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: Jack Allen; Respondent.	MSD-15-0027 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 Jack Allen (hereinafter "Allen") and determined that Allen engaged in activities constituting a violation of Oregon Revised Statutes ("ORS") 446.661 et seq. (hereinafter "Oregon Manufactured Structure Dealers and Dealerships Law"); and

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

NOW THEREFORE, as evidenced by the authorized signature subscribed on this Consent Order, Allen 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. Allen dba Wholesale Homes was licensed with the Oregon Division of Finance and Corporate Securities as a manufactured structure dealer from July 21, 2005 until May 15, 2007

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

when the license expired.

2. Allen did not renew his license nor has he been licensed to sell manufactured homes since May 15, 2007.

3. During the time period from January 29, 2008 through May 10, 2011, Allen sold 13 manufactured structures to various parties in Oregon.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

1. Allen acted as a manufactured structure dealer during the time period from January 29, 2008 through May 10, 2011 by selling at least 13 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 Allen to CEASE AND DESIST from violating the Oregon Manufactured Structure Dealers and Dealerships Law.

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 Allen to pay a $13,000 civil penalty to the State of Oregon for the violations for ORS 446.671;

b. The Director suspends payment of the $13,000 civil penalty, so long as Allen does not violate the Oregon Manufactured Structure Dealers and Dealerships Law, or does not apply for a manufactured structure dealer license or engage in activity that requires a manufactured structure dealer license.

c. If Allen does not violate the Oregon Manufactured Structure Dealers and Dealerships Law and does not apply for a manufactured structure dealer license or engage in activity that requires a manufactured structure dealer license, the suspended portion of the civil penalty is waived.

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

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

Dated this 2nd day of December, 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, Jack Allen, 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 24th day of November, 2015.

By /s/ Jack Allen

Jack Allen

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

SUBSCRIBED AND SWORN to before me this 24th day of November, 2015.

/s/ Jenny Braswell

Jenny Braswell

(Printed Name of Notary Public)

Notary Public for the State of: Oregon

My commission expires: 10/30/17

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