IN THE MATTER OF	) ) No. PMUL20100041
TYLOR EVANS,	)
Respondent.	) ORDER IMPOSING ) CIVIL PENALTY

Iowa Code section 105.10 requires all persons who perform plumbing and mechanical services in the State of Iowa to possess a license issued by the Iowa Plumbing and Mechanical Systems Board (Board). Under 641 Iowa Administrative Code 32.5(1)(a), which implements chapter 105, the following is an unlawful practice: "Acts or practices by unlicensed persons which require licensure to install or repair plumbing, HVAC, refrigeration, or hydronic systems."

Pursuant to Iowa Code section 105.27, the Board has authority to issue an order imposing a civil penalty up to \$5000 for practices made unlawful by chapter 105.

Tylor Evans (Respondent) has never been issued a license by the Board. Since state licensing went into effect, Respondent has provided plumbing and/or mechanical services which require licensure to perform.

On September 17, 2013, the Board found probable cause to issue upon Respondent a Notice of Intent to Impose Civil Penalty (Notice), in the amount of \$250, for performing plumbing services without a Board-issued license. Respondent returned an Acceptance of Service form indicating he received the Notice on October 16, 2013. The Board received the Acceptance of Service form on November 13, 2013.

Pursuant to Iowa Code section 105.27(1) and 641 IAC 32.5(5), Respondent had the option of requesting a hearing on this matter within thirty (30) days of receipt of Notice. Respondent's time for requesting a hearing has expired.

Pursuant to 641 IAC 32.5(5), if a request for hearing is not timely made, the board chairperson's designee may issue an order imposing the civil penalty and requiring compliance with Iowa Code chapter 105 upon mutual consent of the board.

The Board has consented to the issuance of this Order by the Executive Officer.

## **ORDER**

IT IS THEREFORE ORDERED that Respondent comply with Iowa Code chapter 105; so long as Respondent does not possess an applicable Board-issued license, Respondent must cease engaging in any practice for which a Board-issued license is required.

IT IS FURTHER ORDERED that respondent pay to the Board a civil penalty in the amount of \$250. If this civil penalty is not paid within thirty (30) days, the attorney general may commence an action to recover the amount of the penalty, including attorney fees and costs. Iowa Code § 105.27(3).

Executive Officer, Iowa Plumbing and Mechanical

Systems Board

Dated: 12/23/13

Copies to:

September Lau Assistant Attorney General Iowa Attorney General's Office 2<sup>nd</sup> Floor Hoover Bldg. Des Moines, IA 50319

Tylor Evans

A person aggrieved by the issuance of this Order may seek judicial review within thirty (30) days of the issuance of this Order, in accordance with section 17A.19. Iowa Code § 105.27(2).