



OFFICE OF THE ATTORNEY GENERAL

HARDY MYERS

FOR IMMEDIATE RELEASE
September 21, 2006

AG MYERS FILES LAWSUITS AGAINST UNLICENSED CONTRACTORS OPERATING FROM THE SALEM & KEIZER AREAS

Attorney General Hardy Myers today sued two unlicensed contractors for allegedly taking money for work not completed or never started and subsequently disregarded warnings and notices from the Attorney General's office. Named in lawsuits filed today in Marion County Circuit Court are Ramiro Rudy Ramirez of Keizer, doing business as Crystal Clear Designers, and Sean Bender of Salem, doing business as Diversified Construction.

"Operating without a license and taking money for work never started or completed is outrageous," Myers said. "But intentionally ignoring law enforcement will not be tolerated."

According to Construction Contractors Board (CCB) investigators, contractor Ramirez not only entered into construction contracts with consumers while being unlicensed, uninsured and not bonded but failed to complete or even start many of the projects. The CCB issued at least three separate Notices of Intent to Assess a Civil Penalty and Opportunity for Hearings followed by Final Orders.

The Board found in at least two of its proceedings that Ramirez was "dishonest or fraudulent and injurious to the welfare of the public" because he signed contracts and took money from consumers, failed to do the work and consequently, some of the consumers could not pursue claims against any bond with the CCB.

Ramirez was served with a notice of Unlawful Trade Practices and a proposed Assurance of voluntary compliance (AVC) but failed to enter into the document.

Unlicensed landscape contractor Bender entered into a contract with a Salem consumer, taking a \$3,500 down payment, and performing no work or delivering any materials. Bender did enter into an agreement to repay the consumer but failed to make timely payments. Bender also was served notice of Unlawful Trade Practices and an AVC but failed to contact the Department of Justice or enter into the AVC.

Both lawsuits allege violations of the state consumer protection laws and state licensure laws and ask the court to require both defendants to be licensed and bonded before working as contractors and for up to \$25,000 in civil penalties for each violation of the UTPA. Justice also asks for attorneys' fees and costs.

The Ramirez complaint asks for restitution for the remaining victim. Some consumers were either able to receive payments from an earlier bond due to the date of their contracts with the defendant and others pursued judgments through Small Claims Court. The lawsuit against Bender asks for restitution as well.

Over the last year, eleven other court orders were obtained by the Department of Justice, in conjunction with the Landscape and Contractors Boards against unlicensed contractors. Those signing AVCs admit no violation of law.

- William G. Armstrong, dba Armstrong's Competitive Concrete of Springfield, AVC;
- Timothy Bennett of Hillsboro, General Judgment and Permanent Injunction;
- Richard Dauley of Sweet Home, Stipulated Limited Judgment;
- Jonathan Duvall of Portland, AVC;
- Kelly Lay of Portland, General Judgment and Permanent Injunction;
- Herold Lee of Portland, Stipulated General Judgment for Contempt;
- Anthony Jay Mattsen of Portland, AVC;
- Edwin Eugene Norman of Sweet Home, Stipulated General Judgment and Settlement Agreement;

- Ronald J. Sambuceto of Wilsonville, AVC;
- Yehuda Zeev Shnayder of Tualatin, AVC;
- Rod Surgeon of Central Point, General Judgment and AVC.

Consumers wanting to verify a contractor's license may call (503) 378-4621 or online at www.oregon.gov/ccb. Landscape contractor's licenses also may be verified by calling (503) 986-6561 or online at www.oregon.gov/lcb/licensing.shtml.

Oregonians wanting information about consumer protection in their state may call the Attorney General's consumer hotline at (503) 378-4320 (Salem area only), (503) 229-5576 (Portland area only) or toll-free at 1-877-877-9392. Justice is online at www.doj.state.or.us.

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