

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 FINANCIAL REGULATION

In the Matter of:

MSD 19-0038

Kendall F. Rosemeyer dba Royal Mobile
Estates 55 and Over Community,

Respondent.

**Final Order to Cease and Desist and
Consent to Final Order Assessing Civil
Penalties**

The Director of the Department of Consumer and Business Services for the State of Oregon (Director), acting pursuant to his authority granted in Oregon Revised Statutes (ORS) 446.661 *et seq.* and Oregon Administrative Rules (OAR) 441-446-0100 through 441-446-0300 (Oregon Manufactured Structure Dealers and Dealerships Law), investigated the activities of Kendall F. Rosemeyer dba Royal Mobile Estates 55 and Over Community (RME) and determined that violations had been committed.

RME now wishes to resolve and settle this matter with the Director. As evidenced by the authorized signature subscribed on this order, RME consents to entry of this order upon the Director's Findings of Fact and Conclusions of Law as stated below.

FINDINGS OF FACTS

The Director finds that:

1. On or about October 4, 2018, the Oregon Division of Financial Regulation (Division) received a complaint regarding the activities occurring at RME, a 55 and over mobile home park located at 4652 Avens Ave. NE, Salem, Oregon. The Division began an investigation into the activities at the park.
2. The park is owned by Rosemeyer, who resides out of state. RME is managed by Linda Birdsong (Birdsong) who has been the manager of the park for approximately 29 years and is an authorized agent of Rosemeyer.
3. RME has been registered with the Oregon Secretary of State since December 26, 2018. RME is an assumed business name and the registrant for and owner of RME is Rosemeyer.



1 4. At all times material, neither Rosemeyer nor RME had an Oregon manufactured
2 structure dealers (MSD) license to sell manufactured structures.

3 5. On October 4, 2018, and throughout the course of the investigation, the Division
4 advised Rosemeyer and Birdsong of the need for an Oregon MSD license in order to sell mobile
5 homes.

6 6. The Division's investigation revealed that Birdsong, as Rosemeyer's agent and on behalf
7 of RME, sold at least 16 manufactured structures in Oregon without an Oregon MSD license.

8 Those homes were as follows:

9

Home ID	Space No.	Street	Seller	Date	Price
262146	144	BROADMORE	REM	2/1/2017	\$6,000
172438	4743	ANTLER	RME	9/2/2015	\$1,500
234358	146	47th	RME	5/1/2015	\$5,500
208060	145	47th	RME	4/1/2015	\$6,500
178248	115	47th	RME	2/11/2015	\$2,500
222878	125	47th	RME	2/1/2015	\$4,000
244601	4685	AVENS	RME	6/5/2014	\$3,500
159620	135	47th	RME	1/1/2014	\$3,500
100431	4732	ANTLER	RME	11/1/2013	\$3,000
160262	104	BROADMORE	RME	4/26/2010	\$6,000
150150	263	BROADMORE	RME	3/24/2010	\$4,000
172389	177	CLEARWATER	RME	1/25/2010	\$750
247008	4736	AMBER	RME	12/9/2009	\$11,000
157106	106	CLEARWATER	RME	8/20/2009	\$1.00
225082	4746	AMBER	RME	11/5/2007	\$23,000
223466	167	CLEARWATER	RME	10/1/2007	\$13,000

10
11
12
13
14
15
16
17
18
19
20
21 7. On July 8, 2019, RME obtained an Oregon Manufacture Structure Dealer Limited license.
22 The license number is MLS175 and the license expires on July 31, 2021.



1 CONCLUSIONS OF LAW

2 The Director concludes that:

3 1. RME, through Birdsong as an agent, acted as a manufactured structure dealer between
4 October 1, 2007 and February 1, 2017 when RME offered to sell or sold at least sixteen
5 manufactured structures in Oregon without an Oregon MSD license in violation of ORS
6 446.671(1)(a).

7 ORDERS

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

9 1. Pursuant to ORS 446.748, the Director hereby orders RME to cease and desist from
10 violating the Oregon Manufactured Structure Dealers and Dealerships Law.

11 2. Pursuant to ORS 446.995(2)(a) the Director orders RME to pay a total civil penalty of
12 \$20,000 for 16 violation of ORS 446.671(1)(a).

13 3. However, \$10,000 of the civil penalty shall be suspended for a period of three (3) years
14 provided that RME does not violate any terms or conditions of this Consent Order. If at the end
15 of the three (3) year period RME has fully complied with the provisions of the Consent Order,
16 the civil penalty will automatically expire. If RME is found to have committed any such
17 violation, then the suspended portion of the assessed civil penalty will become immediately due
18 and payable.

19 4. The remaining civil penalty of \$10,000 shall be submitted to the Director at the time the
20 Consent Order is submitted to the Director.

21 Dated this 7th day of October, 2019.

22 CAMERON C. SMITH Director
23 Department of Consumer and Business Services

24 /S/ Dorothy Bean
25 Dorothy Bean, Chief of Enforcement
26 Division of Financial Regulation

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



