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BEFORE

THE CONSTRUCTION CONTRACTORS BOARD

Vol. 1799 Page 1946

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700 SUMNER ST., SUITE 310

P.O. BOX 4140

SALEM, OR 97308-5062

PHONE: 378-4821 FAX: 373-2107

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

File No. 20035 PCH

Shawn Earnest Johnson

FINAL ORDER

An Individual,

dba Shawn Johnson Construction,

CCC Registration No. 111641 (Active)

Respondent

SHAWN EARNEST JOHNSON
SHAWN JOHNSON CONSTRUCTION
3227 LAVERNE
KLAMATH FALLS OR 97603

60503

On October 16, 1997 the board properly served notice on Shawn Earnest Johnson, dba Shawn Johnson Construction (hereinafter JOHNSON) that it intended to issue a civil penalty in the amount of \$1,000 for violation of ORS 701.055(1). The Notice further granted to JOHNSON an opportunity for hearing, if requested within 21 days of service of the Notice. No such request for hearing has been received by the board. The Notice designated the board's file on this matter as the record for purposes of default.

FINDINGS OF FACT

1. On September 30, 1997, JOHNSON's registration, number 111641, was inactive due to a lapse in insurance coverage.
2. On or about September 30, 1997, JOHNSON contracted with Ernie Herman at 315 N. Monroe, Merrill, Oregon, to re-roof a small house. JOHNSON received \$900 for a deposit for materials and to start up construction. JOHNSON did not perform any work and has failed to return the deposit.

ULTIMATE FINDINGS OF FACT

JOHNSON acted as a contractor on or about September 30, 1997, in the state of Oregon while not properly registered with the CCCB.

CONCLUSION OF LAW

JOHNSON violated ORS 701.055(1) by acting as a contractor while not registered with the Board.

ORDER

It is ordered that JOHNSON pay a civil penalty in the amount of \$1,000.

AFTER FILING RETURN TO:
CONSTRUCTION CONTRACTORS BOARD

Lawrence Contractors Board
P.O. Box 4140
Salem, OR 97308-5062

ATTN: JANA LINDA PAGE

Certified to be a true copy of
the original.

Shawn Johnson
Collection

1947

CONSTRUCTION CONTRACTORS BOARD
Kenneth H. Knudsen, Administrator



Craig P. Smith, Deputy Administrator

NOTICE: Civil penalty amounts are established in Oregon Administrative Rules 312-05-005. Interest will accrue in accordance with Section 2, Chapter 734 Oregon Laws 1991 and ORS 82.010.

If unpaid, civil penalties may be recorded and filed with county clerks 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 183.480. 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 has been placed in certified and regular mail by us on this 22nd day of November, 1997.

Initialed AS

Spencer Lee

STATE OF OREGON, COUNTY OF KLAMATH

Filed for record at request of Construction Contractors Board the 20th day of January A.D. 1998 at 3:14 o'clock P. M. and duly recorded in Vol. 199 of County Lien Book on Page 1946

Linda Smith, County Clerk

FEES \$10.00

by K. Allen