

## Compliance Action Sheet for May 13, 2025

OAR 750-080-0020 - Mitigating Circumstances. The State Board of Towing may consider the following mitigating circumstances prior to issuing or imposing a non-disciplinary or disciplinary action under this section:

- (1) The person or entity's history in observing the provisions of ORS 98.853, 98.854, 98.856, 98.858, 181A.350, 822.200, 822.215, 822.225, 822.230, 822.235 or 822.605 and the rules of the Board under OAR Chapter 750;
- (2) The nature of the violation;
- (3) The effect of the violation on public safety and welfare;
- (4) Whether the conduct or action(s) was inadvertent or intentional;
- (5) The person's experience and education;
- (6) The degree to which the action subject to sanction violates professional ethics and standards of the profession;
- (7) The level of cooperation and engagement in the Board's investigation;
- (8) The economic and financial condition of the person or entity subject to sanction; and
- (9) Any mitigating or aggravating factors the Board may choose to consider.

### 1. Case No. 2025-03-017 City Permit Revocation

Board Vote* <u>Anderson</u> <u>Baker</u> <u>Coughlin</u> <u>Lindland</u> <u>McClellan</u> <u>Shaner</u> <u>Hanson</u> <u>Riley</u>
<b>SUMMARY:</b> City revocation of tower's PPI permit for failure for violations of state laws and the city's PPI ordinance.
<b>Notes or discussion:</b>

### 2. Case No. 2025-03-017 Towing without a valid PPI permit required by the City

<b>SUMMARY:</b> Respondent failed to complete a city PPI permit application by the deadline extended by the City, continued to conduct PPIs without a permit.
<b>Notes:</b>

### 3. Case No. 2025-04-022 Towing without a valid PPI permit required by the City

<b>SUMMARY:</b> Respondent towed a vehicle without a valid PPI permit. Failed to release vehicle to owner without a waiver, and refused to provide the vehicle owner with pre-tow photographs.
<b>Notes:</b>

### 4. Case No. 2025-04-009 Towing without a valid PPI permit required by the City

**SUMMARY:** Respondent towed a vehicle without a valid PPI permit, refuses to reimburse the vehicle owner in violation of City's Order.

**Notes:**

**5. Various Cases - See attached**

**SUMMARY:**

Vehicles allegedly towed without signed authorization. Allegations include failure to provide pre-tow photos, failure to release vehicle to vehicle operator at scene, ORS 98.853 (1) and other violations.

*Respondent failed and refused to provide towing information requested as part of investigations. The Board may consider Respondent's failure to provide information as non-contesting of the allegations within the complaint.*

**Notes:**

Oregon State Board of Towing May 13, 2025 - Complaint and Case Information	
Case No.	Description
2024-01-007	Vehicle towed from assigned spot; no signed authorization. Tower refused to provide signed authorization or pre-two photo.
2024-01-014	Vehicle towed from commercial property; no signed authorization, "Agreement" provided was for a different lot in different area of town, no pre-tow photograph of vehicle provided to VO.
2024-01-021	Guest vehicle towed from apartment complex; more parking spaces than units. No signed authorization, no pre-tow photographs provided. Violation ORS 90.485 requirements.
2024-01-022	Commercial PPI; vehicle operator arrived at scene prior to hook up; tower continued to complete hook up of vehicle. VO required to pay hook up fee and city fees for release of vehicle. No signed authorization or pre-tow photos.
2024-01-023	Commercial PPI; posted signage is not clear in photos provided by vehicle owner. No signed authorization, no pre-tow photographs provided by Respondent.
2024-02-002	Visitor with valid guest parking pass towed from apartment complex. No signed authorization, no photograph provided to vehicle owner. Tower may have also violated restrictions of ORS 90.458 as owner's agent.
2024-04-003	Tenant's vehicle with required TOWER's permit posted on the windshield towed without authorization. Permit visible on windshield at the tower's lot.
2024-04-006	Tenant's vehicle towed as part of PPI patrol, no authorization from management. Acted as owner's agent in determining tow. Tower may have violated restrictions of property owner to remove vehicle under ORS 90.485.
2024-04-017	Commercial PPI; signed "agreement" several years old. Photo does not show vehicle towed. No authorization, tower failed to provide photo to VO after several weeks.
2024-05-003	Guests vehicle towed. No authorization, no photos. Tower may have violated restrictions as agent of property owner to remove vehicle under ORS 90.485.
2024-06-003	Patrol PPI. No signage posted indicating no parking along curb; curb not marked as a tow away zone or fire lane. Second PPI patrol event alleges tower continued to back up to vehicle after VO was present at the time of tow - ORS 98.853 (3)
2024-06-014	Patrol PPI. Vehicle was parked in tenant's assigned parking spot. Additional violation of ORS 90.485 requiriements.
2024-07-009	Commercial PPI. No signed authorization, no pre-tow photos. Possible violation of not allowing VO to reclaim vehicle during business hours.
2024-07-016	Patrol PPI. Tower refused to release to vehicle operator for hook up fee. No signed authorization.
2024-07-022	Patrol PPI. Vehicle towed for "back in parking" - not an exception under ORS 98.853 (1), possible violation of ORS 90.485.

2024-07-029	Patrol PPI. Vehicle towed from assigned parking space, permit displayed on dash. Violation of ORS 90.485.
2024-08-020	Visitor towed from visitor parking. No signed authorization for tow.
2024-08-015	Patrol/PPI - no authorization. Towed for "back in parking"
2024-08-021	Invoice says "fire lane", complainant says not a fire lane. No signed authorization, photo does not show vehicle parked in fire lane.
2024-09-019	Patrol/PPI - no authorization. Towed for "back in parking"
2024-10-008	Signed authorization requested, not provided. Reason for tow "WA license plate."
2024-12-005	Signed authorization requested, not provided.
2025-04-020	Signed authorization requested, not provided.
2025-04-025	Signed authorization requested, not provided.