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Enforcement Efforts Help Stop Illegal Construction Activity

CCB “enforcement sweeps”, arrests and court actions have made it a busy six months for the Oregon Construction Contractors Board (CCB), Department of Justice (DOJ) and local law enforcement. All are working hard to protect Oregonians from illegal construction activity.

“CCB investigators work diligently to provide the investigative legwork for police and the DOJ to help hold accountable those who violate the law,” says Rich Blank, CCB Enforcement Manager. “The recent addition of CCB compliance officers conducting enforcement sweeps has added another tool to stop illegal activity.”

CCB “enforcement sweeps” are multi-day events in which CCB compliance officers blanket a specific geographical area in the state with unannounced jobsite visits. Throughout the spring and summer compliance officers conducted sweeps in eastern Oregon, southern Oregon coast and Medford,/Grants Pass/Klamath Falls area, visiting over 300 jobsites and finding more than 30 violations.

“More of these are definitely planned,” says Blank. “And just like before, when and where will be a surprise.”

Recent cases involving local law enforcement include the following:

Portland police arrested Justin Levi Heath, of Gresham, on August 24, 2006, on two counts of Theft 1 and two counts of working without a contractor’s license for allegedly taking more than \$7,000 in deposit money for construction work and then not delivering material or labor. Based on a consumer complaint, the CCB’s Special Investigation Unit (SIU) and Portland police investigation alleges that in

two separate instances, Heath used someone else's CCB number without permission to solicit construction work and deposits.

On September 7, 2006, Portland police arrested Daniel Joseph Wentworth, of Keizer, during a joint sting operation with the CCB-SIU on one count of Theft 1 and working without a contractor's license. Wentworth currently has more than \$20,000 in unpaid civil penalties for working as an unlicensed contractor and over \$16,000 in construction related damages to Oregon consumers. The arrest alleges that Wentworth took \$7500 from a 61-year old Portland resident and did no work. Wentworth has been referred to the DOJ for possible Unlawful Trade Practices Act (UTPA) violations.

Cliff Eugene Sessions, known to reside in Redmond and Gresham, was arrested by Gresham police on a warrant from the Deschutes County Sheriff's Office on four counts of Theft 1 and two counts of Theft 2 for allegedly taking more than \$10,000 in deposits for construction activity and failing to perform the work. The CCB-SIU is investigating additional allegations of illegal activity in the Gresham area.

Some of the more recent cases involving the DOJ include:

In two separate cases, the DOJ filed permanent injunctions against Kelly Eugene Lay, Portland and Timothy A. Bennett, of Hillsboro which orders them to stop working as a contractor under penalty of law. Lay was also ordered to pay nearly \$8000 in restitution to the victims and \$50,000 in civil penalties. Bennett was ordered to pay more than \$3000 restitution and \$25,000 in civil penalties.

The DOJ also filed an Assurance of Voluntary Compliance (AVC) in Lane County against William Gregory Armstrong, of Springfield, doing business as Armstrong's Competitive Concrete, LLC and one in Washington County against Yehuda Zeev Shnayder, of Tualatin.

CCB records indicate the CCB license for Armstrong lapsed in 2003. Armstrong was assessed a \$5000 civil penalty for working without a license in 2004. In 2005, the CCB investigated additional complaints for construction work Armstrong performed while unlicensed. The AVC requires Armstrong pay more than \$9000 in restitution and \$15,000 in civil penalties.

Shnayder is not licensed by the CCB. The investigation revealed that the contracts Shnayder used displayed a CCB number not belonging to him. The AVC requires Shnayder to pay approximately \$2300 in restitution and \$10,000 in civil penalties.

The CCB is a state agency licensing more than 42,000 contractors. Anyone who is paid to repair, improve or build a home must be licensed by the CCB. Consumers can verify a contractor's license and find information for successful projects at www.oregon.gov/CCB or by calling 503-378-4621.

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