



State Board of Oregon  
Update to Compliance Process  
August 20, 2024

Oregon State Board of Towing  
Compliance Process: Board Public Policy/Procedure  
UPDATED: 08/20/2024

*(Flow Chart to be Updated after Board's approval)*

**Step 1: Initial Review**

Board staff reviews submitted complaints for completeness per Board policy.

**Anonymous complainant:**

To be considered, anonymous complaints will contain enough information for the Board to determine:

1. Facts of the towing event or tower conduct.
2. How the tow or the tower's conduct reasonably violated Oregon's laws, rules, or requirements.
3. Identification of the person(s) or company who violated the laws in the towing event.

Anonymous complaints submitted without sufficient information will be closed as *Closed – Incomplete Complaint*.

**Complaint Incomplete:**

A complaint is incomplete if it is missing information or documentation required to determine the Board's jurisdiction, authority, or if the alleged behavior is a violation of Oregon laws or rules.

1. Email sent to complainant with a list of the required information, the upload link, and instructions, and alternative ways to submit information.
2. Complainant has 30 days to submit required information
3. Case file closed if required information is not provided within the time allowed.
4. Email sent to complainant with updated status information, instructions on how to reopen complaint.

*To be Determined by the Board:*

Emails are sent to complainants using request for delivery and read options.

CC: best practice would be email with the options.

- No email address = initial request for information sent by

| USPS Service                | Cost    |
|-----------------------------|---------|
| 1st Class                   | \$0.73  |
| Certified Mail (tracking)   | +\$4.85 |
| Return Receipt (green card) | +\$4.10 |
|                             |         |
| Priority Mail - flat Rate   | \$9.85  |

*\*Costs tracked in the Board's database.*

- Regular mail.
- Certified mail.
- If email delivery not confirmed:
  - Regular mail.
  - Certified mail.
- Email address error = initial information sent by:
  - Regular mail.
  - Certified mail.
- Should reminders be sent?
  - How often?
- Is 30 days sufficient to submit the documents, or should there be an additional 30 day notice (60 days total)?
- How long should a complainant have to provide information to reopen a complaint
  - three months
  - six months
  - one year
- Email sent notifying complainant of closure.

Board discussion:

Email sent notifying tower of closure when:

- The tower is aware of the complaint.
- For educational purposes when the allegations of the complaint, if substantiated, reasonably violate the law (or should be brought to the attention of the tower)\*
- For all complaints (reasonably filter applied, confidentiality of the complainant is not compromised, criminal conduct that arrested in the tow, avoidance of shaming a complainant, etc.)\*

*\*Due to confidentiality laws restricting release of information, information identifying complainants will not be included.*

## Step 2: Complaint Complete

Board staff reviews completed complaints and process per Board policy.

### Determination of agency with appropriate authorization:

- The Board's jurisdiction is limited to a specific number of statutes and towing regulations.
- The Board does not have jurisdiction of the agencies or individuals with the legal authority to authorize a tow.
- When a tow is completed under the lawful authorization of law enforcement or other authority, the complaint will be forwarded to the agency with appropriate authorization for review.

*Does the Board want examples inserted in the public process document?*

1. *Arrest or criminal activities.*
2. *Collisions or wrecks.*
3. *Municipal Code violations.*
4. *Roadside assistance tows.*
5. *Under ORS 819.140, 822.230, or other law.*
6. *Unlicensed repossessions.*
7. *Vehicles left or abandoned on freeways, highways, rural roads, and public streets.*

Process:

Board staff reviews completed complaints and forward complaints under the Board's authority to the next step in the compliance process.

Board staff may request information from the tower at this stage prior to or in lieu of opening a formal investigation depending on the circumstances of the tow.

If the complaint is under the authority of another agency:

1. The complaint forwarded to the authority with appropriate jurisdiction (AAJ).
2. The Board assists the AAJ when violations are found as appropriate.
3. Complaint closed as *Closed – Forwarded to Appropriate Agency*
4. Email sent to complainant with updated status information.

### Determination of jurisdiction and violation:

- The Board does not have jurisdiction over law enforcement, state agencies, or the local county or city ordinances.
- The Board's jurisdiction is limited to the geographic boundaries of the State of Oregon. While the Board may consider another state's determination that an Oregon tower violated the laws or rules of that state, the Oregon board cannot open an independent investigation of a towing event occurring outside Oregon's borders.
- The Board's authority is limited to specific statutes and towing regulations.
- Not all tow events or complaints are violations of Oregon's laws.

- The Board has the authority to investigate complaints when the allegations of unlawful conduct are reasonably substantiated by the complaint and complaint materials.
- The Board does not have the authority to demand a tow company reimburse costs, to regulate fees, to mediate disputes or intercede on a consumer's behalf, or to require a tower to perform a task or action outside of the legal requirements in Oregon's laws and rules.

Board staff reviews completed complaints to determine:

1. Jurisdiction: is the events of the actions or conduct under the Board's jurisdiction?

*Does the Board want examples in the public process document?*

- Rates, fees, invoices or damages
- Vehicle title or ownership issues
- Tow conducted outside the State of Oregon?
- Conduct and behavior of tow operator?
- Is the date of the event within the timeline of the Board's authority?

2. Violations: Was the conduct or behavior in violation of Oregon's laws?

*Does the Board want examples in the public process document?*

*Lawful tow*

- Are violations substantiated?
- Do the consumer's expectations exceed the authority of the Board or requirements of the law?

Process:

Board staff reviews complaints to determine

1. Reasonable jurisdiction
2. Potential violations
3. If the facts are substantiated, and
4. If more information or documentation is required.

If the Board has the authority and the allegations appear to be substantiated violations of Oregon law, the complaint goes to the next step in the compliance process.

If the complaint is not under the jurisdiction of the Board, the allegations are not violations of the law, or the allegations are not substantiated:

1. Complaint closed with appropriate notation (*Closed ... no jurisdiction, no violation, unsubstantiated*)
2. Email sent to complainant with updated status information.
3. TBD: Tower contacted under same provisions of Incomplete Complaints.

### Step 3: Formal Investigation

Investigations may be conducted by:

- Board staff internal investigations: investigations conducted on written statements and documentation.
- Board partners: investigations conducted by Board partners (DMV or ODOT investigators, law enforcement, other state and local agencies).
- Field investigations: field investigations conducted by Board investigators.

Towers will have the opportunity to respond to allegations, provide documentation, and otherwise engage in the investigation process.

### Step 4: Board member review of complaints

To protect the integrity of the Board's investigation process, and to comply with the intent of Oregon's laws, the Board members will not review complaint information until the complaint is closed, after completion of an investigation, or when needed to develop proposed public policy or administrative rules.

#### **Incomplete Complaints:**

Board members will review incomplete complaints:

1. As needed to determine public policy or administrative rules.
2. Once the complaint is closed.
3. Board members will have access to the reports, case information, and correspondence for every closed complaint; Board members may discuss incomplete complaints, but full review of incomplete complaints during a public meeting is not required.

#### **Another agency has appropriate jurisdiction, no violation, unsubstantiated:**

Board members will review complaints forwarded to other agencies, or closed by staff review:

1. At any time when needed to determine public policy or administrative rules.
2. Once the complaint is closed.
3. Board members will be provided with reports and case information for closed complaints; Board members may discuss the complaints but full review of incomplete complaints during a public meeting is not required.

#### **Investigated complaints:**

Board members will review the investigation report once the investigation is complete and materials prepared for Board review. Board members may review during:

1. Public session of a regular board meeting, general summary of complaints and investigations only. No information identifying a company, tower, complainant, or other individual will be discussed during public session.
2. Executive session when the review includes discussion of personal or confidential information not subject to public disclosure.

**Public access to complaint information:**

The Board will provide regular public reports showing the following information:

| State Board of Towing - Complaint Status Report (Example Complaint Information) |            |   |                       |             |
|---|------------|---|-----------------------|-------------|
| Case No.  | Received   | Description   | Current Status        | Status Date |
| 2024-08-001   | 08/03/2024 | Unlawful PPI allegations from apartment complex; more information requested.  | Incomplete Complaint  | 08/08/2024  |
| 2024-08-002   | 08/04/2024 | Operating without an active tow certificate.  | Under Investigation   | 08/08/2024  |
| 2024-08-003   | 08/05/2024 | PPI tow conducted after written request from apt. manager and photos to tower. Vehicle parked in apartment without permit or registration, in fire lane, blocking access to tenant's garage. Approximately 2 hours between request for tow and tower arrival at the apt. complex. Signed authorization and pre-tow photos provided. | Closed - No Violation | 08/08/2024  |

*\*Names, addresses, and other identifying information will not be included in the general descriptions of the status report to ensure integrity of investigations and to ensure due process for all parties involved in the complaint process.*

| State Board of Towing - Disciplinary Action Report (Example Information) |             |                                      |            |
|--|-------------|--------------------------------------|------------|
| Case No.   | Respondent  | Description                          | Eff. Date  |
| 2024-07-001  | Tow Company | Final Default Order                  | 08/08/2024 |
| 2024-07-002  | Tow Company | Stipulated Agreement and Final Order | 08/08/2024 |

*\*Copies of the final disciplinary actions will be posted on the Board's website*

**Conflict of Interest - Complaint integrity:**

To ensure integrity of a complaint investigation:

- Board members with a potential or real conflict of interest as the complainant in a complaint will be recused from the complaint review process of all cases against the same tower until the board member's complaint is been resolved.\*
- Board members with a potential or real conflict of interest named as the tower in the complaint will be recused from the complaint process until the complaint is closed.\*



- Board members who personally engaged with the complainant in an attempt to resolve the complaint prior to Board review will be recused from the complaint review process until the complaint is closed.\*

*\*Board members will have access to complaint information as needed to determine Board proposed policy or rule discussions.*

If a member of the Board's staff has a potential or real conflict of interest as the complainant:

- Board staff will be recused from the initial review process of all cases against the same tower.
- If the Board Administrator has a potential or real conflict of interest, the OSP representative board member and the OSP Tow Program will be responsible for the initial review of the complaint. The Board will coordinate the next steps depending on the findings of the OSP Tow Program and circumstances of the complaint.
- If the complaint is found to be valid the staff member will be recused from (a) the investigation of the complaint and (b) the presentation of the investigation and legal findings to the Board.

DRAFT FOR DISCUSSION



Oregon State Board of Towing  
Compliance Process: Definitions and Glossary  
UPDATED: 08/20/2024

## Complainant

The person who submits the formal complaint to the Board.

## Complaint Received

Complaint received, pending review and processing.

### Closed Categories

Final resolution of complaints and investigations.

*\* Complainants can provide additional or new, substantiated information and documentation to reopen the complaint.*

*+Final action of the Board.*

#### Closed: Complainant Not Found\*

The Board cannot locate the complainant after initiation of an investigation.

#### Closed: Compliance Met+

1. The tower complied with the laws and resolved violations prior to the Board's review of the investigation.
2. The Board found the actions of the tower in resolving the violations were adequate and appropriate

#### Closed: Duplicate Complaint\*

Subsequent or duplicate complaint alleging violations of the same vehicle and towing event.

#### Final Default Order - Conditions Met+

Conditions of a Final Default Order have been met (i.e., civil penalties paid or other conditions of the FDO (work plan, demonstrated compliance with Oregon laws, etc.) are complete.

#### Final Order - Conditions Met+

Conditions of a Final Order issued after a contested case hearing have been met.

#### Forwarded to Collections+

- Final Default Order issued, civil penalties, costs, or expenses not paid within 60 days.
- Account forwarded to the Oregon Dept. of Revenue for collection as required in Oregon law.
- The Board will not recall or settle an account once forwarded to DOR for collection.

#### Closed: Forwarded to Appropriate Agency+

- Complaints outside of the Board's jurisdiction, but under the jurisdiction of another agency will be forwarded to the agency (OSP or other law enforcement, ODOT, DMV, local government, etc.).
- The Board has no authority to require another jurisdiction to take action on a forwarded complaint.
- "Appropriate Agency" will be replaced by general agency name: OSP, DMV, City LE, County LE, etc.

#### Closed: Incomplete Complaint\*

Complaint missing basic information or documentation necessary for the Board to determine circumstances of the event, parties, or alleged violations of the law.

#### Closed: Letter of Concern+

- Case closed with a letter of expressing the Board's concerns to the respondent.
- LOCs indicate the Board found minor or reasonably unintentional violations or conduct which did not meet the level of formal disciplinary action.

#### Closed: Letter of Education+

- Case closed with a letter regarding best practices and professional standards.
- LOEs indicate the Board found either no violations or unintentional violations of Oregon laws, but found it appropriate to offer suggestions for improvement.

#### Closed: No Jurisdiction\*

- The Board has no jurisdiction over the allegations of the complaint and the Board does not know of a government agency with appropriate authorization.
- Complaint events which occurred prior to the Board's authority to take disciplinary actions are included in this category.

#### Closed: No Violation\*

No violations of Oregon laws found or substantiated.

#### Closed: Respondent not found\*

The Board cannot locate the respondent and the complaint does not contain enough information for the Board to proceed with an investigation of the allegations.

#### Stipulated Agreement and Final Order+

- Disciplinary action settled between the Board and the respondent in lieu of a Final Order.
- Stipulated Agreements are formal disciplinary actions.

#### Closed: Unsubstantiated\*

Facts or submitted documentation and information submitted do not substantiate the allegations of the complaint.

#### Contested Case Hearing

- Respondent requests an administrative hearing to contest the findings of fact and violations of the law alleged by the Board.
- The case is forwarded to the Oregon Dept. of Justice and Oregon Office of Administrative Hearings for the hearing.
- The hearing process may take 6 months or longer, depending on schedules, the OAH calendar, and the complexity of the case.

#### Dismissed

Board vote to dismiss a disciplinary action.

#### Document Preparation

- Board review of complaint and investigation complete.
- Board staff preparing documents as directed by the Board.

#### Final Default Order Issued

- Final default order issued.
- The respondent has 60 days to request judicial review of the Board's default order.
- Final Default Orders are posted on the Board's website on the effective date.

#### Incomplete Complaint

- The complaint is entered into CMS
- Materials reviewed and found to be missing information or documentation required to determine the Board's jurisdiction, authority, or if alleged behavior is a violation of Oregon laws or rules.
- Email sent to complainant with required information, upload link, and instructions.

- Complainant has 30 days to provide required information.
- Case file closed after 30 days; complainant notified of the closure in writing with instructions on how to reopen the complaint file when missing information is obtained.

### Negotiations

The Board and respondent are in negotiations to settle the matter in lieu of final discipline.

### Notice Issued

- The Board issued a notice of disciplinary action against a respondent for violation of Oregon's laws.
- The respondent has 20 days to request a hearing to contesting the facts of the case and the violations alleged by the Board.

### Pending Board Review

- Investigation complete and case ready for Board review.
- Board review of the investigation report and complaint during a board meeting required.

### Proposed Order

- In contested case hearings the Administrative Law Judge issues an opinion.
- The timeline under this category is from the date the ALJ issues an opinion until the case to the effective date of the Final Order.

### Respondent

The party against whom the complaint is filed.

### Under Investigation

- Complaint forwarded for investigation.
- Some complaints may take several weeks or months to fully investigate depending on the complexity of the allegations and nature of the allegations.

### Under Board Review

Board members reviewed the investigation or complaint, but additional information or resources may be required prior to making a formal decision.

## Waiting for information

Additional information required to complete the complaint process, investigation, or for Board review. This category includes missing information from:

- Complainant: Additional information is required from a complainant to complete an investigation.
- Respondent: Waiting for requested information or documents from the respondent. Respondents have 30 days to provide statements or documents to the Board.
- Other: Waiting for information or documentation from another agency or jurisdiction to complete the complaint review or investigation.

## State Board of Towing - Compliance Reporting

### Public Reports:

- Presented at public Board meetings
- Posted on the Board's website.

### Confidential Board Reports:

- Reports required to conduct board business containing confidential and identifying information not subject to public disclosure.
- Each of the confidential reports has a corresponding public report.

### For security and confidentiality purposes:

- Case and investigation information will remain in Filevine.
- Board members will have access to the case information for review approximately 2 weeks prior to the Board meeting.
- Complaint or investigation materials will not be sent to board members or other parties outside of the options available in Filevine.

### *Formatting:*

- The reports examples are for demonstration purposes only – formatting comes later...
- Data fields are color coded to demonstrate the public version and the confidential version of the report.

### 1. Complaint Status Report:

*Current status of all complaints received by the Board.*

*Includes open and closed complaints, and disciplinary actions.*

*The public report will be posted on the board's website.*

*The public and towers will be able to determine the status of a complaint.*

#### *Public Report:*

| State Board of Towing – Complaint Status Report |            |   |                            |             |
|---|------------|---|----------------------------|-------------|
| Case No.  | Received   | Complaint Description   | Current Status             | Status Date |
| 2024-08-001                                     | 08/03/2024 | Unlawful PPI allegations from apartment complex.  | Incomplete Complaint       | 08/08/2024  |
| 2024-08-002                                     | 08/04/2024 | Operating without an active tow certificate.  | Under Investigation        | 08/08/2024  |
| 2024-08-003                                     | 08/05/2024 | PPI tow conducted after written request from apt. manager and photos to tower. Vehicle parked in apartment without permit or registration, in fire lane, blocking access to tenant's garage. Approximately 2 hours between request for tow and tower arrival at the apt. complex. Signed authorization and pre-tow photos provided. | Closed – No Violation      | 08/08/2024  |
| 2024-08-004                                     | 08/05/2024 | Law enforcement tow.  | Closed – forwarded to OSP. | 08/08/2024  |
| 2024-08-008                                     | 08/15/2024 | PPI – authorized by tenant assigned to space. Notice was posted on the vehicle night before tow requested – pictures did not include a legible copy of the posted notice.   | LOE                        | 08/16/2024  |
| 2024-08-009                                     | 08/15/2024 | PPI – tow reasonably authorized by parking facility owner at the time of tow, does not include pictures of towed vehicle.   | LOC                        | 08/16/2024  |

*To be sorted by chronological order: most recent to oldest*

#### *Frequency:*

- *Updated monthly.*
- *Multiple status reports posted (previous month, current quarter, per quarter, per year)*
- *Complaint information can be requested through a public records request according to Board policy; confidential or identifying information will be redacted.*



## 1. Complaint Status Report:

### Board reports:

- The same data from the public report will be separated into two different reports for Board review at meetings for efficiency and to facilitate discussions.
- These reports provide a transparency, communication, and accountability piece between board staff and board members on (1) the status of open complaints and (2) how staff are processing complaints.
- Board members will be able to evaluate efficiencies of the compliance process, the Board’s policies, and provide proper oversight of Towing Board operations.

### *Examples:*

2024-08-001 was received 02/05/2024, marked as received on 02/06/2024. Staff should be held accountable to explain why a complaint remains “received” for six months with no status update.

2024-08-009 closed with LOC. A Board member may have questions or see additional concerns, and want to discuss the policy or decision with the other board members.

### Open Complaints:

- Board members ***will not*** have access to ***open*** complaint information and documentation in Filevine prior to Board review for board action.
- *Exception: when the information is necessary to consider board policy or proposed OARs.*

| State Board of Towing – Open Complaints |                |            |               |            |  |                     |             |
|---|----------------|------------|---------------|------------|--|---------------------|-------------|
| Case No.                                | Tower          | Received   | Complainant   | DOI        | Complaint Description                            | Status              | Status Date |
| 2024-08-001                             | Chuck’s Towing | 02/05/2024 | Vehicle Owner | 02/05/2024 | Unlawful PPI allegations from apartment complex. | Complaint Received  | 02/06/2024  |
| 2024-08-002                             | Chris’s Towing | 08/04/2024 | DOJ           | 07/15/2024 | Operating without an active tow certificate.     | Under Investigation | 08/08/2024  |

*To be sorted by chronological order: most recent to oldest*

- Board members ***will*** have access to ***closed*** complaint information and documentation in Filevine.

| State Board of Towing – Closed Cases - Full Board Review Not Required |                 |            |               |            |   |                            |             |
|---|-----------------|------------|---------------|------------|---|----------------------------|-------------|
| Case No.  | Tower           | Received   | Complainant   | DOI        | Complaint Description   | Status                     | Closed Date |
| 2024-08-003   | Trent’s Towing  | 08/05/2024 | DOJ           | 05/12/2024 | PPI tow conducted after written request from apt. manager and photos to tower. Vehicle parked in apartment without permit or registration, in fire lane, blocking access to tenant’s garage. Approximately 2 hours between request for tow and tower arrival at the apt. complex. Signed authorization and pre-tow photos provided. | Closed – No Violation      | 08/08/2024  |
| 2024-08-004   | Dustin’s Towing | 08/05/2024 | Vehicle Owner | 06/17/2024 | Law enforcement tow.  | Closed – forwarded to OSP. | 08/08/2024  |
| 2024-08-008   | Linda’s Towing  | 08/15/2024 | Landlord      | 07/20/2024 | PPI – authorized by tenant assigned to space. Notice was posted on the vehicle night before tow requested – pictures did not include a legible copy of the posted notice.   | LOE                        | 08/16/2024  |
| 2024-08-009   | Amy’s Towing    | 08/15/2024 | DOJ           | 08/15/2024 | PPI – tow reasonably authorized by parking facility owner at the time of tow, does not include pictures of towed vehicle.   | LOC                        | 08/16/2024  |

**Board Review of case information for Board Action.**

*These reports lists the cases/investigations the Board is considering for board action at a public meeting.*

| State Board of Towing – Case Review for Board Action |            |  |   |
|--|------------|--|---|
| Case No.   | Received   | Complaint Description  | Potential Violations  |
| 2024-04-001  | 08/03/2024 | PPI from apt. complex under “contract” dated 06/01/2021. Property owner not contacted, no authorized signature.  | ORS 98.854 (2) Failure to obtain authorization to tow signature.<br>ORS 98.854 (3) and (4) Acted as property owner agent to authorize a tow.  |
| 2024-04-002  | 08/04/2024 | Tower operating a tow truck displaying expired plates (2021)   | ORS 822.200 Operating without an active tow certificate.  |
| 2024-04-004  | 08/05/2024 | Tower began and continued to hook up a vehicle in a commercial parking lot after the vehicle owner arrived. Video of the towing event shows tower stating that he continued to hook up the vehicle to “ensure he gets paid.”   | ORS 98.854 (2) Failure to obtain authorization to tow signature.<br>ORS 98.854 (3) and (4) Acted as property owner agent to authorize a tow.<br>ORS 98.853 (3) Continued hook up of vehicle after lawful owner arrived.   |
| 2024-04-008  | 08/15/2024 | PPI from apt. complex under “contract”. Property owner not contacted, no authorized signature. Vehicle owner arrived prior to completion of hook up. Tower continued to hook up, demanded \$200 to release the vehicle. Tower refused to provide pretow photos during the investigation. | ORS 98.854 (2) Failure to obtain authorization to tow signature.<br>ORS 98.854 (3) and (4) Acted as property owner agent to authorize a tow.<br>ORS 98.853 (2) Failure to provide photos when requested.<br>ORS 98.853 (3) Continued hook up of vehicle after lawful owner arrived. |
| 2024-04-009  | 08/15/2024 | PPI conducted under signed authorization. Pretow photos are of posted towing sign. Tower failed to provide photos when requested by the vehicle owner.   | ORS 98.853 (2) Failure to provide photos when requested.<br>ORS 98.853 (2) Photos do not show vehicle prior to the tow.   |

**Frequency:**

- Provided as part of the board meeting materials.

**Board reports:**

Case information is available in Filevine.

If a tower is named in the complaint, the tower will not have access to the investigation information.

| State Board of Towing – Case Review for Board Action |            |                |   |  |                               |   |
|--|------------|----------------|---|--|-------------------------------|---|
| Case No.   | Received   | Tower          | Description   | Potential Violations   | Case                          | Notes:  |
| 2024-04-001  | 08/03/2024 | Chris’s Towing | PPI from apt. complex under “contract” dated 06/01/2021. Property owner not contacted, no authorized signature. | ORS 98.854 (2) Failure to obtain authorization to tow signature.<br>ORS 98.854 (3) and (4) Acted as property owner agent to authorize a tow. | Link to Case info in FileVine | This field left blank for board member use for notes, questions, etc. to be used during board review. |
| 2024-04-002  | 08/04/2024 | Trent’s Towing | Tower operating a tow truck displaying expired plates (2021)  | ORS 822.200 Operating without an active tow certificate.   |                               |   |

|             |            |                 |  |  |  |  |
|-------------|------------|-----------------|--|--|--|--|
| 2024-04-004 | 08/05/2024 | Dustin's Towing | Tower began and continued to hook up a vehicle in a commercial parking lot after the vehicle owner arrived. Video of the towing event shows tower stating that he continued to hook up the vehicle to "ensure he gets paid."   | ORS 98.854 (2)<br>Failure to obtain authorization to tow signature.<br>ORS 98.854 (3) and (4) Acted as property owner agent to authorize a tow.<br>ORS 98.853 (3)<br>Continued hook up of vehicle after lawful owner arrived.  |  |  |
| 2024-04-008 | 08/05/2024 | Linda's Towing  | PPI from apt. complex under "contract". Property owner not contacted, no authorized signature. Vehicle owner arrived prior to completion of hook up. Tower continued to hook up, demanded \$200 to release the vehicle. Tower refused to provide pretow photos during the investigation. | ORS 98.854 (2)<br>Failure to obtain authorization to tow signature.<br>ORS 98.854 (3) and (4) Acted as property owner agent to authorize a tow.<br>ORS 98.853 (2)<br>Failure to provide photos when requested.<br>ORS 98.853 (3)<br>Continued hook up of vehicle after lawful owner arrived. |  |  |
| 2024-04-009 | 08/15/2024 | Amy's Towing    | PPI conducted under signed authorization. Pretow photos are of posted towing sign. Tower failed to provide photos when requested by the vehicle owner.   | ORS 98.853 (2)<br>Failure to provide photos when requested.<br>ORS 98.853 (2)<br>Photos do not show vehicle prior to the tow.  |  |  |

Public Reports:

Disciplinary Action Report:

*Current status of final disciplinary actions of the board.*

| State Board of Towing - Disciplinary Action Report |            |                |  |                                    |                           |                |
|--|------------|----------------|--|------------------------------------|---------------------------|----------------|
| Case No.   | Received   | Respondent     | Case Description   | Violations                         | Disciplinary Action       | Effective Date |
| 2024-08-005  | 08/03/2024 | Chuck's Towing | Unlawful PPI allegations from apartment complex; more information requested. | ORS 98.853 (1)<br>98.854 (1) - (4) | Final Default Order*      | 08/08/2024     |
| 2024-08-006  | 08/04/2024 | Chris's Towing | Operating without an active tow certificate.                                 | ORS 822.200                        | Stipulated Agreement*     | 08/08/2024     |
| 2024-08-007  | 08/05/2024 | Trent's Towing | Operating without an active tow certificate.                                 | ORS 822.200                        | Forwarded to Collections* | 08/08/2024     |

*\*A copy of the final disciplinary document will be linked to the Disciplinary Action on the Board's website.*

Frequency:

- Updated monthly.
- Multiple status reports posted (previous month, current quarter, per quarter, per year)

Data and Demographic Reports:

Different reports combining different data points.

*Some of the data is collected for statistical purposes only; for instance - Towers with at least one complaint is for the number only, towers will not be named.*

Examples:

- Nature of Complaint
- Different types of Violations
- Complaint Status
- Disciplinary Actions
- All complaints against a tower
- All complaints submitted by a complainant
- Nature of complaint + complainant + complaint status/ disciplinary action
- Nature of complaints + zip code
- No. of "no violation" + complainant
- Towers who have at least one complaint against them + status of complaint
- No. of complaints investigated
- No. of complaints closed with: Final Default Order, Stipulated Agreement, etc.
- Amount of (1) civil penalties assessed, (2) collected, (3) sent to collections, etc.
- Cost analysis: cost of investigation vs. amount recovered