STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES

In the Matter of Terry Williams; Respondent.	Division Case No.: DM-14-0007 OAH Case No.: 1403735 FINAL ORDER TO CEASE AND DESIST AND ASSESSING CIVIL PENALTY

On March 10, 2014, the Department of Consumer and Business Services, Division of Finance and Corporate Securities (the Division), issued an Order to Cease and Desist, Proposed Order Assessing Civil Penalties, and Notice of Right to a Hearing (Notice) to Mark Landers, Terry Williams, The Law Offices of Gordon Hardin, and Home Relief Foundation, Inc. On April 2, 2014, attorney Conrad E. Yunker requested a hearing on behalf of his client, Terry Williams (Respondent). The Division referred the case to the Office of Administrative Hearings (OAH) on June 7, 2014. The OAH assigned the case to Senior Administrative Law Judge (ALJ) Monica A. Whitaker.

ALJ Whitaker convened a telephone prehearing conference on August 11, 2014. Neither Mr. Yunker nor Mr. Williams appeared for the prehearing conference. Senior Assistant Attorney General Joanna Tucker Davis represented the Division. During the prehearing conference, ALJ Whitaker scheduled deadlines for the Division to file a motion for summary determination, for Mr. Williams to file a response, and for the Division to file a reply. ALJ Whitaker also scheduled the matter for a hearing on December 16 and 17, 2014. On August 11, 2014, ALJ Whitaker issued a letter to Mr. Yunker and Ms. Tucker Davis confirming this schedule.

On September 25, 2014, the Division filed a Motion for Summary Determination (Motion). Mr. Williams did not file a response. ALJ Whitaker closed the record on

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October 13, 2014 and took the matter under advisement.

On October 24 2014, ALJ Whitaker issued a Ruling on the Motion for Summary Determination and Proposed Order ("Proposed Order") and concluded that all of the issues were decided and granted summary determination in favor of the Division.

Respondent has not filed exceptions to the Proposed Order, and the time to do so has passed.

Now, therefore, having reviewed the entire record in this matter, the Director issues the following findings of fact, conclusions of law and final order consistent with that proposed by OAH.

ISSUES ON SUMMARY DETERMINATION

1. Whether, pursuant to OAR 137-003-0580, the Division is entitled to a favorable ruling as a matter of law on the following issues:

a. Whether Mr. Williams performed a debt management service in Oregon without being registered, in violation of *former* ORS 697.612(1)(a).[1]

b. Whether Mr. Williams acted as a mortgage broker without a license, in violation of ORS 86A.103(1).

c. Whether Mr. Williams acted as a mortgage loan originator in Oregon without a license, in violation of *former* ORS 86A.203.[2]

d. Whether the Division may order Mr. Williams to cease and desist from violating the Oregon Mortgage Lender Law and the Oregon statutes regulating debt management service providers. ORS 86A.127(4), ORS 86A.224(2)(a), and ORS 697.825(1)(a).

[1] In 2013, this statute was amended. The version cited herein was in effect at the time of the alleged violation. The change to the statute was not substantive in nature.

[2] In 2013, this statute was amended. The version cited herein was in effect at the time of the alleged violation. The change to the statute was not substantive in nature.

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e. Whether the Division may impose a $5,000 civil penalty against Mr. Williams. ORS 86A.224(3)(a), ORS 86A.992(1) and (3), and ORS 697.832(1).

f. Whether Mr. Williams is jointly and severally liable to pay restitution in the amount of $2,975. ORS 86A.224(2)(c).

DOCUMENTS CONSIDERED

The Division's Motion and its supporting Exhibits A1 through A10 were considered.

FINDINGS OF FACT

1. The Law Office of Gordon Hardin (the Law Office) was a Texas entity operating from 8200 N. Mopac Expressway, Suite 244, Austin, Texas 78759.[3] (Exs. A1, A3, A7, A8.) Gordon Hardin has never held a license to practice law in Oregon. (Ex. A1 at 2.)

2. The Law Office later became known as The Home Relief Foundation, Inc. (HRF). (Ex. A1 at 2.) HRF is an active Texas corporation operating from 8200 N. Mopac Expressway, Suite 244, Austin, Texas 78759. (*Id.* at 1.)

3. At all times relevant for this proceeding, Mr. Williams worked as a "negotiator" for the Law Office and later HRF. HRF and the Law Office treated Mr. Williams as an employee for tax purposes. (Exs. A1 at 2, A4 at 3-5.)

4. The Law Office, HRF, and Mr. Williams have never been registered to provide debt management services in Oregon. (Ex. A6.)

5. Mr. Williams has never held a license to practice law, a mortgage broker license, or a loan originator license in Oregon. (Ex. A 1 at 1.)

6. Debra and Garth Gates are Oregon residents. From 2008 through November 2012, they lived in a home located at 3641 SE 154th Avenue, Portland, Oregon 97236

[3] Gordon Hardin is no longer eligible to practice law in Texas and no longer operates the Law Office. (Ex. A8.)

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(the residence). In 2007, Mr. and Mrs. Gates received a Veterans Affairs (VA) mortgage loan from Wells Fargo for the purchase of the residence; they received a second mortgage on the home through CitiFinancial in 2008. (Ex. A2 at 1.)

7. Thereafter, Mr. and Mrs. Gates encountered financial difficulty and in October 2010, requested assistance in obtaining a loan modification. They received a phone call from a representative of the Law Office who said the Law Office could help Mr. and Mrs. Gates obtain a modification of the terms, conditions, or fees of their first mortgage and probably eliminate the second mortgage. (Ex. A2 at 1.)

8. The Law Office charged Mr. and Mrs. Gates $3,500 for loan modification services. Mr. and Mrs. Gates did not have the money to pay for the services. A representative of the Law Office advised Mr. and Mrs. Gates that they did not have to make their monthly mortgage payments during the modification process. Based on this advice, Mr. and Mrs. Gates stopped making mortgage payments to their lenders and made payments to the Law Office instead. From December 14, 2010 through March 4, 2011, Mr. and Mrs. Gates paid the Law Office a total of $2,975 for loan modification services. (Ex. A2 at 1.)

9. On February 11, 2011, Mr. Williams sent loss mitigation documents to Mr. and Mrs. Gates. (Ex. A4 at 5.)

10. On June 14, 2011, Mr. Williams sent an email to Mr. and Mrs. Gates advising them of the loan modification process. In addition, he proposed filing for Chapter 13 bankruptcy and explained how such a filing would affect their loan modification transaction. The email stated, in part:

> Please do send us a copy of everything that you received on Saturday that pertains to your foreclosure. There is a possibility that Mark didn't explain the total process to you in a detailed

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> manner. By federal law, they cannot foreclose on your home if your account is in active review for loan modification. That being said, they may still proceed with the intent to foreclose. They have set a date for 10/11/11, so this means that they have to either give us an answer by this date, or postpone the foreclosure sale date. They may come back with a denial on the modification, and if there isn't enough time to resubmit the packet to get it back into review before the sale date, we do still have an option. By filing a chapter 13 bankruptcy, this will stop the sale date and we will be able to move forth with a newly corrected application packet to be reviewed for modification. So I understand seeing a sale date for your home is frightening as well as frustrating, but I assure you, we have plenty of time and options to avoid such an event. * * *.

(Ex. A3 at 1.)

11. On June 27, 2011, Mr. Williams advised Mr. Gates that a new modification proposal had been submitted to the first lien holder (Wells Fargo), but that Mr. Gates needed to provide Mr. Williams with an updated bank statement and with a copy of his 2010 tax returns. (Ex. A4 at 4.)

12. On July 26, 2011, Mr. Williams spoke with Mr. and Mrs. Gates' lender and learned that the lender had not received updated bank statements that the Law Office submitted on Mr. and Mrs. Gates' behalf. The lender advised Mr. Williams that Mr. and Mrs. Gates' file was still in review. (Ex. A4 at 4.)

13. On November 10, 2011, Mr. Williams asked Mr. and Mrs. Gates to send him updated bank statements, pay stubs, and utility bills. (Ex. A4 at 4.)

14. On January 17, 2012, Mr. Williams sent a "third request" to Mr. and Mrs. Gates, requesting, "2 months bank statements, 30 days [*sic*] pay stubs, a recent utility bill,

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and [W]ells [F]argo forms emailed to you." Mr. Williams advised that the Mr. and Mrs. Gates needed to submit the documents within 14 days or the file would be closed. (Ex. A4 at 3.)

15. Through the Law Office, Mr. and Mrs. Gates received a "Trial Proposal" for a loan modification from Wells Fargo. The loan modification offer on their first mortgage (Wells Fargo) was for approximately the same amount Mr. and Mrs. Gates were paying before they applied for the modification and therefore not financially beneficial. Mr. and Mrs. Gates did not receive an offer for modification of the second mortgage. (Ex. A2 at 2.)

16. Mr. and Mrs. Gates were served with foreclosure papers the week of October 15, 2012 and were given 30 days to move out of the residence. (Ex. A2 at 2.)

17. In January 2013, the Division received a complaint from Mr. and Mrs. Gates against the Law Office and HRF. (Ex. A7.)

CONCLUSIONS OF LAW

1. Pursuant to OAR 137-003-0580, the Division is entitled to a favorable ruling as a matter of law on the following issues:

a. Mr. Williams performed a debt management service in Oregon without being registered, in violation of *former* ORS 697.612(1)(a).

b. Mr. Williams acted as a mortgage broker without a license, in violation of ORS 86A.103(1).

c. Mr. Williams acted as a mortgage loan originator in Oregon without a license, in violation of *former* ORS 86A.203.

d. The Division may issue an order for Mr. Williams to cease and desist from violating the Oregon Mortgage Lender Law and the Oregon statutes regulating debt management service providers.

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e. The Division may impose a $5,000 civil penalty against Mr. Williams.

f. Mr. Williams is jointly and severally liable to pay restitution in the amount of $2,975.

OPINION

1. Standard of review for motion for summary determination

OAR 137-003-0580 addresses motions for summary determination. It provides, in relevant part:

> (6) The administrative law judge shall grant the motion for a summary determination if:
>
> (a) The pleadings, affidavits, supporting documents (including any interrogatories and admissions) and the record in the contested case show that there is no genuine issue as to any material fact that is relevant to resolution of the legal issue as to which a decision is sought; and
>
> (b) The agency or party filing the motion is entitled to a favorable ruling as a matter of law.
>
> (7) The administrative law judge shall consider all evidence in a manner most favorable to the non-moving party or non-moving agency.
>
> (8) Each party or the agency has the burden of producing evidence on any issue relevant to the motion as to which that party or the agency would have the burden of persuasion at the contested case hearing.
>
> * * * * *
>
> (12) If the administrative law judge's ruling on the motion resolves all issues in the contested case, the administrative law judge shall issue a proposed order in accordance with OAR 137-003-0645 incorporating that ruling * * *.

The Division contends that Mr. Williams performed a debt management service in Oregon without being registered, that he acted as a mortgage broker without a license,

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and that he acted as a mortgage loan originator without a license. The Division contends that these violations warrant a civil penalty in the amount of $5,000, that Mr. Williams should be jointly and severally liable to pay restitution to Mr. and Mrs. Gates in the amount of $2,975, and that he should be ordered to cease and desist from violating its laws and rules. As the proponent of the allegations, the Division has the burden to establish, by a preponderance of the evidence, that the violations occurred and that the proposed sanctions are appropriate. ORS 183.450(2) ("The burden of presenting evidence to support a fact or position in a contested case rests on the proponent of the fact or position"); *Harris v. SAIF*, 292 Or 683, 690 (1982) (general rule regarding allocation of burden of proof is that the burden is on the proponent of the fact or position). Proof by a preponderance of the evidence means that the fact finder is persuaded that the facts asserted are more likely than not true. *Riley Hill General Contractor v. Tandy Corp*., 303 Or 390, 402 (1987).

Mr. Williams did not respond to the Division's Motion and the material facts of this case are not in dispute. Pursuant to OAR 137-003-0580(7), I have reviewed the evidence in a light most favorable to Mr. Williams, the non-moving party. I conclude that there are no genuine issues as to any material facts that are relevant to resolution of the legal issues as to which the Division seeks a decision. Therefore, for the reasons set forth below, the Division is entitled to a favorable ruling as a matter of law and its Motion is granted.

a. Performing a debt management service in Oregon without being registered, in violation of former ORS 697.612(1)(a).

Former ORS 697.612 provided, in part:

> (1) A person that has not registered with the Director of the Department of Consumer and Business Services under ORS 697.632 may not engage in business in this state in the course of

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which the person:

(a) Performs a debt management service[.]

ORS 697.602 provides, in relevant part:

(2) "Debt management service" means an activity for which a person receives money or other valuable consideration or expects to receive money or other valuable consideration in return for:

* * * * *

(d) Obtaining or attempting to obtain as an intermediary on a consumer's behalf a concession from a creditor including, but not limited to, a reduction in the principal, interest, penalties or fees associated with a debt.

Mr. Williams, the Law Office, and HRF were not registered with the Division to perform debt management services in Oregon. Mr. and Mrs. Gates' residence was located in Oregon. As an employee of the Law Office and later HRF, Mr. Williams engaged in activity – *i.e.* the loan modification process on behalf of Mr. and Mrs. Gates – for which he received or expected to receive compensation. The purpose of the modification process was to reduce the loan's principal, interest, penalties and/or fees associated with the loan to benefit Mr. and Mrs. Gates.

The record establishes that Mr. Williams acted as an intermediary between Mr. and Mrs. Gates and their lender. He communicated with Mr. and Mrs. Gates' lender and communicated the lender's requests to them. He advised Mr. and Mrs. Gates during the course of the loan modification process regarding possible options, including filing for bankruptcy.

Mr. Williams is not subject to an exemption for these activities under *former* ORS 697.612(3), which provided, in part:

(3) Subsection (1) of this section does not apply to:

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> (a) An employee of a debt management service provider, if the debt management service provider is registered under ORS 697.632.
>
> (b) An attorney licensed or authorized to practice law in this state, if the attorney provides a debt management service only incidentally in the practice of law.
>
> * * * * *
>
> (f) A mortgage banker or mortgage broker licensed under ORS 86A.095 to 86A.198 or a mortgage loan originator, as defined in ORS 86A.100.

Neither the Law Office nor HRF were registered in Oregon as debt management service providers. Mr. Williams was not licensed or authorized to practice law in Oregon. Finally, Mr. Williams was not licensed in Oregon as a mortgage banker, mortgage broker, or mortgage loan originator. Therefore, the provisions of *former* ORS 697.612(3)(a), (b), and (f) do not apply.

For these reasons, Mr. Williams provided debt management services, as defined in ORS 697.602(2)(d), in Oregon without being registered with the Department of Consumer and Business Services. The Division established that Mr. Williams violated *former* ORS 697.612(1)(a).

b. Acting as a mortgage broker without a license, in violation of ORS 86A.103(1).

ORS 86A.103 provides, in part:

> (1) It is unlawful for any person to engage in residential mortgage transactions in this state as a mortgage banker or mortgage broker unless the person is licensed under ORS 86A.095 to 86A.198. A person who is a mortgage banker or mortgage broker under ORS 86A.100, but who does not engage in residential mortgage

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transactions in this state, is not required to obtain a license under ORS 86A.095 to 86A.198.

(2) For purposes of this section, a person "engages in residential mortgage transactions in this state" when any act constituting the business of a mortgage banker or mortgage broker and involving a residential mortgage transaction originates from this state or is directed to and received in this state or when the real estate that is the subject of the activities of the mortgage banker or mortgage broker is located in this state.

Former ORS 86A.100 provided, in part:

(5)(a) "Mortgage broker" means a person that:

* * * * *

(C) For compensation, or in the expectation of compensation, either directly or indirectly negotiates or offers to make or negotiate a mortgage loan.

A "mortgage loan" is "a loan, extension of credit or retail sales contract, other than a mortgage banking loan,[4] secured by a mortgage or deed of trust or a lien interest on real estate that is created with the consent of the owner of the real estate." *Former* ORS 86A.100(6).

Former ORS 86A.100(8) provided:

"Residential mortgage transaction" means a transaction in which a mortgage, deed of trust, purchase money security interest arising

[4] A "mortgage banking loan" is a "loan, extension of credit or a retail sales contract that funded exclusively from the mortgage banker's own resources, that is directly or indirectly secured by a mortgage or deed of trust or any lien interest on real estate and that is created with the consent of the owner of the real property. * * * * *." *Former* ORS 86A.100(4).

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> under an installment sales contract, or equivalent consensual security interest is created or retained in property upon which four or fewer residential dwelling units are planned or situated, including but not limited to individual units or condominiums and cooperatives. As used in this subsection, "residential dwelling unit" means an improvement designed for residential occupancy.

Mr. Williams acted as a mortgage broker when, on behalf of Mr. and Mrs. Gates and for compensation or in expectation of compensation, he negotiated a modification to the terms and conditions of Mr. and Mrs. Gates' mortgage(s). The real estate (the property) that was subject to Mr. Williams' activities was located in Oregon. It was secured by mortgage loans secured by lien interest in the real property.

The record establishes that Mr. Williams communicated with a lender on Mr. and Mrs. Gates' behalf with the intention of obtaining a modification to the terms of the mortgage loan. The Division established that Mr. Williams' modification efforts on behalf of Mr. and Mrs. Gates constituted a residential mortgage transaction. Because neither the Law Office nor Mr. Williams were licensed a mortgage broker or mortgage banker in Oregon at the time of these transactions, Mr. Williams violated ORS 86A.103(1).

c. Acting as a mortgage loan originator in Oregon without a license

Former ORS 86A.203(1) provided, in part:

> (1) Except as provided in subsection (2) of this section, an individual may not engage in business as a mortgage loan originator in this state without first:
>
> (a) Obtaining and maintaining a mortgage loan originator's license under ORS 86A.212 or renewing a mortgage loan originator's license under ORS 86A.218; and

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(b) Obtaining a unique identifier from the Nationwide Mortgage Licensing System and Registry.

ORS 86A.200 provides, in part:

(4)(a) "Mortgage loan originator" means an individual who, for compensation or gain:

* * * * *

(B) Offers or negotiates terms for a residential mortgage loan.

Mr. Williams engaged in business as a mortgage loan originator in this state without a license. He negotiated terms for a residential loan modification with Mr. and Mrs. Gates' lender and, as an employee of the Law Office and HRF, expected compensation for this work. Mr. Williams has never been licensed as a mortgage loan originator in Oregon. Therefore, the Division established that Mr. Williams violated *former* ORS 86A.203(1).

d. Cease and Desist Order

Pursuant to ORS 86A.127(4), [5] ORS 86A.224(2)(a), [6] and ORS 697.825(1)(a)[7] the

[5] ORS 86A.127(4) provides:

> If the director has reasonable cause to believe that any person has been engaged, is engaging or is about to engage in any violation of any provision of ORS 86A.095 to 86A.198, may issue an order, subject to ORS 86A.139, directed to the person, and to any other person directly or indirectly controlling the person, to cease and desist from the violation or threatened violation.

[6] ORS 86A.224 provides, in part:

> (2) The director, subject to ORS chapter 183, may order a person that is subject to regulation under ORS 86A.200 to 86A.239 to:
>
> (a) Cease and desist immediately or permanently from violating a provision of ORS 86A.200 to 86A.239 or from an act or practice related to mortgage loan origination that the director deems harmful to a consumer or to the public[.]

[7] ORS 697.825 provides, in part:

> (1) The Director of the Department of Consumer and Business Services may, if the director has reason to believe that a person:

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Director of the Department of Consumer and Business Services may issue an order to cease and desist from the violations.

As previously discussed, the Division proved that Mr. Williams performed a debt management service in Oregon without being registered, that he acted as a mortgage broker without a license, and that he acted as a mortgage loan originator in Oregon without a license. Pursuant to ORS 86A.127(4), ORS 86A.224(2)(a), and ORS 697.825(1)(a), the Division is entitled to issue an order to Mr. Williams to cease and desist from violating the Oregon Mortgage Lender Law and the Oregon statutes regulating debt management service providers.

e & f. Civil Penalty and Restitution

The Division proposes imposing a $5,000 civil penalty. In addition, the Division proposes that Mr. Williams be jointly and severally responsible for restitution to Mr. and Mrs. Gates, in the amount of $2,975.

ORS 86A.224 provides, in part:

> (2) The director, subject to ORS chapter 183, may order a person that is subject to regulation under ORS 86A.200 to 86A.239 to:
>
> * * * * *
>
> (c) Pay restitution to a consumer or another person that the director finds suffered harm from the person's acts, omissions, practices or operations or as a result of the person's violation of a provision of ORS 86A.200 to 86A.239[.]
>
> (3)(a) The director, in accordance with ORS 183.745, may impose a civil penalty in an amount not to exceed $5,000 for each separate

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(a) Violated, is violating or is about to violate ORS 697.612, 697.642 to 697.702 or 697.752, a rule adopted under ORS 697.632 or an order issued under ORS 697.652 or 697.732, issue an order to cease and desist from the violation.

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instance of a violation of or failure to comply with the provisions of ORS 86A.200 to 86A.239 or a rule or order the director adopted or issued under ORS 86A.200 to 86A.239.

ORS 86A.992 provides, in part:

> (1) In addition to all other penalties and enforcement provisions provided by law, any person who violates or who procures, aids or abets in the violation of any provision of ORS 86A.095 to 86A.198 or any rule or order of the Director of the Department of Consumer and Business Services shall be subject to a penalty of not more than $5,000 for every violation, which shall be paid to the General Fund of the State Treasury.
>
> * * * * *
>
> (3) Every violation is a separate offense and, in the case of a continuing violation, each day's continuance is a separate violation, but the maximum penalty for any continuing violation shall not exceed $20,000 for each offense.

ORS 697.832(1) provides:

> (1) In addition to any other liability or penalty provided by law, the Director of the Department of Consumer and Business Services may impose a civil penalty on a person in an amount not to exceed $5,000 for each violation of ORS 697.612 or 697.642 to 697.702, rules adopted under ORS 697.632 or order issued under ORS 697.825.

The Division has proven that Mr. Williams violated *former* ORS 697.612(1)(a), ORS 86A.103(1), and *former* ORS 86A.203. Pursuant to ORS 86A.224(3)(a), 86A.992(1) and 697.832(1), the Director may impose a civil penalty up to $15,000 for

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these violations. The Director is proposing a significantly lower civil penalty of $5,000. Considering the facts of this case and the violations the Division has proven, a civil penalty in the amount of $5,000 is appropriate.

In addition, the Division proposes that Mr. Williams be jointly and severally liable for restitution to Mr. and Mrs. Gates in the amount of $2,975, representing the amount they paid for the loan modification process. Pursuant to ORS 86A.224(2)(c), Mr. Williams shall be jointly and severally liable to pay restitution to Mr. and Mrs. Gates in the amount of $2,975.

In this matter, the ALJ granted Summary Determination and found that the Division had interpreted its rules uniformly and fairly, and that the proposed civil penalty was appropriate. Because this Ruling and Proposed Order resolves all issues, the hearing scheduled for December 16 and 17, 2014 was cancelled.

ORDERS

Based on the foregoing, the Director issues the following ORDERS:

Order to Cease and Desist

As authorized by ORS 86A.127(4) and 697.825(1)(a), the Director hereby ORDERS Williams, and HRF and all entities owned or controlled by Williams to CEASE AND DESIST from violating the Oregon Mortgage Lender Law and the Oregon statutes regulating debt management service providers, ORS 697.602 to 697.842.

Order Assessing Civil Penalty

As authorized by ORS 86A.224(3)(a) and ORS 697.832, the Director ORDERS Williams to pay a CIVIL PENALTY in the amount of $5,000 for the violation of ORS 86A.103(1)(unlicensed mortgage broker)/ORS 697.612 (unregistered debt management service)/ORS 86A.203 (unlicensed MLO).

Order Assessing Restitution

As authorized by ORS 86A.224(2)(c) Terry Williams is jointly and severally

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liable to repay consumers Debra and Garth Gates restitution in the amount of $2,975.

In accordance with ORS 86A.992, ORS 697.612, and 183.745(2), the civil penalty assessed herein shall become due and payable 10 days after the order becomes final by operation of law or on appeal.

AUTHORITY OF THE DIRECTOR TO SEEK OTHER REMEDIES UNDER OREGON LAW

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

IT IS SO ORDERED.

Dated this 2nd day of December, 2014.

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

/s/ David Tatman
David C. Tatman, Administrator
Division of Finance and Corporate Securities

NOTICE OF RIGHT TO JUDICIAL REVIEW

You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this order. Judicial review is in accordance with ORS 183.482(1) to the Oregon Court of Appeals.

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