing transformers.
- 14 8. At no relevant time did Respondent hold a valid Oregon supervising or journeyman  
15 electrician's license.

#### 16 **APPLICABLE LAW**

- 17 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS  
18 455.010, and ORS 479.530.
- 19 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of  
20 electrical wiring and the permanent attachment or installation of electrical products in or on  
21 any structure that is not itself an electrical product. "Electrical installation" also means the  
22 maintenance or repair of installed electrical wiring and permanently attached electrical  
23 products.

24  
25  

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<sup>5</sup> Komico is a global supplier of goods for integrated circuit manufacturers.

- 1 3. Under ORS 479.530(11), “Electrical product” means any electrical equipment, material,  
2 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to  
3 install and either conveys or is operated by electrical current.
- 4 4. Under ORS 479.620(3), a person may not make any electrical installation without a  
5 supervising or journeyman electrician’s license.

6 **CONCLUSIONS OF LAW**

- 7 1. The following constitutes electrical products under ORS 479.530(11):
- 8 a. Switch gears;
  - 9 b. Conduits;
  - 10 c. 350 kcmil and 400 kcmil cables; and
  - 11 d. Transformers.
- 12 2. The following constitutes electrical installations under ORS 479.530(10):
- 13 a. Terminating switch gears;
  - 14 b. Running conduits;
  - 15 c. Pulling 350 kcmil and 400 kcmil cables; and
  - 16 d. Installing transformers.
- 17 3. By performing the foregoing electrical installations at the job site without holding a valid  
18 Oregon supervising or journeyman electrician’s license, Respondent violated ORS  
19 479.620(3).

20 **ORDER**

- 21 1. The Board hereby assesses a total civil penalty of \$2000.00 against Respondent for violating  
22 ORS 479.620(3) as follows:
- 23 a. \$1,750.00 of the total civil penalty will be suspended for a period of five years if  
24 there is compliance with all other terms of this Consent Order.
  - 25 b. Respondent agrees to pay the remaining \$250.00 of the civil penalty. Respondent

1 will make three (3) monthly payments that must be received no later than the 25<sup>th</sup>  
2 day of each month in the amount of \$85.00 for the first two (2) months and \$80.00  
3 for the third and final month. Respondent's first payment shall be received no later  
4 than the 25<sup>th</sup> day of the month following the month in which this Consent Order  
5 becomes a final order. *(An invoice will be included with Respondent's copy of the*  
6 *final order after it is fully executed by both parties. Respondent understands timely*  
7 *payments must be made even if no invoice is ever received.)* Payments shall be  
8 mailed to Department of Consumer and Business Services, Fiscal Services Section,  
9 P.O. Box 14610, Salem, OR 97309-0445. **NOTE: If you fail to make timely**  
10 **payments as stated in this signed Consent Order, the payment agreement becomes**  
11 **void. In addition, this account may be assigned to the Department of Justice,**  
12 **Department of Revenue, or a private collection agency. You will be responsible for**  
13 **any court costs, attorney fees, any other necessary fees related to the collection of**  
14 **this debt, and any interest accrued. This debt may also appear on future credit**  
15 **reports.** For payment questions call 971-375-7087.

- 16 c. Respondent understands the suspended civil penalty (\$1,750.00) will be considered  
17 satisfied five years after this Consent Order becomes a final order, provided  
18 Respondent complies with its terms and has not committed any further violations of  
19 the Division's statutes and rules within that five-year period. Respondent  
20 understands and agrees that upon a showing that Respondent has not complied with  
21 the terms of this Consent Order or that Respondent has committed any further  
22 violations of the Division's statutes or rules within the five-year period, the entire  
23 civil penalty, including any suspended amount, will become due and payable. Failure  
24 to comply with this Consent Order includes, but is not limited to, failure to pay the  
25 civil penalty amount due by the due date.

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

19  It is so agreed this 31 day of July, 2022.  
20 Louis Luna

21 \_\_\_\_\_ for It is so agreed this \_\_\_\_ day of \_\_\_\_\_, 2022.  
22  
23 Chair  
24 Electrical and Elevator Board  
25 State of Oregon

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

**IN THE MATTER OF:**

**CONSENT ORDER**

**JEFFREY SCOTT SPRAGUE  
AN INDIVIDUAL,**

**RESPONDENT.**

**BCD CASE C2022-0017**

**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 Jeffrey Scott Sprague (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. From in or around January 2022, until in or around February 2022, Respondent was hired to help frame and construct a new freestanding accessory dwelling at a residence located at 4393 Country Lane NE, Unit A, in Salem, Oregon (the property).
2. From in or around January 2022, until in or around February 2022, Respondent performed the following electrical work at the property:
  - a. Installed electrical wiring;
  - b. Installed four (4) twenty (20) amp electrical circuits;
  - c. Installed electrical breakers;
  - d. Installed electrical conductors

**CONSENT ORDER**

**BCD Case C2022-0017 / Jeffrey Scott Sprague / Page 1 of 6**

- 1 e. Installed outlet boxes; and
- 2 f. Installed a ground rod.
- 3 3. At no relevant time did Respondent hold a valid Oregon electrical contractor license.
- 4 4. At no relevant time did Respondent hold a valid Oregon supervising or journeyman
- 5 electrician's license.
- 6 5. The homeowners obtained valid electrical permit number 21 107950 00 E from the City of
- 7 Salem in or around January 2022.
- 8 6. At no relevant time did Respondent obtain a valid electrical permit prior to performing the
- 9 work<sup>1</sup>.

#### 10 APPLICABLE LAW

- 11 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
- 12 455.010, ORS 479.530, ORS 479.550, ORS 479.620, Oregon Administrative Rules (OAR)
- 13 918-001-0005, OAR 918-030-0010, and OAR 918-309-0000.
- 14 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of
- 15 electrical wiring and the permanent attachment or installation of electrical products in or on
- 16 any structure that is not itself an electrical product. "Electrical installation" also means the
- 17 maintenance or repair of installed electrical wiring and permanently attached electrical
- 18 products.
- 19 3. Under ORS 479.530(11), "Electrical product" means any electrical equipment, material,
- 20 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to
- 21 install and either conveys or is operated by electrical current.
- 22 4. Under ORS 479.620(1), a person who does not hold an electrical contractor license may not
- 23 engage in the business of making electrical installations, advertise as or otherwise purport to
- 24
- 25

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<sup>1</sup> The City of Salem performed an electrical inspection under the homeowner's permit for the accessory dwelling and notified the Division of the unlicensed electrical work because the electrical work failed inspection.

1 be licensed to make electrical installations or purport to be acting as a business that makes  
2 electrical installations.

- 3 5. OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630, and any  
4 other license regulated by ORS chapter 455, "engaging in the business" means to advertise  
5 or solicit, contract or agree to perform, or to perform work for which a license or permit is  
6 required under Oregon law, including but not limited to a single instance.
- 7 6. Under ORS 479.620(3), a person may not make any electrical installation without a  
8 supervising or journeyman electrician's license.
- 9 7. Under ORS 479.550(1), no person shall work on any new electrical installation for which a  
10 permit has not been issued.
- 11 8. Under OAR 918-309-0000(5), an electrical permit, other than a restricted energy electrical  
12 permit as provided in OAR 918-309-0400, issued to one person or firm is not transferable  
13 and shall not permit any other person or firm to perform any electrical work thereunder.

#### 14 CONCLUSIONS OF LAW

- 15 1. The following constitutes electrical products under ORS 479.530(11):
- 16 a. Electrical wiring;
  - 17 b. Twenty (20) amp electrical circuits;
  - 18 c. Electrical breakers;
  - 19 d. Electrical conductors;
  - 20 e. Electrical outlet boxes; and
  - 21 f. A ground rod.
- 22 2. The following constitutes electrical installations under ORS 479.530(10):
- 23 a. Installing electrical wiring;
  - 24 b. Installing four(4) twenty (20) amp electrical circuits;
  - 25 c. Installing electrical breakers;

- d. Installing electrical conductors;
  - e. Installing electrical outlet boxes; and
  - f. Installing a ground rod.
3. By agreeing to perform, and then by performing the foregoing electrical installations at the property, Respondent engaged in the business of an electrical contractor under OAR 918-030-0010(8).
  4. By engaging in the business of an electrical contractor without holding a valid Oregon electrical contractor license, Respondent violated ORS 479.620(1).
  5. By performing the foregoing electrical installations without holding a valid Oregon supervising or journeyman electrician's license, Respondent violated ORS 479.620(3).
  6. Pursuant to OAR 918-309-0000(5), Respondent was not permitted to perform any electrical installations under the homeowner's permit because the permit was not transferable to Respondent.
  7. By performing the foregoing electrical installations at the property prior to obtaining a valid electrical permit, Respondent violated ORS 479.550(1).

### **ORDER**

1. The Board hereby assesses a total civil penalty of \$6,000.00 against Respondent for violating ORS 479.620(1), ORS 479.620(3) and ORS 479.550(1) as follows:
  - a. \$5,250.00 of the total civil penalty will be suspended for a period of five years if there is compliance with all other terms of this Consent Order.
  - b. Respondent agrees to pay the remaining \$750.00 of the civil penalty. Respondent will make six (6) monthly payments that must be received no later than the 25<sup>th</sup> day of each month in the amount of \$125.00 per month. Respondent's first payment shall be received no later than the 25<sup>th</sup> day of the month following the month in which this Consent Order becomes a final order. *(An invoice will be included with*

1           ***Respondent's copy of the final order after it is fully executed by both parties.***

2           ***Respondent understands timely payments must be made even if no invoice is ever***

3           ***received.)*** Payments shall be mailed to Department of Consumer and Business

4           Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-0445. ***NOTE:***

5           ***If you fail to make timely payments as stated in this signed Consent Order, the***

6           ***payment agreement becomes void. In addition, this account may be assigned to the***

7           ***Department of Justice, Department of Revenue, or a private collection agency.***

8           ***You will be responsible for any court costs, attorney fees, any other necessary fees***

9           ***related to the collection of this debt, and any interest accrued. This debt may also***

10          ***appear on future credit reports.*** For payment questions call 503-373-7731.

- 11          c. Respondent understands the suspended civil penalty (\$5,250.00) will be considered  
12          satisfied five years after this Consent Order becomes a final order, provided  
13          Respondent complies with its terms and has not committed any further violations of  
14          the Division's statutes and rules within that five-year period. Respondent  
15          understands and agrees that upon a showing that Respondent has not complied with  
16          the terms of this Consent Order or that Respondent has committed any further  
17          violations of the Division's statutes or rules within the five-year period, the entire  
18          civil penalty, including any suspended amount, will become due and payable. Failure  
19          to comply with this Consent Order includes, but is not limited to, failure to pay the  
20          civil penalty amount due by the due date.

- 21          2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases  
22          that rely on the facts underlying this case. Cooperation may include, but may not be limited  
23          to, making sworn statements or testifying in administrative hearings.

- 24          3. Respondent understands that further enforcement action may be taken for any violation of  
25          the Division's statutes or rules not alleged in this Consent Order, whether committed before

1 or after the execution of this Consent Order, and/or for any violation of the terms of this  
2 Consent Order.

- 3 4. Respondent understands that failure to comply with this Consent Order may be used as a  
4 basis for the denial of future license, certificate, registration, or other applications, or for the  
5 refusal to renew the same; for the suspension, revocation, or conditioning of a license,  
6 certificate, or registration issued by the Division or other state agencies; and/or for any other  
7 reason provided for in law.
- 8 5. Respondent understands that this Consent Order is a public record.
- 9 6. Respondent has read and fully understands the terms of this Consent Order, freely and  
10 voluntarily consents to the entry of this Consent Order without any force or duress, and  
11 expressly waives all rights to hearing or judicial review in this matter.
- 12 7. Respondent understands that, upon signature of all parties, this Consent Order will be a  
13 Final Order.

14  
15  It is so agreed this 16 day of July, 2022.  
16 Jeffrey Scott Sprague

17  
18 \_\_\_\_\_ for It is so agreed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
19 Chair  
20 Electrical and Elevator Board  
21 State of Oregon

22  
23 RECEIVED

24 JUL 25 2022

25 Building Codes

## Electrical and Elevator Board Enforcement Report for September 22, 2022

<b>Agenda Item III.B.</b>
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### Summary Report - Cases Previously Resolved by Division

Case #	Name	Violation	Location	Date of Violation	Penalty Assessed	Penalty to Pay	Other Comments
C2020-0111	Flip It Right Construction LLC	Installation of Romex electrical wiring to connect 3 newly installed under mount counter light fixtures and 5-7 newly installed electrical outlet boxes with receptacles; installation of microwave hood fan; and installation of Romex electrical wiring to 7 can lights, wall switches and several electrical outlets with receptacles. ●No electrical contractors license ●Allowing an unlicensed individual to perform electrical work ●No electrical permit	Salem	Early 2020	\$6,000	\$6,000	Default Order
C2021-0030	Lighting Electrical	Installation of main electrical distribution panel, which included connecting the electrical wires to the panel. ● Allowing an unlicensed individual to perform electrical work.	Turner	February 2021	\$2,000	\$2,000	Default Order
C2021-0102	Konstantin Lobasyuk	Installation of main electrical distribution panel, which included connecting the electrical wires to the panel. ● Allowing an unlicensed individual to perform electrical work.	Turner	February 2021	\$2,000	\$2,000	Default Order

<b>Case #</b>	<b>Name</b>	<b>Violation</b>	<b>Location</b>	<b>Date of Violation</b>	<b>Penalty Assessed</b>	<b>Penalty to Pay</b>	<b>Other Comments</b>
C2021-0103	Andrey Lobasyuk	Installation of main electrical distribution panel, which included connecting the electrical wires to the panel. <ul style="list-style-type: none"> <li>● Assenting or failing to prevent an individual from perform electrical work, for which he was not properly licensed.</li> </ul>	Turner	February 2021	\$3,000	\$3,000	Default Order

**Agenda  
Item  
IV.**  
**Amended memo**

**State of Oregon**

**Board memo**

**Building Codes Division**

**Sept. 22, 2022**

**To:** Electrical and Elevator Board

**From:** Andy Boulton, senior policy advisor, Policy and Technical Services

**Subject:** Electrical Code Review Committee

**Action requested:**

Electrical and Elevator Board review the selection of a code review committee for the 2023 Oregon Electrical Specialty Code (OESC) and selection of a committee chairperson.

**Background:**

At the Electrical and Elevator Board's meeting on July 28, 2022, board members discussed appointing a code review committee for the 2023 OESC. The division issued a solicitation for individuals interested in participating in the code review committee on August 24, 2022. The solicitation closed on Sept. 9, 2022. Following this memo is the list of individuals that submitted interest in serving on the code review committee.

**Discussion:**

Through the committee member solicitation period, 20 applications were received from interested parties with a variety of backgrounds and experience. The division recommends a committee of seven to nine members. Applicants were asked to explain their experience working with the code and identify themselves based on the following categories:

- Building official, plans examiner, or inspector
- Electrical construction contractor, builder, or developer
- Electrical designer or architect
- Professional engineer
- Utility or energy supplier
- Other

Thomas Kyle  
PO Box 1132  
Coos Bay, Oregon 97420

September 20, 2022

Electrical and Elevator Board  
1535 Edge Water Street  
Salem, Oregon 97309

Re: OESC 2023 Code Review Committee

I Thomas Kyle as Chair of the Electrical and Elevator Board recommend that the Board approve the following persons to be appointed to the Code Review Committee for the upcoming 2023 Electrical Code Cycle.

My selection and recommendations are based on the following priorities:

1. Current Board Members
2. Past Board Members
3. Persons Serving on NFPA Code Panels
4. Persons that have served on prior OESC Code Review Committees
5. Contractors that are required to comply with the interpretation of the Inspectors.
6. Inspectors that interpret the compliance of Installation's that they inspect.
7. Instructors and Trainers that need to have knowledge of Code interpretations.

Recommendations:

1. Ryan Richards – Contractor & Current Board Member
2. Randy Smith – Contractor/Inspector & Current Board Member
3. **\*Nathan Philips – Contractor, Past Board Chair & NFPA Code Panels**
4. Mike Weaver – Contractor, Past Board Chair & NFPA Code Panels
5. Stephen Shepherd – Contractor – Prior OESC Committee Member
6. Jon Cullimore – Contractor -- Prior OESC Committee Member
7. Gary Boom – Contractor – Prior NFPA Membership
  
8. Brian Crise – Inspector – Prior OESC Committee Member
9. Russel Robertson – Inspector – Prior OESC Committee Member
10. James Alexander – Inspector – Prior OESC Committee Member
11. Joe Goschie – Inspector – Prior OESC Committee Member
  
12. John McCamish – Instructor – OESC Member and NFPA Code Panel
13. Frank Sonnabend – Inspector – Personal knowledge and recommendation.



Thomas R. Kyle  
Chair, Oregon Electrical & Elevator Board.

- Designates Chair of the 2023 OESC Committee

## 2023 Oregon Electrical Specialty Code (OESC)

### Code Review Committee

#### Member Solicitation submissions

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James Alexander Electrical Inspector Clair Company	<ul style="list-style-type: none"><li>• Member of 2017 and 2021 OESC review committee</li><li>• Started in the electrical trade in 1972</li><li>• Completed apprenticeship IBEW 1980</li><li>• Electrical inspector since 1997</li></ul>
Gary Boom President Parkin Electric	<ul style="list-style-type: none"><li>• 30-years' experience as a licensed Oregon Journeyman/Supervising Electrician</li><li>• 25-years as an IAEI member; 3-years as an NFPA CMP-9 member.</li><li>• I missed out on the opportunity to participate last code cycle and would like to be part of the committee this cycle.</li></ul>
Gregory Creal Trainer Independent Power LLC	<ul style="list-style-type: none"><li>• Oregon Journeyman Electrician since 1992</li><li>• Trainer of the OESC, NFPA 70, NFPA 70e, and OSHA codes for over 20 years, primarily at the Central Electrical Training Center in Tangent, Oregon</li><li>• Approved continuing education provider in Oregon for electrical licensees</li><li>• Teach apprentices on the practical application of OESC, and help to prepare them to take the Oregon license exam</li><li>• Part of my teaching strategy is to engage the class in discussions of job code-related experiences and applications of our code. This has given me detailed insight into how our code affects the lives and safety of workers and citizens.</li></ul>
Jon Coulimore President JC Electric, Inc.	<ul style="list-style-type: none"><li>• Member of 2017 and 2021 OESC review committee</li><li>• Member of the NEC Code Making Panel 1 for 2020 NEC and the NEC Code Making Panel 5 for 2023 NEC</li></ul>
Brian Crise Chief Electrical Inspector City of Portland	<ul style="list-style-type: none"><li>• Member of 2021 OESC review committee</li><li>• Inspect to and work in the NEC 5 days a week finding ways to make electrical installations in the City of Portland code compliant</li></ul>
Greg Evers Lead Electrical Inspector City of Beaverton	<ul style="list-style-type: none"><li>• Work with the electrical code on a daily basis</li></ul>
Jonathan Francis Electrical Designer EIT, Sazan	<ul style="list-style-type: none"><li>• Started in the electrical industry in 2009</li><li>• Passed the FE and PE tests this year and working on licensing with State of Oregon</li></ul>
Philip Godsey A-level Electrical Inspector City of Albany	<ul style="list-style-type: none"><li>• Employed as an A-level Electrical Inspector since February of 2018</li><li>• Worked in the field as a licensed JW Electrician, and apprenticed through the IBEW L.U. 48 program starting in the summer of 2006.</li><li>• Licensed as a General Supervising Electrician since the summer of 2017, and have several years of experience between QA/QC on sites and working as a Foreman. I admittedly miss working with apprentices and helping instruct them, and do enjoy those moments of being able to impart or exchange knowledge with customers and contractors. I would appreciate the opportunity in being able to assist, even in a small way, with the adoption and implementation of the new code cycle.</li></ul>
Joe Goschie Lead Electrical Inspector City of Eugene	<ul style="list-style-type: none"><li>• Member of 2017 and 2021 OESC review committee</li><li>• Worked over 14 year as City of Eugene electrical inspector</li></ul>
John Kelley Lead Field Inspector Deschutes County	<ul style="list-style-type: none"><li>• Started in the electrical trade in 1992, and have worked as an electrician, inspector and instructor</li><li>• Have worked on multi family, single family, commercial and some industrial projects</li></ul>
John McCamish Instructor NECA IBEW Training Center	<ul style="list-style-type: none"><li>• Member of 2017 and 2021 OESC review committee</li><li>• Member of the NEC Code Making Panel 2</li><li>• Taught the code to apprentices a journeyman electricians for 18 years</li><li>• Member of multiple test committees</li></ul>

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<p>Nathan Philips Owner Integrated Electronic Systems</p>	<ul style="list-style-type: none"> <li>• Member of the OESC review committee since the 1999 code cycle</li> <li>• Member of the NEC Code Making Panel 10 (chair) and previously a member of Panel 5 (chair) for 9 years.</li> </ul>
<p>Ryan Richards Signing Supervising Electrician Cochran Inc.</p>	<ul style="list-style-type: none"> <li>• Member of the 2021 OESC review committee</li> <li>• Over 23 years of field experience in residential, commercial and industrial markets</li> <li>• Worked in different regions of the state and bring that knowledge to the conversation. I am happy sharing dialog with what works in the electrical industry and what codes apply to our state keeping citizens safe while still maintaining a financially feasible building.</li> <li>• Member of the supervising electrician exam review committee</li> </ul>
<p>Russell Robertson Building Inspector III City of Bend</p>	<ul style="list-style-type: none"> <li>• Member of 2021 OESC review committee</li> <li>• 4 years' experience as electrical inspector interpreting/inspecting/enforcing the code</li> <li>• 7 years' experience as instructor for Area 7 JATC electrical apprenticeship</li> <li>• Over 18 years total in the electrical trade</li> </ul>
<p>Doug Rudisel Electrical Inspection Supervisor Clackamas County</p>	<ul style="list-style-type: none"> <li>• Electrical inspector since 1998 in Clackamas County</li> <li>• Head inspector for the past seven years</li> <li>• Member of the continuing education committee for the Electrical and Elevator Board</li> <li>• I think I'm uniquely qualified for this committee</li> </ul>
<p>Tim Samples Building Inspector Clatsop County</p>	<ul style="list-style-type: none"> <li>• Currently an electrical inspector with Clatsop County. Previously inspected for La Grande, Oregon</li> <li>• 11 years' experience General Journeyman Electrician since 2004 and Supervising Electrician since 2008. Started inspecting in 2010</li> <li>• Previously worked as an electrician in the Airforce from 1990 – 1993 and in Las Vegas in 1993</li> <li>• Oregon apprenticeship in 1999. 11 years as a working electrician and 12 years as an electrical inspector in Oregon. two years teaching in the Oregon electrical apprenticeship 2013 - 2014.</li> </ul>
<p>Frank Sonnabend Senior Electrical Inspector City of Corvallis</p>	<ul style="list-style-type: none"> <li>• Started electrical trade in 1996 for LH Morris Electric out of Newport, Oregon</li> <li>• 7 years inspection experience with the City of Corvallis / OSU deterrent programs to HP's automated programs with H occupancy areas</li> <li>• Excelled with my ICC training and obtained multiple ICC certifications / Good standing with all licenses / 15 Oregon certifications from OIC to my Fire, Life, Safety certificate, with also being able to help out the city in time of need to fill in as a Building Official. I have a very rounded knowledge to view the electrical installations from all trades perspectives which has helped me be the second set of eyes on job sites for contractors. I can help contractors out not just as an inspector but as an electrical supervisor with a different point of view. This has provided contractors a very helpful information source to give them ideas and keep the jobs moving forward.</li> </ul>
<p>Stephen Shepherd Bear Electric, Inc.</p>	<ul style="list-style-type: none"> <li>• Member of the 2021 OESC review committee</li> <li>• General Supervising Electrician since 2001</li> <li>• Taught year 1 and 2 of an electrical apprenticeship in Oregon</li> <li>• Active role as Supervising Electrician at an electrical contractor</li> </ul>
<p>Randy Smith Electrical Inspector Contractor</p>	<ul style="list-style-type: none"> <li>• Electrical and Elevator Board member</li> <li>• Been in the trade since 1991</li> <li>• Member of the 2017 and 2021 OESC review committee</li> <li>• A-level electrical inspector certification</li> <li>• Owner of Aboveboard Electric Inc.</li> </ul>
<p>Mike Weaver President M&amp;W Electric</p>	<ul style="list-style-type: none"> <li>• Member of the 2011, 2014, 2017 and 2021 OESC review committee</li> <li>• Member of the NEC Code Making Panel 2 (alternate) and member of the Panel 17 (principal and chair)</li> <li>• Previous Electrical and Elevator Board member and chair</li> </ul>

**State of Oregon**

**Board memo**

**Building Codes Division**

**September 22, 2022**

**To:** Electrical and Elevator Board

**From:** Andy Boulton, senior policy advisor, Policy and Technical Services

**Subject:** Continuing Education Applications

**Action requested:**

Electrical and Elevator Board consideration of the Continuing Education Committee's recommendations regarding continuing education courses and instructors.

**Background:**

The Electrical and Elevator Board establishes continuing education requirements for all electrical licensees in order to ensure licensees possess up-to-date knowledge of the code and administrative requirements. The board sets standards for approval of courses and instructors in order to have a sufficient number and variety of continuing education courses available to licensees.

The board's continuing education committee has been evaluating courses and instructors on the board's behalf. In August, the committee reviewed 21 applications from 7 organizations:

- 9 courses were recommended for approval.
- 5 courses were not recommended for approval.
- 4 instructors were recommended for approval.
- 3 instructors were not recommended for approval.

See attached summary for more information.

In addition to the Oregon Rule and Law criteria, the committee uses the following when reviewing applications:

- For correspondence courses – Provider must submit complete course and some method of verification that student has completed course.
- For online courses – Provider must submit a log-on or screen shots of course content.
- OSHA 10 and 30 courses are eligible for a maximum of 10 hours code-related credit.

- First Aid, CPR, AED, and OSHA related safety courses are eligible for a maximum of eight hours code-related credit.

**Options:**

- Approve the committee's recommendations for approval or denial of courses or instructors.
- Amend and approve the committee's recommendations for approval or denial of courses or instructors.
- Disapprove the committee's recommendations for approval or denial of courses or instructors.

**Electrical and Elevator Board  
Committee on Continuing Education Course and Instructor Review  
September 22, 2022 Meeting**

**Courses**

	<b>Applicant</b>	<b>Course Name</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1	Classes4contractors.com	Changes and Calculations according to the 2020 NEC, 8 hours CC:MC	Approve for the 2021 code cycle	
2	Classes4contractors.com	Changes and Calculations according to the 2020 NEC, 16 hours CC:MC	Approve for the 2021 code cycle	
3	Classes4contractors.com	Overview of changes to the 2020 NEC, 8 hours CC:MC	Deny for the 2021 code cycle	
4	Classes4contractors.com	Overview of changes to the 2020 NEC, 4 hours CC:MC	Deny for the 2021 code cycle	
5	Aetech Electrical Training Center	2020 NEC Code Change Highlights, 8 hours CC:MC <i>Previously submitted as CR, requesting retroactive change to CC:MC</i>	Approve for the 2021 code cycle	
6	Aetech Electrical Training Center	2020 NEC Code Changes Day 1, 8 hours CC:MC <i>Previously submitted as CR, requesting retroactive change to CC:MC</i>	Approve for the 2021 code cycle	
7	Aetech Electrical Training Center	2020 NEC Code Changes Day 2, 8 hours CC:MC <i>Previously submitted as CR, requesting retroactive change to CC:MC</i>	Approve for the 2021 code cycle	
8	Ewing-Foley	Lockout/Tagout OSHA Standard 29, CFR 1910-147, 4 hours CR	Deny for the 2021 code cycle	
9	NW Washington Electrical Industry JATC	2020 NEC Code Update, 8 hours CC:MC	Approve for the 2021 code cycle	

10	Reliance Electric, Inc	Bonding & Grounding, 8 hours CR	Approve for the 2021 code cycle	
11	Reliance Electric, Inc	2020 NEC Changes, 16 hours CC:MC	Approve for the 2021 code cycle	
12	Wendell Whistler Electrical Training	NFPA 70 E 2021, 8 hours CR	Approve for the 2021 code cycle	
13	Oregon Electric Test Prep	Skills Development, 2 hours CR	Deny for the 2021 code cycle	
14	Oregon Electric Test Prep	Skills Development, 4 hours CR	Deny for the 2021 code cycle	

**Instructors**

	<b>Applicant</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1	AJ Campbell Classes4contractors.com	Deny for the 2021 code cycle	
2	James Daniel Sandefur Classes4contractors.com	Approve for the 2021 code cycle	
3	Mark Hoffmann Classes4contractors.com	Approve for the 2021 code cycle	
4	Ryan Arne Aetech Electrical Training Center	Deny for the 2021 code cycle	
5	Steve Arne Aetech Electrical Training Center	Deny for the 2021 code cycle	
6	Mario Valdes Reliance Electric, Inc	Approve for the 2021 code cycle	
7	Samuel Rokowski Classes4contractors.com	Approve for the 2021 code cycle	

<b>Agenda Item VII.B.</b>
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07/25/2022

State of Oregon  
Building Codes Division  
PO Box 14470  
Salem, OR 97309-0404

RE: Application for Continuing Education

In regards to the denial letter received from the Electrical Board, Building Codes Division dated 06/03/2022. Our office did receive this letter but unfortunately was after the date of resubmittal. Unfortunately, there were technological issues regarding the application and the board was unable to access all documents submitted.

The courses were still completed as scheduled, as several other states had already approved. Please reconsider the backdating approval of these courses and allowing the individuals that attended credit for the hours completed.

Courses previously sent for approval and dates course was completed:

- Bonding & Grounding, 8 hours, 07/14/2022
- 2020 NEC Changes, 16 hours, 07/12-13/2022
- Mario Valdes, Instructor, Mike Holt Enterprises

The paperwork has been corrected for viewing purposes, please see attached list of those in attendance of the classes.

Feel free to reach out to me directly, should you have any questions.

Sincerely,

*Heather Patton*

Heather Patton  
Licensing Manager  
Reliance Electric, Inc  
435-668-8767  
[Heather.patton@relianceteam.com](mailto:Heather.patton@relianceteam.com)



# Oregon

Kate Brown, Governor

Department of Consumer and Business Services  
Building Codes Division  
1535 Edgewater Street NW  
P.O. Box 14470  
Salem, OR 97309-0404  
503-378-4133  
Fax: 503-378-2322  
bcd.oregon.gov

June 3, 2022

Reliance Electric  
2775 w Hampden Ave, Ste 100  
Englewood, CO 80110

Re: Application for Continuing Education

The Electrical Board, through the Building Codes Division, received your applications for electrical continuing education under Oregon Administrative Rules 918-035-0000 to 918-035-0080. The Board's Continuing Education sub-committee reviewed your applications and did not recommend approval.

The committee found that your applications do not include the information required for approval under OAR 918-035-0070(1). The committee did not recommend the following applications for approval:

- Bonding & Grounding, 8 hours CR, no course outline or objectives
- 2020 NEC Changes, 16 hours CC:MC, no course outline or objectives
- Mario Valdes, Instructor, no information about instructor

If you would like to resubmit your applications, the deadline for the next committee meeting is June 9, 2022. Resubmittal requires a new and complete application.

If you have any questions regarding the committee's actions, feel free to contact me.

Sincerely,

Shon Cole  
Electrical Program Assistant Chief  
[Shon.L.COLE@oregon.gov](mailto:Shon.L.COLE@oregon.gov)  
503-378-5838

## RELIANCE ELECTRIC LICENSE MANAGER

Entity	Name	Company	Classification	Type	Number	Expiration	Issue Date
Oregon	Allred, Seth Richard	Reliance Electric	Electrical	Journeyman	26840J	10/01/24	01/07/16
Oregon	Barlow, Brandon L	Reliance Electric	Electrical	Journeyman	30310J	10/01/24	07/27/21
Oregon	Barlow, Eber R	Reliance Electric	Electrical	Journeyman	30309J	10/01/24	04/06/21
Oregon	Barlow, Preston Y	Reliance Electric	Electrical	Journeyman	31015J	10/01/24	01/26/22
Oregon	Jessop, Chad L	Reliance Electric	Electrical	Journeyman	26545J	10/01/24	07/27/11
Oregon	Jessop, Kevin S	Reliance Electric	Electrical	Journeyman	26544J	10/01/24	07/27/11
Oregon	Jessop, Sterling K Sr	Reliance Electric	Electrical	Master	6043S	10/01/22	
Oregon	Johnson, Ephraim Taylor	Reliance Electric	Electrical	Master	6178S	10/01/22	04/21/17
Oregon	Johnson, Joseph B	Reliance Electric	Electrical	Journeyman	26728J	10/01/24	08/07/15
Oregon	Johnson, Joseph W	Reliance Electric	Electrical	Journeyman	30707J	10/01/24	08/26/21
Oregon	Johnson, Lee S	Reliance Electric	Electrical	Journeyman	26841J	10/01/24	01/07/16
Oregon	Johnson, Walton Q	Reliance Electric	Electrical	Journeyman	28392J	10/01/24	08/13/18
Oregon	Musser, Rulon L	Reliance Electric	Electrical	Master	6150S	10/01/22	01/05/17



# AETech Electrical Training Center For the Electrical Industry

Continuing Education Classes

4 Month Apprenticeship Classes

[www.aetech.com](http://www.aetech.com)

320 E. Blvd. North, Rapid City, SD 57701

Steve Arne, Continuing Ed Director

Ryan Arne, Apprenticeship Director

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Email: [office@aetech.com](mailto:office@aetech.com)

320 E Blvd. North, Rapid City, SD 57701

PO Box 2272, Rapid City, SD 57709

605-342-9088

Oregon Electrical Board,

The National Electrical Code Change Applications submitted for 2020 cycle was completed in error and approved for CR (instead of checking Code-change: Model Code only. I accidentally marked Code-related). Due to this error, I have submitted Corrected Applications and requesting that the electricians who attended our class from 2020 to 2022 who need their code change hours for continuing education for renewal of their state licenses hours to be applied retroactive when Current Applications are reviewed and considered with new approval course number? If you have any questions, please let me know.

List of attended Licensee's.

Stanley Maynes attended April 2, 2020 – OR Lic# 61455

Mark Davis attended May 7-8, 2020, May 20-21, 2021 & May 26-27, 2022 – OR Lic#5952S

Luke Benedetti attended May 7-8, 2020 – OR Lic# 59345

Zebulan Green attended April 2-3, 2020 – OR Lic# 63475

Thank you for your time and consideration!

Sincerely,

Dana Matlock-Arne