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

In the Matter of: Don Bauer; Respondent.	MSD-12-0104 Final Order to Cease and Desist, Order Assessing Civil Penalties, and Consent to Entry of Order

WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon (hereinafter "Director") conducted an investigation of Don Bauer (hereinafter "Bauer") and determined that Bauer engaged in activities constituting a violation of Oregon Revised Statutes (hereinafter "ORS") 446.661 et seq. (hereinafter "Oregon Manufactured Structure Dealers and Dealerships Law"); and

WHEREAS Bauer wishes to resolve and settle this matter with the Director;

NOW THEREFORE, as evidenced by the authorized signature subscribed on this Consent Order, Bauer 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. Bauer has never held an Oregon manufactured structure dealer license with the Division of Finance and Corporate Securities.

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2. On or about October 12, 2009, Bauer sold a manufactured structure (1961 Pacifica) to Oregon resident, TC.

3. On or about February 18, 2012, Bauer sold a manufactured structure (1970 Guerdon) to Oregon resident, AS.

4. Bauer reported that before the Division contacted him in May 2012 he was unaware of the licensing requirement and no longer owned any manufactured structures and would not acquire or sell them in the future.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

1. Bauer acted as a manufactured structure dealer on two occasions by selling manufactured structures in Oregon without a license in violation of ORS 446.671.

ORDER

NOW, THEREFORE, the Director issues the following orders:

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

Bauer agrees not to apply for a manufactured structure dealer license or act as a manufactured structure dealer as those terms are defined by ORS 446.661.

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 Dealerships Law.

a. The Director orders Bauer to pay a $10,000 civil penalty to the State of Oregon for the violations for ORS 446.671;

b. The Director suspends payment of $10,000 of the civil penalty for a period of three years, so long as Bauer does not violate the Oregon Manufactured Structure Dealers and Dealerships Law or the terms of this order.

c. If Bauer does not violate the Oregon Manufactured Structure Dealers and Dealerships Law or the terms of this order, in three years from the date of the

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order, the suspended portion of the civil penalty is waived.

The entry of this order in no way further limits remedies that may be available to the Director under Oregon law.

Dated this 14th day of April , 2015.

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

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

CONSENT TO ENTRY OF ORDER

I, Don Bauer, state that I have read the foregoing order, and I know 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, and I desire to resolve and settle this matter with the Director. I voluntarily, without any force or duress, consent to the entry of this order, expressly waiving any right to a hearing in this matter. 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, and I will fully comply with the terms and conditions stated herein.

I understand that this consent order is a public document.

Dated this 6th day of April, 2015.

By /s/ Don Bauer

Don Bauer

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SUBSCRIBED AND SWORN to before me this 6th day of April, 2015.

/s/ Thu Nguyen Pan Truong

Thu N. Pan Truong

(Printed Name of Notary Public)

Notary Public for the State of: Washington

My commission expires: 3/2/2018

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