

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CANNABIS REGULATORY AGENCY

In the Matter of

Candid, Inc.
License No.: AU-G-C-000464

ENF No.: 23-00124

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On March 10, 2023, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the adult-use marijuana grower class C establishment license (AU-G-C-000464) of Candid, Inc. ("Respondent") under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951 *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated Mich Admin Code, R 420.209(11), R 420.209(12), and R 420.209(13).

The executive director reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the formal complaint. Therefore, the executive director finds that some of the allegations contained in the formal complaint are true and that Respondent violated Mich Admin Code, R 420.209(11) and R 420.209(12).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of Sixteen Thousand and 00/100 dollars (\$16,000.00). This fine shall be paid within 60 days of the effective date of this order by check, money order, or online through Accela Citizen Access (ACA). Instructions on how to make online payments can be found under the Tips for Licensees bulletin section at www.michigan.gov/cra. Check or money orders shall be made payable to the State of Michigan with enforcement number "23-00124" and license number "AU-G-C-000464" clearly displayed on the check

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or money order. Respondent shall mail the fine to Department of Licensing and Regulatory Affairs, Cannabis Regulatory Agency, PO BOX 30205, Lansing, Michigan 48909.

2. If Respondent fails to timely comply with the terms of this order, Respondent's license shall be suspended until compliance is demonstrated.
3. The alleged violation of Mich Admin Code, R 420.209(13) is DISMISSED.
4. Unless otherwise specified in this order, Respondent shall direct any communications to the CRA that are required by the terms of this order to CRA-LegalHearings@michigan.gov.
5. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
6. If Respondent violates any term or condition set forth in this order, Respondent will be subject to fines and/or other sanctions under section 7(1)(c) of the MRTMA, MCL 333.27957, and Mich Admin Code, 420.808.
7. Upon timely compliance of the terms of this order by Respondent, the matters set forth in the formal complaint shall be deemed resolved and closed subject to this Consent Order.

This order shall be effective 30 days after the date signed by the CRA's executive director or his designee, as set forth below.

CANNABIS REGULATORY AGENCY

Signed on: 7/6/2023

By: Brian Hanna

Digitally signed by: Brian Hanna
DN: CN = Brian Hanna email =
b.hanna@michigan.gov C = US O = CRA OU
= CRA
Date: 2023.07.06 15:26:29 -04'00'

Brian Hanna, Executive Director
or his designee
Cannabis Regulatory Agency

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STIPULATION

The parties stipulate to the following:

1. Some of the allegations contained in the formal complaint are true and constitute a violation of the administrative rules promulgated under the MRTMA.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MRTMA, administrative rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the CRA to prove the violations set forth in the formal complaint by presentation of evidence and legal authority, and to present a defense to the violations.
3. The parties considered the following in reaching this agreement:
 - a. Respondent provided documentation that its establishment installed permanent cameras to replace the Ring cameras at issue, and these permanent cameras are not on Wi-Fi but hardwired cameras to prevent interruption in surveillance.
 - b. Respondent provided a standard operating procedure (SOP) that requires its surveillance system be checked two times a day and its failure notification system checked at least once a week to ensure compliance with the administrative rules.
 - c. Respondent provided documentation that it trained its staff on the SOP to ensure all employees are fully aware of the administrative rules regarding its surveillance system and what to do should a failure of its notification system occur in the future.
 - d. Respondent provided documentation that it did a review of its entire surveillance system to reassess coverage and ensure the system was in compliance with the administrative rules.

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- e. Respondent provided documentation that it confirmed its failure notification system worked properly for all cameras.
 - f. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
 - g. Respondent has been licensed as a class C grower since 2021 and has no prior discipline against its license.
4. The CRA's operations director or his designee must approve this proposed agreement before it is forwarded to the CRA'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 CRA's operations director, executive director, or their designees reject the proposed consent order.

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

AGREED TO BY:

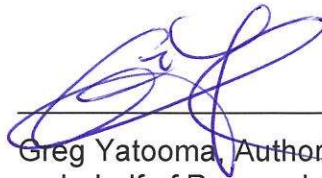
**Desmond
Mitchell**

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Desmond Mitchell
Date: 2023.06.30
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Desmond Mitchell, Operations Director
and/or his designee
Cannabis Regulatory Agency

Dated: 6/30/2023

AGREED TO BY:



Greg Yatooma, Authorized Officer
on behalf of Respondent
Candid, Inc.

Dated: 6-29-2023

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CANNABIS REGULATORY AGENCY

In the Matter of

Candid, Inc.
License No.: AU-G-C-000464

ENF No: 23-00124

FORMAL COMPLAINT

The Cannabis Regulatory Agency (“Complainant”) files this formal complaint against Candid, Inc. (“Respondent”) alleging upon information and belief as follows:

1. The Cannabis Regulatory Agency (CRA) is authorized under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951, *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MRTMA and the administrative rule promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MRTMA or administrative rules.
2. Section 8(1)(d) of the MRTMA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marijuana establishment operations.

FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE CRA

3. Respondent holds an active state license under the MRTMA to operate an adult use grower class C in the state of Michigan.
4. Respondent operated at 50680 28th Avenue, Arlington Township, MI 49013, at all times relevant to this complaint.
5. Following an investigation, the CRA determined that Respondent violated the MRTMA and/or administrative rules promulgated thereunder as set forth below:

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- a. On September 6, 2022, during a CRA inspection, it was discovered that Respondent's surveillance system that covered four greenhouse was not working.
- b. The surveillance system cameras were eight Ring cameras that were connected to the internet via a Wi-Fi extender.
- c. Respondent determined that the extender was broken because none of the cameras could be accessed, and no video could be retrieved.
- d. Later that day, Respondent notified the CRA that it had obtained a new extender and the cameras were working.
- e. Respondent did not have 30 days of video coverage.

Count I

Respondent's actions as described above in paragraphs 5.a., and 5.c. demonstrate a violation of Mich Admin Code, R 420.209(11) which states a licensee shall keep surveillance recordings for a minimum of 30 calendar days, except in instances of investigation or inspection by the agency in which case the licensee shall retain the recordings until the time as the agency notifies the licensee that the recordings may be destroyed.

Count II

Respondent's actions as described above in paragraphs 5.a., and 5.c. demonstrate a violation of Mich Admin Code, R 420.209(12) which states surveillance recordings of the licensee are subject to inspection by the agency and must be kept in a manner that allows the agency to view and obtain copies of the recordings at the marijuana business immediately upon request. The licensee shall also send or otherwise provide copies of the recordings to the agency upon request within the time specified by the agency.

Count III

Respondent's actions as described above in paragraphs 5.a., 5.c., and 5.e. demonstrate a violation of Mich Admin Code, R 420.209(13) which states a licensee

shall maintain a video surveillance system equipped with a failure notification system that provides notification to the licensee of any interruption or failure of the video surveillance system or video surveillance system storage device.

THEREFORE, based on the above, the CRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

Pursuant to Mich Admin Code, R 420.704(2), any party aggrieved by an action of the CRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted to the CRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

Respondent also has the right to request a compliance conference under Mich Admin Code, R 420.704(1). A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the MRTMA and/or the administrative rules. A compliance conference request must be submitted to the CRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods:

By Mail: Department of Licensing & Regulatory Affairs
Cannabis Regulatory Agency
P.O. Box 30205
Lansing, Michigan 48909

In Person: Department of Licensing & Regulatory Affairs
Cannabis Regulatory Agency

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2407 North Grand River
Lansing, Michigan 48906

By Email: CRA-LegalHearings@michigan.gov

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter.

Questions about this complaint should be directed to the Cannabis Regulatory Agency's legal section at (517) 284-8599 or CRA-LegalHearings@michigan.gov.

Dated: 3/10/23

By: Alyssa A. Grissom
Digitally signed by Alyssa A. Grissom
Date: 2023.03.10 15:47:01 -05'00'

Alyssa A. Grissom
Legal Section Manager
Cannabis Regulatory Agency