

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

In the Matter of

DLG & Associates, LLC
License No.: GR-C-000100

ENF No.: 21-00389

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On April 4, 2022, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the medical marijuana grower class C facility license (GR-C-000100) of DLG & Associates, LLC ("Respondent") under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated Mich Admin Code, R 420.209(6)(a)(i), R 420.802(3)(g)(ii) & (v), and R 420.803(1).

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 all of the allegations contained in the formal complaint are true and that Respondent violated Mich Admin Code, R 420.209(6)(a)(i), R 420.802(3)(g)(ii) & (v), and R 420.803(1).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of eighteen thousand and 00/100 dollars (\$18,000.00). This fine shall be paid within 90 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 "21-00389" and license number "GR-C-000100" clearly displayed on the check or

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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. 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.
4. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
5. If Respondent violates any term or condition set forth in this order, Respondent will be subject to fines and/or other sanctions under section 407(1) of the MMFLA, MCL 333.27407(1), and Mich Admin Code, R 420.808.
6. 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: 11/14/2023

By: **Brian Hanna**
Digitally signed by: Brian Hanna
DN: CN = Brian Hanna email =
hannaab@michigan.gov C = US O = CRA OU =
CRA
Date: 2023.11.14 13:25:03 -05'00'

Brian Hanna, Executive Director
or his designee
Cannabis Regulatory Agency

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STIPULATION

The parties stipulate to the following:


1. The facts alleged in the formal complaint 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 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 states that it provided additional staff training to prevent recurrences.
 - b. Respondent also indicated it added additional cameras to its video surveillance system along with submitting its updated site plan to the CRA.
 - c. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
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.

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

AGREED TO BY:

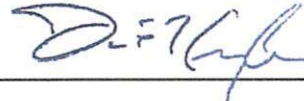
Sara E.
Hernandez

 Digitally signed by: Sara E. Hernandez
DN: CN = Sara E. Hernandez email =
hernandezs1@michigan.gov C = AD O =
LARA OU = MRA
Date: 2023.11.08 10:16:25 -05'00'

Desmond Mitchell, Operations Director
or his designee
Cannabis Regulatory Agency

Dated: 11/8/2023

AGREED TO BY:



David Gaylor, Authorized Officer
on behalf of Respondent
DLG & Associates, LLC

Dated: 10/17/2023



Alfred Brandt, P38586
Attorney for Respondent

Dated: 10/16/23

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

In the Matter of

DLG & Associates, LLC
ERG No.: 000775
License No.: GR-C-000100
ENF No.: 21-00389

CMP No.: 21-001148

FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against DLG & Associates, LLC (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Medical Marihuana Facilities Licensing Act (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.

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

3. 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.

4. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marihuana facility operations.

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FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

5. Respondent holds an active state operating license under the MMFLA to operate a medical marihuana class C grower facility in the state of Michigan.

6. Respondent operated at 2648 East South St., Jackson, Michigan 49201, at all times relevant to this complaint.

7. Following an investigation, the MRA determined that Respondent violated the MMFLA and/or administrative rules promulgated thereunder as set forth below:

- a. On August 18, 2021, the MRA received a complaint against Respondent alleging multiple administrative rule violations.
- b. On August 30, 2021, the MRA visited Respondent's medical marihuana grower facility and requested video surveillance footage.
- c. It was discovered Respondent was utilizing a 'clone tent' with marihuana plants present that was not covered by any video surveillance system.
- d. The 'clone tent' was not part of the original marihuana business location plan submitted to the MRA during licensure and no material change form was presented to or approved by the agency.
- e. Respondent is in violation of Mich Admin Code, R 420.209(6)(a)(i), which states a licensee shall ensure the video surveillance system does all the following: (a) Records, at minimum, the following areas: (i) Any areas where marihuana products are weighted, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the marihuana business.
- f. Respondent is also in violation of Mich Admin Code, R 420.802(3)(g)(ii) & (v), which states licensees shall report to the agency any proposed change to the marihuana business before making a material change that may require prior authorization by the agency. Any change or modification to the marihuana business before or after licensure that was not preinspected,

inspected, or part of the marihuana business location plan or final inspection, including: (ii) Additions or reductions in equipment or processes at a marihuana business. (v) Changes that impact security, fire safety, and building safety.

- g. Respondent's conduct is also in violation of Mich Admin Code, R 420.803(1), which states that any change or modification to the marihuana business after licensure is governed by the standards and procedures set forth in these rules and any regulations adopted pursuant to the acts. Any material changes or modification to the marihuana business must be approved by the agency before the change or modification is made.

THEREFORE, based on the above, the MRA 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.

Under MCL 333.27407(4) and Mich Admin Code, R 420.704(2), any party aggrieved by an action of the MRA 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 MRA 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 MMFLA and/or the administrative rules. A compliance conference request must be submitted to the MRA 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
Marijuana Regulatory Agency
P.O. Box 30205
Lansing, Michigan 48909

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In Person: Department of Licensing & Regulatory Affairs
Marijuana Regulatory Agency
2407 North Grand River
Lansing, Michigan 48906

By Email: MRA-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 Marijuana Regulatory Agency at (517) 284-8599 or MRA-LegalHearings@michigan.gov.

Dated:

4/4/2022

By:

Julie
Kluytman

Digitally signed by: Julie Kluytman
DN: CN = Julie Kluytman email =
Kluytmanj@michigan.gov C = US O =
Marijuana Regulation Agency OU =
Enforcement Division
Date: 2022.04.04 21:14:34 -04'00'

Julie Kluytman, Director
Enforcement Division
Marijuana Regulatory Agency