

STATE OF MICHIGAN  
DEPARTMENT OF REGULATORY AFFAIRS<sup>1</sup>  
MARIJUANA REGULATORY AGENCY

In the Matter of

Brightmoore Gardens, LLC  
ERG No.: 000158  
ENF No.: 20-00182

CMP No.: 20-001233

\_\_\_\_\_/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On February 24, 2021, the Marijuana Regulatory Agency (MRA) issued a Pre-Complaint Consent Order and Stipulation against Brightmoore Gardens, LLC (“Respondent”) who holds state operating license(s) under the Medical Marijuana Facilities Licensing Act (MMFLA).

Through the information provided and execution of this agreement, Respondent admits that it violated Section 701 of the MMFLA, MCL 333.27701.

The MRA is authorized under the MMFLA, MCL 333.27101 *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MMFLA and the administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MMFLA or administrative rules.

Section 402(12) of the MMFLA provides that the expiration of a license does not terminate the MRA’s authority to impose sanctions against the Respondent.

---

<sup>1</sup> Executive Reorganization Order 2019-2 created the Marijuana Regulatory Agency (MRA) as a Type I agency within the Department of Licensing and Regulatory Affairs (LARA). MCL 333.27001(1)(a)(d). The MRA exercises its statutory powers, duties, and functions independent of LARA’s direction. MCL 16.103.

Section 206(c) of the MMFLA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marihuana facility operations.

Mich Admin Code R 420.805 and Mich Admin Code R 420.806 authorizes the MRA to impose sanctions against the respondent if it has been determined that the respondent violated the MMFLA and/or administrative rules promulgated thereunder.

The parties have stipulated that the MRA may enter this consent order for the purpose of resolving this matter.

The MRA reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of this matter. Therefore, the MRA finds that the factual allegations and violations set forth in the stipulation are true and that Respondent violated Section 701 of the MMFLA, MCL 333.27701.

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of Seven Thousand and 00/100 dollars (\$7,000.00). This fine shall be paid within 14 days of the effective date of this order by check or money order made payable to the State of Michigan with enforcement number "20-00182" clearly displayed on the check or money order. Respondent shall mail the fine to Department of Licensing and Regulatory Affairs, Marijuana Regulatory Agency, PO BOX 30205, Lansing, Michigan 48909 or submit the fine in person to Department of Licensing & Regulatory Affairs Marijuana Regulatory Agency 2407 North Grand River Lansing, Michigan 48906.
2. If Respondent fails to timely pay the fine, Respondent's state operating license(s) shall be suspended until payment is received.
3. Unless otherwise specified in this order, Respondent shall direct any communications to the MRA that are required by the terms of this order to [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov).

MARIJUANA REGULATORY AGENCY  
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909  
[www.michigan.gov/MRA](http://www.michigan.gov/MRA)  
LARA is an equal opportunity employer/program

This order shall be effective on the date signed by the MRA's executive director or his designee, as set forth below.

MARIJUANA REGULATORY AGENCY

Signed on: 7/21/21

By: Andrew Brisbo  
Andrew Brisbo, Executive Director  
Marijuana Regulatory Agency

Digitally signed by: Andrew Brisbo  
DN: CN = Andrew Brisbo email =  
brisboa@michigan.gov, C = US, O =  
Marijuana Regulatory Agency, OU =  
Executive Director  
Date: 2021.07.21 10:34:18 -0400

MARIJUANA REGULATORY AGENCY  
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909  
[www.michigan.gov/MRA](http://www.michigan.gov/MRA)  
LARA is an equal opportunity employer/program

## STIPULATION

The parties stipulate to the following:

1. The facts alleged in the pre-complaint consent order are true and constitute a violation of the administrative rules promulgated under the MMFLA.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MMFLA, administrative rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 et seq., to require the MRA to prove the charges set forth in this disciplinary action by presentation of evidence and legal authority, and to present a defense to the charges.
3. Respondent desires to resolve and settle all issues related to this matter, in lieu of disputing the disciplinary action in a contested case hearing.
4. The MRA shall report this resolution as a disciplinary proceeding as required by state or federal law. This consent order shall be subject to disclosure under the Michigan Freedom of Information Act, MCL 15.231, et seq.
5. The parties considered the following in reaching this agreement:
  - a. Respondent stated this was the first Annual Financial Statement it was required to file and did not realize how in depth and extensive the audit would be.
  - b. Respondent became aware of the due date for the Annual Financial Statement in early June 2020.
  - c. Respondent obtained a third-party auditor on October 10, 2020, 11 days before the Annual Financial Statement was due.
  - d. Respondent did not file the required Annual Financial Statement by the deadline of October 31, 2020.
  - e. Respondent filed the required Annual Financial Statement on November 14, 2020, 14 days after the due date.
  - f. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
  - g. Respondent and the MRA engaged in negotiations of the proposed penalties listed in the Consent Order.
  - h. Respondent has not had any previous disciplinary action issued against it.
6. The MRA's enforcement division director or her designee must approve this proposed agreement before it is forwarded to the MRA's executive director or his designee for review and issuance of the above consent order. The parties reserve the right to proceed to an administrative hearing without prejudice to either party, should the MRA's enforcement division director, executive director, or their designees reject the proposed consent order.

MARIJUANA REGULATORY AGENCY  
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909  
[www.michigan.gov/MRA](http://www.michigan.gov/MRA)  
LARA is an equal opportunity employer/program

By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:

AGREED TO BY:

Julie Kluytman Digitally signed by: Julie Kluytman  
DN: CN = Julie Kluytman email =  
kluytmanj@michigan.gov C = US O =  
Marijuana Regulatory Agency  
Date: 2021.07.21 09:50:33 -04'00'

Julie Kluytman, Director  
Enforcement Division  
Marijuana Regulatory Agency

Dated: \_\_\_\_\_

Bryan Blair  
Bryan Blair (Jul 7, 2021 09:28 EDT)

Bryan Blair, Authorized Officer  
On behalf of Respondent  
Brightmoore Gardens, LLC

Jul 7, 2021

Dated: \_\_\_\_\_

Nicholas Castro  
Nicholas Castro (P 82858)  
Attorney for Respondent

Dated: 07-07-2021

Type text here