

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS

In the matter of

License #: AS630081335
SIR #: 2018A0993045

Carter Country Homes Inc.
Angela Cockerham

ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Jay Calewarts, Division Director, Adult Foster Care and Camps Licensing Division, Bureau of Community and Health Systems, orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Carter Country Homes Inc., to operate an adult foster care small group home pursuant to the authority of the Adult Foster Care Facility Licensing Act, 1979 PA 218, as amended, MCL 400.701 et seq., for the following reasons:

1. On or about May 27, 1999, Licensee was issued a license to operate an adult foster care small group home with a licensed capacity of 6 at 1288 Essay Lane, Holly, MI 48442.
2. Prior to the issuance of the license, and during subsequent modifications of the statutes and rules, Licensee received copies of the Adult Foster Care Facility Licensing Act and the licensing rule book for

adult foster care small group homes. The Act and rule book are posted and available for download at www.michigan.gov/lara.

3. On August 3, 2018 Licensing Consultant DaShawnda Lindsey received complaint allegations that Licensee Designee Angela Cockerham's adult son resides at Carters White House (hereafter referred to as "the facility") and that Angela Cockerham's husband, Russell Cockerham, is selling drugs out of the facility. Drugs were found in Angela Cockerham's bedroom of the facility as well as five firearms. Angela Cockerham's husband was arrested due to the drugs found at the facility.
4. On August 3, 2018 Ms. Lindsey interviewed Adult Protective Services (APS) specialist Marcie Fincher who confirmed that she is investigating the allegations on behalf of APS. Ms. Fincher stated that she conducted an unannounced onsite inspection of the facility on August 2, 2018 and interviewed Angela Cockerham who confirmed that her adult children Adam Carter and Whitney Carter live at the facility. Angela Cockerham failed to report this change in household information to the department within five days after the change occurs, as required.
5. On August 3, 2018 Ms. Lindsey interviewed Sergeant Jennings of the Oakland County Sheriff's Office (OCSO) who stated that Adam Carter and Russell Cockerham were sleeping in bedrooms in the facility on August 2, 2018 when the OCSO executed the search warrant. Sergeant Jennings stated that Adam Carter and Russell Cockerham live in the facility and that their belongings were observed in their bedrooms. Sergeant Jennings stated

that OCSO deputies seized five guns and drugs from Angela Cockerham and Russell Cockerham's bedroom. OCSO deputies also observed guns in Adam Carter's bedroom.

6. On August 3, 2018 Ms. Lindsey interviewed Sergeant Niedjelski of the OCSO who stated that Adam Carter and Russell Cockerham were sleeping in bedrooms in the facility on August 2, 2018 when the OCSO executed the search warrant. Sergeant Niedjelski stated that Adam Carter and Russell Cockerham live in the facility and that their belongings were observed in their bedrooms. Sergeant Niedjelski stated that during the August 2, 2018 raid of the facility OCSO deputies seized five guns and drugs from Angela Cockerham and Russell Cockerham's bedroom and that deputies observed more than three guns in Adam Carter's bedroom. Sergeant Niedjelski stated that a facility resident informed him that Russell Cockerham sold drugs from the facility throughout the night and another resident stated that Russell Cockerham smokes marijuana. Sergeant Niedjelski stated that Russell Cockerham was arrested for the sale of illegal drugs in the facility and that a warrant was issued for Angela Cockerham's arrest for the possession of cocaine.
7. On August 3, 2018 Ms. Lindsey interviewed Angela Cockerham who confirmed that the OCSO executed a search warrant of the facility on August 2, 2018 and deputies seized marijuana and cocaine from Russell Cockerham's bag that was in her bedroom. Angela Cockerham also stated that OCSO deputies seized five firearms and that the deputies arrested

Russell Cockerham. Angela Cockerham confirmed that her adult children Adam Carter and Whitney Carter live in the facility and that she failed to submit the necessary background check documentation for all household members. Angela Cockerham stated that if Russell Cockerham stays overnight at the facility he and Angela Cockerham stay in the bedroom.

8. On August 6, 2018 Ms. Lindsey conducted an unannounced onsite investigation of the facility and interviewed Resident A, Resident B, Resident D, Whitney Carter and staff member Brittney Herbert. Resident A stated that Adam Carter stays overnight at the facility daily and that Russell Cockerham visits the facility on weekends and sometimes stays overnight. Resident B stated that she lives with Angela Cockerham, Whitney Carter, Whitney Carter's boyfriend JT, Adam Carter and staff member Brittney Herbert. Resident D stated that Angela Cockerham, Adam Carter and Whitney Carter live in the facility. Whitney Carter stated that she lives in the facility with the residents, Angela Cockerham and Adam Carter. Brittney Herbert stated that stated that the residents, Angela Cockerham and Whitney Carter live in the facility. Ms. Herbert initially denied that she stays overnight at the facility but later confirmed that she sometimes stays overnight and that Russell Cockerham had stayed overnight when the OCSO raided the facility on August 2, 2018.
9. During her August 6, 2018 onsite investigation of the facility Ms. Lindsey observed that there was not a railing on the deck in the back of the facility.

10. On August 8, 2018 Ms. Lindsey interviewed Resident D's aunt who stated that Russell Cockerham, Angela Cockerham, both of Angela Cockerham's children and their boyfriend and girlfriend and the residents live at the facility.
11. On August 8, 2018 Ms. Lindsey interviewed Sergeant Niedjelski who stated that Angela Cockerham turned herself in on this date and was released on bond. Sergeant Niedjelski stated that court dates for Angela Cockerham and Russell Cockerham were pending.
12. On August 9, 2018 Ms. Lindsey received Case Summary No. 2018NET0293 from Deputy Vincent Lynch of the OCSO Conspiracy & Complex Crimes Investigative & Forensic Services Division. The Case Summary stated that beginning in January of 2018 deputies assigned to the Oakland County Sheriff's Office Narcotics Enforcement Team received complaints of the sale of cocaine by Russell Cockerham from a residence located at 1288 Essay Ln., Holly, MI 48442. OCSO deputies made controlled purchases of cocaine from Russell Cockerham from inside of the facility. On August 2, 2018 OCSO deputies executed a search warrant of the facility in the early morning hours, entered the facility through an unlocked front door and located and secured five adult foster care residents. OCSO deputies located and secured Russell Cockerham and Angela Cockerham in the 2nd floor unlocked bedroom. A loaded unsecured firearm was recovered from the nightstand closest to Russell Cockerham, a previously convicted felon. During this search warrant the facility residents approached OCSO deputies on the scene and informed them that Russell Cockerham frequently smokes marijuana in the facility and

they reported having trouble sleeping because of all the drug sales that occur at the facility throughout the night. During the search of the facility OCSO deputies found and seized cocaine, scales, packaging materials consistent with drug trafficking, approximately five pounds of marijuana packaged for sale and multiple firearms accessible to any occupants of the facility. OCSO arrested and charged Russell Cockerham with multiple felony drug delivery charges and weapons charges and Angela Cockerham was charged with felony possession of cocaine. Deputy Lynch concluded the Case Summary by stating "The AFC residents did not appear to show any obvious signs of physical abuse or neglect but I remained concerned for their health and well-being because of the illegal drugs and firearms inside the home. I am also concerned, based upon my experience, of the ever-present potential for violence which always exists in the illegal narcotics trade which may subject the residents to significant danger."

COUNT I

The conduct of Licensee, as set forth in paragraphs 3 through 12 above, evidences a willful and substantial violation of:

R 400.14305

Resident protection.

(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.

COUNT II

The conduct of Licensee, as set forth in paragraphs 3 through 12 above, evidences a willful and substantial violation of:

R 400.14201

Qualifications of administrator, direct care staff, licensee, and members of the household; provision of names of employee, volunteer, or member of the household on parole or probation or convicted of felony; food service staff.

(9) A licensee and the administrator shall possess all of the following qualifications:

(a) Be suitable to meet the physical, emotional, social, and intellectual needs of each resident.

COUNT III

The conduct of Licensee, as set forth in paragraphs 3 through 8, 10 & 12 above, evidences a willful and substantial violation of:

R 400.14103

Licenses; required information; fee; effect of failure to cooperate with inspection or investigation; posting of license; reporting of changes in information.

(5) An applicant or licensee shall give written notice to the department of any changes in information that was previously submitted in or with an application for a license, including any changes in the household and in personnel-related information, within 5 business days after the change occurs.

COUNT IV

The conduct of Licensee, as set forth in paragraph 9 above, evidences a willful and substantial violation of:

R 400.14403 Maintenance of premises.

(8) Stairways shall have sturdy and securely fastened handrails. The handrails shall be not less than 30, nor more than 34, inches above the upper surface of the tread. All exterior and interior stairways and ramps shall have handrails on the open sides. All porches and decks that are 8 inches or more above grade shall also have handrails on the open sides.

[**Note:** This licensing rule violation is a repeat violation, cited in Special Investigation Report (SIR) #2017A0991043 completed on or about December 8, 2017, and therefore demonstrates a willful and substantial violation.]

DUE TO THE serious nature of the above violations and the potential risk they represent to vulnerable adults in Licensee's care, emergency action is required.

Therefore the provision of MCL 24.292 of the Administrative Procedures Act of 1969, as amended, is invoked. Licensee is hereby notified that the license to operate an adult foster care small group home is summarily suspended.

EFFECTIVE 6:00 PM, on August 17, 2018, Licensee is ordered not to operate an adult foster care small group home at 1288 Essay Lane, Holly, MI 48442 or at any other location or address. Licensee is not to receive adults for care after that time or date. Licensee is responsible for informing case managers or guardians of adults in care that the license has been suspended and that Licensee can no longer provide care.

HOWEVER, BECAUSE THE Department has summarily suspended the license, an administrative hearing will be promptly scheduled before an administrative law judge. Licensee MUST NOTIFY the Department and the Michigan Administrative Hearings System (MAHS) in writing within seven calendar days after receipt of this Notice if Licensee wishes to appeal the summary suspension and attend the administrative hearing. The written request must be submitted via MAIL or FAX to:

Michigan Administrative Hearings System
611 West Ottawa Street, 2nd Floor
P.O. Box 30695
Lansing, Michigan 48909
Phone: 517-335-2484
FAX: 517-335-6088

MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the hearing even if Licensee does not appear. Licensee may be represented by an attorney at the hearing at his or her own expense.

DATED: 8-17-18



Jay Calewarts, Division Director
Adult Foster Care and Camps Licensing Division
Bureau of Community and Health Systems

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Carter Country Homes Inc., AS630081335, consisting of 9 pages, this page included.

JNH

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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS**

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Carter Country Homes Inc.

_____ /

PROOF OF SERVICE

The undersigned certifies that a copy of the *Order of Summary Suspension and Notice of Intent* was personally served upon the person below on ___/___/___ at ___:___ a.m. or p.m.

Carter Country Homes Inc.

Served by:

Adult Foster Care Licensing Consultant
Adult Foster Care and Camps Licensing Division
Bureau of Community and Health Systems