

**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

PHB CONSTRUCTION, LLC
License Number: 21-02-191270

File Number: 21-15-326247
Docket Number: 15-046178

AND

PAUL H. BILODEAU
License Number: 21-01-191268

File Number: 21-15-326248
Docket Number: 15-046181

FINAL ORDER

On June 17, 2015, a Formal Complaint (Complaint) was executed that charged PHB Construction, LLC and Paul H. Bilodeau (Respondents) with violating sections 604(c) and 2411(2)(l) 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 November 19, 2015, 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 June 14, 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 section(s) 604(c) and 2411(2)(l) of the Occupational Code, supra, Respondents are collectively FINED \$2,500.00 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 numbers **21-15-326247 and 21-15-326248**.

IT IS FURTHER ORDERED that for the cited violations of the Occupational Code, Respondents shall pay RESTITUTION satisfying the Judgment for case number D14C07256 SC, State of Michigan, 63rd Judicial District Court, within 60 days from the effective date of this Order.

IT IS FURTHER ORDERED that Respondents shall submit evidence of the satisfied judgment for case number D14C07256 SC, to verify payment of the restitution as required by 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 failure to pay the fine and restitution, as set forth above, shall result in **SUSPENSION** of Respondents' licenses to practice as builders in the state of Michigan.

IT IS FURTHER ORDERED that Respondent Paul H. Bilodeau may not serve as a Qualifying Officer of any licensed corporation or business entity while any Article 24 license held by Respondent Paul H. Bilodeau is in a suspended or revoked status.

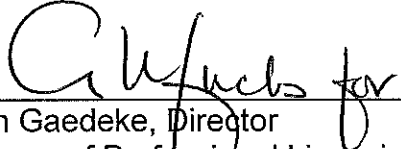
IT IS FURTHER ORDERED that in the event Respondents violate any provision of this Order, the Board may proceed to take disciplinary action pursuant to section 604(k) of the Occupational Code, supra.

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: 8/3/2016

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

By: 
Kim Gaedeke, Director
Bureau of Professional Licensing

This is the final page of a Final Order in the matter of PHB Construction, LLC and Paul H. Bilodeau, Complaint Numbers 21-15-326247 and 21-15-326248, Docket Numbers 15-046178 and 15-046181, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of three pages, this page included.

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS,
CORPORATIONS, SECURITIES &
COMMERCIAL LICENSING BUREAU

Complaint Nos. 326247 and 326248

Complainant,

v

PHB CONSTRUCTION LLC
PAUL H. BILODEAU, QUALIFYING OFFICER
License No. 21-02-191270

Respondent.

and

PAUL H. BILODEAU
License No. 21-01-191268

Respondent.

FORMAL COMPLAINT

NOW COMES the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Complainant, pursuant to MCL 339.101-605, and its rules promulgated thereunder, upon information and belief alleges as follows:

1. PHB Construction LLC, Paul H. Bilodeau, Qualifying Officer, (Respondent), at times relevant to this Complaint, was licensed as a residential builder under the Occupational Code, 1980 PA 299, as amended, Article 24; MCL 339.2401-2412. A certification of license status is attached hereto as Exhibit 1.

2. Paul H. Bilodeau (Respondent), has, at all times relevant to this Complaint, been licensed as a residential builder under the Occupational Code, 1980 PA 299, as amended, Article 24; MCL 339.2401-2412.

3. A Complaint against Respondents, conforming to the requirements of § 2411 of 1980 PA 299, as amended; MCL 339.2411 has been filed with the Department of Licensing and Regulatory Affairs by Nancy C. Ziuraitis and is attached hereto as Exhibit 2.

4. On February 5, 2015, a judgment was entered against Respondents in the Sixty Third District Court, Grand Rapids, Michigan. A copy of the judgment is attached hereto as Exhibit 3.

5. Respondents have failed to satisfy the judgment referred to in paragraph four above, contrary to MCL 339.2411(2)(1).

6. Respondents failed to respond to the Complaint attached as Exhibit 2 in a timely manner, contrary to 2006 AACS, R 338.1551(2).

7. Respondents have violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

8. Respondent Paul H. Bilodeau was a party to the acts and omissions alleged hereinabove and was in a position to ensure compliance with the Occupational Code or otherwise prevent the violations that are the subject of this complaint but failed to do so.

Based upon the conduct as aforesaid, Respondents have acted contrary to §§ 604(c) and 2411(2)(1) of the Occupational Code, 1980 PA 299, as amended; MCL 339.604(c) and MCL 339.2411(2)(1) and rule 51(2) of the Residential Builders and Maintenance and Alteration Contractors Board Rules, promulgated thereunder, being 2006 AACS, R 338.1551(2), constituting grounds for the assessment of a penalty as defined in § 602 of the Occupational Code.

WHEREFORE, Complainant, Department of Licensing and Regulatory Affairs, hereby commences proceedings pursuant to the Administrative Procedures Act of 1969, PA 306, as amended, MCL 24.201-328 and the Occupational Code, *supra*, 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.

DEPARTMENT OF LICENSING AND REGULATORY
AFFAIRS

BY


Barrington Carr, Director
Enforcement Division

Dated: _____

6-17-15

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division
P.O. Box 30018
Lansing, MI 48909