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

| In the Matter of: | **MSD 16-0362** |
|---|---|
| Green Paradise Homes LLC,<br><br>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 Green Paradise Homes LLC (GPH) 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 September 22, 2014, the Division of Finance and Corporate Securities, now known as the Division of Financial Regulation, (Division) issued MSD license No. 661 to Green Paradise Homes LLC (GPH). GPH is owned by Anna Foltz who is the only member of the LLC. The license is set for renewal on September 30, 2017.

2. On or about July 20, 2016, the Division received a complaint that John Grishkin, a salesperson for GPH, sold a manufactured structure to Oregon consumers RD and PD.

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

3. Although RD and PD paid GPH nearly $20,000 for the home, its delivery and set up, GPH did not deliver the home nor did GPH refund the money to the consumers.

4. On or about August of 2016, RS contacted Grishkin to purchase a home. RS paid GPH over $15,000 for a home that was located in Gervais, Oregon. Grishkin was to deliver the home to RS's mobile home park in Hermiston, Oregon.

5. On or about October 24, 2016, after numerous promises by Grishkin that the mobile home would be delivered to RS's mobile home park located in Hermiston, Oregon, RS drove to his property in Hermiston and the home still had not been delivered.

6. RS then drove to the property in Gervais, Oregon where the mobile home in question was located only to discover that the home had been removed approximately two months earlier from its Gervais location.

7. RS never received the home from Green Paradise.

8. RS subsequently filed a claim against the bond of Green Paradise and the insurance company paid on the claim.

## CONCLUSIONS OF LAW

The Director concludes that:

1. By selling a manufactured structure without delivering the structure to purchasers RD and PD, Respondent employed a device, scheme or artifice to defraud or engage in an act, practice or course of business that operates or would operate as a fraud or deceit in violation of ORS 446.741(1)(i).

2. By selling a manufactured structure without delivering the structure to purchaser RS, Respondent employed a device, scheme or artifice to defraud or engage in an act, practice or course of business that operates or would operate as a fraud or deceit in violation of ORS 446.741(1)(i).

//

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

## ORDER

NOW, THEREFORE, the director issues the following orders:

1. The Director accepts the voluntary surrender of Green Paradise Homes LLC's Oregon Manufactured Structure Dealer license.

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

3. 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.

4. Pursuant to ORS 446.995, the Director orders Respondent to pay a civil penalty of $2,000 ($1,000 per violation) for two violations of ORS 446.741(1)(i).

   a. The Director hereby suspends payment of $1,500 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.

5. The unsuspended portion of the civil penalty assessed and due herein, $500, is due and payable at the time this order is returned to the Division.

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

Dated this 5th day of January 2017.

PATRICK M. ALLEN, Director
Department of Consumer and Business Services
/S/ David Tatman
David C. Tatman, Chief Enforcement Officer
Division of Financial Regulation

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

ENTITY CONSENT TO ENTRY OF ORDER

I, Anna Foltz, state that I am an officer of Green Paradise Homes, LLC, and I am authorized to act on its behalf. I have read the foregoing order and that 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. Green Paradise Homes, LLC voluntarily and without any force or duress consents to the entry of this order expressly waiving any right to a hearing in this matter. Green Paradise Homes, LLC understands 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 Dealership Law. Green Paradise Homes, LLC will fully comply with the terms and conditions stated herein.

Green Paradise Homes, LLC further assures the Director that neither Green Paradise Homes, LLC, nor its officers, directors, employees, or agents will effect mortgage transactions in Oregon unless such activities are in full compliance with the Oregon Manufactured Structure Dealership Law. Green Paradise Homes, LLC understands that this Consent Order is a public document.

Dated this 22 day of December, 2016.

By /S/Anna Folts
Anna Foltz
Owner
Office Held

//

//

//

//

//

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

ENTITY ACKNOWLEDGMENT

There appeared before me this 22 day of December 2016, Anna Foltz, who was first duly sworn on oath, and stated that she was and is an officer of Green Paradise Homes, LLC and that she is authorized and empowered to sign this Consent to Entry of Order on behalf of Green Paradise Homes, LLC and to bind Green Paradise Homes, LLC to the terms hereof.

/S/ Mary Ann O'Leary
Notary
Commission Expires: 12-18-2018

*[The rest of this page intentionally left blank]*

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