

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

In the Matter of:

Case No. MSD-19-0082

GLENWOOD TRAILER PARK, LLC and
JOHN D. FAHRER,

ORDER TO CEASE AND DESIST,
FINAL ORDER ASSESSING CIVIL
PENALTY AND CONSENT TO
ENTRY OF ORDER

Respondents.

THIS IS A FINAL ORDER

The Director of the Department of Consumer and Business Services for the State of Oregon (“Director”), acting under his authority granted in Oregon Revised Statutes (“ORS”) 446.661 *et seq.* and Oregon Administrative Rules (“OAR”) 441-446-0100 through 441-446-0300 (collectively, “Oregon Manufactured Structure Dealers and Dealerships Law”), investigated the activities of Glenwood Trailer Park, LLC (“GTP”) and John D. Fahrer (“Fahrer”) (collectively “Respondents”) and determined that Respondents engaged in activities constituting violations of the Oregon Manufactured Structure Dealers and Dealerships Law.

Respondents wish to resolve and settle this matter with the Director.

Now, therefore, as evidenced by the authorized signatures subscribed on this Order, Respondents hereby CONSENT 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 around March 25, 2019, the Oregon Division of Financial Regulation (“Division”) received a complaint from a resident of GTP, a manufactured home

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



1 community at 7041 NE Killingsworth, Portland, OR 97218. As a result of the complaint,
2 the Division began an investigation into the activities at the manufactured home community.

3 2. At all times material, Fahrer was the owner and manager of GTP.

4 3. GTP has been registered with the Oregon Secretary of State since December 8,
5 2003 as a domestic limited liability company.

6 4. At all times material, neither Fahrer nor GTP had an Oregon manufactured structure
7 dealers (“MSD”) license to sell manufactured structures.

8 5. Between April 15, 2004 and March 15, 2018, Respondents sold¹ 15 manufactured
9 structures in Oregon without an Oregon MSD license. Those homes were as follows:

Home ID	Unit	Buyer	Seller	Price	Date
167859	15	SS	Fahrer / GTP	\$0.00	3/15/2018
167859	15	JL	Fahrer / GTP	Unk	6/25/2017
167859	15	WP	Fahrer / GTP	\$1,500	12/1/2013
264449	43	S & H	Fahrer / GTP	\$1,800	11/12/2010
235371	40	KB	Fahrer / GTP	\$7,500	3/5/2010
211013	42	PB	Fahrer / GTP	\$1,200	3/5/2010
238440	23	BB	Fahrer / GTP	Unk	10/27/2007
167859	15	DG	Fahrer / GTP	Unk	7/29/2007
162722	64	B & T Y	Fahrer / GTP	Unk	1/22/2007
249057	78	RS	Fahrer / GTP	Unk	1/22/2007
189617	26	A & A	Fahrer / GTP	Unk	1/21/2007
189617	26	R & W	Fahrer / GTP	\$0.00	6/8/2006
189619	72	LA	Fahrer / GTP	Unk	1/28/2006
166191	28	WM	Fahrer / GTP	Unk	5/24/2005
211013	42	LG	Fahrer / GTP	\$2,800	4/15/2004

20 6. On April 18, 2018, and throughout the course of the investigation, the Division
21 advised Respondents of the need for an Oregon MSD license in order to sell manufactured
22 homes.

23 7. On May 14, 2019, GTP obtained an Oregon Manufacture Structure Dealer license.
24 The license number is MSD861 and the license expires on May 31, 2022.

25 _____
26 ¹ For a manufactured home with \$0.00 sales price, the manufactured home was transferred to the buyer for \$0.00 consideration provided the buyer pay monthly space rent for an agreed upon period of time.



1 CONCLUSIONS OF LAW

2 The Director concludes that:

3 8. Pursuant to ORS 446.671(1)(a), a person acts as a manufactured structure dealer
4 without a license if the person does not have a valid, current manufactured structure dealer
5 license and the person sells, brokers, trades or exchanges a manufactured structure, or
6 offers to sell, trade or exchange a manufactured structure, either outright or by means of
7 any conditional sale, consignment or otherwise.

8 9. Respondents acted as a manufactured structure dealer without a license by selling
9 or offering to sell the 15 manufactured structures as described in Paragraph 5 above.

10 10. Pursuant to ORS 446.748(1), if the Director has reason to believe that a person has
11 engaged, is engaging or is about to engage in a violation of ORS 446.661 to 446.756 or a
12 rule adopted under ORS 446.661 to 446.756, the Director may issue an order directed to
13 the person to cease and desist from the violation or threatened violation.

14 11. Pursuant to ORS 446.995(2)(a), a civil penalty may be imposed, in an amount not
15 to exceed \$5,000, for each manufactured structure improperly sold, brokered or exchanged,
16 or offered or displayed for sale, against a person that violates a provision of ORS 446.661
17 to 446.756 or a rule relating to the sale of manufactured structures if the person does not
18 possess a license required by ORS 446.671.

19
20 ORDERS

21 NOW, THEREFORE, the Director issues the following Orders:

22 12. As authorized by ORS 446.748(1), the Director hereby ORDERS Respondents to
23 CEASE AND DESIST from violating the Oregon Manufactured Structure Dealers and
24 Dealerships Law.

25 13. Based upon the foregoing and as authorized by ORS 446.995(2)(a), the Director
26 ORDERS Respondents to pay a total CIVIL PENALTY of \$20,000 for 15 violations of

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1 ORS 446.671(1)(a).

2 14. the Director SUSPENDS the collection of \$10,000 of the total CIVIL PENALTY
3 assessed above so long as Respondents comply with all terms and conditions of this Order
4 and all requirements of the Oregon Manufactured Structure Dealers and Dealerships Law
5 and any administrative rules promulgated thereunder. If, during the period of three years
6 after the effective date of this Order, Respondents comply with the terms of this Order and
7 the Director has not initiated an enforcement action for new violations of the same
8 provisions of the Oregon Manufactured Structure Dealers and Dealerships Law identified
9 in this Order, the Director WAIVES the collection of the suspended CIVIL PENALTY
10 assessed herein.

11 15. Payment of the remaining \$10,000 CIVIL PENALTY shall be submitted to the
12 Director when the signed Order is submitted to the Director.

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SO ORDERED this 30th day of June, 2020.

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

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

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CONSENT TO ENTRY OF ORDER

I, John D. Fahrer state that I am the owner of Glenwood Trailer Park and I am authorized to act on its behalf. I have read the foregoing Order and I know and understand the contents. I have been advised of the right to a hearing. I, individually and on behalf of Glenwood Trailer Park, voluntarily and with no force or duress, consent to the entry of this Order expressly waiving any right to a hearing. I understand 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 Oregon Manufactured Structure Dealers and Dealerships Law. I, individually and on behalf of Glenwood Trailer Park, will fully comply with the terms and conditions stated herein.

I, individually and on behalf of Glenwood Trailer Park, further assure the Director that neither I, nor Glenwood Trailer Park, its officers, directors, employees, or agents, will effect Manufactured Structure Dealer transactions in Oregon unless such activities fully comply with the Oregon Manufactured Structure Dealers and Dealerships Law. I, individually and on behalf of Glenwood Trailer Park, understand that this Order is a public document.

/s/ John D. Fahrer
John D. Fahrer Individually and
on behalf of Glenwood Trailer Park

ACKNOWLEDGMENT

State of Oregon)
)ss.
County of Multnomah)

This instrument was acknowledged before me on June 22nd, 2020 by
John D. Fahrer.

/s/ Liam F. Seed
Notary Public

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