

L MITCHELL JONES (U S B 5979)  
Assistant Attorney General  
MARK L SHURTLEFF (U S B 4666)  
Attorney General  
Commercial Enforcement Division  
Heber M Wells Building  
Box 146741  
Salt Lake City, UT 84114-6741  
Telephone (801) 366-0310

**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF )  
**CRAIG R. RYDALCH** ) **STIPULATION AND ORDER**  
TO PRACTICE AS A )  
CONTRACTOR ) **CASE NO DOPL 2008- 286**  
IN THE STATE OF UTAH )

**CRAIG R. RYDALCH** (“Respondent”) and the Construction Services Commission  
 (“Commission”) of the Department of Commerce of the State of Utah stipulate and agree as  
 follows

1 Respondent admits the jurisdiction of the Commission and the Division of  
 Occupational and Professional Licensing (“Division”) over Respondent and over the subject  
 matter of this action

2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and  
 voluntarily

3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

4 Respondent understands that Respondent is entitled to a hearing before the Commission, or other Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent acknowledges that by executing this document Respondent hereby waives the right to a hearing and any other rights to which Respondent may be entitled in connection with said hearing Respondent understands that by signing this document Respondent waives all rights to any administrative and judicial review as set forth in §§ 63G-4-301 through 63G-4-405 and Utah Administrative Code R156-46b-12 through R156-46b-15

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Commission and Division, will be classified as a public document The Commission and Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's license to other persons and entities

7 Respondent admits the following facts are true

- a Respondent was first licensed as a contractor in the State of Utah on or about July 6, 2006
- b In 2008 Respondent hired an unlicensed subcontractor to complete electrical work on a new construction project in Utah for which licensure was required

8 Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann § 58-55-501(3), and that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann § 58-1-401(2)(a). Respondent understands that the issuance of the Order in this matter is disciplinary action by the Division against Respondent's license pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann § 58-1-401(2). Respondent agrees that an Order shall be entered in this matter as follows

- (1) Respondent shall pay an administrative penalty of \$1,000.00 (one-thousand dollars) to the Division, pursuant to Utah Code Ann § 58-55-503, within 90 days of the effective date of this Stipulation and Order
- (2) Pursuant to Utah Code Ann § 58-1-401(4), Respondent shall immediately cease and desist from the conduct described in paragraph 7b above. Respondent understands that failure to comply with this Order may subject Respondent to a civil penalty of up to \$2,000 (two-thousand dollars) for each day the order is violated pursuant to Utah Code Ann § 58-1-503(1)

9 This Stipulation and Order, upon approval by the Commission and Division Director, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Commission and Director are not required to accept the terms of this Stipulation and Order and that if the Commission does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Commission, Director, and the Respondent waive any claim of bias or prejudice Respondent might have with regard to the Commission and Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

10 Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice

11 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation. Respondent agrees not to take any action or make any public statement, that creates, or tends to create, the impression that any of the matters set forth in this Stipulation and Order are without factual basis. A public statement includes statements to one or more Commission or Board members during a meeting of the Commission or Board. Any such action or statement shall be considered a violation of this Stipulation and Order.

12 The terms and conditions of this Stipulation and Order become effective immediately upon the approval of this Stipulation and signing of the Order by the Commission and Division Director. Respondent must comply with all the terms and conditions of this Stipulation immediately following the Commission and Division Director's signing of the Order page of this Stipulation and Order. Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Commission. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

13 If Respondent violates any term or condition of this Stipulation and Order, the Commission may take action against Respondent, including imposing appropriate sanction, in the manner provided by law. Such sanction may include revocation or suspension of

Respondent's license, or other appropriate sanction

14 Respondent has read each and every paragraph contained in this Stipulation and Order Respondent understands each and every paragraph contained in this Stipulation and Order Respondent has no questions about any paragraph or provision contained in this Stipulation and Order

DIVISION OF OCCUPATIONAL &  
PROFESSIONAL LICENSING

RESPONDENT

BY   
DAN S JONES  
Bureau Manager

BY   
CRAIG R RYDALCH

DATE 12-11-08

DATE 12/9/08

MARK L SHURTLEFF  
ATTORNEY GENERAL

BY   
L MITCHELL JONES  
Counsel for the Division

DATE 11 Dec 2008

**ORDER**

THE ABOVE STIPULATION, in the matter of **CRAIG R. RYDALCH**, is hereby approved by the Construction Services Commission, and constitutes its Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute the Commission's final Order in this case.

DATED this 28 day of January, 2009 *AS*

*Bradley F. Stevens*  
CONSTRUCTION SERVICES COMMISSION  
Representative

I concur with the above Stipulation and Order, which the Construction Services Commission has approved.

DATED this 29 day of January, 2009

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING

*F David Stanley*  
F DAVID STANLEY  
Director