



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint No.: 319554

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

Complainant,

V

STEVEN PATRICK MCINTYRE
License No. 21-01-131467

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

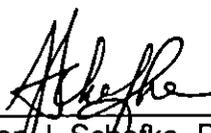
WHEREAS, Steven Patrick McIntyre, License No. 21-01-131467, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on March 23, 2015, signed by Stephen D. Conley, Attorney for Respondent, on March 23, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 25, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of
May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Steven Patrick McIntyre, Complaint No. 319554, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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,
Complainant,

v

STEVEN PATRICK MCINTYRE
License No. 21-01-131467,
Respondent.

Complaint No. 319554

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on March 2, 2015, following the issuance of a Formal Complaint ("Complaint"), dated January 8, 2015, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against STEVEN PATRICK MCINTYRE ("Respondent") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: Marcy Sims, Department Conferee, on behalf of the Department, and Attorney Stephen D. Conley and Steven Patrick McIntyre, on behalf of the Respondent. All parties agree to the following:

1. Respondent admits to the following factual and legal violations alleged in the Complaint:
 - A. Respondent entered into a contract to perform services regulated by 1980 PA 299, as amended, with David Darrow on or about April 1, 2008.
 - B. Respondent failed to respond to the Complaint in a timely manner, contrary to 2006 AACR, R 338.1551(2).
 - C. Respondent has violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondent shall pay a FINE in the amount of One Thousand Dollars (\$1,000.00). This fine shall be paid by check or money order, with Complaint No. 319554 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondent must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a REVOCATION or CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondent agrees to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

- A. Respondent desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondent cooperated fully in the resolution of this administrative Complaint.
- C. Respondent has no prior record of disciplinary action taken against his license.

Respondent first became licensed on April 2, 1996.

- D. The Summit Township Building Inspector is uncertain if the building code violation cited in the Building Inspection Report, signed April 16, 2014, caused the subsequent observed damage to the roof.

7. The Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, pursuant to the Occupational Code and associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:

Steven Patrick McIntyre
Steven Patrick McIntyre, Respondent

Date: 3-23-15

Stephen D. Conley
Stephen D. Conley, Attorney for Respondent

Date: 3-23-15

Stephen D. Conley
Attorney At Law
605 West Michigan Avenue
Jackson, MI 49201
517/787-9240

Corporations, Securities & Commercial Licensing Bureau:

Approved by: Barrington Carr
Barrington Carr, Director
Enforcement Division

Date: 3/25/15

Drafted By: Marcy Sims, Regulatory Compliance Division



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint Nos.: 320570 and 320571

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

Complainant,

V

PIONEER POLE BUILDINGS, INC.
ROBERT JAMES GRIFFOR, II,
QUALIFYING OFFICER
License No. 21-02-182736

Respondent,

AND

ROBERT JAMES GRIFFOR, II
License No. 21-01-081244

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Pioneer Pole Buildings, Inc., Robert James Griffor, II, Qualifying Officer, License No. 21-02-182736, and Robert James Griffor, II, License No. 21-01-081244, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on January 15, 2015, and approved by Barrington Carr, Enforcement Division Director, on January 22, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having

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considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schelke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matters of Pioneer Pole Buildings, Inc., Robert James Griffor, II, Qualifying Officer, Complaint No. 320570, and Robert James Griffor, II, Complaint No. 320571, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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

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

v

PIONEER POLE BUILDINGS INC.
ROBERT JAMES GRIFFOR II, QUALIFYING OFFICER
License No. 21-02-182736

Complaint Nos. 320570 and 320571

and

ROBERT JAMES GRIFFOR II
License No. 21-01-081244
Respondents. /

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on November 12, 2014, following the issuance of a Formal Complaint ("Complaint"), dated October 14, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Pioneer Pole Buildings Inc., Robert James Griffor II, Qualifying Officer, and Robert James Griffor II ("Respondents") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: James C. Nelson, Department Conferee, on behalf of the Department and Robert James Griffor II, on behalf of the Respondents. All parties agree to the following:

1. Respondents admit to the following factual and legal violations alleged in the Complaint:

A. Respondents entered into a contract to perform services regulated by 1980 PA 299, as amended, with Josh Parker on or about August 17, 2012.

B. Respondents, in performance of the contract, failed to comply with §§ R 109.1.1 and R 703.1.1 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 2006 AACRS, R 338.1551(5).

C. Respondents failed to correct those item within a reasonable time, contrary to 2006 AACRS, 338.1551(4).

D. Respondents have violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondents shall pay a FINE in the amount of **One Thousand Two Hundred Fifty Dollars (\$1250.00)**. This fine shall be paid by check or money order, with Complaint Nos. **320570 and 320571** clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a **SUSPENSION** or **CONTINUED SUSPENSION** of all licenses or registrations held under **Article 24** of the Occupational Code by Respondents and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondents must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a REVOCATION or CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents have cooperated fully in the resolution of this administrative Complaint.
- C. Pioneer Pole Buildings Inc. became licensed in November 21, 2001, and Robert James Griffor II became licensed in June 17, 1998. Neither the company nor the individual builder has any previous disciplinary action against their licenses.
- D. Respondent indicated he has met with the building inspector and homeowner in an attempt to resolve the building code violations.

7. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

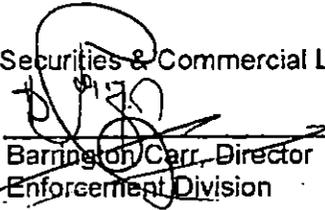
8. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, under the Occupational Code, supra, the associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the charges.

Agreed to: On Behalf of Pioneer Pole Buildings Inc. and Robert James Griffor II Individually


Robert James Griffor II

Date: 1/15/15

Corporations, Securities & Commercial Licensing Bureau

Approved by: 
Barrington Carr, Director
Enforcement Division

Date: 1/22/15

Drafted by: James C. Nelson, Regulatory Compliance Division



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint Nos.: 320570 and 320571

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

Complainant,

V

PIONEER POLE BUILDINGS, INC.
ROBERT JAMES GRIFFOR, II,
QUALIFYING OFFICER
License No. 21-02-182736

Respondent,

AND

ROBERT JAMES GRIFFOR, II
License No. 21-01-081244

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Pioneer Pole Buildings, Inc., Robert James Griffor, II, Qualifying Officer, License No. 21-02-182736, and Robert James Griffor, II, License No. 21-01-081244, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on January 15, 2015, and approved by Barrington Carr, Enforcement Division Director, on January 22, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

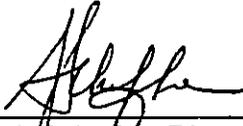
NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having

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considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scheike, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matters of Pioneer Pole Buildings, Inc., Robert James Griffor, II, Qualifying Officer, Complaint No. 320570, and Robert James Griffor, II, Complaint No. 320571, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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,
Complainant,**

v

**PIONEER POLE BUILDINGS INC.
ROBERT JAMES GRIFFOR II, QUALIFYING OFFICER
License No. 21-02-182736**

Complaint Nos. 320570 and 320571

and

**ROBERT JAMES GRIFFOR II
License No. 21-01-081244
Respondents. /**

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on November 12, 2014, following the issuance of a Formal Complaint ("Complaint"), dated October 14, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Pioneer Pole Buildings Inc., Robert James Griffor II, Qualifying Officer, and Robert James Griffor II ("Respondents") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: James C. Nelson, Department Conferee, on behalf of the Department and Robert James Griffor II, on behalf of the Respondents. All parties agree to the following:

1. Respondents admit to the following factual and legal violations alleged in the Complaint:

A. Respondents entered into a contract to perform services regulated by 1980 PA 299, as amended, with Josh Parker on or about August 17, 2012.

B. Respondents, in performance of the contract, failed to comply with §§ R 109.1.1 and R 703.1.1 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 2006 AACRS, R 338.1551(5).

C. Respondents failed to correct those item within a reasonable time, contrary to 2006 AACRS, 338.1551(4).

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If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondents shall pay a FINE in the amount of **One Thousand Two Hundred Fifty Dollars (\$1250.00)**. This fine shall be paid by check or money order, with Complaint Nos. 320570 and 320571 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

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6. The parties considered the following factors in reaching this agreement:

- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents have cooperated fully in the resolution of this administrative Complaint.
- C. Pioneer Pole Buildings Inc. became licensed in November 21, 2001, and Robert James Griffor II became licensed in June 17, 1998. Neither the company nor the individual builder has any previous disciplinary action against their licenses.
- D. Respondent indicated he has met with the building inspector and homeowner in an attempt to resolve the building code violations.

7. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

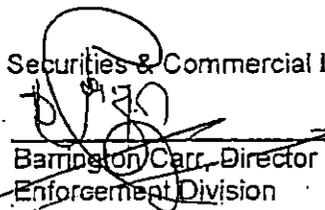
8. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, under the Occupational Code, supra, the associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the charges.

Agreed to: On Behalf of Pioneer Pole Buildings Inc. and Robert James Griffor II Individually


 Robert James Griffor II

Date: 1/15/15

Corporations, Securities & Commercial Licensing Bureau

Approved by: 
 Barrington Carr, Director
 Enforcement Division

Date: 1/22/15

Drafted by: James C. Nelson, Regulatory Compliance Division

Corporations, Securities & Commercial Licensing Bureau

Attn: Regulatory Compliance Division

P.O. Box 30018

Lansing, MI 48909

RE: Complaint Nos. 320570 and 320571

October 21, 2014

To Whom It May Concern,

As of early October 2014, we excavated and replaced the 13.5" x 6" concrete pucks with 21"x21"x11" poured concrete pads. This was done after consulting with an architectural and structural engineer and an attorney. They told me that at this point in time we have every right to protect our own interest because of water and structural issues. We could not wait any longer because of their recommendations. It has been 2 years since they left, we waited as long as we could this year but weather is going to become a factor now. It has cost us extra money for backhoe rental, metal sure-jack rental, concrete, backfill material suitable for compaction inside building for concrete. Inspection fees as well as regrading around outside of barn and inside of barn. The outside will also have to be regraded next spring after it settles into where it will stay. This in no way removes them from any responsibility and we expect to be reimbursed. We also now have rust showing around all of the barn after just 2 years. The footers had to be done first to begin the rest of repairs. Nothing matters if the footings are too small. We have pictures of everything!

Sincerely,



Randall J Parker

LARA
CSCL

OCT 24 2014

REGULATORY COMPLIANCE
DIVISION



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

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

Complaint No.: 320997

Complainant,

V

FATHER & SON CONSTRUCTION CO.
MATHEW M. VIVONA, QUALIFYING OFFICER
License No. 21-02-052201

Respondent,

and

MATHEW M. VIVONA
License No. 21-01-127244

Complaint No.: 320998

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Father & Son Construction Co., Mathew M. Vivona, Qualifying Officer, License No. 21-02-052201, and Mathew M. Vivona, License No. 21-01-127244, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on February 19, 2015, Donald A. DeLong, Attorney for Respondent, on February 19, 2015, and approved by Barrington Carr, Enforcement Division Director, on February 27, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

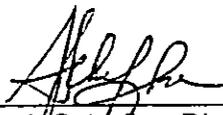
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CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU
P.O. BOX 30018• LANSING, MICHIGAN 48909
www.michigan.gov/cscl

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scherke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

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This is the last and final page of the Final Order in the matter of Father & Son Construction Co., Matthew M. Vivona, Qualifying Officer, Complaint No. 320997, and Matthew M. Vivona, Complaint No. 320998, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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

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

v

FATHER & SON CONSTRUCTION CO.
MATTHEW M. VIVONA, QUALIFYING OFFICER
License No. 21-02-052201,
Respondent,

Complaint No. 320997
Docket No. 14-015940

and

MATTHEW M. VIVONA
License No. 21-01-127244,
Respondent.

Complaint No. 320998
Docket No. 14-015941

Board: Residential Builders

STIPULATION

This case was scheduled for a formal administrative hearing before the Michigan Administrative Hearing System ("MAHS"), following the issuance of a Formal Complaint ("Complaint"), dated April 1, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Father & Son Construction Co., Matthew M. Vivona, Qualifying Officer, and Matthew M. Vivona ("Respondents") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department"). The Department and Respondent agreed to a settlement prior to the commencement of the hearing scheduled to be held on October 8, 2014 and the case was withdrawn from the MAHS hearing docket, without prejudice. The parties agree to the following:

1. Respondents acknowledge the following factual allegations:

- A. Respondent Father & Son Construction Co. entered into a contract, dated on or about April 12, 2005, with Todd Eaton and Tenita Webb-Eaton, for certain renovation services and materials for a residential home located at 9389 Rosemont Ave., Detroit, Michigan.
- B. The homeowner filed a complaint on or about May 15, 2013; and on or about April 30, 2013, Granville Nixon, Building Inspector, City of Detroit, conducted a building inspection related to the

complaint submitted by the homeowner, and the Building Inspection Report cited certain alleged building code violations.

C. A Compliance Conference was held on June 2, 2014, however a settlement was not able to be reached at that time.

2. Respondents admit to the following violations:

A. Respondents, in performance of the contract, failed to comply with § R408.1 of the 2009 Michigan Residential Code, in that the crawl space vent had been covered with a membrane and could not vent properly, contrary to 2006 AACRS, R 338.1551(5).

B. Respondents violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c). [re: rule violation in A].

C. Pursuant to Section 2405(1) a qualifying officer is responsible for exercising the supervision or control of the building or construction operations necessary to secure full compliance with this article and the rules promulgated under this article and therefore Respondent Matthew M. Vivona, as Qualifying Officer of Respondent Father & Son Construction Co., was a party to the violation and was in a position to ensure compliance with the Occupational Code.

D. All other alleged violations (two building codes regarding open mortar joints) are hereby dismissed pursuant to the principle of settlement and compromise.

3. Respondents shall pay a FINE in the amount of Seven Hundred Fifty Dollars (\$750.00). The fine shall be paid by cashier's check (check) or money order, with Complaint Nos. 320997 and 320998 clearly indicated on the check or money order, made payable to the State of Michigan, and the fine payment must be received by the Department within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. The Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation. In addition, in the event that the fine payment is overdue for six (6) months, the fine will be referred to the Department of Treasury for collection action against Respondents.

4. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

In addition, in the event that Respondents fail to comply with the terms of the Stipulation (payment of the fine) within 180 days of the date of mailing of the Final Order, the fine shall increase to \$1,500.

5. Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909; ph: (517) 241-9278; fax: (517) 241-9296.

6. The parties considered the following factors in reaching this agreement:

A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing and cooperated in the resolution of the Complaint.

B. Respondents stated that the subject crawl space vent was covered with a membrane only at the request of the homeowners based upon the homeowners' concern that a rodent may be able to enter the crawl space. Further, Respondents stated that they placed the membrane over the vent opening believing that the membrane still allowed sufficient ventilation through the vent.

C. License records indicate that Father & Son Construction Co. was issued a company builder license on May 22, 1979 and the license is currently active (expiration: May 31, 2017). There is record of one (1) prior disciplinary action: CN-21715, dated June 19, 2000, which was settled via Stipulation and Final Order (\$500 fine). Matthew M. Vivona was issued an individual builder license on July 5, 1995 and the license is currently active (expiration: May 31, 2017). There is no history of any prior record of disciplinary action taken against the license.

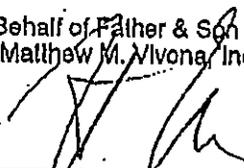
7. The Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board

reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a contested case hearing before an administrative law judge, at which the Department would be required to prove the allegations set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the allegations.

Agreed to:

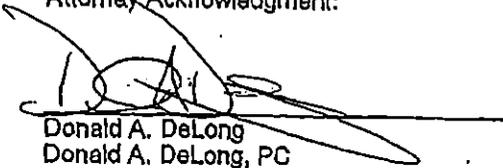
On Behalf of Father & Son Construction Co.
and Matthew M. Vlvona, Individually


Matthew M. Vlvona

Date: 02-19-15

38-2301211
Federal Employer Identification No.

Attorney Acknowledgment:


Donald A. DeLong
Donald A. DeLong, PC

Date: 2-19-2015

Corporations, Securities & Commercial Licensing Bureau:

Approved by: 
Barrington Carr, Director
Enforcement Division

Date: 2-27-15

Drafted by: William D. Wilhelm, Jr., Regulatory Compliance Division

Stipulation: Father & Son Construction Co. & Matthew M. Vlvona; CN 320997 & 320998; DN 14-015940 & 14-015941
Page 4 of 4



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

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

Complaint No.: 320997

Complainant,

V

FATHER & SON CONSTRUCTION CO.
MATHEW M. VIVONA, QUALIFYING OFFICER
License No. 21-02-052201

Respondent,

and

MATHEW M. VIVONA
License No. 21-01-127244

Complaint No.: 320998

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Father & Son Construction Co., Mathew M. Vivona, Qualifying Officer, License No. 21-02-052201, and Mathew M. Vivona, License No. 21-01-127244, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on February 19, 2015, Donald A. DeLong, Attorney for Respondent, on February 19, 2015, and approved by Barrington Carr, Enforcement Division Director, on February 27, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

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CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU
P.O. BOX 30018• LANSING, MICHIGAN 48909
www.michigan.gov/cscl

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scherke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Father & Son Construction Co., Matthew M. Vivona, Qualifying Officer, Complaint No. 320997, and Matthew M. Vivona, Complaint No. 320998, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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,
Complainant,

v

FATHER & SON CONSTRUCTION CO.
MATTHEW M. VIVONA, QUALIFYING OFFICER
License No. 21-02-052201
Respondent,

Complaint No. 320997
Docket No. 14-015940

and

MATTHEW M. VIVONA
License No. 21-01-127244,
Respondent.

Complaint No. 320998
Docket No. 14-015941

Board: Residential Builders

STIPULATION

This case was scheduled for a formal administrative hearing before the Michigan Administrative Hearing System ("MAHS"), following the issuance of a Formal Complaint ("Complaint"), dated April 1, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Father & Son Construction Co., Matthew M. Vivona, Qualifying Officer, and Matthew M. Vivona ("Respondents") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department"). The Department and Respondent agreed to a settlement prior to the commencement of the hearing scheduled to be held on October 8, 2014 and the case was withdrawn from the MAHS hearing docket, without prejudice. The parties agree to the following:

1. Respondents acknowledge the following factual allegations:

- A. Respondent Father & Son Construction Co. entered into a contract, dated on or about April 12, 2005, with Todd Eaton and Tenita Webb-Eaton, for certain renovation services and materials for a residential home located at 9389 Rosemont Ave., Detroit, Michigan.
- B. The homeowner filed a complaint on or about May 15, 2013; and on or about April 30, 2013, Granville Nixon, Building Inspector, City of Detroit, conducted a building inspection related to the

complaint submitted by the homeowner, and the Building Inspection Report cited certain alleged building code violations.

C. A Compliance Conference was held on June 2, 2014, however a settlement was not able to be reached at that time.

2. Respondents admit to the following violations:

A. Respondents, in performance of the contract, failed to comply with § R408.1 of the 2009 Michigan Residential Code, in that the crawl space vent had been covered with a membrane and could not vent properly, contrary to 2006 AACRS, R 338.1551(5).

B. Respondents violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c). [re: rule violation in A].

C. Pursuant to Section 2405(1) a qualifying officer is responsible for exercising the supervision or control of the building or construction operations necessary to secure full compliance with this article and the rules promulgated under this article and therefore Respondent Matthew M. Vivona, as Qualifying Officer of Respondent Father & Son Construction Co., was a party to the violation and was in a position to ensure compliance with the Occupational Code.

D. All other alleged violations (two building codes regarding open mortar joints) are hereby dismissed pursuant to the principle of settlement and compromise.

3. Respondents shall pay a FINE in the amount of Seven Hundred Fifty Dollars (\$750.00). The fine shall be paid by cashier's check (check) or money order, with Complaint Nos. 320997 and 320998 clearly indicated on the check or money order, made payable to the State of Michigan, and the fine payment must be received by the Department within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. The Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation. In addition, in the event that the fine payment is overdue for six (6) months, the fine will be referred to the Department of Treasury for collection action against Respondents.

4. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

In addition, in the event that Respondents fail to comply with the terms of the Stipulation (payment of the fine) within 180 days of the date of mailing of the Final Order, the fine shall increase to \$1,500.

5. Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909; ph: (517) 241-9278; fax: (517) 241-9296.

6. The parties considered the following factors in reaching this agreement:

A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing and cooperated in the resolution of the Complaint.

B. Respondents stated that the subject crawl space vent was covered with a membrane only at the request of the homeowners based upon the homeowners' concern that a rodent may be able to enter the crawl space. Further, Respondents stated that they placed the membrane over the vent opening believing that the membrane still allowed sufficient ventilation through the vent.

C. License records indicate that Father & Son Construction Co. was issued a company builder license on May 22, 1979 and the license is currently active (expiration: May 31, 2017). There is record of one (1) prior disciplinary action: CN-21715, dated June 19, 2000, which was settled via Stipulation and Final Order (\$500 fine). Matthew M. Vivona was issued an individual builder license on July 5, 1995 and the license is currently active (expiration: May 31, 2017). There is no history of any prior record of disciplinary action taken against the license.

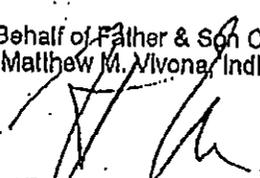
7. The Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board

reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a contested case hearing before an administrative law judge, at which the Department would be required to prove the allegations set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the allegations.

Agreed to:

On Behalf of Father & Son Construction Co.
and Matthew M. Vivona, Individually

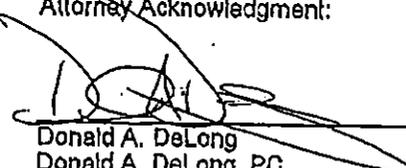


Matthew M. Vivona

Date: 02-19-15

38-2301211
Federal Employer Identification No.

Attorney Acknowledgment:



Donald A. DeLong
Donald A. DeLong, PC

Date: 2-19-2015

Corporations, Securities & Commercial Licensing Bureau:



Barrington Carr, Director
Enforcement Division

Date: 2-27-15

Drafted by: William D. Wilhelm, Jr., Regulatory Compliance Division

Stipulation: Father & Son Construction Co. & Matthew M. Vivona; CN 320997 & 320998; DN 14-015940 & 14-015941
Page 4 of 4



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint No.: 321121

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

Complainant,

V

VANCE DUANE MCCANN
D/B/A CLASSIC CONSTRUCTION 1
License No. 21-01-100557

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Vance Duane McCann, doing business as Classic Construction 1, License No. 21-01-100557, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on March 12, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 19, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scherke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Vance Duane McCann, doing business as Classic Construction 1, Complaint No. 321121, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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
Complainant,

v

VANCE DUANE MCCANN
License No. 21-01-100557
Respondent

Complaint No. 321121
Docket No. 15-002408-CSCLB

Board: Residential Builders
and Maintenance and
Alteration Contractors

STIPULATION

This matter arises out of a Formal Complaint, dated October 31, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against Vance Duane McCann, Respondent, by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of the Formal Complaint; therefore,

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent admits that paragraphs one (1) through five (5) of the Formal Complaint filed on October 31, 2014, are true.

2. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that Respondent's conduct as described in paragraphs one (1) through five (5) of the Formal Complaint constitutes a violation of MCL 339.601(1) and 339.604(h), as Respondent worked as a residential builder while unlicensed.

3. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that Respondent shall pay a FINE in the amount of \$1,000.00. The fine shall be paid by cashier's check or money order, with Complaint No. 321121 clearly indicated on the check or money order, made payable to the State of Michigan, within one hundred eighty (180) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation.

4. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within one hundred eighty (180) days of the date of mailing of the Final Order shall result in a suspension or continued suspension of all licenses or registrations held under Article 24 of the Occupational Code by Respondent and/or denial of any license or registration renewal and the denial of future applications for licensure or registration.

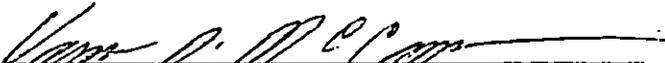
5. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least one hundred eighty (180) days, the FINE will be referred to the Department of Treasury for collection action against Respondent.

6. IT IS HEREBY STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

7. Respondent understands and intends that by signing this Stipulation, they are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

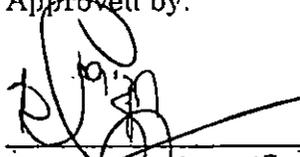
- A. Respondent was fully cooperative in coming to a resolution of this action.
- B. Respondent provided evidence that he paid restitution to the homeowner.
- C. Respondent maintains that he allowed his license to lapse in 2009 after significant financial and personal difficulties. He recognizes that he engaged in unlawful activity by working without a license and looks forward to reactivating his license before returning to the building trade.

Agreed to:


Vance Duane McCann, Respondent

Date: 3-12-2015

Corporations, Securities & Commercial Licensing Bureau:
Approved by:


Barrington Carr, Director
Enforcement Division

Date: 3-19-15



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 321123

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

Complainant,

V

OLD SCHOOL CONSTRUCTION INC.
BENJAMIN EMIL LUTZEIER,
QUALIFYING OFFICER
License No. 21-02-105548

Respondent,

and

Complaint No.: 321124

BENJAMIN EMIL LUTZEIER
License No. 21-01-188504

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Old School Construction Inc., Benjamin Emil Lutzeier, Qualifying Officer, License No. 21-02-105548, and Benjamin Emil Lutzeier, License No. 21-01-188504, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on March 4, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 10, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

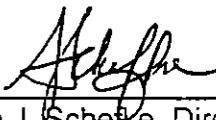
NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having

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considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schetke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Old School Construction Inc., Benjamin Emil Lutzeier, Qualifying Officer, Complaint No. 321123, and Benjamin Emil Lutzeier, Complaint No. 321124, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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,

V

OLD SCHOOL CONSTRUCTION INC.
BENJAMIN EMIL LUTZEIER,
QUALIFYING OFFICER
License No. 21-02-105548

Docket No. 15-002426-CSCLB
Complaint No. 321123

and

BENJAMIN EMIL LUTZEIER
License No. 21-01-188504

Docket No. 15-002425-CSCLB
Complaint No. 321124
Board: Residential Builders

STIPULATION

These matters having been scheduled for hearings before the Michigan Administrative Hearings System on March 11, 2015, pursuant to a Formal Complaint dated October 14, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against Old School Construction Inc., Benjamin Emil Lutzeier, Qualifying Officer and Benjamin Emil Lutzeier, Respondents, by the Department of Licensing and Regulatory Affairs, Corporations, Securities, and Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of said Complaint; therefore

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents admit that paragraphs one (1) through ten (10) of the Formal Complaint filed on October 14, 2014 are true.

2. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents admit to failing to perform all terms of their contract with Ms. Yerdon, without legal excuse, contrary to MCL 339.2411(2)(a); failing to satisfy a lien filed on January 18, 2013 by Dirk W. Habay d/b/a Metal One Mechanical in Wayne County, Michigan and a lien filed on February 27, 2013 by Fingerle Lumber Co. in Wayne County, Michigan, contrary to MCL 339.2411(2)(l); and failing to respond to the complaint filed by Timothy and Kathleen Yerdon in a timely manner, contrary to 2006 AACRS, R 338.1551(2).

3. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents admit that in violating 2006 AACRS, R 338.1551(2) as described in paragraph 2, Respondents have violated a rule of conduct in practicing their occupation as residential builders, contrary to MCL 339.604(c).

4. IT IS HEREBY STIPULATED, by and between the parties hereto, that if there are other allegations in the Complaint, those allegations are dismissed.

5. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents shall pay a FINE in the amount of two thousand dollars (\$2,000.00). Said fine shall be paid by cashier's check or money order, with Complaint Nos. 321123 & 321124 clearly indicated on the check or money order, made payable to

the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. Said check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation.

6. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents shall submit written proof in a form acceptable to the Department that Respondents have resolved or are currently litigating the subcontractors' claims for payment within sixty (60) days of the date of mailing of the Final Order in this matter. Respondents shall mail such written proof to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909.

7. IT IS HEREBY STIPULATED, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a suspension or continued suspension of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and/or in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

8. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

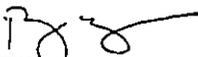
9. IT IS HEREBY STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division, Corporations, Securities, and Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

10. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*, to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

11. In agreeing to this Stipulation to resolve the issues raised in the Complaint, the parties considered the following factors:

- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents cooperated fully in the resolution of this Complaint.
- C. Respondents have no prior record of disciplinary action taken against their licenses. Respondents first became licensed on May 11, 1992 and May 16, 2008, respectively.
- D. Respondent Lutzeier represented that he responded to the complaint.
- E. The Department received documentation from Ms. Yerdon demonstrating that the liens against her property were discharged.

Agreed to:



Benjamin Emil Lutzeier, Qualifying Officer
of Respondent Old School Construction Inc.

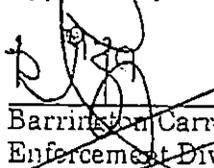
Date: 3/4/15



Benjamin Emil Lutzeier, Respondent

Date: 3/4/15

Corporations, Securities & Commercial Licensing Bureau
Approved by:



Barrington Carr
Enforcement Division Director

Date: 3-10-15

LF: 2014-0097726-A/Lutzeier, Benjamin Emil, 321124 - Stipulation - 2015-03-02



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 321123

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

Complainant,

V

OLD SCHOOL CONSTRUCTION INC.
BENJAMIN EMIL LUTZEIER,
QUALIFYING OFFICER
License No. 21-02-105548

Respondent,

and

Complaint No.: 321124

BENJAMIN EMIL LUTZEIER
License No. 21-01-188504

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Old School Construction Inc., Benjamin Emil Lutzeier, Qualifying Officer, License No. 21-02-105548, and Benjamin Emil Lutzeier, License No. 21-01-188504, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on March 4, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 10, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having

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Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scheike, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Old School Construction Inc., Benjamin Emil Lutzeier, Qualifying Officer, Complaint No. 321123, and Benjamin Emil Lutzeier, Complaint No. 321124, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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,

V

OLD SCHOOL CONSTRUCTION INC.
BENJAMIN EMIL LUTZEIER,
QUALIFYING OFFICER
License No. 21-02-105548

Docket No. 15-002426-CSCLB
Complaint No. 321123

and

BENJAMIN EMIL LUTZEIER
License No. 21-01-188504

Docket No. 15-002425-CSCLB
Complaint No. 321124
Board: Residential Builders

STIPULATION

These matters having been scheduled for hearings before the Michigan Administrative Hearings System on March 11, 2015, pursuant to a Formal Complaint dated October 14, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against Old School Construction Inc., Benjamin Emil Lutzeier, Qualifying Officer and Benjamin Emil Lutzeier, Respondents, by the Department of Licensing and Regulatory Affairs, Corporations, Securities, and Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of said Complaint; therefore

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents admit that paragraphs one (1) through ten (10) of the Formal Complaint filed on October 14, 2014 are true.

2. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents admit to failing to perform all terms of their contract with Ms. Yerdon, without legal excuse, contrary to MCL 339.2411(2)(a); failing to satisfy a lien filed on January 18, 2013 by Dirk W. Habay d/b/a Metal One Mechanical in Wayne County, Michigan and a lien filed on February 27, 2013 by Fingerle Lumber Co. in Wayne County, Michigan, contrary to MCL 339.2411(2)(l); and failing to respond to the complaint filed by Timothy and Kathleen Yerdon in a timely manner, contrary to 2006 AACRS, R 338.1551(2).

3. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents admit that in violating 2006 AACRS, R 338.1551(2) as described in paragraph 2, Respondents have violated a rule of conduct in practicing their occupation as residential builders, contrary to MCL 339.604(c).

4. IT IS HEREBY STIPULATED, by and between the parties hereto, that if there are other allegations in the Complaint, those allegations are dismissed.

5. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents shall pay a FINE in the amount of two thousand dollars (\$2,000.00). Said fine shall be paid by cashier's check or money order, with Complaint Nos. 321123 & 321124 clearly indicated on the check or money order, made payable to

the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. Said check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation.

6. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents shall submit written proof in a form acceptable to the Department that Respondents have resolved or are currently litigating the subcontractors' claims for payment within sixty (60) days of the date of mailing of the Final Order in this matter. Respondents shall mail such written proof to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909.

7. IT IS HEREBY STIPULATED, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a suspension or continued suspension of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and/or in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

8. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

9. IT IS HEREBY STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division, Corporations, Securities, and Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

10. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*, to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

11. In agreeing to this Stipulation to resolve the issues raised in the Complaint, the parties considered the following factors:

- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents cooperated fully in the resolution of this Complaint.
- C. Respondents have no prior record of disciplinary action taken against their licenses. Respondents first became licensed on May 11, 1992 and May 16, 2008, respectively.
- D. Respondent Lutzeier represented that he responded to the complaint.
- E. The Department received documentation from Ms. Yerdon demonstrating that the liens against her property were discharged.

Agreed to:



Benjamin Emil Lutzeier, Qualifying Officer
of Respondent Old School Construction Inc.

Date: 3/4/15



Benjamin Emil Lutzeier, Respondent

Date: 3/4/15

Corporations, Securities & Commercial Licensing Bureau
Approved by:



Barrington Carr
Enforcement Division Director

Date: 3-10-15

L.P. 2014-0097726-A/Lutzeier, Benjamin Emil, 321124 - Stipulation - 2015-03-02



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

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

Complaint No.: 321228

Complainant,

V

MICHIGAN GUTTER CAP LLC
D/B/A UNITY HOME IMPROVEMENT
JASON RODERICK LAMORE, QUALIFYING OFFICER
License No. 21-02-200530

Respondent,

and

Complaint No.: 321229

JASON RODERICK LAMORE
License No. 21-01-199137

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Michigan Gutter Cap, LLC, d/b/a Unity Home Improvement, Jason Roderick LaMore, Qualifying Officer, License No. 21-02-200530, and Jason Roderick LaMore, License No. 21-01-199137, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on February 5, 2015, and approved by Barrington Carr, Enforcement Division Director, on February 13, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having

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considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scheffe, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matters of Michigan Gutter Cap, LLC, d/b/a Unity Home Improvement, Jason Roderick LaMore, Qualifying Officer, Complaint No. 321228, and Jason Roderick LaMore, Complaint No. 321229, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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,

V

MICHIGAN GUTTER CAP LLC
d/b/a UNITY HOME IMPROVEMENT
JASON RODERICK LAMORE, QUALIFYING OFFICER
License No. 21-02-200530

Docket No. 15-001220-CSCLB
Complaint No. 321228

and

JASON RODERICK LAMORE
License No. 21-01-199137

Docket No. 15-001219-CSCLB
Complaint No. 321229
Board: Residential Builders

STIPULATION

These matters having been scheduled for hearings before the Michigan Administrative Hearings System on February 24, 2015, pursuant to a Formal Complaint dated November 3, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against Michigan Gutter Cap LLC d/b/a Unity Home Improvement, Jason Roderick LaMore, Qualifying Officer and Jason Roderick LaMore, Respondents, by the Department of Licensing and Regulatory Affairs, Corporations, Securities, and Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of said Complaint; therefore

1. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that Respondents admit to the following factual and legal violations alleged in the Complaint:

A. Respondents entered into a contract to perform residential builder and alteration services regulated by 1980 PA 299, as amended, with Pamela Troyer on or about November 21, 2012.

B. Respondents, in performance of the contract, failed to comply with R105.1 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 Mich Admin Code, R 338.1551(5), by failing to obtain permits.

C. Respondents have violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

2. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that all other allegations contained in the Complaint are dismissed.

3. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondents shall pay a FINE in the amount of five hundred dollars (\$500.00). Said fine shall be paid by cashier's check or money order, with Complaint Nos. 321228 & 321229 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. Said check or money order shall be mailed to the Department

of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation.

4. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a suspension or continued suspension of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and/or in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

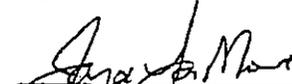
6. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that the Director of the Enforcement Division, Corporations, Securities, and Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

7. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*, to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

8. In agreeing to this Stipulation to resolve the issues raised in the Complaint, the parties considered the following factors:

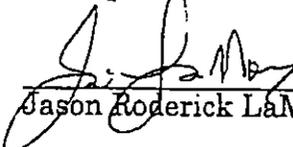
- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents cooperated fully in the resolution of this Complaint.
- C. Respondents have no prior record of disciplinary action taken against their licenses. Respondents first became licensed on November 23, 2010 and May 5, 2011, respectively.
- D. The Department received a document indicating that a private settlement was reached between the complaining witness and Respondents in this matter to repair the roof leaks noted in the Building Inspection Report.

Agreed to:



Jason Roderick LaMore, Qualifying Officer
of Respondent Michigan Gutter Cap LLC

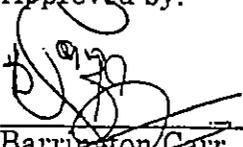
Date: 2/5/15



Jason Roderick LaMore, Respondent

Date: 2/5/15

Corporations, Securities & Commercial Licensing Bureau
Approved by:



Barrington Cair
Enforcement Division Director

Date: 2-13-15

LF: 2014-0097704-A/LaMore, Jason Roderick, 321229 - Stipulation - 2015-02-04



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

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

Complaint No.: 321228

Complainant,

V

MICHIGAN GUTTER CAP LLC
D/B/A UNITY HOME IMPROVEMENT
JASON RODERICK LAMORE, QUALIFYING OFFICER
License No. 21-02-200530

Respondent,

and

Complaint No.: 321229

JASON RODERICK LAMORE
License No. 21-01-199137

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Michigan Gutter Cap, LLC, d/b/a Unity Home Improvement, Jason Roderick LaMore, Qualifying Officer, License No. 21-02-200530, and Jason Roderick LaMore, License No. 21-01-199137, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on February 5, 2015, and approved by Barrington Carr, Enforcement Division Director, on February 13, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

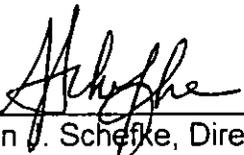
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considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matters of Michigan Gutter Cap, LLC, d/b/a Unity Home Improvement, Jason Roderick LaMore, Qualifying Officer, Complaint No. 321228, and Jason Roderick LaMore, Complaint No. 321229, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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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,

V

MICHIGAN GUTTER CAP LLC
d/b/a UNITY HOME IMPROVEMENT
JASON RODERICK LAMORE, QUALIFYING OFFICER
License No. 21-02-200530

Docket No. 15-001220-CSCLB
Complaint No. 321228

and

JASON RODERICK LAMORE
License No. 21-01-199137

Docket No. 15-001219-CSCLB
Complaint No. 321229
Board: Residential Builders

STIPULATION

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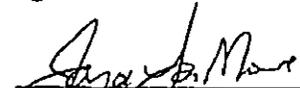
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7. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 *et seq.*, to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

8. In agreeing to this Stipulation to resolve the issues raised in the Complaint, the parties considered the following factors:

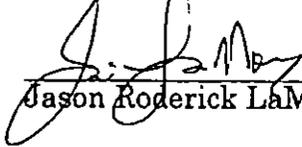
- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents cooperated fully in the resolution of this Complaint.
- C. Respondents have no prior record of disciplinary action taken against their licenses. Respondents first became licensed on November 23, 2010 and May 5, 2011, respectively.
- D. The Department received a document indicating that a private settlement was reached between the complaining witness and Respondents in this matter to repair the roof leaks noted in the Building Inspection Report.

Agreed to:



Jason Roderick LaMore, Qualifying Officer
of Respondent Michigan Gutter Cap LLC

Date: 2/5/15



Jason Roderick LaMore, Respondent

Date: 2/5/15

Corporations, Securities & Commercial Licensing Bureau
Approved by:



Barrington Carr
Enforcement Division Director

Date: 2-13-15

LF: 2014-0097704-A/LaMore, Jason Roderick, 321229 - Stipulation - 2015-02-04



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint No.: 322111

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

Complainant,

V

MATTHEW JOHN JACK
D/B/A JACK CONSTRUCTION
License No. 21-01-118713

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Matthew John Jack, doing business as Jack Construction, License No. 21-01-118713, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on March 13, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 19, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of
May, 2015.

By: 
Alan D. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Matthew John Jack, doing business as Jack Construction, Complaint No. 322111, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,
Complainant,

v

MATTHEW JOHN JACK
D/B/A JACK CONSTRUCTION
License No. 21-01-118713,
Respondent.

Complaint No. 322111

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on March 2, 2015, following the issuance of a Formal Complaint ("Complaint"), dated January 9, 2015, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against MATTHEW JOHN JACK, D/B/A JACK CONSTRUCTION ("Respondent") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: Marcy Sims, Department Conferee, and Matthew John Jack. All parties agree to the following:

1. Respondent admits to the following factual and legal violations alleged in the Complaint:

A. Respondent entered into a contract to perform services regulated by 1980 PA 299, as amended, with Thomas and/or Dawn O'Reilly on or about May 18, 2011.

B. At the time Respondent performed services pursuant to the contract, Respondent was not licensed, contrary to MCL 339.601(1), although required to be licensed pursuant to 1980 PA 299, *supra*.

C. Respondent failed to reduce changes in the agreement to a writing signed by the parties, contrary to 2006 AACRS, R 338.1533(1).

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

E. Respondent has violated a provision or rule for which a penalty is not otherwise prescribed, contrary to MCL 339.604(h).

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondent shall pay a FINE in the amount of **Two Thousand Dollars (\$2,000.00)**. This fine shall be paid by check or money order, with Complaint No. **322111** clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a **SUSPENSION** or **CONTINUED SUSPENSION** of all licenses or registrations held under **Article 24** of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondent must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a **REVOCAION** or **CONTINUED REVOCAION** of all licenses or registrations held under **Article 24** of the Occupational Code by Respondent. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondent agrees to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

A. Respondent desired to resolve the allegations without the need for and expense of an administrative hearing.

B. Respondent cooperated fully in the resolution of this administrative Complaint.

C. Respondent has no prior record of disciplinary action taken against his license.

Respondent first became licensed on March 30, 1994.

D. Respondent and Thomas and Dawn O'Reilly are currently engaged in a civil lawsuit involving the construction contract at issue in this proceeding. Factual disputes exist over who was responsible for building code violations cited by the Iosco County Building Department.

7. The Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, pursuant to the Occupational Code and associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:

Matthew John Jack
Matthew John Jack, Respondent

Date: MAR 13 2015

Attorney for Respondent (if applicable)

Date: _____

Attorney Business Address & Telephone Number:

Corporations, Securities & Commercial Licensing Bureau:

Approved by: 
Barrington Carr, Director
Enforcement Division

Date: 3-19-15

Drafted By: Marcy Sims, Regulatory Compliance Division



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 322219

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

Complainant,

V

JOSEPH DANIEL RADLICK
License No. 21-01-170519

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

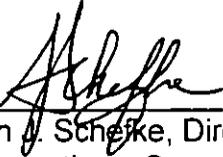
WHEREAS, Joseph Daniel Radlick, License No. 21-01-170519, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent, on December 23, 2014, and approved by Barrington Carr, Enforcement Division Director, on January 22, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of
May, 2015.

By: 
Alan J. Scheffe, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Joseph Daniel Radlick, Complaint No. 322219, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,

v

Docket No. 14-031095-CSCLB
Complaint No. 322219

JOSEPH DANIEL RADLICK
License No. 21-01-170519

Board: Residential Builders and
Maintenance Alteration
Contractors

STIPULATION

This matter was scheduled for hearing before the Michigan Administrative Hearings Systems on December 29, 2014, pursuant to a Formal Complaint, hereafter "Complaint," filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against Joseph Daniel Radlick, Respondent, hereafter "Respondent," by the Department of Licensing and Regulatory Affairs. However, the parties reached an amicable settlement of said Complaint; therefore:

1. **IT IS STIPULATED**, by and between the parties that Respondent admits to the allegations set forth in paragraphs three through eight of the Complaint.

2. Respondent admits to violations of MCL 339.2411(2)(e) and 339.604(c) of the Michigan Occupational Code, and 2006 AACS, R 338.1551(2), (4) and (5) of the Rules of the Residential Builders and Maintenance and Alteration Contractors in that he violated a rule of conduct in practicing an occupation and failed to: 1) comply with R 105 and 905.2.8 of the 2009 Michigan Residential Code; 2) correct said deficiencies within a reasonable time; and 3) respond to the Complaint in a timely manner.

3. IT IS FURTHER STIPULATED, by and between the parties that Respondent shall pay a FINE in the amount of FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00). Said fine shall be paid by cashier's check or money order, with Complaint No. 322219 clearly indicated on the check or money order, made payable to the State of Michigan, within 90 days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Once the fine has been overdue for 6 months, the FINE will be transferred to the Department of Treasury for collection action against Respondent.

4. IT IS FURTHER STIPULATED, by and between the parties that failure to comply with the terms set forth in this Stipulation shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held by Respondent under Article 24 of the Occupational Code and in the denial of any license or registration renewal and in the denial of future applications for licensure or registration ~~until compliance is made with the terms of this~~ Stipulation. ① 1/23/15

5. IT IS FURTHER STIPULATED, by and between the parties that the Director of the Enforcement Division, Corporations, Securities & Commercial Licensing of the Bureau, or the Director's designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

6. Respondent understands and intends that by signing this Stipulation, he is waiving the right, pursuant to the Occupational Code, supra, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the

Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

7. Factors to be considered in the resolution of this matter:
 - A. Respondent accepted responsibility for the deficiencies and wished to resolve this matter without hearing.

Agreed to:

Joseph Daniel Radlick
Respondent (Signature)

Date:

Corporations, Securities & Commercial Licensing Bureau
Approved by:

Barrington Carr
Enforcement Division Director

Date:

A. Respondent accepted responsibility for the deficiencies and wished to resolve this matter without hearing.

Agreed to:



Joseph Daniel Radlick
Respondent (Signature)

12-23-14
Date:

Corporations, Securities & Commercial Licensing Bureau
Approved by:



Bairington Carr
Enforcement Division Director

1-22-15
Date:



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 322369

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

Complainant,

V

JOSEPH DANIEL RADLICK
License No. 21-01-170519

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Joseph Daniel Radlick, License No. 21-01-170519, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent, on December 23, 2014, and approved by Barrington Carr, Enforcement Division Director, on January 20, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of
May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Joseph Daniel Radlick, Complaint No. 322369, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,

v

Docket No. 14-031093-CSCLB
Complaint No. 322369

JOSEPH DANIEL RADLICK
License No. 21-01-170519
_____ /

Board: Residential Builders and
Maintenance Alteration
Contractors

STIPULATION

This matter was scheduled for hearing before the Michigan Administrative Hearings Systems on December 29, 2014, pursuant to a Formal Complaint, hereafter "Complaint," filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against Joseph Daniel Radlick, Respondent, hereafter "Respondent," by the Department of Licensing and Regulatory Affairs. However, the parties reached an amicable settlement of said Complaint; therefore:

1. IT IS STIPULATED, by and between the parties that Respondent admits to the allegations set forth in paragraphs three through eleven of the Complaint.

2. Respondent admits to violations of MCL 339.2411(2)(a), (c) and (j) and 339.604(b) and (c) of the Michigan Occupational Code, and 2006 AACRS, R 338.1551(2) of the Rules of the Residential Builders and Maintenance and Alteration Contractors in that he acted as an agent, partner or associate with an unlicensed entity that was required to be licensed; accepted a contract procured by the unlicensed entity; failed to perform all terms of the contract, and failed to

return or account for monies belonging to Manish Oza, thereby engaging in activity that was fraudulent, deceitful, or dishonest.

3. IT IS FURTHER STIPULATED, by and between the parties that Respondent shall pay a FINE in the amount of EIGHT THOUSAND AND 00/100 DOLLARS (\$8,000.00). Said fine shall be paid by cashier's check or money order, with Complaint No. 322369 clearly indicated on the check or money order, made payable to the State of Michigan, within 90 days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Once the fine has been overdue for 6 months, it will be transferred to the Department of Treasury for collection action against Respondent.

4. IT IS FURTHER STIPULATED, by and between the parties, that Respondent shall make RESTITUTION in the amount of ONE THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$1,200.00) by check or money order made payable to Manish Oza, to an address provided by the Department when a Final Order is issued, within sixty (60) days of the date the Final Order for this matter is mailed. Respondent agrees to submit written proof of having paid restitution, in a form acceptable to the Department, to Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities, and Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan, 48909.

5. IT IS FURTHER STIPULATED, by and between the parties that failure to comply with the terms set forth in this Stipulation shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held by Respondent under Article 24 of the Occupational Code and in the denial of any license or registration renewal and in the denial of future applications for licensure or registration ~~until compliance is made with the terms of this~~ Stipulation.

(R)
1/18/15

6. IT IS FURTHER STIPULATED, by and between the parties that the Director of the Enforcement Division, Corporations, Securities & Commercial Licensing of the Bureau, or the Director's designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

7. Respondent understands and intends that by signing this Stipulation, he is waiving the right, pursuant to the Occupational Code, supra, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

8. Factors to be considered in the resolution of this matter:

- A. Respondent contends a former employee stole the funds at issue, but recognizes he is ultimately responsible for compliance with the Code and wishes to settle this matter without the need for a hearing.

Agreed to:

Joseph Daniel Radlick
Respondent (Signature)

Date:

Corporations, Securities & Commercial Licensing Bureau
Approved by:

Barrington Carr
Enforcement Division Director

Date:

reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

7. Respondent understands and intends that by signing this Stipulation, he is waiving the right, pursuant to the Occupational Code, supra, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

8. Factors to be considered in the resolution of this matter:

- A. Respondent contends a former employee stole the funds at issue, but recognizes he is ultimately responsible for compliance with the Code and wishes to settle this matter without the need for a hearing.

Agreed to:


Joseph Daniel Radlick
Respondent (Signature)

12-23-14
Date:

Corporations, Securities & Commercial Licensing Bureau
Approved by:


Barrington Carr
Enforcement Division Director

1/20/15
Date:



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint No.: 322517 and 322518

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

Complainant,

V

SPECTRUM CONSTRUCTION CO LLC
JAMES GERARD RASHID,
QUALIFYING OFFICER
License No. 21-02-200793

Respondent,

AND

JAMES GERARD RASHID
License No. 21-01-056046

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Spectrum Construction Co LLC, James Gerard Rashid, Qualifying Officer, James Gerard Rashid, Qualifying Officer, License No. 21-02-200793, and James Gerard Rashid, License No. 21-01-056046, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Dennis Barnes, Attorney for Respondents on March 6, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 16, 2015, on behalf of the Corporations,

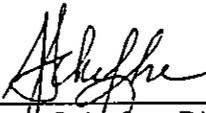
LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28. 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Spectrum Construction Co LLC, James Gerard Rashid, Qualifying Officer and James Gerard Rashid, Complaint Nos. 322517 and 322518, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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
Complainant,

v

JAMES GERARD RASHID
License No. 21-01-056046
Respondent

Complaint No. 322518
Docket No. 15-002403-CSCLB

and

Spectrum Construction Company, LLC,
License No. 21-02-200793
Respondent

Complaint No. 322517
Docket No. 15-002402-CSCLB

Board: Residential Builders
and Maintenance and
Alteration Contractors

STIPULATION

This matter arises out of a Formal Complaint, dated October 27, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against James Gerard Rashid and Spectrum Construction Company LLC, Respondents, by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of the Formal Complaint; therefore,

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents do not contest paragraphs one (1) through eight (8) of the Formal

Complaint filed on October 27, 2014. Respondents understand that by pleading no contest, they do not admit the truth of the allegations but agree that the Board may treat the allegations as true for resolution of the Formal Complaint and may enter an order treating the allegations as true.

2. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents' conduct as described in paragraphs one (1) through eight (8) of the Formal Complaint constitutes a violation of MCL 339.604(c), MCL 339.2411(2)(e), and Mich Admin Code, R 338.1551(5), as Respondents began remodeling work on the home of Alvin and Jennifer Hanzel before obtaining the appropriate permits.

3. IT IS HEREBY STIPULATED, by and between the parties hereto, that all other allegations contained in the Formal Complaint are dismissed.

4. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents shall pay a FINE in the amount of \$500.00. The fine shall be paid by cashier's check or money order, with Complaint Nos. 322517 and 322518 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents

that results in the last payment being made after the time frame specified in this Stipulation.

5. IT IS HEREBY STIPULATED, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a suspension of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and/or denial of any license or registration renewal and the denial of future applications for licensure or registration.

6. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

7. IT IS HEREBY STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondents understand and intend that by signing this Stipulation, they are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the

Department would be required to prove the charges set forth in the Formal Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney, to cross-examine all witnesses presented by the Department, and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

9. In agreeing to this Stipulation to resolve the issues raised in the Formal Complaint, the parties considered the following factors:

- A. Respondents were fully cooperative in coming to a resolution of this action.
- B. Respondents have not had previous formal complaints against their licenses.
- C. Respondents maintain that they had verbal permission from the local building inspector to begin remodeling the home in question before having obtained a permit so that the home would not be exposed to harsh fall and winter conditions.

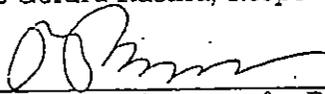
Agreed to:

James Gerard Rashid, Designee of Respondent
Spectrum Construction Company, LLC

Date: _____

James Gerard Rashid, Respondent

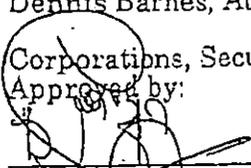
Date: _____


Dennis Barnes, Attorney for Respondents

Date: 3/6/15

Corporations, Securities & Commercial Licensing Bureau:

Approved by:


Barrington Carr, Director
Enforcement Division

Date: 3-16-15

rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Formal Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney, to cross-examine all witnesses presented by the Department, and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

9. In agreeing to this Stipulation to resolve the issues raised in the Formal Complaint, the parties considered the following factors:

- A. Respondents were fully cooperative in coming to a resolution of this action.
- B. Respondents have not had previous formal complaints against their licenses.
- C. Respondents maintain that they had verbal permission from the local building inspector to begin remodeling the home in question before having obtained a permit so that the home would not be exposed to harsh fall and winter conditions.

Agreed to:


James Gerard/Rashid, Designee of Respondent
Spectrum Construction Company, LLC

Date: 3/6/15


James Gerard/Rashid, Respondent

Date: 3/6/15



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 322517 and 322518

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

Complainant,

V

SPECTRUM CONSTRUCTION CO LLC
JAMES GERARD RASHID,
QUALIFYING OFFICER
License No. 21-02-200793

Respondent,

AND

Respondent.

JAMES GERARD RASHID
License No. 21-01-056046

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Spectrum Construction Co LLC, James Gerard Rashid, Qualifying Officer, James Gerard Rashid, Qualifying Officer, License No. 21-02-200793, and James Gerard Rashid, License No. 21-01-056046, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Dennis Barnes, Attorney for Respondents on March 6, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 16, 2015, on behalf of the Corporations,

LARA is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scherke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Spectrum Construction Co LLC, James Gerard Rashid, Qualifying Officer and James Gerard Rashid, Complaint Nos. 322517 and 322518, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.

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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
Complainant,

v

JAMES GERARD RASHID
License No. 21-01-056046
Respondent

Complaint No. 322518
Docket No. 15-002403-CSCLB

and

Spectrum Construction Company, LLC,
License No. 21-02-200793
Respondent

Complaint No. 322517
Docket No. 15-002402-CSCLB

Board: Residential Builders
and Maintenance and
Alteration Contractors

STIPULATION

This matter arises out of a Formal Complaint, dated October 27, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against James Gerard Rashid and Spectrum Construction Company LLC, Respondents, by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of the Formal Complaint; therefore,

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents do not contest paragraphs one (1) through eight (8) of the Formal

Complaint filed on October 27, 2014. Respondents understand that by pleading no contest, they do not admit the truth of the allegations but agree that the Board may treat the allegations as true for resolution of the Formal Complaint and may enter an order treating the allegations as true.

2. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents' conduct as described in paragraphs one (1) through eight (8) of the Formal Complaint constitutes a violation of MCL 339.604(c), MCL 339.2411(2)(e), and Mich Admin Code, R 338.1551(5), as Respondents began remodeling work on the home of Alvin and Jennifer Hanzel before obtaining the appropriate permits.

3. IT IS HEREBY STIPULATED, by and between the parties hereto, that all other allegations contained in the Formal Complaint are dismissed.

4. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents shall pay a FINE in the amount of \$500.00. The fine shall be paid by cashier's check or money order, with Complaint Nos. 322517 and 322518 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents

that results in the last payment being made after the time frame specified in this Stipulation.

5. IT IS HEREBY STIPULATED, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a suspension of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and/or denial of any license or registration renewal and the denial of future applications for licensure or registration.

6. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

7. IT IS HEREBY STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondents understand and intend that by signing this Stipulation, they are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the

Department would be required to prove the charges set forth in the Formal Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney, to cross-examine all witnesses presented by the Department, and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

9. In agreeing to this Stipulation to resolve the issues raised in the Formal Complaint, the parties considered the following factors:

- A. Respondents were fully cooperative in coming to a resolution of this action.
- B. Respondents have not had previous formal complaints against their licenses.
- C. Respondents maintain that they had verbal permission from the local building inspector to begin remodeling the home in question before having obtained a permit so that the home would not be exposed to harsh fall and winter conditions.

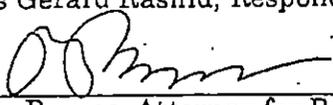
Agreed to:

James Gerard Rashid, Designee of Respondent
Spectrum Construction Company, LLC

Date: _____

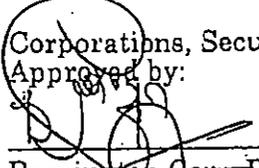
James Gerard Rashid, Respondent

Date: _____


Dennis Barnes, Attorney for Respondents

Date: 3/6/15

Corporations, Securities & Commercial Licensing Bureau:
Approved by:


Barrington Carr, Director
Enforcement Division

Date: 3-16-15

rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Formal Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney, to cross-examine all witnesses presented by the Department, and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

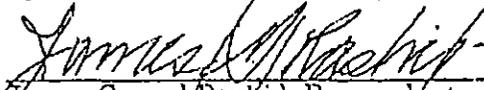
9. In agreeing to this Stipulation to resolve the issues raised in the Formal Complaint, the parties considered the following factors:

- A. Respondents were fully cooperative in coming to a resolution of this action.
- B. Respondents have not had previous formal complaints against their licenses.
- C. Respondents maintain that they had verbal permission from the local building inspector to begin remodeling the home in question before having obtained a permit so that the home would not be exposed to harsh fall and winter conditions.

Agreed to:


James Gerard Rashid, Designee of Respondent
Spectrum Construction Company, LLC

Date: 3/6/15


James Gerard Rashid, Respondent

Date: 3/6/15



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 322519

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

Complainant,

V

DAVID L. SLEIGHT
D/B/A SLEIGHT CONSTRUCTION CO.
License No. 21-01-057447

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, David L. Sleight, doing business as Sleight Construction Co, License No. 21-01-057447, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on March 5, 2015, signed by Izak Post, Attorney for Respondent, on March 5, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 16, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of
May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of David L. Sleight, d/b/a Sleight Construction Co, Complaint No. 322519, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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
Complainant,

v

DAVID L. SLEIGHT
d/b/a Sleight Construction Co.
License No. 21-01-057477
Respondent

Complaint No. 322619
Docket No. 15-002410-CSCLB

Board: Residential Builders
and Maintenance and
Alteration Contractors

STIPULATION

This matter arises out of a Formal Complaint, dated October 27, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against David L. Sleight, Respondent, by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of the Formal Complaint; therefore

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent admits that paragraphs one (1) through four (4) of the Formal Complaint filed on October 27, 2014, are true.

2. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent admits that he failed to comply with R 502.5(2), R 317.1.1.5, R 401.3, and R 502.6 of the 2009 Michigan Residential Code, which was adopted pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, contrary to Mich-Admin Code, R 338.1551(5), by installing an undersized carrier beam in the home addition of Vickie and Robert Buckley; using untreated wood in a basement door frame in the Buckley addition; and installing notched floor joists at a load bearing point in the Buckley addition without securing them with approved joist hangers or anchors.

3. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent admits that in failing to comply with the 2009 Michigan Residential Code as described in paragraph 2, Respondent has violated a rule of conduct in practicing his occupation as a residential builder, specifically Mich Admin Code, R 338.1551(5), contrary to MCL 339.604(c).

4. IT IS HEREBY STIPULATED, by and between the parties hereto, that all other allegations contained in the Formal Complaint are dismissed.

5. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent shall pay a FINE in the amount of \$2,000.00. The fine shall be paid by cashier's check or money order, with Complaint No. 322519 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and

Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation.

6. IT IS HEREBY STIPULATED, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a suspension or continued suspension of all licenses or registrations held under Article 24 of the Occupational Code by Respondent and/or denial of any license or registration renewal and the denial of future applications for licensure or registration.

7. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

8. IT IS HEREBY STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

9. Respondent understands and intends that by signing this Stipulation, he is waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

10. In agreeing to this Stipulation to resolve the issues raised in the formal complaint, the parties considered the following factors:

- A. Respondent has not had previous formal complaints filed against his license.
- B. Respondent maintains that he has attempted to resolve various disputes with the homeowners and has taken significant steps to address the Code violations that were the subject of this formal complaint. The Building Inspector confirmed that Respondent has timely cured many of the Code violations discovered during his inspection.
- C. Respondent maintains that the contract called for a "rough-in," meaning Respondent was not responsible for finishing certain steps in the project. The parties did not clearly delineate who was responsible for completing certain aspects of the project, which created some confusion and dissatisfaction between them.

D. Respondent was fully cooperative in coming to a resolution of this action.

Agreed to:

David L. Sleight
David L. Sleight, Respondent

Date: 2/5/15

Paul Post
Attorney for Respondent

Date: 3/5/15

Attorney Business Address & Telephone Number:

195 W. Main, P.O. Box 649
Harrison, ME 48625

Corporations, Securities & Commercial Licensing Bureau:
Approved by:

[Signature]
Barrington Carr, Director
Enforcement Division

Date: 3/16/15

LF: 2014-0097919-A/Sleight, David L., 322519 (Bldr)/Stipulation - 2015-03-04



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint No.: 322572

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

Complainant,

V

JAMES RANDALL DAVIS
License No. 21-01-180577

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

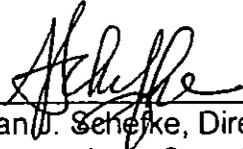
WHEREAS, James Randall Davis, License No. 21-01-180577, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on March 29, 2015, and approved by Barrington Carr, Enforcement Division Director, on April 6, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of James Randall Davis, Complaint No. 322572, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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
Complainant,

v

JAMES RANDALL DAVIS
License No. 21-01-180577
Respondent.

Complaint No. 322572

Board: Builders

STIPULATION

A Formal Complaint, dated August 27, 2014, was filed by the Department of Licensing and Regulatory Affairs (LARA), Corporations, Securities and Commercial Licensing Bureau (Department), pursuant to the Occupational Code, 1980 PA 299, as amended, MCL 339.101 et seq., against JAMES RANDALL DAVIS (Respondent). The Compliance Conference was held on October 27, 2014 and the participants included: William Wilhelm, Jr., Conferee, on behalf of the Department, and James Randall Davis, Respondent. Respondent has been provided an opportunity to demonstrate compliance and the Department and Respondent have negotiated a settlement of the Formal Complaint and agree to the following:

1. Respondent admits to the following facts and violations:
 - A. On or about July 1, 2013, Respondent and DV Builders LLC entered into a contract to perform residential construction services regulated by the Occupational Code.
 - B. Respondent was issued an individual builder license effective April 21, 2006 and the license lapsed on June 1, 2007. Respondent obtained relicensure effective February 12, 2014.
 - C. At the time Respondent entered into the contract, Respondent was not licensed contrary to MCL 339.601(1).
 - D. At the time Respondent entered into the contract, DV Builders LLC did not possess a company builder license.
 - E. Respondent acted as agent, partner, or associate with DV Builders LLC, an entity not licensed under the Occupational Code, contrary to MCL 339.2411(2)(j).¹
 - F. Respondent failed to comply with Sections R317.3, R802.10.3, R803.2.2, R806.2, R905.1, Table R502.3.3(1)c, Table R603.3(1) #9 & #10, of the 2009 Michigan Residential Code, contrary to AACRS, R 338.1551(5).

¹ DV Builders LLC was issued a company builder license effective January 13, 2015.

- G. Respondent violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).
- H. All other alleged violations are dismissed pursuant to the principle of settlement and compromise.

2. Respondent shall pay a FINE in the amount of One Thousand Five Hundred Dollars (\$1,500.00). The fine shall be paid by cashier's check (check) or money order, with Complaint No. 322572 clearly indicated on the check or money order, made payable to the State of Michigan, and must be received by the Department within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909.

The Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, if the fine becomes overdue for six (6) months, the fine will be referred to the Department of Treasury for collection action against Respondent.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

In addition, in the event that Respondent fails to comply with the terms set forth in this Stipulation (payment of the fine) within sixty (60) days of the date of mailing of the Final Order, the fine shall increase to a total of \$2,000.00, due within 60 days of the effective date of the suspension.

4. Respondent agrees to submit written proof of having complied with each requirement of this Stipulation, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909; telephone (517) 241-9272; fax: (517) 241-9296.

5. The Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a formal administrative hearing in this matter without prejudice to either party.

6. The following factors were considered in reaching this agreement:

A. Respondent was issued an individual builder license effective April 21, 2006 and the license lapsed on June 1, 2007. Respondent obtained relicensure effective February 12, 2014. There is no record of prior disciplinary action against Respondent's license.

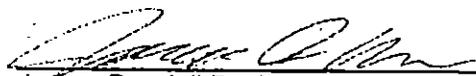
B. On October 30, 2014, Respondent, on behalf of DV Builders LLC, filed an application for a company builder license. The application was determined to be incomplete, and the license was eventually issued effective January 13, 2015.

C. Respondent provided documentation that financial issues between Respondent and the homeowner that filed the statement of complaint were resolved via a civil court settlement.

7. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, pursuant to the Occupational Code, associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a formal administrative hearing before an administrative law judge, at which the Department would be required to prove the allegations set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the allegations.

Agreed to by:

Respondent:



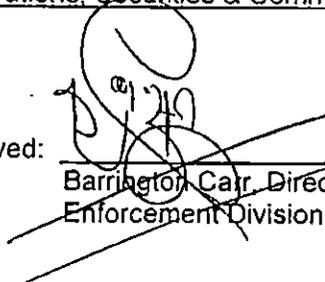
James Randall Davis

Date: 3-29-15

Acknowledged by Respondent's Attorney (if applicable):

(Sign/date above; Print name, address, telephone no. below) Date: _____

Corporations, Securities & Commercial Licensing Bureau:

Approved: 

Barrington Cair, Director
Enforcement Division

Date: 4/6/15

Drafted by: William D. Wilhelm, Jr., Regulatory Compliance Division



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 322798

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

Complainant,

V

MATTHEW JOSEPH PENNY
License No. 21-01-187907

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Matthew Joseph Penny, License No. 21-01-187907, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent, on January 12, 2015, and approved by Barrington Carr, Enforcement Division Director, on January 22, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of
May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Matthew Joseph Penny, Complaint No. 322798, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,
Complainant,

v

MATTHEW JOSEPH PENNY
License No. 21-01-187907,
Respondent.

Complaint No. 322798

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on December 3, 2014, following the issuance of a Formal Complaint ("Complaint"), dated October 8, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Matthew Joseph Penny ("Respondent") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: James C. Nelson, Department Conferee, on behalf of the Department and Matthew Joseph Penny, on behalf of the Respondent.

All parties agree to the following:

1. Respondent admits to the following factual and legal violations alleged in the Complaint:
 - A. On or about July 3, 2013, Arrow Restoration Inc. entered into a contract with Keith and Melba Hoffer to perform services regulated by 1980 PA 299, as amended.
 - B. Respondent acted as agent, partner, or associate with Arrow Restoration Inc., an entity not licensed under 1980 PA 299, as amended, although required to be licensed pursuant to 1980 PA 299, supra, contrary to MCL 339.2411(2)(j).

C. Respondent accepted or performed a contract procured by Arrow Restoration Inc. an unlicensed entity, contrary to 2006 AACRS, R 338.1536.

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

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondent shall pay a FINE in the amount of **One Thousand Two Hundred Fifty Dollars (\$1250.00)**. This fine shall be paid by check or money order, with Complaint No. **322798** clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a **SUSPENSION** or **CONTINUED SUSPENSION** of all licenses or registrations held under **Article 24** of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondent must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a **REVOCATION** or **CONTINUED REVOCATION** of all licenses or registrations held under **Article 24** of the Occupational Code by Respondent. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondent agrees to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

- A. Respondent desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondent has cooperated fully in the resolution of this Complaint.
- C. Respondent has been licensed since April 30, 2008, and has no previous disciplinary history.

7. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, under the Occupational Code, supra, the associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the charges.

Agreed to:

Agreed to



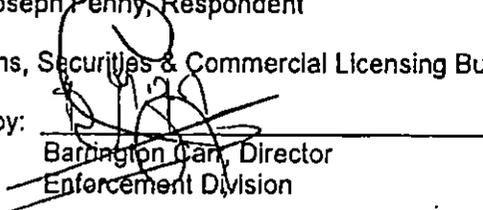
Matthew Joseph Penny, Respondent

Date:

1/12/2015

Corporations, Securities & Commercial Licensing Bureau:

Approved by:



Barrington Oak, Director
Enforcement Division

Date:

1/22/15

Drafted by: James C. Nelson, Regulatory Compliance Division



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 322816

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

Complainant,

V

KENNER EDWARD MCKIE
D/B/A BIG K CONSTRUCTION
License No. 21-01-132907

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Kenner Edward McKie, d/b/a Big K Construction, License No. 21-01-132907, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent, on January 14, 2015, approved by Barrington Carr, Enforcement Division Director, on January 22, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of
May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Kenner Edward McKie, d/b/a Big K Construction, Complaint No. 322816, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,
Complainant,

v

KENNER EDWARD MCKIE
D/B/A Big K CONSTRUCTION
License No. 21-01-132907,
Respondent. /

Complaint No. 322816

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on December 8, 2014, following the issuance of a Formal Complaint ("Complaint"), dated October 14, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Kenner Edward McKie, D/B/A Big K Construction ("Respondent") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: James C. Nelson, Department Conferee, on behalf of the Department, and Kenner Edward McKie, on behalf of the Respondent.

All parties agree to the following:

1. Respondent admits to the following factual and legal violations alleged in the Complaint:

- A. In or around October, 2013, Respondent entered into a contract with Pricilla Cross to perform services regulated by 1980 PA 299, as amended.
- B. Respondent, in performance of the contract, failed to comply with §§ R 105.1, R 106.1,

R 106.2 and R109.1 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 AACCS, R 338.1551(5).

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

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondent shall pay a FINE in the amount of **One Thousand Five Hundred Dollars (\$1,500.00)**. This fine shall be paid by check or money order, with Complaint No. **322816** clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a **SUSPENSION** or **CONTINUED SUSPENSION** of all licenses or registrations held under **Article 24** of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondent must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a **REVOCATION** or **CONTINUED REVOCATION** of all licenses or registrations held under **Article 24** of the Occupational Code by Respondent. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondent agrees to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

- A. Respondent desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondent has cooperated fully in the resolution of this Complaint.
- C. Respondent indicated that when the contract was executed the property was privately owned. Respondent claims that he initially applied for the required dimensional variance to construct a 24 x 40 roof over the subject property but soon after sustained a hip injury and was unable to perform the construction work. As a result he requested another contractor to perform the work, advising the second contractor that he had already obtained the required zoning variance and building permits anticipating of their approval. Respondent claims that the second contractor without his knowledge built the structure before variance and permit were obtained. On December 11, 2013, the Mason County Zoning Board denied the application for variance, and building permits were never obtained.
- D. Respondent has been licensed since May 30, 1996, and has no previous disciplinary history.

7. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, under the Occupational Code, supra, the associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the charges.

Agreed to:

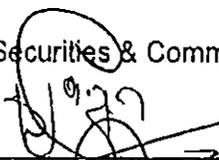


Kenner Edward McKie, Respondent

Date: 01/14/15

Corporations, Securities & Commercial Licensing Bureau:

Approved by:



~~Barrington Carr, Director~~
Enforcement Division

Date: 1/22/15

Drafted by: James C. Nelson, Regulatory Compliance Division



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 322830

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

Complainant,

V

BARRY LONDON
License No. 21-01-186911

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Barry London, License No. 21-01-186911, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on April 10, 2015, and approved by Barrington Carr, Enforcement Division Director, on April 15, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scherke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Barry London, Complaint No. 322830, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,

V

Complaint No. 322830

BARRY LONDON
License No. 21-01-186911

Board: Residential Builders and
Maintenance & Alteration
Contractors

STIPULATION

A Formal Complaint dated January 2, 2015, was filed in accordance with the provisions of the Michigan Occupational Code, MCL 339.101 *et seq.*, against Barry London, Respondent, by the Department of Licensing and Regulatory Affairs, Corporations, Securities, and Commercial Licensing Bureau, and all parties being desirous of reaching an amicable settlement of said Complaint; therefore

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent admits paragraphs one (1) through four (4) of the Formal Complaint filed on January 2, 2015 are true.

2. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent admits that on August 2, 2013, the 2nd Judicial Circuit Court in Berrien County, Michigan convicted Respondent of "Attempted Contract-Fraud Use of Building Contract Fund" in case number 2013001931-FH, contrary to MCL 339.604(d).



3. IT IS HEREBY STIPULATED, by and between the parties hereto, that if there are other allegations in the Complaint, those allegations are dismissed.

4. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent shall pay a FINE in the amount of five hundred dollars (\$500.00). Said fine shall be paid by cashier's check or money order, with Complaint No. 322830 clearly indicated on the cashier's check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. Said cashier's check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation.

5. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondent's Article 24 builder license, License No. 21-01-186911, shall be IMMEDIATELY REVOKED on the date of mailing of the Final Order in this matter.

6. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.



7. IT IS HEREBY STIPULATED, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation shall result in a CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

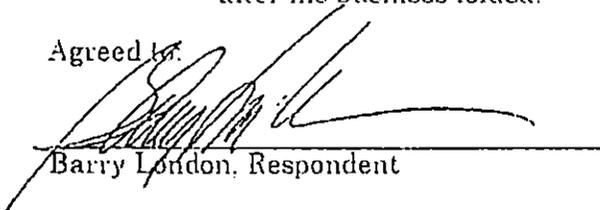
8. IT IS HEREBY STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division, Corporations, Securities, and Commercial Licensing Bureau, or his designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, his designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

9. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, MCL 24.201 *et seq.*, to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

10. In agreeing to this Stipulation to resolve the issues raised in the Complaint, the parties considered the following factors:

- A. Respondent desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondent cooperated fully in the resolution of this Complaint.
- C. Respondent has no prior record of disciplinary action taken against his license. Respondent first became licensed on April 12, 2008.
- D. In his written response to the complaint, Respondent accepted responsibility for his actions. In regard to his conviction, he explained that he is sixty seven years old and underwent a personal bankruptcy after his business folded.

Agreed to:

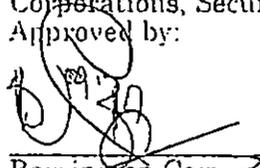


Barry London, Respondent

Date:

4/10/15

Corporations, Securities & Commercial Licensing Bureau
Approved by:



Barrington Carr
Enforcement Division Director

Date:

4/15/15

LF: 2015-0103319-A/London, Barry, 322830 - Stipulation - 2015-03-05



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint Nos.: 322839 and 322840

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

Complainant,

V

C-A CONSTRUCTION INC.
CHARLES ORLANDO ADAMS, QUALIFYING
OFFICER
License No. 21-02-105075

Respondent,

AND

Respondent.

CHARLES ORLANDO ADAMS
License No. 21-01-093504

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

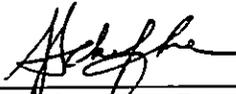
WHEREAS, C-A Construction Inc., Charles Orlando Adams, Qualifying Officer, License No. 21-02-105075, and Charles Orlando Adams, License No. 21-01-093504, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents on April 7, 2015, and approved by Barrington Carr, Enforcement Division Director, on April 9, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of C-A Construction Inc., Charles Orlando Adams, Qualifying Officer and Charles Orlando Adams, Complaint Nos. 322839 and 322840, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,
Complainant,

v

C-A CONSTRUCTION INC. Complaint Nos. 322839 and 322840
CHARLES ORLANDO ADAMS, QUALIFYING OFFICER
License No. 21-02-105076,
Respondent.

and

CHARLES ORLANDO ADAMS
License No. 21-01-083504

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on March 26, 2015, following the issuance of a Formal Complaint ("Complaint"), dated October 28, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against C-A Construction Inc., Charles Orlando Adams, Qualifying Officer, and Charles Orlando Adams ("Respondents") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: Marcy Sims, Department Conferee, and Charles Orlando Adams, on behalf of the Respondents. All parties agree to the following:

1. Respondents admit to the following factual and legal violations alleged in the Complaint:

- A. Respondents entered into a contract to perform services regulated by 1980 PA 299, as amended, with Todd and Lynn Boyes on or about April 8, 2013.
- B. Respondents failed to reduce all changes in the agreement to a writing signed by the parties, contrary to 2006 AACRS, R 338.1533(1).



C. Respondents failed to account for money belonging to Todd and Lynn Boyes, contrary to MCL 339.2411(2)(c).

D. Respondents have violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondents shall pay a FINE in the amount of Two Thousand Seven Hundred Fifty Dollars (\$ 2,750.00). This fine shall be paid by check or money order, with Complaint Nos. 322839 and 322840 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48906. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondents must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a REVOCATION or CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents cooperated fully in the resolution of this administrative Complaint.
- C. Respondents have no prior record of disciplinary action taken against their licenses. C-A Construction Inc. first became licensed on April 23, 1992, and Charles Orlando Adams first became licensed on August 21, 1990.
- D. Respondents have provided an accounting regarding money belonging to Todd and Lynn Boyes.
- E. The Township of Columbia Building Inspector is unable to determine whether Respondents are responsible for building code violations he cited on May 19, 2014. Respondents' Qualifying Officer indicates that Respondents are not responsible for the cited violations.

7. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, associated administrative rules, and the Administrative Procedures Act, 1969 PA. 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents

would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:

On Behalf of C-A Construction Inc.
and Charles Orlando Adams Individually



Charles Orlando Adams

Date:

4/7/13

Attorney for Respondent (if applicable)

Date:

Attorney Business Address & Telephone Number:

Corporations, Securities & Commercial Licensing Bureau:

Approved by:


Barrington Carr, Director
Enforcement Division

Date:

4/9/13

Drafted by: Marcy Sims, Regulatory Compliance Division



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint Nos.: 322839 and 322840

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

Complainant,

V

C-A CONSTRUCTION INC.
CHARLES ORLANDO ADAMS, QUALIFYING
OFFICER
License No. 21-02-105075

Respondent,

AND

Respondent.

CHARLES ORLANDO ADAMS
License No. 21-01-093504

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

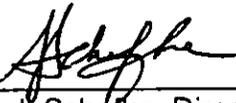
WHEREAS, C-A Construction Inc., Charles Orlando Adams, Qualifying Officer, License No. 21-02-105075, and Charles Orlando Adams, License No. 21-01-093504, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents on April 7, 2015, and approved by Barrington Carr, Enforcement Division Director, on April 9, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Scherke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of C-A Construction Inc., Charles Orlando Adams, Qualifying Officer and Charles Orlando Adams, Complaint Nos. 322839 and 322840, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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,
Complainant,

v

C-A CONSTRUCTION INC. Complaint Nos. 322839 and 322840
CHARLES ORLANDO ADAMS, QUALIFYING OFFICER
License No. 21-02-106076,
Respondent.

and

CHARLES ORLANDO ADAMS
License No. 21-01-093504

Board: Residential Builders

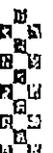
STIPULATION

This matter was scheduled for a compliance conference on March 26, 2015, following the issuance of a Formal Complaint ("Complaint"), dated October 28, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against C-A Construction Inc., Charles Orlando Adams, Qualifying Officer, and Charles Orlando Adams ("Respondents") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: Marcy Sims, Department Conferee, and Charles Orlando Adams, on behalf of the Respondents. All parties agree to the following:

1. Respondents admit to the following factual and legal violations alleged in the Complaint:

- A. Respondents entered into a contract to perform services regulated by 1980 PA 299, as amended, with Todd and Lynn Boyes on or about April 8, 2013.
- B. Respondents failed to reduce all changes in the agreement to a writing signed by the parties, contrary to 2006 AACRS, R 338.1533(1).



C. Respondents failed to account for money belonging to Todd and Lynn Boyes, contrary to MCL 339.2411(2)(c).

D. Respondents have violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondents shall pay a FINE in the amount of Two Thousand Seven Hundred Fifty Dollars (\$ 2,750.00). This fine shall be paid by check or money order, with Complaint Nos. 322839 and 322840 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondents must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a REVOCATION or CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents cooperated fully in the resolution of this administrative Complaint.
- C. Respondents have no prior record of disciplinary action taken against their licenses. C-A Construction Inc. first became licensed on April 23, 1992, and Charles Orlando Adams first became licensed on August 21, 1990.
- D. Respondents have provided an accounting regarding money belonging to Todd and Lynn Boyes.
- E. The Township of Columbia Building Inspector is unable to determine whether Respondents are responsible for building code violations he cited on May 19, 2014. Respondents' Qualifying Officer indicates that Respondents are not responsible for the cited violations.

7. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, associated administrative rules, and the Administrative Procedures Act, 1969 PA.306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents

would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:

On Behalf of C-A Construction Inc.
and Charles Orlando Adams Individually



Charles Orlando Adams

Date:

4/7/13

Attorney for Respondent (If applicable)

Date:

Attorney Business Address & Telephone Number:

Corporations, Securities & Commercial Licensing Bureau:

Approved by:


Barrington Cair, Director
Enforcement Division

Date:

4/9/13

Drafted by: Marcy Sims, Regulatory Compliance Division



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

Complaint No.: 323153

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

Complainant,

V

ALFRED R. WRATE
D/B/A MODERNIZING CONSTRUCTION
License No. 21-01-061933

Respondent,

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Alfred R. Wrate, D/B/A Modernizing Construction, License No. 21-01-061933, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents, on February 14, 2015, and approved by Barrington Carr, Enforcement Division Director, on February 24, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

Given under my hand at Okemos, Michigan, this 28th day of May, 2014.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Alfred R. Wrate, Complaint No. 323153, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU
P.O. BOX 30018 • LANSING, MICHIGAN 48909
www.michigan.gov/cscl

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. 323153

Board: Residential Builders

Complainant,

v

ALFRED R. WRATE
D/B/A MODERNIZING CONSTRUCTION
License No. 21-01-061933,

Respondent.

STIPULATION

This matter was scheduled for a compliance conference on February 2, 2015, following the issuance of a Formal Complaint ("Complaint"), dated October 31, 2014, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Alfred R. Wrate d/b/a Modernizing Construction ("Respondent") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the telephone conference were the following: Kim Brölmeyer, Conference on behalf of the Department, and Respondent Alfred R. Wrate. All parties agree to the following:

1. Respondent admits to the following factual and legal violations alleged in the Complaint:
 - A. Respondent entered into contracts to perform services regulated by 1980 PA 299, as amended, with Lori Pertula in or around October, 2012.
 - B. Respondent failed to ensure that the contracts referred to above were signed by all parties, contrary to 2006 AACRS, R 338.1533(1).
 - C. Respondent in performance of the contracts, failed to comply with §§ R302.11, R303.2.1, R310, R311.7.4.3, R311.7.5, R311.7.7, R312, R312.1, R312.3, R401.3, R403.1.4, R502.6, R703, R703.1 and R703.8 of the 2009 Michigan Residential Code and § 402.11 of the Michigan Uniform Energy Code, which were adopted pursuant to the Stille-DeRossell-Hale single state construction code act, effective March 9, 2011, contrary to 2006 AACRS, R 338.1551(5).

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

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondent shall pay a FINE in the amount of One Thousand Two Hundred and Fifty Dollars (\$1250.00). This fine shall be paid by check or money order, with Complaint No. 323153 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. If Respondent fails to pay the fine within sixty (60) days of the date of mailing of the Final Order in this matter, then the FINE shall increase to Two Thousand Five Hundred Dollars (\$2500.00). Please note that the Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondent.

3. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondent must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

4. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a REVOCATION or CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

5. Respondent agrees to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and

Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring,
P.O. Box 30018, Lansing, MI 48909.

6. The parties considered the following factors in reaching this agreement:

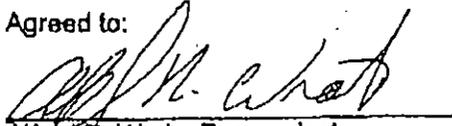
- A. Respondent desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondent cooperated fully in the resolution of this administrative Complaint.
- C. Respondent has no prior record of disciplinary action taken against his license. Respondent first became licensed on May 11, 1982.
- D. Respondent indicated that the complaining person, Lori Perttula, pulled all of the permits and refused to allow him to complete the project in June 2013. The Building Inspection Report indicates that the inspection occurred a year later in June 2014. Respondent claims that most of the cited violations were as the result of incomplete work.
- E. Respondent now understands that he must ensure that all construction contracts and changes to construction contracts must be in writing and signed by all parties to the contract, and that the licensed residential builder, and not the homeowner, is responsible for pulling building permits and calling for inspections. Respondent indicated that, before this project, he mostly used his residential builder's license to construct his own homes and only rarely performed work for others.
- F. Respondent also indicated that he does not currently use his license and plans on retiring and not renewing it beyond May 31, 2017.

7. The Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, pursuant to the Occupational Code and associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation

of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:


Alfred R. Wrate, Respondent

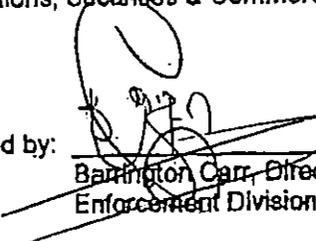
Date: 2/14/15

Attorney for Respondent (if applicable)

Date: _____

Attorney Business Address & Telephone Number:

Corporations, Securities & Commercial Licensing Bureau:

Approved by: 
Barrington Carr, Director
Enforcement Division

Date: 2-24-15

Drafted By: Kim Brettmeyer, Regulatory Compliance Division



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

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

Docket No. 14-028846-CSCLB
Complaint No. 323315

Complainant,

v

THOMAS LEE EARL
D/B/A EARL'S EXTERIORS PLUS
License No. 21-01-180806

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Michigan State Board of Residential Builders and Maintenance & Alteration Contractors, hereafter the "Board" on May 12, 2015;

WHEREAS, the Board having received a Hearing Report under MCL 339.514 for this case and the Board having considered the Findings of Fact and Conclusions of Law in the Hearing Report of Shawn Downey, Administrative Law Judge, dated March 20, 2015;

WHEREAS, the hearing report is hereby incorporated by reference;

WHEREAS, the Respondent having been found in violation of the Michigan Occupational Code, PA 299 of 1980, hereafter the "Code," or rules promulgated thereunder, and the Board having elected to exercise its authority pursuant to MCL 339.514 to impose penalties different than those recommended by the Administrative Law Judge, now, therefore,

IT IS ORDERED, that the following penalties authorized by Section 602 of the Code are imposed:

1. The Residential Builder and Maintenance & Alteration Contractor license of the Respondent shall be placed on PROBATION WITH LIMITATION for a period of time commencing on the date of mailing of this Final Order subject to the following terms:
 - A. Respondent shall submit to the Department, Certified Public Accountant (CPA) Attestation Reports until the next license renewal cycle, for each six month time period provided, giving an opinion as to whether Respondent has deviated from the requirements of the Occupational Code, supra, using the Attestation Report

format approved by the Corporation Securities & Commercial Licensing Bureau, Audit and Examination Section. The first report shall be prepared for the period beginning May 1, 2015, through October 31, 2015, and shall be filed submitted and receive by the Department by no later than December 1, 2015. The second report shall be prepared for the period beginning November 1, 2015, through April 30, 2016, and shall be filed submitted and receive by the Department by no later than June 1, 2016. The third report shall be prepared for the period beginning May 1, 2016, through October 31, 2016, and shall be filed submitted and receive by the Department by no later than December 1, 2016.

B. The Reports shall be submitted to the Corporations, Securities & Commercial Licensing Bureau, Regulatory Compliance Division, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Respondent is responsible for all costs associated with the preparation of the CPA Attestation Reports.

2. Failure to comply with the terms of this Final Order and failure to submit CPA attestation report(s) acceptable to the Department shall result in the SUSPENSION of the article 24 license held by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Respondent may not serve as the Qualifying Officer of any licensed corporate or business entity while any Article 24 license held by Respondent is in suspended or revoked status.

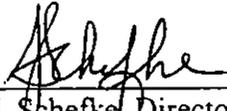
3. Respondent shall submit in writing to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909, proof of compliance with each and every requirement of this Final Order, in a form acceptable to the Department.

This Final Order shall not be construed as limiting the Department of Licensing and Regulatory Affairs, any other agency of the State of Michigan, or any individual as to the use of a lawful method of collection of the payment imposed by this Final Order.

Failure to comply with the provisions of this Final Order is considered a violation of the Code pursuant to Section 604(k) and may result in further disciplinary action.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

BY: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance should be filed with:
Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909

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

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

Docket No. 15-002400-CSCLB
Complaint No. 323341

Complainant,

v

RICHARD JEFFERSON HAZEL
License No. 21-01-204672

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Michigan State Board of Residential Builders and Maintenance & Alteration Contractors, hereafter the "Board" on May 12, 2015;

WHEREAS, the Board having received a Hearing Report under MCL 339.514 for this case and the Board having considered the Findings of Fact and Conclusions of Law in the Hearing Report of Tyra Wright, Administrative Law Judge, dated February 26, 2015;

WHEREAS, the hearing report is hereby incorporated by reference;

WHEREAS, the Respondent having been found in violation of the Michigan Occupational Code, PA 299 of 1980, hereafter the "Code," or rules promulgated thereunder, and the Board having elected to exercise its authority pursuant to MCL 339.514 to impose penalties different than those recommended by the Administrative Law Judge, now, therefore,

IT IS ORDERED, that the following penalties authorized by Section 602 of the Code are imposed:

1. Respondent shall pay a FINE in the amount of Five Thousand Dollars and 00/100 cents (\$5,000.00). The fine is payable to the State of Michigan and must be received by the Department by no later than Thirty (30) days from the mailing date of this Final Order. Complaint No. 323341 must be clearly indicated on the check or money order, and the payment sent to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909.
2. Respondent shall pay RESTITUTION in the amount of Six Thousand Five Hundred Sixty-Seven Dollars and 00/100 cents (\$6,567.00) by certified check made payable to James and Wanda Dellapella within Thirty (30) days from the mailing date of this Final Order.

Documentary proof of payment acceptable to the Department must be received by the Department by no later than the due date.

3. The Article 24 license of the Respondent shall be and hereby is IMMEDIATELY REVOKED upon issuance of this Final Order. No application for licensure, reinstatement or renewal shall be considered or granted by the Department until all final orders of the Department have been satisfied in full. Respondent may not serve as the Qualifying Officer of any licensed corporation or business entity while any Article 24 license held by Respondent is in suspended or revoked status.

4. Respondent shall submit in writing to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909, proof of compliance with each and every requirement of this Final Order, in a form acceptable to the Department.

This Final Order shall not be construed as limiting the Department of Licensing and Regulatory Affairs, any other agency of the State of Michigan, or any individual as to the use of a lawful method of collection of the payment imposed by this Final Order.

Failure to comply with the provisions of this Final Order is considered a violation of the Code pursuant to Section 604(k) and may result in further disciplinary action.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

BY: 
Alan J. Scheffe, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance should be filed with:
Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint No.: 324128

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

Complainant,

V

JOHN R. KROGER
License No. 21-01-195203

Respondent.

_____ /

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, John R. Kroger, License No. 21-01-195203, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on March 5, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 16, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

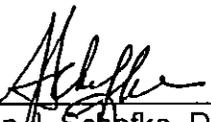
NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU
P.O. BOX 30018 • LANSING, MICHIGAN 48909
www.michigan.gov/cscl

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan D. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of John R. Kroger, Complaint No. 324128, before the Board of Residential Builders and Maintenance & Alteration Contractors.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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
Complainant,

v

JOHN R. KROGER
License No. 21-01-195203
Respondent.

Complaint No. 324128

Board: Builders

STIPULATION

A Formal Complaint, dated December 16, 2014, was filed by the Department of Licensing and Regulatory Affairs (LARA), Corporations, Securities and Commercial Licensing Bureau (Department), pursuant to the Occupational Code, 1980 PA 299, as amended, MCL 339.101 et seq., against JOHN R. KROGER (Respondent). The Compliance Conference was held on February 5, 2015 and the participants included: William Wilhelm, Jr., Conferee, on behalf of the Department, and John R. Kroger, Respondent. Respondent has been provided an opportunity to demonstrate compliance and the Department and Respondent have negotiated a settlement of the Formal Complaint and agree to the following:

1. Respondent acknowledges the following factual allegations:

- A. On or about June 4, 2014, Respondent submitted a license renewal application form on which he checked the "yes" box for question #3 – "Since you have been licensed, have you been convicted of a felony you have not previously reported to the department for this license type or occupation?"
- B. Subsequently, the Department commenced a complaint investigation to obtain additional information in response to Respondent's disclosure of the conviction in order for the Department to determine whether the conviction constituted a lack of good moral character.
- C. On or about July 25, 2014, the Department mailed to Respondent a "Notice to Respondent" at his license address of record, which requested that Respondent reply in writing within 15 days of receipt of the notice, outlining the circumstances of the conviction including the name of the Court and case number, and to submit a certified copy of the judgment of conviction and underlying criminal complaint and/or police report. The Department did not receive a response to the "Notice to Respondent."
- D. On or about August 15, 19, and 22, 2014, the Department placed telephone calls to Respondent at the telephone number listed on Respondent's original individual residential builder license application submitted on or about June 10, 2009 and left voicemail messages for Respondent. The Department did not receive a response from Respondent.

E. On or about January 5, 2015, the Department received from Respondent a completed Compliance Conference Election Form, which was mailed to and from Respondent's license address of record.

F. At the Compliance Conference held on February 5, 2015, Respondent stated that he has never been convicted of a felony and that he checked the "yes" box for question #3 by mistake. Respondent acknowledged receiving the "Notice to Respondent," however, he subsequently lost the document and did not know how to proceed. Respondent also stated that he had changed telephone service providers and therefore did not receive the Department's voicemail messages. In addition, Respondent stated that at that time he was in the process of changing jobs and going through a divorce.

G. On February 13, 2015, the Department received from Respondent a notarized affidavit which stated in part, "...On line item number 3 of the renewal application box was checked off in error. I have not at any time been convicted of a felony. Please accept my apologies for this error as I hope this has not caused any inconvenience for your staff or department. I, John R. Kroger, verify that the statement above is accurate and true to the best of my knowledge."

H. An online search of Respondent's name on the Michigan Department of Corrections Offender Tracking Information System (OTIS), which lists Michigan felony conviction history, indicated "no results – 0 records matched."

I. Department records indicate that Respondent was issued an individual builder license effective January 26, 2010 (expiration: May 31, 2017) and there is no prior history of complaints or disciplinary action against the license.

2. Respondent admits to all of the violations alleged in the Complaint:

A. Respondent failed to respond to the Complaint in a timely manner, contrary to 2006 AACRS, R 338.1551(2).

B. Respondent violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).¹

3. Respondent shall pay a fine in the amount of Two Hundred Fifty Dollars (\$250.00). The fine shall be paid by cashier's check (check) or money order, with Complaint No. 324128 clearly indicated on the check or money order, made payable to the State of Michigan, and must be received by the Department within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. The Department will not consent to any type of payment plan with Respondent that results in the last payment being made after the time frame specified in this Stipulation. In addition, if the fine becomes overdue for six (6) months, the fine will be referred to the Department of Treasury for collection action against Respondent.

¹ An allegation of, and admission to, MCL 339.604(c) is necessary to impose disciplinary sanctions for violations of administrative rules.

4. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

In addition, in the event that Respondent fails to comply with the terms set forth in this Stipulation (payment of the fine) within sixty (60) days of the date of mailing of the Final Order, the fine shall increase to a total of \$350.00.

5. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a REVOCATION or CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by Respondent and in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

6. Respondent agrees to submit written proof of having complied with each requirement of this Stipulation, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909; telephone (517) 241-9272; fax: (517) 241-9296.

7. The Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a formal administrative hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, pursuant to the Occupational Code, associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a formal administrative hearing before an administrative law judge, at which the Department would be required to prove the allegations set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to the allegations.

Agreed to by:

Respondent:



John R. Kroger

Date: 3-5-15

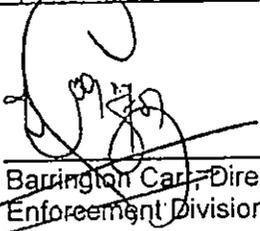
Acknowledged by Respondent's Attorney (if applicable):

Date: _____

(Sign/date above; Print name, address, telephone no. below)

Corporations, Securities & Commercial Licensing Bureau:

Approved: _____


Barrington Carr, Director
Enforcement Division

Date: _____

3-16-15

Drafted by: William D. Wilhelm, Jr., Regulatory Compliance Division



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint Nos.: 324256 and 324257

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

Complainant,

V

WILSON CONSTRUCTION COMPANY
DAVID J. WILSON, QUALIFYING OFFICER
License No. 21-02-087596

Respondent,

AND

DAVID J. WILSON
License No. 21-01-078928

Respondent.

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance & Alteration Contractors, and

WHEREAS, Wilson Construction Company, David J. Wilson, Qualifying Officer, License No. 21-02-087596, and David J. Wilson, License No. 21-01-078928, have agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondents on March 23, 2015, and approved by Barrington Carr, Enforcement Division Director, on March 30, 2015, on behalf of the Corporations, Securities & Commercial Licensing Bureau, Department of Licensing and Regulatory Affairs.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 28, 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
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This is the last and final page of the Final Order in the matter of Wilson Construction Company, David J. Wilson, Qualifying Officer and David J. Wilson, Complaint Nos. 324256 and 324257, before the Board of Residential Builders and Maintenance & Alteration Contractors.

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STATE OF MICHIGAN
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CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS,
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Complainant,

v

WILSON CONSTRUCTION COMPANY
DAVID J. WILSON, QUALIFYING OFFICER
License No. 21-02-087596,

Complaint Nos. 324256 and 324257

and

DAVID J. WILSON
License No. 21-01-078928
Respondents.

Board: Residential Builders

STIPULATION

This matter was scheduled for a compliance conference on March 11, 2015, following the issuance of a Formal Complaint ("Complaint"), dated January 14, 2015, filed under the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against WILSON CONSTRUCTION COMPANY, DAVID J. WILSON, QUALIFYING OFFICER, AND DAVID J. WILSON ("Respondents") by the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau ("Department").

In attendance at the conference were the following: Marcy Sims, Department Conferee, on behalf of the Department, and David J. Wilson on behalf of Respondents. All parties agree to the following:

1: Respondents admit to the following factual and legal violations alleged in the Complaint:

A. Respondents entered into a contract to perform services regulated by 1980 PA 299, as amended, with Grant Meyer on or about July 30, 2012.

B. Respondents, in performance of the contract, failed to comply with §§ R105.1 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).

C. Respondents have violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

If there are other allegations in the Complaint, those allegations are hereby dismissed.

2. Respondents shall pay a FINE in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). This fine shall be paid by check or money order, with Complaint Nos. 324256 and 324257 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

4. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondents must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

5. Failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a REVOCATION or CONTINUED REVOCATION of all licenses or registrations held under Article 24 of the Occupational Code by

Respondents. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

6. Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

7. The parties considered the following factors in reaching this agreement:

A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.

B. Respondents cooperated fully in the resolution of this administrative Complaint.

C. Respondents have no prior record of disciplinary action taken against their licenses.

Wilson Construction Company first became licensed on August 25, 1989, and David J. Wilson first became licensed on November 5, 1987.

D. Respondents have since pulled a building permit to replace the existing interior stairs and have worked with the city and complaining person to resolve the matter.

8. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Corporations, Securities & Commercial Licensing Bureau, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Enforcement Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

9. Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, associated administrative rules, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented

by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:

On Behalf of Wilson Construction Company
and David J. Wilson Individually

David J. Wilson
David J. Wilson, Qualifying Officer
and Respondent

Date: 3-23-15

Attorney for Respondent (if applicable)

Date: _____

Attorney Business Address & Telephone Number:

Corporations, Securities & Commercial Licensing Bureau:

Approved by: [Signature]
Barrington Carr, Director
Enforcement Division

Date: 3-30-15

Drafted by: Marcy Sims, Regulatory Compliance Division



STATE OF MICHIGAN
LANSING

RICK SNYDER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MIKE ZIMMER
DIRECTOR

Complaint Nos.: 324256 and 324257

DEPARTMENT OF LICENSING AND
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FINAL ORDER

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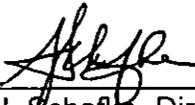
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NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance & Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under my hand at Okemos, Michigan, this 28th day of May, 2015.

By: 
Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

Date mailed: May 20 2015

Proof of Compliance Should be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
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CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND
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CORPORATIONS, SECURITIES &
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Complainant,

v

WILSON CONSTRUCTION COMPANY
DAVID J. WILSON, QUALIFYING OFFICER
License No. 21-02-087596,

Complaint Nos. 324256 and 324257

and

DAVID J. WILSON
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Respondents.

Board: Residential Builders

STIPULATION

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In attendance at the conference were the following: Marcy Sims, Department Conferee, on behalf of the Department, and David J. Wilson on behalf of Respondents. All parties agree to the following:

1: Respondents admit to the following factual and legal violations alleged in the Complaint:

A. Respondents entered into a contract to perform services regulated by 1980 PA 299, as amended, with Grant Meyer on or about July 30, 2012.

B. Respondents, in performance of the contract, failed to comply with §§ R105.1 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).

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2. Respondents shall pay a FINE in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). This fine shall be paid by check or money order, with Complaint Nos. 324256 and 324257 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. This check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation. In addition, once it has been overdue for six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

4. Failure to comply with the terms set forth in this Stipulation within sixty (60) days of the date of mailing of the Final Order shall result in a SUSPENSION or CONTINUED SUSPENSION of all licenses or registrations held under Article 24 of the Occupational Code by Respondents and in the denial of any license or registration renewal and the denial of future applications for licensure or registration. Unless otherwise specified in this Stipulation, requirements imposed on Respondents must be fulfilled within sixty (60) days of the date of mailing of a final order incorporating this Stipulation.

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Respondents. It shall also result in the denial of any license or registration renewal and the denial of future applications for licensure or registration.

6. Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

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- A. Respondents desired to resolve the allegations without the need for and expense of an administrative hearing.
- B. Respondents cooperated fully in the resolution of this administrative Complaint.
- C. Respondents have no prior record of disciplinary action taken against their licenses. Wilson Construction Company first became licensed on August 25, 1989, and David J. Wilson first became licensed on November 5, 1987.
- D. Respondents have since pulled a building permit to replace the existing interior stairs and have worked with the city and complaining person to resolve the matter.

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by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:

On Behalf of Wilson Construction Company
and David J. Wilson Individually

David J. Wilson

David J. Wilson, Qualifying Officer
and Respondent

Date: 3-23-15

Attorney for Respondent (if applicable)

Date: _____

Attorney Business Address & Telephone Number:

Corporations, Securities & Commercial Licensing Bureau:

Approved by:

Barrington Carr
Barrington Carr, Director
Enforcement Division

Date: 3-30-15

Drafted by: Marcy Sims, Regulatory Compliance Division