STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of: 20 TWENTY SUSTAINABLE MANUFACTURING, INC., an Oregon Corporation, Respondent.	Case No. MSD-22-0128 FINAL ORDER TO CEASE AND DESIST AND FINAL ORDER ASSESSING CIVIL PENALTIES, ENTERED BY DEFAULT

On February 7, 2023, the Director of the Department of Consumer and Business Services for the State of Oregon ("Director"), by and through the Division of Financial Regulation ("Division"), served an Order to Cease and Desist and Proposed Order to Assess Civil Penalties ("Notice") on 20 Twenty Sustainable Manufacturing, Inc. ("Respondent").

The Notice offered Respondent an opportunity for a hearing if requested within 20 days of service of the Notice. The Notice further informed Respondent that if a hearing was not conducted because Respondent did not timely request a hearing or otherwise defaulted, then the designated portion of the Division's file and all materials submitted by Respondent in this case would automatically become part of the contested case record for the purpose of proving a prima facie case.

The Director did not receive from Respondent a request for a hearing and did not conduct a hearing.

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FINDINGS OF FACT

The Director FINDS that:

1. Respondent is an Oregon corporation with a principal place of business located at 110 Division St NE, Salem, OR 97301.

2. On or around December 8, 2017, the Director issued a Manufactured Structures Dealer ("MSD") license to Respondent.

3. On December 31, 2020, Respondent's MSD license expired due to non-renewal.

4. From January 1, 2021 through May 11, 2022, Respondent sold 16 structures constructed for movement on public highways that had sleeping, cooking and plumbing facilities, that were intended for human occupancy, that were being used for residential purposes and that were constructed in accordance with applicable federal manufactured housing construction and safety standards and regulations ("Manufactured Homes"). Respondent sold at least two of the Manufactured Homes to Oregon consumers.

5. On May 12, 2022, the Director issued a new MSD license to Respondent.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

6. The 16 Manufactured Homes Respondent sold from January 1, 2021 through May 11, 2022 were "manufactured dwellings" under Oregon Revised Statutes ("ORS") 446.003(21)(a) and "manufactured structures" under ORS 446.561(1)(a).

7. By selling manufactured structures without an MSD license, Respondent acted as a manufactured structure dealer without a license, in violation of ORS 446.671(1)(a).

8. Because the Director has reason to believe that Respondent has engaged in violations of the Oregon Manufactured Structure Dealers and Dealerships Law,[1] the Director may issue an order to Respondent to cease and desist from such violations, under ORS 446.748(1).

9. The Director may impose a civil penalty in an amount not to exceed $5,000 for each manufactured structure improperly sold, brokered or exchanged, against a person that violates a provision of ORS 446.661 to ORS 446.756 if the person does not possess a

[1] *See* ORS 446.661 et seq. and Oregon Administrative Rules ("OAR") 441-446-0100 through 441-446-0300.

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license required by ORS 446.671 or by rule pursuant to ORS 446.666, under ORS 446.995(2).

ORDERS

Now therefore, the Director issues the following ORDERS:

10. As authorized by ORS 446.748(1), the Director ORDERS Respondent to CEASE AND DESIST from violating ORS 446.671(1)(a).

11. As authorized by ORS 446.995(2), the Director hereby ORDERS that Respondent be subject to a CIVIL PENALTY of $4,000 for violating ORS 446.671(1)(a) and selling two manufactured structures in Oregon without an MSD license.

12. This is a "Final Order" under ORS 183.310(6)(b). Subject to this provision, the entry of this Order does not limit further remedies that may be available to the Director under Oregon law.

SO ORDERED this 9th day of March, 2023.

ANDREW R. STOLFI, Director
Department of Consumer and Business Services

/s/ Dorothy Bean
Dorothy Bean, Chief of Enforcement
Division of Financial Regulation

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NOTICE OF RIGHT TO JUDICIAL APPEAL

You are entitled to judicial review of this order in accordance with ORS 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon, within 60 days from the date this order is served.

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