

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF RESIDENTIAL BUILDERS AND
MAINTENANCE AND ALTERATION CONTRACTORS

In the Matter of

GEORGE ATLAS
D/B/A ATLAS CONCRETE
License Number: 21-03-165521

File Number: 21-14-325362
Docket Number: 15-040850-CSCCLB

FINAL ORDER

On May 5, 2015, a Formal Complaint (Complaint) was executed that charged George Atlas, d/b/a Atlas Concrete (Respondent) with violating section 2411(2)(l) of the Occupational Code, 1980 PA 299, as amended; MCL 339.101 et seq.

An administrative hearing was held in this matter before an administrative law judge who, on August 18, 2015, issued a Hearing Report setting forth Findings of Fact and Conclusions of Law.

The Michigan Board of Residential Builders and Maintenance and Alteration Contractors (Board), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held in Lansing, Michigan on November 10, 2015, and received the administrative law judge's Findings of Fact and Conclusions of Law in the Hearing Report. Therefore,

IT IS ORDERED that for violating section 2411(2)(l) of the Occupational Code, supra, Respondent is FINED \$1,000.00 to be paid to the State of Michigan within 90 days from the effective date of this Order.

IT IS FURTHER ORDERED that the fine shall be mailed to the Department of Licensing and Regulatory Affairs, Enforcement Division, Sanction Monitoring, P.O. Box 30189, Lansing, MI 48909. The fine shall be paid by check or money order made payable to the State of Michigan, and the check or money order shall clearly display file number **21-14-325362**.

IT IS FURTHER ORDERED that for the cited violation Respondent shall pay RESTITUTION pursuant to case number 14-07265SC of the State of Michigan 8th Judicial District Court and submit proof of a satisfied judgement to the Department of Licensing and Regulatory Affairs (Department) within 90 days from the effective date of this Order.

IT IS FURTHER ORDERED that Respondent shall submit evidence, acceptable to the Department, of payment of the restitution to the Department of Licensing and Regulatory Affairs, Enforcement Division, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

IT IS FURTHER ORDERED that failure to pay the fine and provide proof of payment of the restitution, in a form acceptable to the Department, as set forth above, shall result in **SUSPENSION** of Respondent's license to practice as a builder in the state of Michigan. Respondent may not serve as the qualifying officer of any licensed corporation or business entity while any Article 24 license held by Respondent in suspended or revoked status.

IT IS FURTHER ORDERED that Respondent's license shall be automatically reinstated upon payment of the fine and proof of payment of the restitution, in a form acceptable to the Department, as set forth above.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, the Board may proceed to take disciplinary action pursuant to section 604(k) of the Occupational Code, supra.

This Final Order is a public record required to be published and made available to the public pursuant to section 11(1)(a) of the Michigan Freedom of Information Act, 1976 PA 442, as amended; MCL 15.241(1)(a).

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Chairperson of the Board or authorized representative, as set forth below.

Dated: 1/8/16

**MICHIGAN BOARD OF
RESIDENTIAL BUILDERS AND
MAINTENANCE AND ALTERATION
CONTRACTORS**

By:


Kim Gaedeke, Director
Bureau of Professional Licensing

This is the final page of a Final Order in the matter of George Atlas, d/b/a Atlas Concrete, File Number 21-14-325362, Docket Number 15-040850-CSCLB, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of three pages, this page included.

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS,
CORPORATIONS, SECURITIES &
COMMERCIAL LICENSING BUREAU

Complaint No. 325362

Complainant,

v

GEORGE ATLAS
D/B/A ATLAS CONCRETE
License No. 21-03-165521

Respondent.

_____ /

FORMAL COMPLAINT

NOW COMES the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Complainant, pursuant to MCL 339.101-605, and its rules promulgated thereunder, upon information and belief alleges as follows:

1. George Atlas, doing business as Atlas Concrete (Respondent), has, at all times relevant to this Complaint, been licensed as a maintenance and alteration contractor under the Occupational Code, 1980 PA 299, as amended, Article 24; MCL 339.2401-2412.
2. A Complaint against Respondent, conforming to the requirements of § 2411 of 1980 PA 299, as amended; MCL 339.2411 has been filed with the Department of Licensing and Regulatory Affairs by _____ and is attached hereto as Exhibit 1.
3. Respondent entered into a contract to perform services regulated by 1980 PA 299, as amended, with _____ on or about September 3, 2013, pursuant to attached Exhibit 2.

4. Respondent, on October 6, 2014, had a Judgment entered against him in the State of Michigan Eighth District Court, Kalamazoo, Michigan. A copy of the judgment is attached hereto as Exhibit 3.

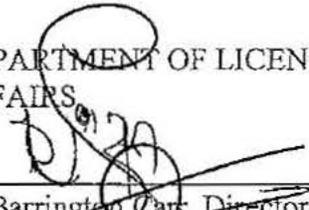
5. Respondent has failed to satisfy the Judgment, contrary to MCL 339.2411(2)(1).

Based upon the conduct as aforesaid, Respondent has acted contrary to § 2411(2)(l) of the Occupational Code, 1980 PA 299, as amended; MCL 339.2411(2)(1), constituting grounds for the assessment of a penalty as defined in § 602 of the Occupational Code.

WHEREFORE, Complainant, Department of Licensing and Regulatory Affairs, hereby commences proceedings pursuant to the Administrative Procedures Act of 1969, PA 306, as amended, MCL 24.201-328 and the Occupational Code, *supra*, to determine whether disciplinary action should be taken by the Department of Licensing and Regulatory Affairs, pursuant to the Occupational Code, for the reasons set forth herein.

DEPARTMENT OF LICENSING AND REGULATORY
AFFAIRS

BY


Barrington Carr, Director
Enforcement Division

Dated: 5-5-15

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division
P.O. Box 30018
Lansing, MI 48909