

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**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-11-0062

**SEA WINDS REALTY AND JUDY
SOULE**

**ORDER TO CEASE AND DESIST,
ASSESSING CIVIL PENALTIES,
AND
CONSENT TO ENTRY OF ORDER**

RESPONDENTS.

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 the activities of Sea Winds Realty, LLC and Judy Soule (“Respondents”) and determined that Respondents engaged in activities constituting violations of ORS 446.661 *et seq.* (hereinafter cited as the Oregon Manufactured Structure Dealers Law); and

WHEREAS Respondents wish to resolve this matter with the Director,

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

FINDINGS OF FACT

1. Sea Winds Realty, LLC is a domestic limited liability company first registered with the Oregon Secretary of State on December 21, 2007. Their principal place of business is listed as 3682 Tremont, North Bend, OR 97459. Steven Stalcup is listed as both the manager and registered agent for Sea Winds Realty.

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



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



ORDER

NOW, THEREFORE, THE DIRECTOR ISSUES THE FOLLOWING ORDERS:

The Director, pursuant to 2011 Or Laws Ch. 166, § 4 hereby **ORDERS** Respondents shall **CEASE and DESIST** from violating any provision of the Oregon Manufactured Structure Dealer Law and any rule or order of the Director.

The Director, pursuant to ORS 446.995, hereby **ORDERS** Respondents to pay the State of Oregon a **CIVIL PENALTY** of \$15,000 for the three violations of ORS 446.671 described herein. This civil penalty is joint and several among Respondents. After reviewing Respondents current financial position, the Director hereby agrees to suspend \$14,250 of the civil penalty for a period of five years, so long as Respondents do not violate the Oregon Manufactured Structure Dealer Law or any rule or order issued by the Director.

The date of this Order is the day the Director or Director's nominee signs the Order. The entry of this Order does not affect or limit in any manner the Director's ability to invoke further remedies, specifically including but not limited to assessing civil penalties or denying, suspending, conditioning or revoking a license, which may be available to the Director under Oregon law based upon the violation(s) noted in this Order or any other violation.

Dated this 26th day of September, 2011.

SCOTT L. HARRA Acting Director
Department of Consumer and Business Services

/s/ David Tatman
David Tatman, Administrator
Division of Finance and Corporate Securities

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 **CORPORATE CONSENT TO ENTRY OF ORDER**

2 I, Steven Stalcup, state that I am an officer of Sea Winds Realty, LLC, and I am
3 authorized to act on its behalf; that I have read the foregoing Order and that I know and fully
4 understand the contents hereof; that I and this entity have been advised of the right to a hearing
5 and of the right to be represented by counsel in this matter; that Sea Winds Realty, LLC
6 voluntarily and without any force or duress, consents to the entry of this Order, expressly
7 waiving any right to a hearing in this matter; that Sea Winds Realty, LLC understands that the
8 Director reserves the right to take further actions to enforce this Order or to take appropriate
9 action upon discovery of other violations of the Oregon Manufactured Structure Dealers Law
10 and that Sea Winds Realty, LLC will fully comply with the terms and conditions stated herein.

11 I further assure the Director that neither Sea Winds Realty, LLC nor its officers,
12 directors, employees or agents will effect manufactured structures dealers transactions in Oregon
13 unless such activities are in full compliance with Chapter 446 of the Oregon Revised Statutes.

14 Sea Winds Realty, LLC understands that this Consent Order is a public document.

15 Dated this 13 day of Sept, 2011

16 By /s/ Steven Stalcup, Broker
17 (Signature) (Office Held)

18 **NOTARY ACKNOWLEDGMENT**

19 There appeared before me this 13th day of September, 2011 Steven Stalcup,
20 (Respondent's Representative) who was first duly sworn on oath, and stated that he was and is
21 Owner (Representative's Title) of Sea Winds Realty, LLC and that he is authorized
22 and empowered to sign this Consent to Entry of Order on behalf of Sea Winds Realty, LLC, and
to bind Sea Winds Realty, LLC to the terms hereof.

23 /s/ Danielle M. Mitchell

24 (Printed Name of Notary Public)

25 Notary Public for the State of: OR

26 My commission expires: 12-04-11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CONSENT TO ENTRY OF ORDER

I, Judy Soule, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing and of the right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Manufactured Structure Dealers Law; and that I will fully comply with the terms and conditions stated herein.

I understand that this Consent Order is a public document.

Dated this 2nd day of September, 2011.

/s/ Judy Soule
Judy Soule

SUBSCRIBED AND SWORN to before me this 2nd day of September, 2011.

/s/ Susan Lindsey
(Printed Name of Notary Public)
Notary Public
for the State of: Oregon

My commission expires: 9-21-12

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

