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

In the Matter of:

TIMOTHY SHAWN REID, an individual,
and SENIOR MOVE MANAGEMENT LLC,
a dissolved limited liability company,

Respondents.

Case No. MSD-20-0043

FINAL ORDER TO CEASE AND
DESIST AND FINAL ORDER
ASSESSING CIVIL PENALTIES,
ENTERED BY DEFAULT


On July 30, 2020, 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, Proposed Order to Assess Civil Penalties, and Notice of Right to a Hearing (“Notice”) on Timothy Shawn Reid (“Reid”) and Senior Move Management LLC (“SMM”) (collectively “Respondents”).

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

Respondents’ deadline to submit a timely hearing request was August 19, 2020. Respondents did not submit a hearing request until September 3, 2020.¹ The Director

¹ Respondents explained that their hearing request was late because Reid was out-of-town when the Notice Order was served, and that he was also dealing with a family member’s significant illness. The Director gave Respondents until October 12, 2020 to provide further explanation and documentation in support of their explanations, and sent Reid numerous e-mails reminding him to provide documentation and giving him examples of documentation that would be relevant and helpful. Respondents failed to provide any documentation to support or substantiate their explanations for their late hearing request. As a result, the Director could not conclude that Respondents had “good cause” for their late hearing request. See Oregon

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350 Winter Street NE, Suite 410
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1 denied Respondents' late hearing request and did not conduct a hearing.

2 FINDINGS OF FACT

3 The Director FINDS that:

4 1. SMM was an Oregon limited liability company that administratively dissolved
5 on January 24, 2019. Reid was SMM's sole member and continued to conduct business as
6 SMM following its dissolution.

7 2. Reid, acting as SMM, assists elderly individuals in transitioning to assisted
8 living facilities. His clients have included Oregon resident "BK."

9 3. On or around November 13, 2019, Respondents entered into an agreement with
10 BK to market and sell her Oregon-located manufactured structure in exchange for \$6,000.

11 4. At no time have Respondents held an Oregon manufactured structure dealer
12 license.

13 CONCLUSIONS OF LAW

14 The Director CONCLUDES that:

15 5. By offering to sell BK's manufactured structure without a license, Respondents
16 acted as manufactured structure dealers, in violation of ORS 446.671(1)(a).

17 6. Because the Director has reason to believe that Respondents have engaged in
18 the foregoing violation of the Oregon Manufactured Structure Dealers and Dealerships
19 Law, the Director may issue an order to Respondents to cease and desist from such
20 violations, under ORS 446.748(1).

21 7. The Director may impose a civil penalty in an amount not to exceed \$5,000 for
22 each manufactured structure improperly sold, brokered or exchanged, against a person that
23 violates a provision of ORS 446.661 to ORS 446.756 if the person does not possess a
24 license required by ORS 446.671 or by rule pursuant to ORS 446.666, under ORS
25 446.995(2).

26 _____
Administrative Rules ("OAR") 137-003-0501(7) and 137-003-0528(1)(b).



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ORDERS

Now therefore, the Director issues the following Orders:

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

9. As authorized by ORS 697.832(1), the Director hereby ORDERS that Respondents be subject to a CIVIL PENALTY of \$5,000 for violating ORS 446.671(1).

DESIGNATION OF RECORD

10. The Director designates the Division’s file on this matter, which includes all materials submitted by the party, as the record in this case. In accordance with OAR 137-003-0670(3)(a)-(b), the record contains sufficient evidence of the existence of facts necessary to support a final order by default should the Director issue such an order.

SO ORDERED this 15th day of October, 2020.

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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