

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

**ADAM BEAUFORD FOLTZ**  
**License Number: 21-01-177467**

**File Number: 21-15-323540**  
**Docket Number: 15-040603-CSCLB**

**FINAL ORDER**

On April 13, 2015, a Formal Complaint (Complaint) was executed that charged Adam Beauford Foltz (Respondent) with violating section(s) 604(c) and 2411(2)(e) 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 January 5, 2016, 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 June 14, 2016, 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(s) 604(c) and 2411(2)(e) of the Occupational Code, supra, Respondent's license to practice as a builder in the state of Michigan is SUSPENDED.

IT IS FURTHER ORDERED that for the cited violation(s) of the Occupational Code, Respondent is FINED \$2,000.00 to be paid to the State of Michigan within 60 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, Legal Affairs Division, Compliance Section, 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 **21-15-323540**.

IT IS FURTHER ORDERED that if the \$2,000.00 fine is not paid within 60 days from the effective date of this Order, the fine will increase to \$10,000.00, to be paid within 120 days from the effective date of this Order.

IT IS FURTHER ORDERED that for the cited violation(s) of the Occupational Code Respondent shall pay RESTITUTION to Karen Colburn in the amount of \$13,276.36, within 60 days from the effective date of this Order.

IT IS FURTHER ORDERED that Respondent shall submit proof of payment of the restitution, as required by this Order, to the **Department of Licensing**

**and Regulatory Affairs, Legal Affairs Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909.**

IT IS FURTHER ORDERED that failure to pay the restitution and fine within 120 days from the effective date of this Order shall result in **REVOCAION** of Respondent's license to practice as a builder in the state of Michigan.

IT IS FURTHER ORDERED that Respondent may not serve as a Qualifying Officer of any licensed corporation or business entity while any Article 24 license held by Respondent is in a suspended or revoked status.

IT IS FURTHER ORDERED that reinstatement of a license which has been revoked is not automatic and, in the event Respondent applies for reinstatement of the license, application shall be in accordance with section 411(5) of the Occupational Code, supra.

IT IS FURTHER ORDERED that, in accordance with sections 411(3)(c), 602(c), and 604(k) of the Occupational Code, supra, no application for licensure, renewal, relicensure, or reinstatement shall be granted until all final orders of the Board have been satisfied in full.

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: 8/3/2016

**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 Adam Beauford Foltz, Complaint Number 21-15-323540, Docket Number 15-040603-CSCLB, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of four pages, this page included.

KM

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. 323540

Complainant,

v

ADAM BEAUFORD FOLTZ  
License No. 21-01-177467

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. Adam Beauford Foltz (Respondent), has, at all times relevant to this Complaint, been licensed as a residential builder 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 Karen Colburn and is attached hereto as Exhibit 1.

3. An authority charged with the enforcement of the laws governing construction of residential or residential and commercial buildings in the political subdivision in which the building is located has submitted an evaluation of the Complaint submitted. The evaluation is attached hereto as Exhibit 2.

4. Respondent entered into a contract to perform services regulated by 1980 PA 299, as amended, with Karen Colburn on or about October 16, 2013.

5. Respondent failed to provide Karen Colburn with a copy of the contract referred to in paragraph four above which was signed by all parties, contrary to 2006 AACRS, R 338.1533(1).

6. Respondent, in performance of the contract, failed to comply with §§ R109.1, R109.1.4, R311.7.4.1, R312.1, R501.2, R502.2.2, R502.6, R703.1.1 and R703.2 of the 2009 Michigan Residential Code, which was adopted pursuant to the Stille-DeRossett-Hale single state construction code act, effective March 9, 2011, contrary to MCL 339.2411(2)(e) and 2006 AACRS, R 338.1551(5).

7. Respondent failed to respond to the Complaint attached as Exhibit 1 in a timely manner, contrary to 2006 AACRS, R 338.1551(2).

8. Respondent has violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

Based upon the conduct as aforesaid, Respondent has acted contrary to §§ 604(c) and 2411(2)(e) of the Occupational Code, 1980 PA 299, as amended; MCL 339.604(c) and MCL 339.2411(2)(e) and rules 33(1) and 51(2) & (5) of the Residential Builders and Maintenance and Alteration Contractors Board Rules, promulgated thereunder, being 2006 AACRS, R 338.1533(1) and 2006 AACRS, R 338.1551(2) & (5), 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: 4-13-15

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