

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

**In the Matter of**

**TIMOTHY MICHAEL EICHHORN  
License Number: 21-01-209865**

**Complaint Number: 21-15-328874  
Docket Number: 16-017871-BPL-CSCLB**

**FINAL ORDER**

On April 25, 2016, a Formal Complaint (Complaint) was executed that charged Timothy Michael Eichhorn (Respondent) with violating sections 604(h)<sup>1</sup> and 2411(2)(l) of the Occupational Code, 1980 PA 299, as amended; MCL 339.101 et seq.

An administrative hearing was held in this matter before an administrative law judge who, on September 19, 2016, issued a Hearing Report setting forth Findings of Fact and Conclusions of Law.

The Michigan Board of Residential Builders and Maintenance and Alteration Contractors (Board), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held in Lansing, Michigan on January 26, 2017, and received the administrative law judge's Findings of Fact and Conclusions of Law in the Hearing Report. Therefore,

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<sup>1</sup> Section 2411(2) prescribes a penalty for violating section 2411(2)(l); therefore, section 604(h) is not applicable.

IT IS ORDERED that for violating section 2411(2)(l) of the Occupational Code, supra, Respondent's license to practice as a residential builder in the state of Michigan is REVOKED.

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

IT IS FURTHER ORDERED that reinstatement of a license which has been revoked is not automatic and, in the event Respondent applies for reinstatement of the license, application shall be in accordance with section 411(5) of the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

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

IT IS FURTHER ORDERED that for the cited violation of the Occupational Code Respondent is FINED \$10,000.00 to be paid to the State of Michigan within 90 days from the effective date of this Order.

IT IS FURTHER ORDERED that the fine shall be mailed to the **Department of Licensing and Regulatory Affairs, Legal Affairs/Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by

check or money order made payable to the State of Michigan, and the check or money order shall clearly display complaint number **21-15-328874**.

IT IS FURTHER ORDERED that for the cited violation of the Occupational Code Respondent shall pay RESTITUTION as ordered in case number 15-147586-CK, State of Michigan, Oakland County Circuit Court within 90 days from the effective date of this Order.

IT IS FURTHER ORDERED that Respondent shall submit evidence of payment of restitution in full as ordered in case number 15-147586-CK within 90 days of the effective date of this Order to the **Department of Licensing and Regulatory Affairs, Legal Affairs/Enforcement Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909**.

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

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

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

Dated: 03/01/2017

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

By: Kim Gaedeke  
Kim Gaedeke, Director  
Bureau of Professional Licensing

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

In the Matter of

TIMOTHY MICHAEL EICHHORN  
License Number: 21-01-209865

File Number: 21-15-328874

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Complainant) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Timothy Michael Eichhorn (Respondent) as follows:

1. The Michigan Board of Residential Builders and Maintenance and Alteration Contractors (Board) is an administrative agency established by the Occupational Code, 1980 PA 299, as amended; MCL 339.101 et seq. Pursuant to section 602 of the Occupational Code, supra, the Board is empowered to penalize licensees for violations of the Occupational Code.

2. Respondent is licensed as a residential builder in the state of Michigan.

3. On January 13, 2016, the Oakland County Circuit Court, in Pontiac, Michigan, issued a Final Judgment ordering Respondent to pay \$10,474.99 in case

number 15-147586-CK. A copy of the Final Judgment, marked Exhibit A, is attached and incorporated.

4. Respondent failed to pay the money as required by the Final Judgment.

#### COUNT I

Respondent's conduct, as described above, evidences a failure to satisfy a judgment or lien, contrary to section 339.2411(2)(l) of the Occupational Code, supra, in violation of section 604(h) of the Occupational Code, supra.

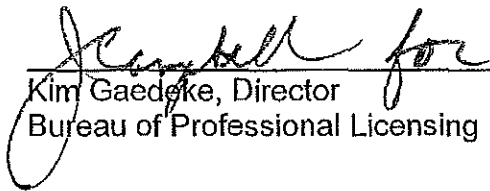
Complainant requests that this Complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the license. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Occupational Code, rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq.

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Pursuant to section 508(2) of the Occupational Code, supra, Respondent has 15 days from the date of receipt of this Complaint to notify Complainant of Respondents' decision to either negotiate a settlement of this matter, to demonstrate compliance with the Occupational Code, or to request an administrative hearing. Written notification of Respondents' selection shall be submitted to Complainant, Kim Gaedeke, Director, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909. If Respondents fail to submit written notification within 15 days, this matter shall proceed to an administrative hearing.

DATED:

4/25/16

  
Kim Gaedeke, Director  
Bureau of Professional Licensing

Attachments

This is the final page of a Formal Complaint in the matter of Timothy Michael Eichhorn, File Number 21-15-328874, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of three pages, this page included.

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