

**COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION
AGENCY CASE NO. 2015-0003-ELEC**

DEPARTMENT OF HOUSING,
BUILDINGS AND CONSTRUCTION

COMPLAINANT

v.

AGREED ORDER

ROBERT E. WILSON

RESPONDENT

* * * * *

1. The Department of Housing, Buildings and Construction (“DHBC”), Electrical Division with the assistance of the Electrical Advisory Committee regulate and license master electricians, electrical contractors, and electricians under KRS Chapter 227A, and enforce all statutes, regulations, and applicable code requirements related to electrical work in the Commonwealth of Kentucky.

2. Robert E. Wilson (“Respondent”) was, at all relevant times herein, a Tennessee resident, located at 1244 Gallatin Pike South, Madison, TN, 37115.

3. Respondent was at all relevant times herein a Kentucky Master Electrician (license #ME7606) and a Kentucky Electrical Contractor (license #CE8500).

4. The DHBC investigated the electrical work performed by Respondent and his company, Stone River Electric, at 311 West Park Street, Guthrie, Kentucky (a residential property). As a result of that investigation, the DHBC found that John Brown and Michael Schwanke installed a generator at this address on behalf of Stones River Electric, under Mr. Wilson’s Master Electrician License on March 16 and 17, 2011. These individuals were unlicensed and a Master Electrician was not on site while any of

the work was performed. Respondent was only on the job site for a total of twenty minutes on March 17, 2011, before Mr. Brown and Mr. Schwanke arrived to work.

5. Failure to be responsible for this electrical work by not providing direct, on-site supervision violates KRS 227A.020(4); 815 KAR 35:080, Section 1(17); and the 2007 Kentucky Residential Code R101.8.

6. The DHBC possesses a range of statutory and administrative authority to address violations of the statutes, regulations, and applicable code requirements related to electrical work in the Commonwealth, including license revocation, restriction, and suspension, and the imposition of fines in an amount up to \$1,000.00 per violation under KRS 198B.990, with each day the violation continues constituting a separate offense. The DHBC also has authority to assess additional administrative fines under KRS 227A.040(6) for violations of the Code of Ethics in 815 KAR 35:080.

7. In this case, Respondent disputes that he was in violation of KRS 227A.020(4); 815 KRS 35.080, Section 17; and the 2007 Kentucky Residential Code R101.8 on the stated dates.

8. In order to compromise and settle this matter, and in the interest of economically and efficiently resolving the violations described herein, the parties agree as follows:

- a. Respondent agrees to a fine in the total amount of three thousand dollars (\$3,000.00) for the violation(s) described herein;
- b. Respondent agrees to and shall pay a total fine of \$3,000.00 no later than April 17, 2015. Said payment shall be in the form of a certified check or money order made payable to "Kentucky State Treasurer" and mailed to the Department of Housing, Buildings

and Construction, Attn: Victoria K. Holmes, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky, 40601;

- c. Respondent shall devote the time and resources reasonably necessary to ensure continual and full compliance with the Uniform State Building Code, and all statutory and regulatory requirements set forth in KRS Chapter 227A and 815 KAR Chapter 35; and
- d. The DHBC agrees to pursue no further administrative action against the Respondent based upon the violations described herein for electrical work performed by Respondent and his company at 311 West Park Street, Guthrie, Kentucky (a residential property) on March 16 and 17, 2011.

9. Respondent waives his right to an administrative hearing or to otherwise appeal or set aside this Order.

10. Respondent consents to and acknowledges the jurisdiction of the DHBC over this matter and that this Agreed Order is a matter of public record and may be disseminated as such.

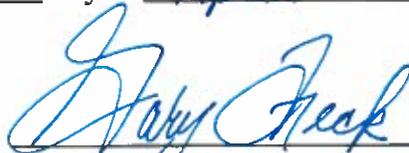
11. In consideration of execution of this Agreed Order, Respondent for himself, and for his successors and assigns, hereby releases and forever discharges the Commonwealth of Kentucky, the DHBC, Office of Legal Services, and each of their members, agents, and employees in their individual capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may have or claim to have against any or all of the persons or entities named in this

paragraph or Agreed Order arising out of or by reason of this investigation, this disciplinary action, this settlement, or its administration.

12. By signing below, the parties acknowledge they have read the foregoing Agreed Order, know and fully understand its contents, and that they are authorized to enter into and execute this Agreed Order and legally bind their respective parties.

13. This Agreed Order shall constitute the Final Order in this matter.

IT IS SO ORDERED on this the 1st day of April 2015.


GARY A. FECK
Acting Commissioner
Department of Housing, Buildings
and Construction

Agreed to:

This 19th day of MARCH 2015.


Robert E. Wilson

ACKNOWLEDGEMENT

STATE/Commonwealth of Tennessee)

COUNTY OF Davidson)

On this the 19TH day of March 2015, before me Tracie Taylor, the undersigned, **Robert E. Wilson**, did personally appear and entered into and executed the foregoing instrument for the purposes therein contained.

In witness whereof I hereunto set my hand.

My Commission Expires: May 2, 2015



Tracie Taylor
Notary Public

Agreed to:

This 1st day of April 2015.

Jack Coleman
Jack Coleman,
Deputy Commissioner
Acting Director, Electrical Division
Department of Housing, Buildings and Construction

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing *Agreed Order* was served via U.S. Postal Service, first class, postage prepaid, and via email on this the 1st day of April 2015, to the following:

Stephen K. Heard, Member
Dickinson Wright PLLC
424 Church St.
Suite 1401
Nashville TN 37219
Phone 615-620-1739
Fax 615-256-8386
Email SHeard@dickinsonwright.com
Counsel for Robert E. Wilson

Victoria Kadreva Holmes
Victoria M. Kadreva Holmes
Assistant Counsel
Office of Legal Services
Department of Housing, Buildings and
Construction
101 Sea Hero Road, Ste. 100
Frankfort, KY 40601
(502) 573-0365 ext. 107
(502) 573-1057 facsimile
Victoria.Holmes@ky.gov
Counsel for Complainant