



RICK SNYDER
GOVERNOR

State of Michigan
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING



MAURA D. CORRIGAN
DIRECTOR

February 25, 2014

Carol Vendittelli
79900 North Avenue
Armada, MI 48005

License #: DF500315065
SIR #: 2013D0353019

Dear Ms. Vendittelli:

Enclosed is a copy of a NOTICE OF INTENT TO REVOKE YOUR CERTIFICATE OF REGISTRATION to operate a family child care home, alleging that you have violated the Child Care Organizations Act. Your options are as follows:

- 1) You may appeal the Notice of Intent and attend a pre-hearing compliance conference. A Notice of Compliance Conference, which provides the date, time, location, and guidelines of the conference, is enclosed.
- 2) You may appeal the Notice of Intent, waive the compliance conference, and proceed directly to an administrative law hearing.
- 3) You may choose not to appeal the Notice of Intent.

If you choose to appeal the Notice of Intent, the Department must receive your WRITTEN APPEAL within 30 days of your receipt of this Notice. If the Department does not receive your written appeal within 30 days of your receipt of this Notice, you will have WAIVED YOUR RIGHT to an administrative law hearing and the proposed action will be final.

Sincerely,

James S. Sinnamon, Director
Child Care Licensing Division
Bureau of Children and Adult Licensing

Enclosures

Cc: Jacquelin Sharkey, Area Manager

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING

In the matter of
Carol Vendittelli

License #: DF500315065
SIR #: 2013D0353019

NOTICE OF INTENT TO
REVOKE CERTIFICATE OF REGISTRATION

The Michigan Department of Human Services, by James S. Sinnamon, Director, Child Care Licensing Division, Bureau of Children and Adult Licensing, provides notice of the intent to revoke the certificate of registration of Registrant, Carol Vendittelli, to operate a family child care home pursuant to the authority of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq., for the following reasons:

1. On or about October 27, 2011, Registrant was issued a certificate of registration to operate a family child care home, with a current registered capacity of six, at 79900 North Avenue, Armada, MI 48005.
2. On September 25, 2013, the Bureau of Children and Adult Licensing received a complaint regarding the maintenance and safety of the Registrant's child care home.
3. On September 26, 2013, Licensing Consultants Juanita Velasquez and LaTonya Kegler attempted to conduct an inspection of the Registrant's home. Upon her

arrival at the residence, Ms. Velasquez and Ms. Kegler observed the following safety hazards:

- a. The front lawn was cluttered with sawhorse tables, broken play equipment and other miscellaneous household items.
 - b. There was a detached garage on the property that was partially covered with overgrown weeds and shrubs. The garage appeared to be slanting and structurally unsafe. The windows on the garage were either missing or were boarded up with wood. There was no door on the garage or any other barrier that would prevent children from accessing the structure and its contents. The interior of the garage contained scrap lumber and other debris.
 - c. As Ms. Velasquez and Ms. Kegler approached the entrance of the home, they observed a dead mouse on the steps of the front porch.
 - d. The enclosed front porch was cluttered with cardboard boxes, firewood, plywood and furniture. Boxes, clothing, books and other household items were stacked on top of the furniture.
 - e. Children's play mats were stacked on the floor near an exterior brick patio wall. There were holes in the wall that were partially covered with plywood.
4. On September 26, 2013, after observing the maintenance and safety issues outside the Registrant's home, Ms. Velasquez and Ms. Kegler attempted to conduct an inspection inside the residence. Albert Vendittelli, the Registrant's husband, answered the door. Mr. Vendittelli stated that the Registrant was home, but that they were "done with the state." At that time, Ms. Velasquez requested

that the Registrant submit a written request to close her certificate of registration.

Mr. Vendittelli stated that the Registrant would not write any type of statement.

Mr. Vendittelli further refused to notify the Registrant that the licensing consultants were at the home.

5. On September 26, 2013, September 30, 2013, and October 2, 2013, Ms. Velasquez contacted the Registrant, in writing, and requested that she schedule an inspection of her home. Ms. Velasquez further informed the Registrant that if she planned to close her child care, the Registrant should instead submit a statement verifying that she was no longer operating her child care home. As of the date of this Notice, the Registrant has not contacted Ms. Velasquez.
6. The Registrant has repeatedly failed to maintain the interior and exterior of the child care home in a clean and safe condition, as evidenced by the following prior inspections of her home:
 - a. On November 21, 2011, Ms. Kegler conducted a 90-day inspection of the Registrant's child care home. Ms. Kegler found the Registrant in violation of 17 licensing rules. During this inspection, Ms. Kegler observed the following home maintenance and safety violations:
 - i. The Registrant was utilizing her enclosed front porch as a play area. There was a wooden plank, chopped wood, a dismantled table and a glass door accessible to children in the enclosed porch.
 - ii. There was a large hole in the cement wall of the basement.
 - iii. The handle for the toilet used by children in care was broken, which prevented the toilet from flushing properly.

- iv. The detached garage on the premises appeared structurally unsafe. There were various items inside the garage that were accessible to children.
 - v. There was peeling/chipped paint on the kitchen and living room ceilings.
 - vi. The drywall in the kitchen was peeling.
 - vii. The radiators affixed to the walls inside the home were not shielded to protect children from burns.
 - viii. The Registrant failed to install a carbon monoxide detector on the main level of the home. The Registrant failed to install smoke detectors in the basement, second and third floors of the home.
- b. On November 22, 2011, the Registrant submitted a written corrective action plan to address the rule violations cited during Ms. Kegler's inspection. The Registrant agreed to make repairs and address the safety hazards in her home, including the removal of the detached garage. The Registrant agreed to take down the garage by January 31, 2012.
- c. On January 31, 2012, Ms. Kegler conducted a follow-up inspection of the Registrant's home. Ms. Kegler again found that the Registrant failed to maintain the child care home in a safe condition. The detached garage had not been torn down as specified in the Registrant's November 2011 corrective action plan. The garage remained in the same unstable and cluttered condition as it was during the November 2011 inspection.

- d. On January 31, 2012, the Registrant submitted a written corrective action plan to address the detached garage on the child care premises. The Registrant agreed to tear down the structure by May 1, 2012.

COUNT I

The conduct of the Registrant, as set forth in paragraphs 4 and 5 above, evidences a violation of:

R400.1903

Caregiver responsibilities.

- (4) The caregiver shall cooperate with the department in connection with an inspection or investigation. Cooperation shall include, but not be limited to, both of the following:
- (a) Provide access to the assistant caregivers, all records, and materials, to enable the department to conduct a thorough investigation.

COUNT II

The conduct of the Registrant, as set forth in paragraph 3 above, evidences a violation of:

R400.1932

Home maintenance and safety.

- (1) The structure, premises, and furnishings of a child care home shall be in good repair and maintained in a clean, safe, and comfortable condition.

NOTE: This is a repeat violation as referenced in paragraph 6 of this Notice.

COUNT III

The conduct of the Registrant, as set forth in paragraphs 4 and 5 above, provides grounds for revocation pursuant to:

MCL 722.120(1) Investigation and examination of conditions, books, records, and reports; visits regarding health or fire protection; records; report; forms; confidentiality; disclosure of information; availability of confidential records.

(1) The department may investigate and examine conditions of a child care organization in which a licensee receives, maintains, or places out children, and may investigate and examine the books and records of the licensee. The licensee shall admit members of the department and furnish all reasonable facilities for thorough examination of its books, records, and reports. The department of community health, the bureau of fire services, or local authorities, in carrying out the provisions of this act, may visit a child care organization to advise in matters affecting the health or fire protection of children.

NOTICE IS GIVEN that, Registrant is offered the opportunity to show compliance with all lawful requirements for retention of the certificate of registration. If Registrant appeals the Notice of Intent and compliance is not shown, formal proceedings will be commenced pursuant to the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq., rules promulgated thereunder, and the Administrative Procedures Act, 1969 PA 306, as amended; MCL 24.201 et seq. Should formal proceedings commence, you have the right to attorney representation at your own expense.

REGISTRANT IS NOTIFIED that pursuant to MCL 722.121(2) of the Child Care Organizations Act, Registrant has 30 days from the date of receipt of the Notice of Intent to file a written appeal of the proposed action. The appeal shall be addressed to Kelly Maltby, Departmental Analyst, Bureau of Children and Adult Licensing, Michigan Department of Human Services. Your written appeal must include your name and license number, and must be submitted using one of the following methods:

- Mail your written appeal to the Bureau of Children and Adult Licensing, P.O. Box 30650, Lansing, MI 48909. You should obtain some type of delivery confirmation to verify delivery;
- Fax your written appeal to the Bureau of Children and Adult Licensing at (517) 284-9709. You should keep a copy of your fax confirmation as proof of submittal; or
- Email your written appeal to DAUappeals@Michigan.gov. You should keep a copy of the sent email as proof of submittal.

REGISTRANT IS FURTHER NOTIFIED that failure to file a written appeal of this action within 30 days will result in revocation of the certificate of registration.

DATED: 02-25-2014


James S. Sinnamon, Director
Child Care Licensing Division
Bureau of Children and Adult Licensing

This is the last and final page of a NOTICE OF INTENT in the matter of Carol Vendittelli, DF500315065, consisting of seven pages, this page included.

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STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING

In the matter of
Carol Vendittelli

License #: DF500315065
SIR #: 2013D0353019

NOTICE OF COMPLIANCE CONFERENCE

Date: March 14, 2014

Time: 1:00 pm

Location: Midland Co. DHS, 1509 Washington Ste. A, Midland, MI 48641

Licensee needs to report to location mentioned above. Telephone conf. w/Kelly

Maltby (517) 284-9700

Pursuant to the Administrative Procedures Act, MCL 24.292(1), you are afforded the opportunity to attend an informal compliance conference. The purpose of the compliance conference is to allow you to show that you were in compliance with the Child Care Organizations Act and the licensing rules promulgated thereunder. You have the right, at your expense, to have an attorney represent you at the compliance conference. You may also bring one support person to the compliance conference.

To enable a thorough discussion of the Notice of Intent at the compliance conference, please bring any documents, pictures, etc. that you would like the Department to consider. You may also submit documents to the Department prior to the compliance conference by emailing them to DAUappeals@Michigan.gov.

If you are unable to attend the compliance conference at the scheduled date and time, you may request, in writing, that the Department change the date and/or time. The Department will make all reasonable attempts to accommodate your request, but will not reschedule the compliance conference to a date more than 10 days after the scheduled date. If you promptly notify the Department of your inability to attend the compliance conference as scheduled, the Department may be able to schedule the compliance conference to a date earlier than originally scheduled.

If you are unable to show that you were in compliance with the Child Care Organizations Act and licensing rules, and a resolution cannot be reached, the Department will forward the matter to the Michigan Administrative Hearing System for the scheduling of a formal administrative hearing. The Michigan Administrative Hearing System will subsequently notify you of the date, time, and location of the administrative hearing.

All Department meetings and hearings are conducted in compliance with the Americans with Disabilities Act in buildings that accommodate mobility-impaired individuals and have accessible parking. If you require additional accommodations to participate in the compliance conference, please notify the Department at least one week in advance to make the necessary arrangements.

Please direct all written communications regarding the compliance conference or administrative hearing, including your license number, to the individual listed below:

Kelly Maltby, Departmental Analyst
Disciplinary Action Unit
Bureau of Children and Adult Licensing
Michigan Department of Human Services
Victor Office Center
201 North Washington Square, 4th Floor
P.O. Box 30650
Lansing, MI 48909-8150

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING

In the matter of

License #: DF500315065
SIR #: 2013D0353019

Carol Vendittelli

PROOF OF SERVICE

The undersigned certifies that a copy of a Notice of Intent to revoke the certificate of registration in the above matter was served upon the following persons by mailing the same to them at their address of record by certified mail on March 5, 2014.

Carol Vendittelli
79900 North Avenue
Armada, MI 48005



Susan Bancroft, Executive Secretary
Bureau of Children and Adult Licensing