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**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES
BEFORE THE DIRECTOR OF THE DEPARTMENT
OF CONSUMER AND BUSINESS SERVICES**

In the Matter of:

MSD-11-0008

Creekside Home Services Inc.,

**FINAL ORDER REVOKING
MANUFACTURED STRUCTURE
DEALER LICENSE No. MSD-501
AND
CONSENT TO ENTRY OF ORDER**

Respondent.

WHEREAS the Director (the “Director”) of the Department of Consumer & Business Services for the State of Oregon (the “Department”), through the Division of Finance and Corporate Securities (the “Division”) conducted an investigation into Creekside Home Services Inc. (Hereinafter “Creekside”), and determined that Creekside engaged in activities constituting violations of the Oregon Manufactured Structure Dealers and Dealerships Law, ORS 446.661 et seq.; and

WHEREAS Creekside wishes to resolve this matter with the Director,

NOW THEREFORE, as evidenced by the authorized signature subscribed on this order, Respondent hereby **CONSENTS** to entry of this order upon the Director’s Findings of Facts and Conclusions of Law as stated hereinafter:

FINDINGS OF FACT

A. Parties

1. Creekside Home Services Inc. was first registered with the Oregon Secretary of State’s office on October 18, 1993 (hereinafter “Creekside”). Joyce Harmon is listed as the president, secretary and registered agent. The principal place of business for Creekside is listed as 73768 Columbia River Highway, Rainier, Columbia County, Oregon 97048. Creekside was administratively dissolved by the Oregon Secretary of State on December 18, 2009.

Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387





1 2. Creekside is currently licensed as a Manufactured Structure Dealer in Oregon based on
2 an application submitted to the Department by Joyce Harmon. Creekside's Bond was issued to
3 Joyce Harmon as the owner and president of Creekside.

4 **B. Unlicensed Activity**

5 **a. Relevant Law**

6 3. Oregon's Manufactured Structure Dealer Law specifically prohibits acting as a
7 manufactured structure dealer without first obtaining a valid, current, license issued under ORS
8 446.691 or 446.696 or a temporary or limited license issued under ORS 446.701 or 446.706.¹

9 4. Acting as a manufactured structure dealer without a license is a Class A misdemeanor.²

10 **b. Unlicensed Sales**

11 5. The Department first issued Creekside a manufactured structure dealer's license, based
12 on an application received from Joyce Harmon, on May 16, 2006, license No. MSD-388. This
13 license expired on May 31, 2009.

14 6. On August 27, 2009 the Department issued Creekside manufactured structure dealer's
15 license, No. MSD-501. This license expires on August 31, 2012.

16 7. Creekside was not licensed as a manufactured structure dealer from June 1, 2009 through
17 August 26th, 2009.

18 8. On June 29, 2009, Creekside sold a manufactured structure to M.K. and J.K.

19 9. On July 25, 2009, Creekside sold a manufactured structure to R.F. and T.V.

20 10. On July 26, 2009, Creekside sold a manufactured structure to N.C. and J.A.

21 11. On August 5, 2009, Creekside sold a manufactured structure to J.T.

22 **C. Failure to Obtain Department Approval and Trip Permits**

23 **a. Relevant Law**

24 12. Oregon's Manufactured Structure Dealer Law requires a person to obtain approval from

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26 ¹ ORS 446.671(1).

² ORS 446.671(2).



1 the Department before moving a manufactured structure.³

2 13. Oregon’s Manufactured Structure Dealer Law prohibits any person from moving a
3 manufactured structure without first obtaining a trip permit from the county assessor.⁴

4 14. The Department may revoke a manufactured structure dealer’s license, if a dealer either;
5 1) moves a manufactured structure without obtaining permission from the Department or; 2)
6 causes a manufactured structure to be moved without obtaining a trip permit from the county
7 assessor as required by ORS 446.631.⁵

8 **b. Skyline manufactured structure No. 131270**

9 15. On April 17, 2008, C.G. and S.G. sold a 1993 Skyline manufactured home, identification
10 No. 131270 to Creekside. Creekside moved this manufactured structure without first obtaining
11 permission from the Department and without obtaining a trip permit from Columbia County
12 Oregon.

13 16. On June 29, 2009, Creekside sold manufactured structure No. 131270 to M.K. and J.K.
14 Creekside moved this manufactured structure without first obtaining permission from the
15 Department and without obtaining a trip permit from Columbia County Oregon.

16 **c. Statler manufactured structure No. 222886**

17 17. On July 31, 2009, N.C. and J.A. transferred ownership of a Statler manufactured structure
18 No. 222886 to Creekside. Creekside moved this manufactured structure without first obtaining
19 permission from the Department and without obtaining a trip permit from Columbia County
20 Oregon.

21 18. On September 2, 2009, Creekside moved this manufactured structure without first
22 obtaining permission from the Department and without obtaining a trip permit from Columbia
23 County Oregon.

24 **D. Failure to Transfer Title Upon Sale**

25 ³ ORS 446.631(1).

26 ⁴ ORS 446.631(1).

⁵ ORS 446.741(1)(c).



1 **a. Relevant Law**

2 19. Oregon’s Manufactured Structure Dealer Law requires any person that sells an ownership
3 interest in a manufactured structure to give notice of the sale to the county assessor for the
4 county in which the manufactured structure is sited.⁶

5 20. The Department may revoke a manufactured structure dealer’s license, if a dealer fails to
6 comply with the requirements for notices or reports of transfer of interest in a manufactured
7 structure.⁷

8 **b. Statler manufactured structure No. 222886**

9 21. On August 5, 2009, Dan Harmon sold a manufactured structure to J.T. on behalf of
10 Creekside. The Columbia County Assessor did not receive notice of this transfer of ownership
11 until January 10, 2010.

12 **c. Fleetwood manufactured structure No. 548A30**

13 22. On October 10, 2010 Dan Harmon sold Fleetwood manufactured structure No. 548A30 to
14 K.L. As of February 1, 2011 neither Dan Harmon nor Creekside has provided any notice of the
15 transfer of ownership to the Columbia County assessor.

16 **CONCLUSIONS OF LAW**

17 The Director **CONCLUDES** that:

- 18 1. Creekside violated ORS 446.671 four times by engaging in the sale of a manufactured
19 structure in Oregon without a license.
- 20 2. Creekside violated ORS 446.631(1) four times by moving a manufactured structure
21 without receiving approval from the Department and without obtaining a trip permit from the
22 Columbia County Assessor.
- 23 3. Creekside violated ORS 446.641 at least two times by selling manufactured structure No.
24 222886 and 548A30 and failing to provide notice of the transfer of ownership to the Columbia

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26 ⁶ ORS 446.641(1).
⁷ ORS 446.741(1)(b).

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CORPORATE CONSENT TO ENTRY OF ORDER

I, Joyce Harmon, state that I am an officer of Creekside, and I am authorized to act on its behalf; that I have read the foregoing Order and that I know and fully understand the contents hereof; that I and this entity have been advised of the right to a hearing and of the right to be represented by counsel in this matter; that Creekside voluntarily and without any force or duress, consents to the entry of this Order, expressly waiving any right to a hearing in this matter; that Creekside understands that the Director reserves the right to take further actions to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Manufactured Structure Dealers Law and that Respondent will fully comply with the terms and conditions stated herein.

Respondent understands that this Consent Order is a public document.

Dated this 11th day of March 2011

By /s/ Joyce Harmon President (former)
Joyce Harmon

NOTARY ACKNOWLEDGMENT

There appeared before me this 11 day of March, 2011 Joyce Harmon who was first duly sworn on oath, and stated that she was and is President (former) (Representative's Title) of Creekside and that she is authorized and empowered to sign this Consent to Entry of Order on behalf of Respondent, and to bind Respondent to the terms hereof.

/s/ Lois A Mazzga
(Lois A Mazzga)

Notary Public for the State of: Oregon

My commission expires: 12/1/11

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