

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES

In the Matter of:

Case No. ID-15-0138

Pro Studio Salon’s, LLC, dba Silverton
Manor Apartments,

Respondent.

FINAL ORDER TO CEASE AND
DESIST AND FINAL ORDER
ASSESSING CIVIL PENALTY
ENTERED BY CONSENT

WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon (the “*Director*”) has conducted an investigation of certain activities of Pro Studio Salon’s, LLC, doing business as Silverton Manor Apartments (collectively “*Respondent*”) and the Director has determined that Respondent violated provisions of the Oregon Consumer Identity Theft Protection Act, ORS 646A.600 to 646A.628 (the “*Act*”); and

WHEREAS Respondent wishes to resolve and settle this matter with the Director;

NOW THEREFORE, as evidenced by the authorized signatures subscribed on this Consent Order, Respondent hereby CONSENTS to entry of this Order to Cease and Desist and other sanctions upon the Director’s Findings of Fact and Conclusions of Law as stated hereinafter.

FINDINGS OF FACT

The Director FINDS that:

1. Pro Studio Salon’s, LLC (“*Pro Studio*”) is an Oregon limited liability company with a principal place of business located at 17743 SW Upper Boones, Ferry Road, Durham, Oregon 97224. Renaldo Santa (“*Santa*”), William A. Halter (“*W.Halter*”), and Andrew J. Halter (“*A.Halter*”) are the member managers of Pro Studio.

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. Silverton Manor Apartments (“*Silverton Manor*”) is an assumed business
2 name of Pro Studio. The principal place of business of Silverton Manor is located at
3 17743 SW Upper Boones, Ferry Road, Durham, Oregon 97224. Santa is the authorized
4 representative of Silverton Manor.

5 3. The business operations of Respondent consist, in part, of an apartment
6 complex located at 992 N. 2nd Street, Silverton, Oregon 97381 (the “*Apartment*
7 *Building*”).

8 4. As part of its business, Respondent collects and retains the personal and
9 confidential information of current, former, and prospective tenants of the Apartment
10 Building, including, but not limited to, names, birth dates, unredacted Social Security
11 numbers, driver’s license numbers or state identification numbers, and financial account
12 information (hereinafter the “*Tenant Files*”).

13 5. On December 8, 2015, the Oregon Division of Finance and Corporate
14 Securities (the “*Division*”) received a complaint from a tenant of the Apartment Building.
15 On or around December 5, 2015, the tenant witnessed one or more of the managers of Pro
16 Studio discarding a large volume of Tenant Files into an unlocked, unsecured dumpster
17 and recycle container located on the Apartment Building premises. The dumpster and
18 recycle container were in close proximity to the public street and sidewalk, access to the
19 dumpster and recycle bin was not restricted or limited in any way, and the dumpster and
20 recycle bin had previously been the subject of unauthorized public access. As a result of
21 the unsecure disposal of the Tenant Files, the personal and confidential information
22 contained in the files was displayed for unrestricted viewing or access by the public.

23 6. The tenant notified the local police, who in turn contacted the manager of the
24 Apartment Building regarding the discarded files. Upon information and belief,
25 Respondent did not take any timely action to recover the improperly discarded Tenant
26 Files.

1 Apartment Building.

2 13. Pursuant to ORS 646A.624(4)(a), a person who violates or who procures, aids
3 or abets in the violation of the Act may be subject to a civil penalty of not more than
4 \$1,000 for every violation.

5 **ORDERS**

6 Based on the foregoing, the Director issues the following ORDERS:

7 *Final Order to Cease and Desist*

8 14. In accordance with ORS 646A.624(3), the Director hereby ORDERS
9 Respondent, and all entities owned or controlled by Respondent, its affiliates, successors,
10 and/or assigns, to CEASE AND DESIST from violating the requirements of the Act.

11 *Final Order Assessing Civil Penalties*

12 15. As authorized by ORS 646A.624(4)(a), the Director may assess CIVIL
13 PENALTIES in an amount not to exceed \$1,000 per violation against persons who
14 violate the Act. Every violation is a separate offense and, in the case of a continuing
15 violation, each day's continuance is a separate violation, but the maximum penalty for
16 any occurrence shall not exceed \$500,000. ORS 646A.624(4)(b).

17 16. In accordance with ORS 646A.624(4), the Director ORDERS Respondent to
18 pay \$4,000 (four thousand dollars) for violating ORS 646A.620(1)(c) and \$4,000 (four
19 thousand dollars) for violating ORS 646A.622(1) for total CIVIL PENALTIES of \$8,000
20 (eight thousand dollars).

21 *Suspension of Civil Penalties*

22 17. Collection of \$4,000 (four thousand dollars) of the assessed CIVIL
23 PENALTIES is SUSPENDED by the Director so long as Respondent, its affiliates,
24 successors, and assigns, are in full compliance with the terms and conditions of this
25 Consent Order. If Respondent, its affiliates, successors, or assigns, commit no violations
26 of the Act or this Consent Order during the five (5) year period from the date of issuance



1 of this Order, the Director hereby agrees to WAIVE the suspended portion of the CIVIL
2 PENALTIES. The suspended portion of the penalties will be immediately due and
3 payable upon a determination by the Director that Respondent, its affiliate, successor, or
4 assign, has violated any term of this Consent Order or any provision of the Act.

5 18. Payment by Respondent of the assessed CIVIL PENALTIES in the amount of
6 \$4,000 (four thousand dollars) is immediately due and payable at Respondent's signing
7 of this Consent Order.

8 19. Within ten (10) days from Respondent's signing of this Consent Order,
9 Respondent, at its sole expense, shall cause the discarded Tenant Files currently in the
10 possession of the Division to be shredded or otherwise destroyed in a secure manner.

11 20. Entry of this Order in no way limits or prevents further remedies, sanctions, or
12 actions which may be available to the Director under Oregon law to enforce this Order,
13 for violations of this Order, for conduct or actions of Respondent that are not covered by
14 this Order, or against any party not covered by this Order.

15 IT IS SO ORDERED

16 Dated this 29th day of December, 2015.

17 PATRICK M. ALLEN, Director
18 Department of Consumer and Business Services

19 For: /s/ John Paul Jones, Deputy
20 David C. Tatman, Administrator
21 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 CONSENT TO ENTRY OF ORDER BY PRO STUDIO SALON’S, LLC, DBA
2 SILVERTON MANOR APARTMENTS

3 I, William A. Halter, state that I am an officer or director of Pro Studio Salon’s,
4 LLC, doing business as Silverton Manor Apartments (collectively “*Respondent*”) and
5 that I am authorized to act on its behalf; I further state that I have read this Consent Order
6 and that I know and fully understand the contents hereof; that the factual allegations
7 stated herein are true and correct; that Respondent has had the opportunity to be
8 represented by counsel in this matter; that Respondent has been advised of the right to a
9 hearing; that Respondent voluntarily and without any force or duress consents to the
10 entry of this Consent Order, expressly waiving any right to a hearing in this matter; and
11 that Respondent, its affiliates, successors, and assigns, will fully comply with the terms
12 and conditions of this Consent Order.

13 Respondent understands that this Consent Order is a public document.

14 PRO STUDIO SALON’S, LLC, DBA SILVERTON
15 MANOR APARTMENTS

16 By: /s/William A. Halter
17 Signature

18 William A. Halter
19 Printed Name

20 V.P.
21 Position or Title

22 State of Oregon

23 County of Marion

24 Signed or attested before me on this 29th day of December, 2015 by William A.
25 Halter.

26 Margaret Clark
Notary Public – State of Oregon
Commission No. 938169, Expires 4/9/19

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

