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THE CONSTRUCTION CENTER OF THE
STATE OF OREGON
700 LAMIER ST. NE SUITE 300
PO BOX 14140
SALEM, OR 97309-5052
PH: 503-481-1111 FAX: 503-200-7

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In the Matter of the Imposition of
a Civil Penalty Against:

File No. 29092 III L

FINAL ORDER

Shawn Earnest Johnson,
an individual,
aka Shawn Johnson Construction,
CCB Registration No. 111641 (Inactive)
Respondent.

SHAWN EARNEST JOHNSON
SHAWN JOHNSON CONSTRUCTION
3217 LAVERNE
KLAMATH FALLS OR 97603

On March 9, 1993, the board properly served notice on Shawn Earnest Johnson (hereinafter JOHNSON) that it intended to issue a civil penalty in the amount of \$400 for violation of ORS 701.135(1)(g) and \$200 for violation of ORS 37.093(2). The Notice further granted to JOHNSON an opportunity for hearing, if requested within 21 days of service of the Notice. No such request has been received at the Board. The Notice designated the board's file on this matter as the record for purposes of default.

FINDINGS OF FACT

1. On or about June 6, 1997 through July 28, 1997, JOHNSON worked, for compensation, pursuant to a contract with Mr. Earnest Dean McGinn to build a garage at 214 N. Baker, Clatskanie, Oregon. The work you performed required a building permit. JOHNSON failed to obtain this permit for this work. The work resulted in a claim filed with the board on December 29, 1997.
2. On or about June 5, 1997, JOHNSON failed to provide an "Information Notice to Owners About Construction Liens" at the time the residential construction or improvement contract was signed as required by statute for construction jobs over \$1,000.

ULTIMATE FINDINGS OF FACT

JOHNSON failed to obtain a permit on or about June 6, 1997, and on that same date failed to provide an "Information Notice to Owners About Construction Liens".

CONCLUSION OF LAW

JOHNSON violated ORS 701.135(1)(g) by failing to obtain a permit, and violated ORS 37.093(2) by failing to provide an "Information Notice".

ORDER

It is ordered that JOHNSON pay a civil penalty in the amount of \$600.

AFTER FILING RETURN TO
CONSTRUCTION CONTRACTORS BOARD
Landscape Construction Board
P. O. Box 14140
Salem, OR 97309-5052

ATTN: SERCA OFFICE

Certified to be a true copy of
the original.

Shawn Johnson
Collector

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CONSTRUCTION CONTRACTORS BOARD
Garnett K. Kendall, Administrator

Chris P. Smith, Jr.
Chris P. Smith, Deputy Administrator

NOTICE: Civil penalty amounts are established in Oregon Administrative Rule 812-05-003. Interest will accrue in accordance with Section 2, Chapter 734 Oregon Laws 1991 and ORS 82.010.

Unpaid civil penalties may be recorded and filed with county clerk as liens against property ten days after the expiration of the statutory appeal period. If you have any questions about payment or wish to make payment arrangements, please call 378-4621. Make checks payable to the Construction Contractors Board.

APPEAL RIGHTS: You are entitled to judicial review of this order in accordance with ORS Chapter 83.430. You may request a judicial review by filing a petition with the Court of Appeals in Salem, Oregon, within 60 days from the date of this order. Tape recordings of Administrative Hearings are retained 90 days after the date of the final order. Duplicate tape recordings cost \$10 per tape.

I hereby certify that this document was placed in regular and certified mail by me on this 28th day of April 1998.

Initialed D

johnson.doc

STATE OF OREGON - COUNTY OF KLAMATH ss.

Filed for record at request of Construction Contractors Board the 20th day
of January A.D. 1999 at 2:13 o'clock P.M. and duly recorded in Vol. 1099
of County Clerk Deput on Page 1943

Linda Smith, County Clerk

FEES \$10.00

by Kathleen A. [Signature]