

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

TWIN EAGLES CONSTRUCTION, INC.
License No. 21-02-193856

File No. 21-16-329894

and

DJERDJ CACEVIC
License No. 21-01-193179,

File No. 21-16-327624

Respondents.

CONSENT ORDER

On August 11, 2016, the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing executed a Formal Complaint charging Respondents with violating the Occupational Code, MCL 339.101 *et seq.*

Respondents neither admit nor deny the facts alleged in the Complaint but agree that, for purposes of this Order, the allegations shall be accepted as true and constitute violation(s) of MCL 339.604(c), MCL 339.2411(2)(e), and MCL 339.604(l). The Michigan Board of Residential Builders and Maintenance and Alteration Contractors has reviewed this Consent Order and Stipulation and agrees that the public interest is best served by resolution of the outstanding Complaint.

Therefore, IT IS FOUND that the facts alleged in the Complaint constitute violation(s) of MCL 339.604(c), MCL 339.2411(2)(e), and MCL 339.604(l).

IT IS ORDERED that for the cited violation(s) of the Occupational Code, Respondents are FINED \$1,500.00 to be paid to the State of Michigan within 60 days of the effective date of this Order.

IT IS FURTHER ORDERED that the fine shall be mailed to the **Department of Licensing and Regulatory Affairs, Enforcement Division, 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 **21-16-329894** and **21-16-327624**.

IT IS FURTHER ORDERED that failure to comply with the terms of this Order shall result in a SUSPENSION of all licenses or registrations held by Respondents under Article 24 of the Occupational Code and in the denial of any license or registration renewal until compliance with this Order.

IT IS FURTHER ORDERED that this Order shall be effective 30 days from the date signed by the Board, as set forth below.

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

By: 
Chairperson

Dated: 12/12/12

STIPULATION

1. Respondents neither admit nor deny violations alleged in the Complaint but agree that the allegations shall be accepted as true for purposes of this Order.

2. The facts alleged in the Complaint constitute violation(s) of MCL 339.604(c), MCL 339.2411(2)(e), and MCL 339.604(l).

3. Respondents understand and intend that by signing this Stipulation Respondents are waiving the right, pursuant to the Occupational Code, the rules promulgated thereunder, and the Administrative Procedures Act, 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 Respondents are waiving the right to appear with an attorney and such witnesses as Respondents may desire to present a defense to the charges.

4. This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 24.231 *et seq.*

5. Factors taken into consideration in the formulation of this Order are as follows:


Respondents believed that permits had already been pulled for the project as another contractor was already on site performing renovations to the homeowner's basement.

According to Bureau records, Respondents have been licensed since 2009 and 2008, respectively, and have no other disciplinary action against their licenses.

6. This Order is approved as to form and substance by Respondents and the Department and may be entered as the final order of the Board in this matter.

7. This proposal is conditioned upon acceptance by the Board. Respondents and the Department expressly reserve the right to further proceedings should this Order be rejected.

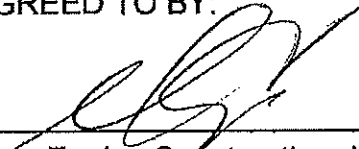
AGREED TO BY:



Kim Gaedeke, Director
Bureau of Professional Licensing
Department of Licensing and
Regulatory Affairs

Dated: 08/25/2017

AGREED TO BY:



Twin Eagles Construction, Inc. and
Djerdj Cacevic
Respondents

Dated: 8-22-17

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

TWIN EAGLES CONSTRUCTION INC.
License Number: 21-02-193856

and

DJERDJ CACEVIC, QUALIFYING OFFICER
License Number: 21-01-193179

File Numbers: 21-16-329894
21-15-327624

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Complainant) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Twin Eagles Construction Inc. and Djerdj Cacevic (Respondents) 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. Respondents are licensed as residential builders in the state of Michigan.

3. On August 28, 2014, Tom Anger, an unlicensed individual, acting on behalf of Respondents, entered into a contract with Anna (Homeowner) to excavate and waterproof Homeowner's basement. Homeowner agreed to put a \$4,000.00 deposit toward a total work estimate of \$11,000.00. A copy of the work estimate, marked Exhibit A, is attached and incorporated.

4. On March 23, 2015, a building inspector verified that no building permit was obtained by Respondents for work related to basement waterproofing, in violation of R 108.1 of the Michigan Residential Code (adopted pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, effective March 9, 2011). A copy of the building inspection report, marked Exhibit B, is attached and incorporated.

COUNT I

Respondents' conduct, as described above, evidences acceptance or performance of a contract procured by a person not licensed under the Occupational Code, contrary to Mich Admin Code, R 338.1536, in violation of section 604(c) of the Occupational Code, supra.

COUNT II

Respondents' conduct, as described above, evidences a failure to maintain standards of construction in compliance with the local building code, contrary to Mich Admin Code, R 338.1551(5), in violation of section 604(c) of the Occupational Code, supra.

COUNT III

Respondents' conduct, as described above, evidences a willful violation of the building laws of this state or of a political subdivision of this state, in violation of section 2411(2)(e) of the Occupational Code, supra.

COUNT IV

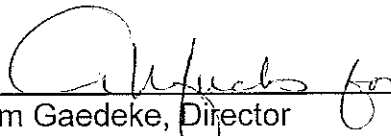
Respondents' conduct, as described above, evidences aiding and abetting another person in the unlicensed practice of an occupation, in violation of section 604(l) of the Occupational Code, supra.

Complainant requests that this Complaint be served upon Respondents and that Respondents be offered an opportunity to show compliance with all lawful requirements for retention of the license(s). 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(2) of the Occupational Code, supra, Respondents have 15 days from the date of receipt of this Complaint to notify Complainant of Respondents' 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 Respondents' 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 Respondents fail to submit written notification within 15 days, this matter shall proceed to an administrative hearing.

DATED: 8/11/2016



Kim Gaedeke, Director
Bureau of Professional Licensing

Attachments

This is the final page of a Formal Complaint in the matter of Twin Eagles Construction Inc. and Djerdj Cacevic, File Numbers 21-16-329894 and 21-15-327624, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of four pages, this page included.

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