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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-15-0038
HomeServices of Oregon LLC dba Berkshire Hathaway HomeServices Northwest Real Estate;	Order to Cease and Desist, Order Assessing Civil Penalties, and Consent to Entry of Order
Respondent.	

WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter “Director”) conducted an investigation of HomeServices of Oregon LLC dba Berkshire Hathaway HomeServices Northwest Real Estate and determined that (hereinafter “HSO”) engaged in activities constituting a violation of Oregon Revised Statutes (“ORS”) 446.661 et seq. (hereinafter “Oregon Manufactured Structure Dealers and Dealerships Law”); and

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

NOW THEREFORE, as evidenced by the authorized signature subscribed on this Consent Order, HSO hereby consents to entry of the order upon the Director’s Findings of Fact and Conclusions of Law as stated hereinafter:

FINDINGS OF FACTS

The Director FINDS that:

1. HSO is a Delaware corporation with a principal place of business located at 9600 SW

1 Barnes Road, Suite 100, Portland, Oregon 97225.

2 2. HSO received a manufactured structure dealer license from the Oregon Division of
3 Finance and Corporate Securities (hereinafter “Division”) on February 6, 2013.

4 3. At the time of licensure, HSO notified the Division of its assumed business name,
5 Prudential Northwest Properties.

6 4. On November 1, 2013, HSO changed its assumed business name from Prudential
7 Northwest Properties to Berkshire Hathaway HomeServices Northwest Real Estate but did not
8 notify the Division of the name change and obtain a corrected license until June 13, 2014.

9 5. From the time period of November 1, 2013 through June 12, 2014, HSO listed eight
10 manufactured structures for sale and sold eight others under the name Berkshire Hathaway
11 HomeServices Northwest Real Estate.

12 6. When the Division contacted HSO regarding the irregularities, the company apologized
13 and responded that they intended to notify the Division of the name change earlier.

14 CONCLUSIONS OF LAW

15 The Director CONCLUDES that:

16 1. By listing eight manufactured structures for sale and selling eight others using the name
17 Berkshire Hathaway HomeServices Northwest Real Estate prior to notifying the Division of the
18 name change and obtaining a corrected dealer license, HSO violated ORS 446.746(1)(b).

19 ORDER

20 NOW, THEREFORE, the Director issues the following orders:

21 Pursuant to ORS 446.748, the Director hereby orders HSO to cease and desist from
22 violating the Oregon Manufactured Structure Dealers and Dealerships Law.

23 Pursuant to ORS 446.995, the Director may assess a CIVIL PENALTY of up to \$5,000
24 for each violation of the Oregon Manufactured Structure Dealers and Dealerships Law.

25 Pursuant to ORS 446.995, the Director hereby orders that HSO pay a \$2,400 civil
26 penalty to the State of Oregon for the violations of ORS 446.746(1)(b).



1 The entry of this order in no way further limits remedies that may be available to the
2 Director under Oregon law.

3 Dated this 7th day of October , 2015.

4 PATRICK M. ALLEN, Director
5 Department of Consumer and Business Services

6 /s/ David Tatman
7 David C. Tatman, Administrator, Division of Finance and
8 Corporate Securities

9 ENTITY CONSENT TO ENTRY OF ORDER

10 I, Jason Waugh, state that I am an officer of HSO and I am authorized to
11 act on its behalf. I have read the foregoing order, and I know and fully understand the contents
12 hereof. I have been advised of the right to a hearing and of the right to be represented by
13 counsel in this matter. HSO voluntarily and without any force or duress consents to the entry
14 of this order expressly waiving any right to a hearing in this matter. HSO understands that the
15 Director reserves the right to take further actions to enforce this order or to take appropriate
16 action upon discovery of other violations of the Oregon Manufactured Structure Dealers and
17 Dealerships Law. HSO will fully comply with the terms and conditions stated herein.

18 HSO further assures the Director that neither HSO nor its officers, directors,
19 employees, or agents will effect manufactured structure dealer transactions in Oregon unless
20 such activities are in full compliance with the Oregon Manufactured Structure Dealers and
21 Dealerships Law. HSO understands that this Consent Order is a public document.

22 Dated this 16 of September 2015.

23 By /s/ Jason Waugh
24 President, CEO
25 Office Held
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ENTITY ACKNOWLEDGMENT

There appeared before me this 16th day of September, 2015,

Jason Waugh, who was first duly sworn on oath, and stated that he was and is an officer of HSO and that he is authorized and empowered to sign this Consent to Entry of Order on behalf of HSO and to bind HSO to the terms hereof.

/s/ Morgan D. Patten

Notary Public for the State of: Oregon

My commission expires: 5/26/17

Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
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