

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
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**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
ROBERT DEVEY

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER**

TO PRACTICE AS A JOURNEYMAN
ELECTRICIAN IN THE STATE OF UTAH

Case No. DOPL-OSC-2011-382

FINDINGS OF FACT

- 1 The Division of Occupational and Professional Licensing (the "Division") filed a Notice of Agency Action in this matter on the 24th day of April 2012
- 2 This action is based upon Division records as reflected in the Notice of Agency Action filed herein which show that Robert Devey ("Respondent"), failed to comply with an order issued November 16, 2011, as a result Respondent has engaged in unprofessional conduct, in violation of Utah Code Annotated Subsection 58-1-501(2)(a).
3. Respondent filed a response to the Notice of Agency Action on or about May 17th 2012. That response did not show he timely complied with the conditions of his probation, however, he has since provided the required documents. According to Division records, Respondent has engaged in unprofessional conduct as outlined above, and this conduct constitutes a basis to discipline Respondent's license pursuant to Utah Code Annotated Subsections 58-1-401(1) and (2)

CONCLUSIONS OF LAW

- 4 Respondent's failure to comply with probation constitutes a sufficient basis for further disciplinary action against Respondent
- 5 The Notice of Agency Action and documents attached thereto provide a basis to conclude that Respondent has failed to comply with an order, in violation of Utah Code Annotated Subsection 58-1-501(2)(a). Based on these violations, Respondent has

engaged in unprofessional conduct as defined by Utah Code Annotated Subsection 58-1-501(2)(a), and Respondent may no longer meets the qualification for licensure as provided by Utah Code Annotated Section 58-55-306.

6. The Division is authorized to discipline Respondent's Journeyman Electrician license as provided by Utah Code Annotated Subsection 58-1-401(1) because Respondent did not comply with the terms of probation.

7. The Division is authorized to discipline Respondent's Journeyman Electrician license as provided by Utah Code Annotated Subsection 58-1-401(2)(a), for engaging in unprofessional conduct as provided by Utah Code Annotated Subsection 58-1-501(2)(a), for failure to comply with Division's April 24, 2012 Order.

ORDER

WHEREFORE, IT IS ORDERED Respondent is hereby issued a public reprimand.

WHEREFORE, IT IS ORDERED Respondent's license to practice as a Journeyman Electrician in this state shall continue to be on probation with strict compliance to the order dated November 16, 2011

On behalf of the Construction Services Commission and the Division of Occupational and professional licensing, I hereby certify the foregoing Findings of Fact, Conclusions of Law, and Order were submitted to the Construction Services Commission and the Division on the 29th day of August 2012 for their review and action



Dan S. Jones, Bureau Manager

ORDER

THE ABOVE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER in the matter of Robert Devey is hereby adopted by the Construction Services Commission of the State of Utah.

DATED this 29 day of August, 2012


CONSTRUCTION SERVICES COMMISSION
Representative

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

DATED this 29th day of August, 2012.

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


MARK B. STEINAGEL
Director

Agency review of this order may be obtained by filing a request for agency review within thirty (30) days after the date of this order. If you choose to file a request for agency review, you must adhere to the attached procedures.