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

In the Matter of:  
Mobile World LLC and John Poling,  
Respondents.

**MSD 13-0153  
Order to Cease and Desist and Consent to  
Entry of Order**

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The Director of the Department of Consumer and Business Services for the State of Oregon (Director) conducted an investigation of Mobile World LLC, (MW) and John Poling (Poling) and determined that MW and Poling engaged in activities constituting violations of Oregon Revised Statutes (ORS) 446.661 *et seq.* and Oregon Administrative Rules (OAR) 441-446-100 through 441-446-0300 (Oregon Manufactured Structure Dealers and Dealerships Law).

MW and Poling now wish to resolve and settle this matter with the Director.

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

**FINDINGS OF FACTS**

The Director finds that:

1. On or about August 16, 2012, the Division received a complaint that John Poling of Mobile World LLC was selling manufactured structures without the required license from the Oregon Division of Finance and Corporate Securities. As of January of 2016, the name of the Division was changed to the Division of Financial Regulation (Division).
2. The Division determined that neither MW nor Poling has ever obtained an Oregon Manufactured Structure Dealer (MSD) license. MW's sole member is Rock Foundation, a religious non-profit with members, (an internet church) that has the same address as MW, Post

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





1 Office Box 8608, Portland, Oregon and has been incorporated in Oregon since 1954. Poling is  
2 the registered agent for Rock Foundation and MW.

3 3. During the investigation Poling stated that he was under the impression that he did not  
4 need a license to sell mobile structures if the structure belonged to him or his family and the  
5 sales were only occasionally.

6 4. Poling stated that he and his friends or family members purchased mobile structures that  
7 were mainly located in Hayden Island Mobile Home Park on Hayden Island near Portland,  
8 Oregon. Poling's son Brock, along with some of Brock's friends, would fix up the homes and  
9 the homes would be sold, sometimes to church members.

10 5. Poling further stated that he and his son initially started naming the properties  
11 individually such as Mobile World 101, LLC, Mobile World 102, LLC etc. but that became too  
12 confusing so they consolidated everything under Mobile World LLC.

13 6. Although the documentation from Building Codes Division lists Mobile World 101,  
14 102, etc. as sellers of some of the homes, documents from the Oregon Secretary of States office  
15 indicate that some of the homes were actually sold by Poling as most of the LLCs had been  
16 dissolved prior to the sale of the homes.

17 7. For example, Home Identification Number (HID) 165367 was sold on October 18, 2010,  
18 by Mobile World 102, LLC with Poling signing on behalf of the company. However, Mobile  
19 World 102, LLC was dissolved on June 22, 2007.

20 8. Below is a list of the homes and the seller of the homes:

<u>HID No.</u>	<u>Purchase Date</u>	<u>Sale Date</u>	<u>Selling Price</u>	<u>Selling Entity</u>
136410	03/12/11	04/22/11	\$2,000	MW
156779	05/07/11	06/18/11	\$1,000	MW
157328	07/21/12	07/01/12	\$20,000	MW
188448	06/15/12	09/24/12	\$19,900	MW
189509	08/11/10	05/15/11	\$10,400	MW

	<u>HID No.</u>	<u>Purchase Date</u>	<u>Sale Date</u>	<u>Selling Price</u>	<u>Selling Entity</u>
2	194385	03/12/10	01/15/13	\$9,200	MW
3	196815	09/10/10	03/23/11	\$10,000	MW
4	200292	04/29/11	06/18/11	\$900	MW
5	209314	08/26/10	10/30/10	\$9,900	MW
6	165367	12/28/06	10/18/10	\$7,900	Poling <sup>*</sup>
7	169307	03/17/07	04/10/10	Unknown	Poling
8	187522	11/14/06	08/31/10	\$7,900	Poling <sup>*</sup>
9	246571	06/18/09	02/07/11	\$4,925	Poling <sup>**</sup>

9. Poling stated to the Division that he would obtain the services of a licensed MSD in order to sell any manufactured structures in the future. To date, the Division has not received any further reports that either Poling or MW have sold or offered to sell any manufactured structures.

CONCLUSIONS OF LAW

The Director concludes that:

1. MW acted as a manufactured structure dealer on the dates set forth above when MW offered to sell and sold nine manufactured structures in Oregon without a license in violation of ORS 446.671(1)(a).

2. Poling acted as a manufactured structure deal on the dates set forth above when he offered to sell and sold four sold manufactured structures in Oregon without a license in violation of ORS 446.671(1)(a).

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\* Mobile World 102, LLC was listed as the seller with John Poling listed as the signer on behalf of the LLC but the Oregon Secretary of State documents indicate the listed LLC was administratively dissolved on June 22, 2007, prior to the listed sales.

\*\* Mobile World 101, LLC was listed as the seller with John Poling listed as the signer on behalf of the LLC but the Oregon Secretary of State documents indicate that the listed LLC was administratively dissolved on April 13, 2007, prior to the sale of the home.

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ORDER

NOW, THEREFORE, the director issues the following order:

1. Pursuant to ORS 446.748, the Director hereby orders MW and Poling to cease and desist from violating the Oregon Manufactured Structure Dealers and Dealership Law.

2. Pursuant to ORS 446.995, the Director may assess a civil penalty of up to \$5,000 for each violation of the Oregon Manufactured Structure Dealers and Dealership Law.

3. Pursuant to ORS 446.995, the Director orders MW and Poling, jointly and severally to pay a civil penalty of \$13,000 (\$1,000 per violation) for thirteen violations of ORS 446.671(1)(a).

a. The Director hereby suspends payment of \$6,500 of the civil penalty for a period of three years under the following conditions:

i. MW and Poling make full payment of the unsuspended portion of the civil penalty as follows:

1. \$1,500 due at the time the notarized Consent Order is submitted to the Division but no later than March 5, 2017;
2. \$1,250 due on the 5<sup>th</sup> of each month thereafter until the unpaid amount is paid in full. The full amount of \$6,500 shall be paid in full no later than July 5, 2017.

ii. MW and Poling do not violate the Oregon Manufactured Structure Dealers and Dealership Law, including not selling any manufactured structures unless through a licensed dealer.

b. If MW and Poling make a full timely payment of the civil penalty, do not violate the Oregon Manufactured Structure Dealers and Dealership Law or the terms of this order, then in three years from the date of the order, the suspended portion of the civil penalty is waived.

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1           4. 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 30th day of March, 2017.

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

7                           /S/ David Tatman  
8                           David C. Tatman, Chief of Enforcement  
9                           Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, John Poling, state that I am an organizer of Mobile World LLC and that I am authorized to act on its behalf. I have read the foregoing order and fully understand the contents hereof. I have been advised of the right to a hearing and of the right to be represented by counsel in this matter. Mobile World LLC voluntarily and without any force or duress consents to the entry of this order expressly waiving any right to a hearing in this matter. Mobile World LLC 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 Manufactured Structure Dealers and Dealership Law. Mobile World LLC will fully comply with the terms and conditions stated herein.

Mobile World LLC further assures the Director that neither Mobile World LLC, nor its owners, employees, or agents will engage in manufacture structure dealership activities in Oregon unless such activities are in full compliance with the Oregon Manufactured Structures Dealers and Dealership Law. Mobile World LLC understands that this consent order is a public document.

/S/ John Poling  
John Poling  
Individually and behalf of Mobile World LLC

ACKNOWLEDGMENT

This instrument was acknowledged before me on March 18th, 2017  
by John Poling.

/S/ Brianna D. Robbins  
Notary Public

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