

STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
WORKERS COMPENSATION DIVISION

**IN THE MATTER OF THE COMPLIANCE OF  
Rodney L. Green and Susan E. Green, Employers**

STATE OF OREGON, Acting by and through  
Kerry Barnett, Director, Department of  
Consumer and Business Services

Plaintiff v.

Rodney L. Green and Susan E. Green, Individually  
Defendants,

STATE OF OREGON  
County of Klamath

)AFFIDAVIT SUPPORTING ENTRY  
 ) OF ORS 656.735 and 205.125  
 )MONEY JUDGMENT AND LIEN

16 I, David Van De Kop, being first duly sworn, say: I am the Collection Manager of the Business Administration Division for the plaintiff and custodian of plaintiff's Workers' Compensation Division Accounts Receivable records. Plaintiff's records show that "Proposed and Final Order Declaring Noncompliance and Assessing a Civil Penalty", Number 20405-AB was issued to defendants. A certified true copy of the Order is attached.

More than 20 days have elapsed since the defendants received the Order and the defendants have not requested a hearing to contest any matter therein. The penalty proposed in the Order became final on November 11, 1992, by operation of ORS 656.740(1).

Pursuant to ORS 656.735(5) and 82.010, there is now due and owing to the plaintiff by the defendants jointly and severally a civil penalty in the amount of \$1,000.00 plus interest thereon at the rate of nine percent per annum from November 21, 1992, until paid, plus the costs of recording the Order.

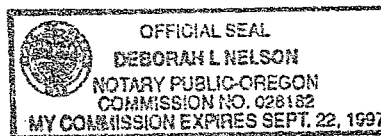
## MONEY JUDGMENT

- 1) Judgment Creditor: State of Oregon, acting by and through Kerry Barnett, Director, Department of Consumer and Business Services.
- 2) Judgment Creditor's Attorney: None.
- 3) Judgment Debtors: Rodney L. Green and Susan E. Green, Individually
- 4) Principal Amount of Judgment: \$1,000.00
- 5) Prejudgment Simple Interest: None.
- 6) Attorney Fees: None.
- 7) Costs: \$20.00
- 8) Postjudgment Simple Interest at the rate of 9% per annum on the principal amount of the judgment which consists of Item 4 from November 21, 1992.

David Van De Kop 6/5/97  
Date  
Collection Manager, Business Administration Division

Subscribed and sworn to before me this 5th day of June, 1997.

Deborah V. Wilson  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 9/22/97



RETURN TO: DCBS, Business Admin. - NCE, 350 Winter St. NE, Room 300, Salem, OR 97310

OREGON DEPARTMENT OF INSURANCE AND FINANCE  
WORKERS' COMPENSATION DIVISION  
COMPLIANCE/NONCOMPLYING EMPLOYER PROGRAM  
LABOR & INDUSTRIES BUILDING  
SALEM, OREGON 97310  
(503) 373-7434

17847

In the Matter of the Noncompliance of )  
Rodney L Green & Susan E Green )  
a Partnership )  
dba TEN MINUTE CAR CARE )  
dba The Tune Up Shop )  
Employer. )

PROPOSED AND FINAL ORDER  
DECLARING NONCOMPLIANCE AND  
ASSESSING A CIVIL PENALTY

Order No. 20405-AB

CERTIFIED TRUE COPY)

To: Rodney L Green & Susan E Green

BASIS FOR ORDER

Every employer of one or more subject workers in Oregon is a subject employer (ORS 656.023).

Every subject employer is required to provide workers' compensation coverage for its subject workers, in conformity with ORS 656.017 (ORS 656.052(1)).

Every subject employer shall maintain assurance with the Department of Insurance and Finance that it has provided coverage for its subject workers (ORS 656.017(1)). It shall do so by qualifying as a self-insured employer or by causing a guaranty contract from its insurer to be filed with the Department (ORS 656.407(1)).

If there is reason to believe that an employer has failed to provide workers' compensation coverage for its subject workers, the Department of Insurance and Finance shall serve the employer with an order declaring the employer to be noncomplying and assessing a civil penalty (ORS 656.052(2)).

A civil penalty of \$1,000 shall be assessed against any subject employer who does not provide workers' compensation coverage for its subject workers and maintain assurance of the coverage with the Department by qualifying as a self-insured employer or by causing a guaranty contract from its insurer to be filed with the Department (ORS 656.735(1), OAR 436-80-040(1)).

If there is a compensable claim arising from an injury to a subject employee of a noncomplying employer, the noncomplying employer is liable for payment of all costs related to the claim and for an additional civil penalty (ORS 656.054(3), ORS 656.735(3)).

FINDINGS

1. Rodney L Green & Susan E Green was the employer of one or more subject workers in Oregon during the period from April 26, 1992 to September 10, 1992.
2. Rodney L Green & Susan E Green was not qualified as a self-insured employer with the Department during the period from April 26, 1992 to September 10, 1992.
3. Rodney L Green & Susan E Green did not cause a guaranty contract to be filed with the Department covering any part of the period from April 26, 1992 to September 10, 1992.



## CONCLUSION

Rodney L Green & Susan E Green violated ORS 656.052(1) during the period from April 26, 1992 to September 10, 1992, by engaging as a subject employer without qualifying as a carrier-insured or self-insured employer in conformity with ORS 656.017.

## ORDER

The Department of Insurance and Finance through the Compliance Section of its Workers' Compensation Division proposes to order that Rodney L Green & Susan E Green be declared a noncomplying employer during the period from April 26, 1992 to September 10, 1992, and to further order that Rodney L Green & Susan E Green pay a civil penalty in the amount of \$1,000 for violation of ORS 656.052(1).

CERTIFIED TRUE COPY

## NOTICE

If you disagree with this Order, you may request a hearing. Your request for hearing must be in writing, delivered to the Compliance/NCE Program at the address at the top of this document. Your request for hearing must state your grounds for disagreement and must be received by the Compliance/NCE Program within 20 days after you receive this Order. If a request for hearing is not received by the Compliance/NCE Program within the time specified above, this Order will become final by operation of ORS 656.740(3) and thereafter shall not be subject to review by any agency or court.

If the amount of premium which you would have paid for workers' compensation coverage for the period stated above is less than the amount of the civil penalty stated above, we may agree to reduce the amount of the civil penalty due if within 20 days of service of this Order we have received all of the following from you:

1. Your agreement in writing that you will not contest this Order; and
2. Satisfactory evidence that you now have workers' compensation coverage in effect OR satisfactory evidence that you are no longer a subject employer; and
3. Sufficient payroll information for us to calculate the amount of premium you would have paid had you had coverage in effect during the period stated above; and
4. An arrangement satisfactory to us for your payment of the reduced civil penalty.

If you do not understand this Order, you should contact your attorney at once or call the Compliance/NCE Program at 373-7434.

Dated this 14th day of October 1992.

DEPARTMENT OF INSURANCE AND FINANCE  
WORKERS' COMPENSATION DIVISION

By Gary Stewart  
Gary Stewart, Compliance Section

3650-WCD/COM/BLS

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Oregon Dept. of Consumer Services the 11th day  
of June A.D., 19 97 at 9:59 o'clock A. M., and duly recorded in Vol. M97  
of County Lien Docket on Page 17846.  
Bernetha G. Leisch, County Clerk

FEE \$15.00

By Kathleen Rose