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

In the Matter of:	**MSD 16-0294**
Cynthia Rodriguez, Respondent.	**Order to Cease and Desist and Consent to Entry of Order**

The Director of the Department of Consumer and Business Services for the State of Oregon (Director) conducted an investigation into the activities of Cynthia Rodriguez (Respondent) and determined that Respondent 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 Respondent wishes to resolve and settle this matter with the Director;

NOW THEREFORE, as evidenced by the authorized signature subscribed on this Consent Order, Respondent 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. On or about February 9, 2016 the Division of Financial Regulation (Division) was notified that Respondent was selling manufactured structures in Oregon but did not appear to have an Oregon manufacture structure dealers (MSD) license.

2. The ensuing investigation by the Division revealed that Respondent had never obtained an Oregon MSD license but sold at least three manufactured structures without the required license from the Division.

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3. On or about February 24, 2015, Respondent sold a manufactured structure to Maria Olalade Camos and Mauro Palmadiaz. The structure ID No. was 268907 and the listed sale price was $39,600. The structure was located at 2350 N Terry Street, #86, Eugene, OR 97402.

4. On or about September 7, 2015, Respondent sold a manufactured structure to José David Torres, Castro Eduardo Reyes, and Dubon Nori. The structure ID No. was 274980 and the listed sale price was $47,071. The property was located at 2350 N Terry #28, Eugene, OR 97402.

5. On or about February 8, 2016, Respondent sold a manufactured structure to Sindy Garay. The structure ID No. was 284982 and the listed sale price was $31,500. The property was located at 2333 N Terry #9, Eugene, OR 97402.

CONCLUSIONS OF LAW

The Director concludes that:

1. Respondent acted as a manufactured structure dealer on or about February 24, 2015; on or about September 7, 2015; and on or about February 8, 2016, by offering to sell and selling three manufactured structures located in Oregon without a license in violation of ORS 446.671(1)(a).

ORDER

NOW, THEREFORE, the director issues the following orders:

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

2. 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 Dealership Law.

3. Pursuant to ORS 446.995, the Director orders Respondent to pay a civil penalty of $6,000 ($2,000 per violation) for three violations of ORS 446.671(1)(a).

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a. The Director hereby suspends payment of $3,000 of the civil penalty for a period of three years, so long as Respondent makes a full timely payment of the civil penalty as provided by the terms of this order, and so long as Respondent does not violate the Oregon Manufactured Structure Dealers and Dealership Law.

b. If Respondent makes a full timely payment of the unsuspended portion of the civil penalty assessed herein does not violate the Oregon Manufactured Structure Dealers and Dealership Law or the terms of this order, then, in three years from the date of the order, the suspended portion of the civil penalty is waived.

4. The unsuspended portion of the civil penalty assessed and due herein, $3,000, is due and payable at the time this order is returned to the Division.

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

Dated this 17th day of November, 2016.

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

/S/David Tatman
David C. Tatman, Chief Enforcement Officer
Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, Cynthia Rodriguez, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this Order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Oregon Manufactured Structure Dealers and Dealerships Law by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/S/ Cynthia Rodriquez
Signature

ACKNOWLEDGEMENT

State of Oregon

County of Lane

Signed or attested before me on this 2nd day of November, 2016 by Cynthia Rodriguez

/S/ it.Tzhen Arlene Gonzalez
Notary Public

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