



RICK SNYDER  
GOVERNOR

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

MIKE ZIMMER  
DIRECTOR

October 14, 2015

La'Ton Allaway  
4125 Holyoke  
Grand Rapids, MI 49508

Re: DF410352659  
Docket No. 15-030219-DHS

Dear Ms. Allaway:

On or about September 16, 2015 you were certified mailed a copy of the Final Decision and Order upholding the Department of Licensing and Regulatory Affairs' intention to revoke your license to operate a family child care home. In accordance with that Final Decision and Order, your license is revoked and is now no longer in effect as of September 23, 2015. It is further understood that you will not receive children for care now, or in the future, without being legally licensed to do so.

Sincerely,

A handwritten signature in cursive script that reads "Mark Jansen".

Mark Jansen, Director  
Child Care Licensing Division  
Bureau of Community and Health Systems

MJ: sb  
cc: Scott Bettys, Area Manager

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

IN THE MATTER OF:

MAHS No.: 15-030219-DHS

La'Ton Allaway,

Agency No.: DF 410352659

Petitioner

Agency: Department of  
Human Services

v

Bureau of Children and Adult Licensing,

Case Type: DHS BCAL

Respondent

Filing Type: Revocation

RECEIVED

SEP 16 2015

BCHS

ORDER VACATING AUGUST 17, 2015 FINAL DECISION AND ORDER  
ISSUED BY DHHS DIRECTOR  
AND  
FINAL DECISION AND ORDER ISSUED BY LARA DIRECTOR

This matter began on February 12, 2015, with Respondent's Notice of Intent to Revoke Petitioner's, La'Ton Allaway's, Certificate of Registration to operate a family child care home pursuant to the Child Care Organization Act, 1973 PA 116, as amended, MCL 722.111 *et seq.* A properly noticed hearing was held by Administrative Law Judge (ALJ) Lauren G. Van Steel on June 22, 2015. Departmental Analyst Joshua Hargrove appeared on behalf of Respondent; however, neither Petitioner nor an attorney appeared on her behalf.

Upon Petitioner's failure to appear and at the request of Respondent, the ALJ entered a Default Judgment against Petitioner pursuant to Sections 72(1) and 78(2) of the Administrative Procedures Act (APA) of 1969, as amended, MCL 24.201 *et seq.* The notice of intent being incorporated into the hearing as a part of Respondent's pleadings and as a result of Petitioner's failure to appear at the hearing to contest the facts placed on the record as presented in the notice of intent, the ALJ found the facts as alleged by Respondent to be true and accurate. Therefore, the ALJ properly concluded that Petitioner violated the rules as alleged by Respondent.

Effective April 13, 2015, all authority, powers, duties, functions, and responsibilities of the Office of Child and Adult Licensing, created in Section VII of Executive Order 2003-14, were transferred from the Department of Human Services (DHHS) to the Department of Licensing and Regulatory Affairs (LARA), including but not limited to all of the following:

- Any authority, powers, duties, functions, and responsibilities of adult foster care, adult foster care facility, adult foster care camp, adult camp, adult foster care family home, adult foster care group home licensing and regulation under the Adult Foster Care Licensing Act, 1979 PA 218, MCL 400.701 to 400.737, the Social Welfare Act, 1939 PA 280, MCL 400.1 to 400.122, and 1974 PA 381, MCL 338.41 to 338.47.
- Any authority, powers, duties, functions, and responsibilities of children's camp, child care center, day care center, family day care home, and group day care home licensing and regulation under 1973 PA 116, MCL 722.111 to 722.128, the Adult Foster Care Licensing Act, 1979 PA 218, MCL 400.701 to 400.737, and the Social Welfare Act, 1939 PA 280, MCL 400.1 to 400.122.
- Any authority, powers, duties, functions, and responsibilities of licensing and regulation of homes for the aged under Article 17 of the Public Health Code 1978 PA 368, MCL 333.20101 to 333.22260, and the Social Welfare Act, 1939 PA 280, MCL 400.1 to 400.122.

**(Executive Order 2015-4)**

On June 23, 2015, the ALJ issued and entered a Proposal for Decision (PFD) concluding that Petitioner willfully and substantially violated Rule 400.1902 (3); Rule 400.1903 (1)(h); Rule 400.1903 (4)(b); and Rule 400.1902 (2). No exceptions were filed. After the exception period expired, the PFD and certified case file were sent to DHHS Director Nick Lyon, inadvertently.

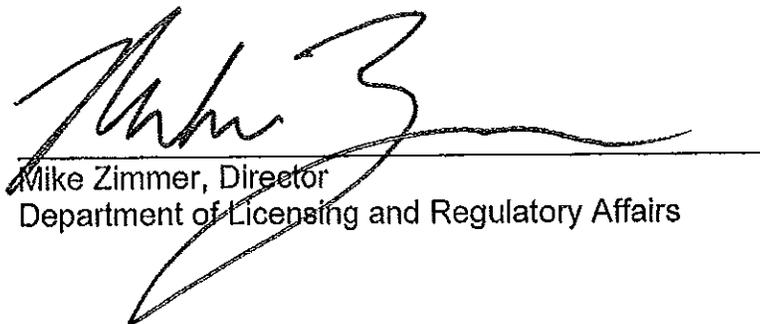
After receiving the PFD, a Final Decision & Order was issued and entered by DHHS Director Nick Lyon on August 17, 2015. In accordance with Executive Order 2015-4, which went into effect April 13, 2015, the Final Decision and Order regarding the intent to revoke Petitioner's license to operate a family child care home pursuant to the Child Care Organization Act, 1973 PA 116, as amended, MCL 722.111 *et seq.*, must be issued by the LARA Director. Therefore, the Final Decision and Order issued by the DHHS Director is hereby VACATED.

After having reviewed the PFD and entire hearing record on this matter, I concur with the ALJ's findings of fact and conclusions of law.

ORDER

**NOW THEREFORE, IT IS ORDERED:**

1. That the Final Decision and Order issued and entered by DHHS Director Nick Lyon on August 17, 2015, is hereby VACATED pursuant to Executive Order 2015-4.
2. That the ALJ's PFD is adopted in its entirety and is incorporated by reference and made a part of this Final Decision and Order (see attached PFD).
3. That the actions of the Bureau of Children and Adult Licensing in this matter are AFFIRMED.
4. That Petitioner's certificate of registration is REVOKED, effective on the date this Final Decision and Order is issued and entered.



Mike Zimmer, Director  
Department of Licensing and Regulatory Affairs

**PROOF OF SERVICE**

I hereby state, to the best of my knowledge, information and belief, that a copy of the foregoing document was served upon all parties and/or attorneys of record in this matter by first class mail at their respective addresses as disclosed below or electronic delivery as specified this 16<sup>th</sup> day of September, 2015.

  
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Sally A. Wilson, Legal Secretary  
Michigan Administrative Hearing System

**Via First Class Mail**

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**Via Electronic Delivery**

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