

**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**

**RONALD KEVIN BUDNIK  
License Number: 21-01-096273**

**File Number: 21-15-326403  
Docket Number: 16-003418**

**FINAL ORDER**

On December 23, 2015, a Formal Complaint (Complaint) was executed that charged Ronald Kevin Budnik (Respondent) with violating sections 604(d) and 2411(2)(a) of the Occupational Code, 1980 PA 299, as amended; MCL 339.101 et seq.

An administrative hearing was held in this matter before an administrative law judge who, on April 29, 2016, issued a Hearing Report setting forth Findings of Fact and Conclusions of Law.

The Michigan Board of Residential Builders and Maintenance and Alteration Contractors (Board), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held in Lansing, Michigan, on September 13, 2016, and received the administrative law judge's Findings of Fact and Conclusions of Law in the Hearing Report. Therefore,

IT IS ORDERED that for violating sections 604(d), and 2411(2)(a) of the Occupational Code, supra, Respondent's license to practice as a residential builder in the state of Michigan is REVOKED.

IT IS FURTHER ORDERED that reinstatement of a license which has been revoked is not automatic and, if Respondent applies for reinstatement of the license, application shall be in accordance with section 411(5) of the Occupational Code, supra.

IT IS FURTHER ORDERED that, in accordance with sections 411(3)(c), 602(c), and 604(k) of the Occupational Code, supra, no application for licensure, renewal, relicensure, or reinstatement shall be granted until all final orders of the Board have been satisfied in full.

IT IS FURTHER ORDERED that for the cited violations of the Occupational Code Respondent is FINED \$20,000.00 to be paid to the state of Michigan within 60 days from the effective date of this Order.

IT IS FURTHER ORDERED that the fine shall be mailed to the **Department of Licensing and Regulatory Affairs, Legal Affairs Division, Compliance Section, 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 **21-15-326403**.

IT IS FURTHER ORDERED that for the cited violations of the Occupational Code, Respondent shall pay RESTITUTION as ordered by the 90<sup>th</sup> Judicial District Court of Emmet County, Michigan, in case numbers 15-0198 and 15-0658 within 60 days from the effective date of this Order.

IT IS FURTHER ORDERED that Respondent shall submit evidence of the payment of the restitution for case numbers 15-0198 and 15-0658, within 60 days of the effective date of this Order, to the **Department of Licensing and Regulatory Affairs, Legal Affairs Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909.**

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, the Board may proceed to take disciplinary action pursuant to section 604(k) of the Occupational Code, supra.

This Final Order 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, 1976 PA 442, as amended; MCL 15.241(1)(a).

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Chairperson of the Board or authorized representative, as set forth below.

Dated: 10/21/2014

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

By:   
Kim Gaedeke, Director  
Bureau of Professional Licensing

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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

RONALD KEVIN BUDNIK  
License Number: 21-01-096273

File Number: 21-15-326403

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Complainant) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Ronald Kevin Budnik (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. "Good moral character" is defined at Section 1 of 1974 PA 381, as amended, MCL 338.41 et seq., as "the propensity of the person to serve the public in the licensed area in a fair, honest and open manner."

4. On May 8, 2014, Respondent entered into a contract with Michael and Julianne Imbleau (Homeowners) to perform various renovations to their home. A copy of the contract, marked Exhibit A, is attached and incorporated.

5. After October 10, 2014, Respondent stopped working at the Homeowners' home.

6. On November 6, 2014, Respondent informed the Homeowners that Respondent could no longer work on their home because of "lack of money" and told the Homeowners to hire another contractor.

7. On January 27, 2015, the Homeowners filed a Statement of Complaint with Complainant alleging abandonment of the contract and construction project.

8. On March 24, 2015, Complainant notified Respondent of the Homeowner's Statement of Complaint of alleged abandonment.

9. On April 22, 2015, in the 90<sup>th</sup> Judicial District Court, Emmet County, Michigan, in case number 15-0198, Respondent was convicted of Larceny By Conversion \$200.00 or More But Less Than \$1,000.00, a misdemeanor not punishable by imprisonment for a maximum term of two years. Respondent was sentenced to serve 365 days in jail (with credit for one day), placed on probation for 24 months with specified terms, and ordered to pay fines, costs, and restitution. The conviction was the result of Respondent's fraudulent use of monies received from various homeowners. A

copy of the criminal conviction documents, marked Exhibit B, is attached and incorporated.

10. On September 2, 2015, in the 90<sup>th</sup> Judicial District Court, Emmet County, Michigan, in case number 15-0658, Respondent was convicted of Check-Non-Sufficient Funds-\$100.00 or more But Less Than \$500.00, a misdemeanor not punishable by imprisonment for a maximum term of two years. Respondent was sentenced to serve 365 days in jail (with credit for one day), placed on probation for 24 months with specified terms, and ordered to pay fines, costs, and restitution. The conviction was based on Respondent's fraudulent use of monies received from the Homeowners Michael and Julianne Imbleau. A copy of the criminal conviction documents, marked Exhibit C, is attached and incorporated.

#### COUNT I

Respondent's convictions, as described above, evidence a lack of good moral character, in violation of section 604(d) of the Occupational Code, supra.

#### COUNT II

Respondent' conduct, as described above, evidences abandonment without legal excuse of a contract, construction project, or operation engaged in or undertaken by the licensee, in violation of section 2411(2)(a) 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 of the Occupational Code, supra, Respondent has 15 days from the date of receipt of this Complaint to notify Complainant of Respondent's 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 Respondent's 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 Respondent fails to submit written notification within 15 days, this matter shall proceed to an administrative hearing.

Dated: 12/23/2015

  
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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 Ronald Kevin Budnik, File Number 21-15-326403, before the Michigan Board Residential Builders and Maintenance and Alteration Contractors, consisting of four pages, this page included.

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