
ELECTRICAL SAFETY AUTHORITY REVIEW PANEL

B E T W E E N:

YIFANG LIU

(the “Appellant”)

- and -

DIRECTOR, ELECTRICAL SAFETY AUTHORITY

(the “Respondent”)

DECISION AND ORDER

Review Panel Member: Lee Lawrence

Appeal Number: NOAA 24-14

1. On October 11, 2024, the Electrical Safety Authority (“ESA”) imposed an administrative penalties order (“APO”) against the Appellant, pursuant to subsection 113.18.1 of the *Electricity Act, 1998* (“Act”).
2. According to the APO, the contraventions committed by the Appellant were as follows::

Convtra- vention No.	Contravention Details	Penalty Amount
1	Between August 1, 2023, and August 31, 2023, the Appellant carried out an activity referred to in the regulations under the Act as requiring an authorization, by carrying out electrical work at 348 Gloaming Crest., Ottawa, contrary to ss.113.2(1) of the Act.	\$3,000
2	Between July 1, 2023, and April 30, 2024, the Appellant operated an electrical contracting business, Livan, which operated as ‘Livan Build’, without being the holder of an electrical contractor license, contrary to s.3 of O. Reg. 570/05: Licensing of Electrical Contractors and Master Electricians.	\$5,000
3	Between December 1, 2023, and April 30, 2024, the Appellant proposed to carry out an activity referred to in the regulations under the Act as requiring an authorization, by placing an advertisement for electrical work on Facebook, contrary to ss.113.2(1) of the Act.	\$3,000
4	Between December 1, 2023, and April 30, 2024, the Appellant proposed to carry out an activity referred to in the regulations under the Act as requiring an authorization, by placing advertisements for electrical work on lawn signs, contrary to ss.113.2(1) of the Act.	\$3,000

3. On October 21, 2024, the Appellant submitted a Notice of Appeal in respect of the APO.
4. On November 1, 2024, I was provided with the terms of a proposed settlement between the Appellant and the Respondent, including an agreed statement of facts and a joint request on penalty, which is attached hereto as Appendix “A” to this Order (“Settlement”).
5. The parties have requested certain orders to be made on consent as part of the Settlement, which I am prepared to make.
6. By way of their request for this relief, both parties accept that I have jurisdiction to make the order sought pursuant to O. Reg 187/09 (including subsection 18(4)) and the ESA’s Rules of Procedure, and I accept that I do have that authority.

7. I further conclude that the terms of the Settlement meet the “public interest test” that applies in these circumstances, and do not satisfy the high bar for rejecting a joint submission on penalty put forward by the parties. In particular, I find that approval of the Settlement would not bring the administration of justice into disrepute, nor would it be otherwise contrary to the public interest.
8. Accordingly, on consent of the parties and at their request, I order that:
 - a. The APO amount with respect Contravention 1 is reduced to \$2,000.00;
 - b. The APO amount with respect to Contravention 2 is reduced to \$4,000.00;
 - c. The APO amount with respect to Contravention 3 is reduced to \$1,500.00;
 - d. The APO with respect to Contravention 4 is rescinded and, for further clarity, no amount is payable with respect to Contravention 4;
 - e. The Appellant shall make payments in respect of the APO (now totaling \$7,500.00) in the amount of \$250.00 per month, on the first day of each month; and
 - f. Provided the Appellant makes payments in full and in a timely manner, in accordance with the provisions of this Order, no interest shall accrue.
9. Given that the matter has been resolved, this appeal proceeding is hereby dismissed, on a without costs basis.

Dated this November 5, 2024



Lee Lawrence
Review Panel Member



155A Matheson Blvd. W.
Mississauga, Ontario
L5R 3L5

APO Number: AP-2025-0021
Appeal File No.: NOAA 24-14

BETWEEN

Director,
Electrical Safety Authority

Respondent

- AND -

YIFANG LIU

Appellants

SETTLEMENT

WHEREAS the Director appointed under Part VIII of the *Electricity Act, 1998*, S.O.1998, c.15, Sched. A, ("Act") may, by order, impose an administrative penalty against a person where a person has or is contravening a prescribed provision of Part VIII of the Act or the regulations;

AND WHEREAS the Director imposed, by order, administrative penalties against the Appellant ("**Order**");

AND WHEREAS the Appellants appealed the Order to the Review Panel;

TAKE NOTICE that the parties have agreed to the Appellant's appeal of the Order and request that, pursuant to ss.18(4) of O. Reg. 187/09: General ("Regulation"), the Review Panel make an order, incorporating the 'Terms or Settlement' which are attached hereto as Schedule A.

Schedule A

APO Number: AP-2025-0021
Appeal File No.: NOAA 24-14

BETWEEN

Director,
Electrical Safety Authority

Respondent

- AND -

YIFANG LIU

Appellants

TERMS OF SETTLEMENT

I. BACKGROUND

1. The Electrical Safety Authority (“ESA”), a not-for-profit organization, is a designated administrative authority under section 3 of the *Safety and Consumer Statutes Administration Act*, 1996. The ESA is tasked with the administration of Part VIII of the *Electricity Act*, 1998 (“Act”), and works to regulate and promote electrical safety in the Province of Ontario.
2. The ESA’s mandate is to undertake activities which enhance public electrical safety. The ESA does this in part through training, inspection, authorization, investigation, registration, enforcement, audit, and other regulatory and non-regulatory public electric safety quality assurance services.
3. The ESA also prosecutes offences under Part VIII of the *Electricity Act* on behalf of the Province of Ontario.
4. Pursuant to s.3 of O. Reg. 570/05: Licensing of Electrical Contractors and Master Electricians, it is an offence to operate an electrical contracting business without being the holder of an electrical contractor license.
5. Pursuant to s.113.2(1), it is an offence to propose to carry out an activity referred to in the regulations under the Act as requiring an authorization, such as advertising for electrical work, as well as to carry out electrical work without being authorized.

II. FACTS

6. Between July 1, 2023, and April 30, 2024, Yifang Liu ("Liu") operated an electrical contracting business, Livian Build, when Liu was not the holder of an electrical contracting licence. During that same period, Livian Build, the electrical contracting business Liu was operating, was also advertising electrical work.
7. In August of 2023, Liu also carried out electrical work at a residential property in Ottawa.
8. Since being issued an administrative monetary penalty, Liu has ceased operating Livian Build. Liu acknowledges and agrees to not operate an electrical contracting business in the future, nor perform electrical work, unless duly authorized.

III. REQUEST

9. The Parties request that the Review Panel amend the Order on the following terms:

APO	REQUEST
1.	Reduce to \$2,000.
2.	Reduce to \$4,000.
3.	Reduce to \$1,500.
4.	Rescind.

10. The Parties also request that the Review Panel impose the following terms and conditions to the Order:
 - a. Liu is to make payments to the Appellant on the 1st of each month in the amount of \$250; and
 - b. That so long as Liu makes all the payments in full and in a timely manner, that no interest will accrue.

IV. MISCELLANEOUS

11. The Appellant acknowledges and agrees that:
 - a. It had an opportunity to consult with and be represented by counsel; and
 - b. If any of these conditions are deemed invalid, unenforceable, illegal, or a mutual mistake, such conditions shall be severed and the remaining conditions shall remain in full force and effect.


Jonathan Hurter
Legal Counsel
Electrical Safety Authority


Yifang Liu