

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

CHRISTOPHER LEON BALDEN
License No. 21-05-203070

Complaint No. 21-16-330716

CONSENT ORDER AND STIPULATION

CONSENT ORDER

A formal complaint was filed on April 4, 2017, charging Christopher Leon Balden (Respondent) with having violated section 601(1) of the Occupational Code, MCL 339.101 *et seq.*

The parties have stipulated that the Board may enter this consent order and that the facts alleged in the Formal Complaint are true and constitute a violation of section 601(1) of the Occupational Code. The Board has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint.

Accordingly, for these violations, IT IS ORDERED:

Respondent's license is SUSPENDED. Reinstatement of the license shall not be automatic, and Respondent will have to petition for reinstatement of the license. If Respondent petitions for reinstatement of his license, the petition shall be in accordance with section 411(5) of the Occupational Code. Under this provision, he shall file an application on a form provided by the department, pay the application processing fee, and file a petition to the department and the appropriate board

stating reasons for reinstatement and including evidence that he can and is likely to serve the public in the regulated activity with competence and in conformance with all other requirements prescribed by law, rule, or an order of the department or board.

Respondent is FINED \$1,000 to be paid by check, money order, or cashier's check made payable to the State of Michigan (with complaint number 21-16-330716 clearly indicated on the check or money order), and shall be payable within one year of the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Sanction Monitoring, Bureau of Professional Licensing, Legal Affairs Division – Compliance Section, Department of Licensing and Regulatory Affairs, P.O. Box 30189, Lansing, Michigan 48909.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.


Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of section 604(k) of the Occupational Code.

This order shall be effective thirty days from the date signed by the Chairperson or the Chairperson's designee, as set forth below.

Signed on 9/12/17

MICHIGAN BOARD OF RESIDENTIAL
BUILDERS AND MAINTENANCE AND
ALTERATION CONTRACTORS

By 
Chairperson, Sidney Browne

STIPULATION

The parties stipulate as follows:

1. The facts alleged in the complaint are true and constitute a violation of the Occupational Code.
2. The Director of the Bureau of Professional Licensing, or her designee, must approve this consent order and stipulation before it is submitted to the Board for final approval.
3. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Occupational Code, rules promulgated under the Occupational Code, and the Administrative Procedures Act of 1969, 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 to present a defense to the charges. Should the Board reject the proposed consent order, the parties reserve the right to proceed to hearing.
4. This matter is a public record required to be published and made available to the public pursuant to section 11(1)(a) of the Michigan Freedom of Information Act, MCL 15.231 *et seq.*

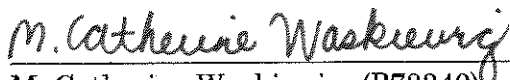
5. The Board may enter the above Consent Order, supported by Board conferee Sidney Browne. Mr. Browne or an attorney from the Licensing and Regulation Division may discuss this matter with the Board in order to recommend acceptance of this resolution.

6. Mr. Browne and the parties considered the following factors in reaching this agreement:


- A. During a compliance conference, Respondent represented that he left KBC Home Improvements, LLC after less than six months due to complaints from homeowners, and he did not receive payment from the company for the subject contract.
- B. Respondent does not have any prior disciplinary action against his residential builder salesperson license.

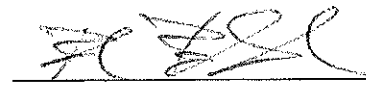
By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:


M. Catherine Waskiewicz (P73340)
Assistant Attorney General
Attorney for Complainant
Dated: 6-29-17

AGREED TO BY:


Christopher Leon Balden
Respondent
Dated: 6/24/17


Blair S. Balden (P70650)
Attorney for Respondent
Dated: 6/24/2017

Bureau of Professional Licensing
Approved by:


Kim Gaedeke, Director

07/06/2017
Date

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

CHRISTOPHER LEON BALDEN
Residential Builder Salesperson
License No. 21-05-203070

Complaint No. 21-16-330716

FORMAL COMPLAINT

Attorney General Bill Schuette, through Assistant Attorney General M. Catherine Waskiewicz, on behalf of Complainant Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, files this Formal Complaint against Respondent Christopher Leon Balden, alleging upon information and belief as follows:

1. The Board of Residential Builders and Maintenance and Alteration Contractors is an administrative agency established under Article 24 of the Occupational Code, MCL 339.101 *et seq.*
2. From June 18, 2012 until May 31, 2015, Respondent was licensed as a residential builder salesperson pursuant to the Code.
3. Section 601(1) of the Code prohibits a person from engaging in or attempting to engage in the practice of an occupation regulated under the Code without a license.

4. Mich Admin Code, R 792.10802(a) provides that the expiration, surrender, lapse, suspension, or revocation of a license does not terminate the Board's authority under Articles 5 and 6 of the Occupational Code, MCL 339.501 to MCL 339.606, to impose sanctions on a person whose license or registration has expired, lapsed, or been surrendered, suspended, or revoked for a period of 7 years after the license or registration status change occurs or a period of 3 years after all complaints against the license or registration filed with the Bureau of Professional Licensing have been closed, whichever occurs later.

5. Section 514 of the Code authorizes the Board to assess penalties against licensees under section 602 of the Code based on an administrative law hearings examiner's hearing report.

FACTUAL ALLEGATIONS

6. KBC Home Improvements LLC was licensed as a residential builder company from February 15, 2013 to May 31, 2016.

7. On or about September 17, 2015, Respondent signed a contract on behalf of KBC Home Improvements LLC with _____ to replace the roof on her home in East Grand Rapids, Michigan. At the time, Respondent's residential builder salesperson license was expired, and he did not have the statutory authority to enter into the contract.

COUNT I

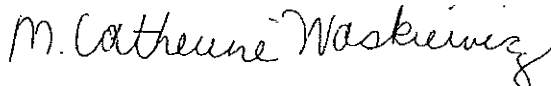
8. Respondent's conduct as described above constitutes engaging in or attempting to engage in the practice of an occupation without a license in violation of section 601(1) of the Code.

THEREFORE, Complainant Department of Licensing and Regulatory Affairs hereby commences proceedings pursuant to the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, the Occupational Code, MCL 339.101 *et seq.*, and the associated administrative rules to determine whether disciplinary action should be taken by the Department of Licensing and Regulatory Affairs, pursuant to the Occupational Code, for the reasons set forth herein.

Any written response shall be submitted to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan 48909, with a copy to the undersigned assistant attorney general.

Respectfully submitted,

BILL SCHUETTE
Attorney General



M. Catherine Waskiewicz (P73340)
Assistant Attorney General
Licensing & Regulation Division
525 W. Ottawa, 3rd Floor, Williams Bldg.
P.O. Box 30758
Lansing, Michigan 48909
(517) 373-1146

Dated: April 4, 2017