

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

ARTEMIO FABIANO SESSIONS  
License No. 21-01-208353  
Respondent.

File No. 21-15-328313

CONSENT ORDER

On June 16, 2016, the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, executed a Formal Complaint charging Respondent with violating the Occupational Code, MCL 339.101 *et seq.*

Respondent has admitted that the facts alleged in the Complaint are true, with the exception of Count I, which shall be dismissed, and has agreed that the allegations constitute violation(s) of MCL 339.2411(2)(j). The Michigan Board of Residential Builders and Maintenance and Alteration Contractors has reviewed this Consent Order and Stipulation and agrees that the public interest is best served by resolution of the outstanding Complaint.

Therefore, IT IS FOUND that the facts alleged in the Complaint constitute violation(s) of MCL 339.2411(2)(j).

IT IS ORDERED that Count I of the Complaint, which alleged a violation of MCL 339.604(c), is DISMISSED.

IT IS FURTHER ORDERED that for the cited violation(s) of the Occupational Code, Respondent is FINED \$1,000.00 to be paid to the State of Michigan within 60 days of the effective date of this Order.

IT IS FURTHER ORDERED that the fine shall be mailed to the **Department of Licensing and Regulatory Affairs, Enforcement Division, 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 file number **21-15-328313**.

IT IS FURTHER ORDERED that failure to comply with the terms of this Order shall result in SUSPENSION of all licenses or registrations held by Respondent under Article 24 of the Occupational Code and in the denial of any license or registration renewal until compliance with this Order.

IT IS FURTHER ORDERED that this Order shall be effective 30 days from the date signed by the Board, as set forth below.

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

By:   
Chairperson

Dated: 3/13/18

## STIPULATION

1. Respondent and the Department agree that Count I of the Complaint shall be dismissed by the Board.

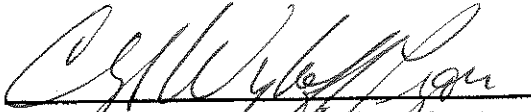
2. The facts in the Complaint are true and constitute violation(s) of MCL 339.2411(2)(j).

3. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Occupational Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the Complaint by presentation of evidence and legal authority, and Respondent is waiving the right to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges.

4. This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 24.231 *et seq.*

5. This proposal is conditioned upon acceptance by the Board. Respondent and the Department expressly reserve the right to further proceedings should this Order be rejected.

AGREED TO BY:



Cheryl Wykoff Pezon, Acting Director  
Bureau of Professional Licensing  
Department of Licensing and  
Regulatory Affairs

Dated: 12/26/17

AGREED TO BY:



Artemio Fabiano Sessions  
Respondent

Dated: 12/20/17

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

ARTEMIO FABIANO SESSIONS  
License Number: 21-01-208353

File Number: 21-15-328313

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Complainant) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Artemio Fabiano Sessions (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. In December 2014, Respondent entered into an agreement with (Homeowner) to construct a stairwell railing and install wood flooring pursuant to the terms of a written estimate. Later, Respondent drafted a change order

for additional work. However, Respondent failed to have either the estimate or the change order signed by all parties.

4. Both the original estimate and the change order were drafted and presented to Homeowner on letterhead bearing the name of "Sip llc" or "Sessions Investment Properties," which is not licensed as a residential building company in the state of Michigan.

#### COUNT I

Respondent's conduct, as described above, evidences a failure to have all agreements and changes to the agreements between a builder, or contractor, and the customer in writing and signed by the parties, contrary to Mich Admin Code, R 338.1533(1), in violation of section 604(c) of the Occupational Code, supra.

#### COUNT II

Respondent's conduct, as described above, evidences aiding or abetting an unlicensed person to evade this article, or knowingly combining or conspiring with, or acting as agent, partner, or associate for an unlicensed person, in violation of section 2411(j) 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.

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:

06/16/2016

  
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Kim Gaedeke, Director  
Bureau of Professional Licensing

#### Attachments

This is the final page of a Formal Complaint in the matter of Artemio Fabiano Sessions, File Number 21-15-328313, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of three pages, this page included.

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