

**STATE OF IOWA
BEFORE THE IOWA BOARD OF ELECTRICAL EXAMINERS**

IN THE MATTER OF:

MARK BOCKENSTEDT,
d/b/a CMC ELECTRIC, LTD
Unlicensed

1003 NW Ridge Rd.
Ankeny, IA 50023

Respondent.

Case No. EEB 21-103

**NOTICE OF INTENT TO IMPOSE
CIVIL PENALTY AND
RESPONDENT'S RIGHT TO HEARING**

YOU ARE HEREBY NOTIFIED that the Iowa Board of Electrical Examiners [BOARD] intends to issue an order pursuant to Iowa Code § 103.39 imposing a civil penalty in the amount of fifteen thousand dollars (\$15,000.00) and ordering future compliance with Iowa Code chapter 103, based on the following allegations:

1. Respondent, Mark Bockenstedt [RESPONDENT], operates CMC Electric Ltd, a business located in Ankeny, Iowa, that purports to provide electrical and wiring installation services. At all relevant times, the RESPONDENT held no unexpired licenses issued by the BOARD.

2. "No person, except a person licensed as an electrical contractor, shall engage in the business of providing new electrical installations or any other electrical services regulated under [chapter 103]. Iowa Code § 103.8(1). Furthermore, subject to limited exceptions, "no person shall, for another, plan, lay out, or supervise the installation of wiring, apparatus, or equipment for electrical light, heat, power, and other purposes unless the person is licensed by the board as an electrical contractor, a class A master electrician, or a class B master electrician." Iowa Code § 103.8(2).

3. Additionally, "[i]ndividuals performing electrical work in a capacity for which licensure is required pursuant to [chapter 103] shall be employed by the authority or company obtaining a permit for the performance of such work, and shall possess a valid license issued by the board." Iowa Code § 103.20.

4. The BOARD may impose a civil penalty not to exceed one thousand dollars [\$1,000.00] for each offense against any person that is not licensed by the BOARD who "[i]s employed in a capacity in which the person engages in or offers to engage in the activities authorized pursuant to chapter 103"; "uses the words 'electrical contractor' . . . or implies authorization to provide or offer those services, or otherwise uses or advertises any title, work, figure, sign, card, advertisement, or other symbol or description tending to convey the impression that the person is an 'electrical contractor'" ; or "[k]nowingly aids or abets an

unlicensed person who engages in any activity identified in [subsection 103.39].” Iowa Code §103.39(1). A covered “person” can include an individual, corporation, partnership, or any other legal entity. *See* Iowa Code §4.1(20). “Each day of a continued violation constitutes a separate offense” Iowa Code § 103.39(2).

5. The BOARD received a complaint in November 2021 that the RESPONDENT had acted in the capacity of an electrical contractor or otherwise performed electrical installation services without required licensure in connection to the electrical wiring of a property located on Warren Avenue in Cumming, Iowa. Investigation by BOARD staff revealed that in fall 2021, the RESPONDENT acted as an electrical contractor, held himself out to be an electrical contractor, and/or performed electrical installation services in relation to an electrical installation conducted at the subject property in violation of Iowa Code §§ 103.8(1), 103.20(1), and/or 103.39(1).

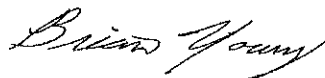
6. The RESPONDENT may request a hearing within thirty (30) days of the date this Notice is received through certified mail, or service is accepted, or service is made. A request for hearing must be made in writing to Brian Young, Executive Secretary, Iowa Electrical Examining Board, Oran Pape Building, 215 East 7th Street, Des Moines, Iowa, 50319 and will be deemed made on the date of the United States postmark or the date of personal service.

7. If a request for hearing is not timely made, the BOARD shall issue an order imposing a civil penalty in the amount of fifteen thousand dollars (\$15,000.00) and ordering the RESPONDENT to in the future comply with Iowa Code chapter 103. If the RESPONDENT fails to timely request a contested case hearing, it shall have failed to exhaust “adequate administrative remedies” as that term is used in Iowa Code section 17A.19(1).

8. If a request for hearing is timely made, a separate notice of hearing shall be issued. The BOARD will conduct a public hearing in the manner applicable to disciplinary cases against Iowa electrical licensees. *See* Iowa Code §§ 103.36, 103.39(4). The hearing shall be a contested case hearing conducted pursuant to Iowa Code chapter 17A and 661 Iowa Administrative Code chapter 10.

9. If a civil penalty is imposed and not paid within thirty (30) days of entry of the order, the BOARD shall notify the Attorney General and the Attorney General may commence an action to recover the amount of the penalty, including reasonable attorney fees and costs. *See* Iowa Code § 103.39(7).

This Notice of Intent to Issue Order is filed and issued on the 27th day of May 2022.



Brian Young, Executive Secretary
Iowa Electrical Examining Board

Copies to: Respondent Mark Bockenstedt, Assistant Attorney General John Lundquist

Date From:
 Date To:
 Shipment Status:

[+ SHOW RESULTS](#)

Search for Package:

Shipment Details Charges Documents Addresses

Package Details Charges Tracking History Proof of Delivery

Ship Address: MARK BOCKENSTEDT
 CMC ELECTRIC LTD
 1003 NW Ridge Rd
 Ankeny
 IA 50023-6729 US

Ship From: Public Safety
 State Of Iowa DAS
 400 E 14th ST
 Des Moines
 IA 50319 US

Order #: 074520 Shipping Cost: 0.53 USD
 PO #: Accessorial Cost: 5.60 USD
 Shipment ID: 87009 Other Cost: 0.00 USD
 Carrier: USPS Total Cost: 6.13 USD
 Carrier Service: First-Class Mail® Ship Request ID 74520
 Shipment Weight: 0.04374999925494194 lb Shipment Status: **Delivered**

Packages In Shipment:

Package ID	Attention To	Receiver Phone	Tracking No.	Status
90435	MARK BOCKENSTEDT	5157256147	94148149261830012...	Delivered

< 1 / 1 >

⌚	Expected Delivery Date	No Data Available
⌚	Delivered	06/03/2022 2:45 PM
DELIVERED LEFT WITH INDIVIDUAL		
Location: ANKENY,IA		Signed for by: No Data
⌚	Delivered	06/03/2022 2:45 PM
Our records indicate that this item was delivered on 06/03/2022 at 02:45 p.m. in ANKENY, IA 50023		
Location: ANKENY, IA50023		Signed for by: No Data
⌚	Enroute	06/02/2022 8:01 PM
PROCESSED THROUGH USPS FACILITY		
Location: DES MOINES IA DISTRIBUTION CENT		Signed for by: No Data
⌚	Dispatched from Sort Facility	06/02/2022 8:13 AM
DEPARTED USPS REGIONAL FACILITY		
Location: DES MOINES IA DISTRIBUTION CENT		Signed for by: No Data
⌚	Enroute	06/01/2022 6:10 PM
PROCESSED THROUGH USPS FACILITY		
Location: DES MOINES IA DISTRIBUTION		Signed for by: No Data

**STATE OF IOWA
BEFORE THE IOWA BOARD OF ELECTRICAL EXAMINERS**

<p>IN THE MATTER OF:</p> <p>MARK BOCKENSTEDT, d/b/a CMC ELECTRIC, LTD Unlicensed</p> <p>1003 NW Ridge Rd. Ankeny, IA 50023</p> <p style="text-align:right">Respondent.</p>	<p>Case No. EEB 21-103</p> <p style="text-align:center">ORDER TO IMPOSE CIVIL PENALTY</p>
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NOW on this 9th day of December 2022, the Iowa Board of Electrical Examiners [BOARD] makes the following findings:

1. Pursuant to Iowa Code §103.39(1), the BOARD issued a “Notice of Intent to Impose Civil Penalty and Respondent’s Right to Hearing” [NOTICE] on May 27, 2022, to Respondent Mark Bockenstedt [RESPONDENT]. A true and accurate copy of this NOTICE is attached as Exhibit A.

2. The attached NOTICE was served upon the RESPONDENT at his address of record via United States Postal Service certified mail on June 3, 2022.

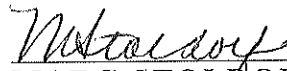
3. The attached NOTICE informed the RESPONDENT that if a request for hearing was not made within thirty (30) days of the date of service, the BOARD shall issue an order imposing a civil penalty in the amount of fifteen thousand dollars (\$15,000.00).

4. As of the date of this Order, the BOARD has not received a request for hearing from the RESPONDENT. Because more than thirty (30) days has elapsed since service of the attached NOTICE was made upon the RESPONDENT, the RESPONDENT has waived his right to a hearing. *See* Iowa Code § 103.39(4).

5. In the absence of a timely request for hearing, the BOARD is accordingly authorized to now impose the civil penalty as provided in the attached NOTICE.

IT IS THEREFORE ORDERED that within thirty (30) days of the issuance of this Order, Respondent Mark Bockenstedt shall pay to the BOARD for deposit in the Iowa General Fund a civil penalty of fifteen thousand dollars (\$15,000.00). If the civil penalty is not paid within thirty (30) days of entry of the Order, the Attorney General shall be authorized to commence an action to recover the amount of the penalty, including reasonable attorney fees and costs. *See* Iowa Code § 103.39(7).

Dated this 9th day of December 2022.



MARG STOLDORF, Chair
Iowa Electrical Examining Board

Copies to:

EEB Executive Secretary Brian Young
Respondent Mark Bockenstedt,
Assistant Attorney General John Lundquist