

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

3 **IN THE MATTER OF:**

4 **ARCADIA ENTERPRISES INC,**  
5 **AN OREGON CORPORATION,**

6 **RESPONDENTS**  
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)  
) **NOTICE OF PROPOSED ASSESSMENT**  
) **OF A CIVIL PENALTY AND FINAL**  
) **ORDER ON DEFAULT**  
)  
) **CASE No. 2006-0150**  
)  
)  
)

9 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator Board  
10 proposes to impose a civil penalty against you in the amount of \$1,000.

11 **FINDINGS OF FACT**

12 1. On or about April 11, 2006, at 418 SW Washington, Portland, Oregon, Respondent  
13 permitted an elevator to be operated on property owned, controlled, managed or supervised by  
14 the Respondent without a current operating permit.

15 **CONCLUSIONS OF LAW**

16 1. By permitting an elevator to be operated on property owned, controlled, managed or  
17 supervised by the Respondent without a current operating permit, as outlined in the Findings of  
18 Fact above, Respondent violated ORS 460.045(4).

19 **ORDER**

20 Pursuant to ORS 455.895(1)(b) and OAR 918-001-0036, the Electrical and Elevator Board finds  
21 Respondent violated 460.045(4) and is assessed a \$1,000 civil penalty.

22 **NOTICE OF RIGHT TO HEARING**

23 You are entitled to a hearing as provided by the Administrative Procedures Act, Oregon Revised  
24 Statutes, Chapter 183. If you wish to receive a hearing you must file a written request for a  
25 hearing with the Board no later than 20 days from the date of service of this notice. If a request  
for hearing is not received within the 20-day period your right to a hearing shall be considered  
waived unless the failure to request a hearing was beyond your reasonable control. Hearing  
requests shall be mailed to Building Codes Division, Enforcement and Licensing Section, PO  
Box 14470, Salem, Oregon, 97309.

You have the right to be represented by legal counsel. ORS 183.457 provides a corporation may  
be represented by an authorized representative at the hearing. If you request a hearing the Board  
and Director will notify you of the time and place of the hearing. The Board and Director will

1 give you information on the procedures, right of representation and other rights of parties  
2 relating to the conduct of the hearing before commencement of the hearing.

3 **NOTICE OF FINAL ORDER**

4 If you do not request a hearing within 20 days, this citation will become a final order, effective  
5 21 days after it was served on you. If you do not request a hearing or fail to appear at a  
6 scheduled hearing, the Division's file on the matter becomes record. You are entitled to judicial  
7 review of this order. Judicial review may be obtained by filing for review within 81 days from  
8 the date this order was served. Judicial review is pursuant to the provisions of ORS 183.482 to  
9 the Court of Appeals.

10 Dated this \_\_\_\_ day of \_\_\_\_\_, 2006

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11 BY  
12 HEATH M. LAWSON, Enforcement Officer  
13 Enforcement and Licensing Section  
14 Building Codes Division  
15 PO Box 14470  
16 Salem, Oregon 97309-0404  
17 PHONE: (503) 378-3102  
18 FAX: (503) 378-2322  
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