

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF RESIDENTIAL BUILDERS AND MAINTENANCE
& ALTERATION CONTRACTORS

In the Matter of

EQUITY BUILDING AND RESTORATION LLC, Complaint No. 21-17-333584
License No. 21-02-201348

and

CHRISTOPHER JOHN CAMPBELL,
License No. 21-01-197416

Complaint No. 21-17-333585

CONSENT ORDER AND STIPULATION

CONSENT ORDER

Formal complaints were filed on January 2, 2018 charging Equity Building and Restoration LLC and Christopher John Campbell (Respondents) with having violated sections 601(1), 602, 604(c), 604(h), 2403 and 2411(2)(e) of the Occupational Code, 1980 PA 299, as amended, MCL 339.101 *et seq.* and R 317.1.4 and R 502.11.02 of the 2015 Michigan Residential Code.

The parties have stipulated that the Board may enter this consent order and that the facts alleged in the Formal Complaints are true and constitute violations of sections 601(1), 602, 604(c), 604(h), 2403 and 2411(2)(e) of the Occupational Code and R 317.1.4 and R 502.11.02 of the 2015 Michigan Residential Code. The Board has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaints.

Accordingly, for these violations, IT IS ORDERED:

Respondents, jointly and severally, are FINED Two Thousand Two Hundred and Fifty 00/100 Dollars (\$2,250.00) to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint numbers 21-17-333584 and 21-17-333585 clearly indicated on the check or money order), and shall be payable within ninety (90) days of the entry of this order. The timely payment of the fine shall be Respondents' responsibility. Respondents shall mail the fine to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, Michigan 48909.

Respondents shall direct any communications to the Department that are required by the terms of this order to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement Division – Compliance Section, P.O. Box 30670, Lansing, Michigan 48909.

Respondents shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

Respondents shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.

If Respondents violates any term or condition set forth in this order, Respondents will be in violation of section 604(k) of the Occupational Code.

This order shall be effective thirty days from the date signed by the Chairperson or the Chairperson's designee, as set forth below.

Signed on 6-12-18

MICHIGAN BOARD OF RESIDENTIAL
BUILDERS AND MAINTENANCE &
ALTERATION CONTRACTORS

By _____
Chairperson,

STIPULATION

The parties stipulate as follows:

1. Respondents do not contest the allegations of fact and law in the complaints. Respondents understand that, by pleading no contest, they does not admit the truth of the allegations but agrees that the Board may treat the allegations as true for resolution of the complaints and may enter an order treating the allegations as true.
2. The Director of the Bureau of Professional Licensing, or her designee, must approve this consent order and stipulation before it is submitted to the Board for final approval.
3. Respondents understand and intend that, by signing this stipulation, they are waiving the right under the Occupational Code, rules promulgated under the Occupational Code, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended, 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 to present a defense to the charges. Should the Board reject the proposed consent order, the parties reserve the right to proceed to hearing.

4. This matter 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.

5. The Board may enter the above Consent Order, supported by Board conferee John Kelly. Mr. Kelly or an attorney from the Licensing and Regulation Division may discuss this matter with the Board in order to recommend acceptance of this resolution.

6. Mr. Kelly and the parties considered the following factors in reaching this agreement:

A. The lapse in Respondent Campbell's license was the result of a calendaring mistake on his part, which he remedied as soon as he realized he had made it. Respondent Equity was licensed at all times.

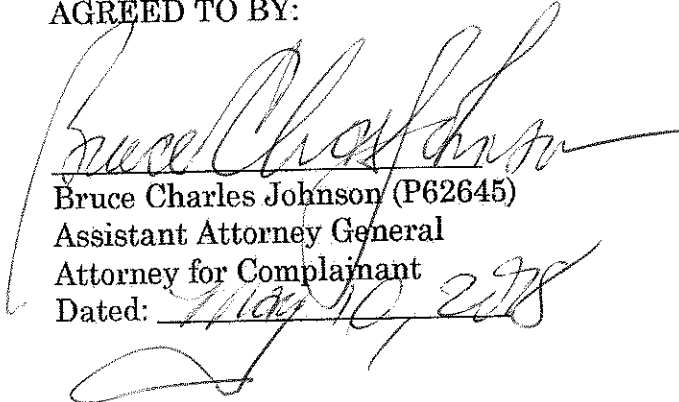
B. Respondents made an effort to return the property to correct the building code violations, but the homeowners would not allow them to do so.

C. Respondent Campbell accepted full responsibility for the violations, regret for them, and a determination to avoid repetition of them in the future. Respondents were fully cooperative in resolving this case.


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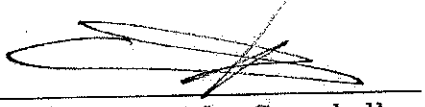
By signing this stipulation, the parties confirm that they have read, understand and agree with the terms of the consent order.

AGREED TO BY:


Bruce Charles Johnson (P62645)
Assistant Attorney General
Attorney for Complainant
Dated: May 10, 2018

AGREED TO BY:


Christopher John Campbell for
Equity Building and Restoration LLC
Respondent
Dated: 5/8/2018


Christopher John Campbell
Respondent
Dated: 5/8/2018

Bureau of Professional Licensing
Approved by:


Cheryl Wykoff Pezon, Acting Director

5/15/18
Date

LF: 2017-0203686-B/Equity Building and Restoration LLC, 333584/Consent - Order and Stipulation - 2018-04-20

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF RESIDENTIAL BUILDERS AND MAINTENANCE
& ALTERATION CONTRACTORS

In the Matter of

EQUITY BUILDING AND RESTORATION LLC,
Residential Builder
License No. 21-02-201348

Complaint No. 21-17-333584

FORMAL COMPLAINT

Attorney General Bill Schuette, through Assistant Attorney General Bruce Charles Johnson, on behalf of Complainant Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, files this Formal Complaint against Respondent Equity Building and Restoration LLC, alleging upon information and belief as follows:

1. The Board of Residential Builders and Maintenance & Alteration Contractors is an administrative agency established under Article 24 of the Occupational Code, MCL 339.101 *et seq.*
2. Respondent is currently licensed as a residential builder pursuant to the Code. Respondent's Qualifying Officer is Christopher John Campbell.
3. A Complaint against Respondent conforming to the requirements of § 501 of 1980 PA 299, as amended, was filed with Complainant on August 17, 2017.

4. Section 602 of the Occupational Code sets out penalties applicable to licensee for violating the Occupational Code or of a rule or order promulgated or issued under the Occupational Code.

5. Section 604(c) of the Occupational Code requires the Board to penalize a licensee for a violation of a rule of conduct of an occupation.

6. Section 2411(2)(e) of the Occupational Code requires the Board to penalize a licensee for a willful violation of the building laws of this state or of a political subdivision of this state.

7. Section 604(h) of the Occupational Code requires the Board to penalize a licensee for violation of a provision of the Occupational Code or of a rule promulgated under the Occupational Code for which a penalty is not otherwise prescribed.

8. Section 514 of the Code authorizes the Board to assess penalties against licensees based on an administrative law hearings examiner's hearing report.

FACTUAL ALLEGATIONS

9. On September 10, 2016, Respondent entered a contract with Bill and Susan to perform construction work on their residence located at 1725 Banmoor Drive in Troy, Michigan. A copy of the contract is attached to this Formal Complaint as Exhibit 1.

10. On November 16, 2017, City of Troy Building Inspector Dana V. Seif issued a building inspection report, based on the inspection which he performed on

August 16, 2017, finding that Respondent had violated 2015 Michigan Residential Code, R 317.1.4 in its work on the property by installing untreated wood beams in the residence's crawl space, and had violated 2015 Michigan Residential Code, R 502.11.2, by installing trusses that were not braced. Copies of these Michigan Residential Code provisions are attached to this Formal Complaint as Exhibits 2 and 3, respectively.

COUNT I

11. Respondent's conduct as described above constitutes violation of the building laws of the state, in violation of R 317.1.4 and R 502.11.2 of the 2015 Michigan Residential Code and sections 604(c) and 2411(2)(e) of the Occupational Code.

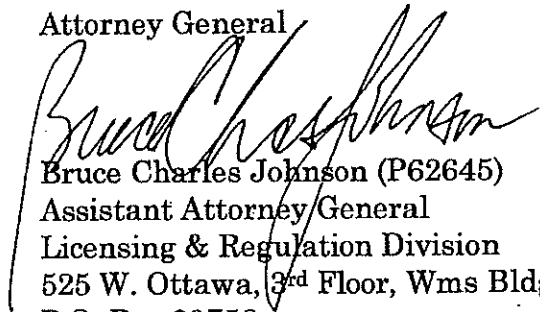
WHEREFORE, Complainant, Department of Licensing and Regulatory Affairs, hereby commences proceedings pursuant to the Administrative Procedures Act of 1969, PA 306, as amended, MCL 24.201-328 and the Occupational Code, *supra*, to determine whether disciplinary action should be taken by the Department of Licensing and Regulatory Affairs, pursuant to the Occupational Code, for the reasons set forth herein.

Any written response shall be submitted to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670,

Lansing, Michigan, 48909, with a copy to the undersigned assistant attorney general.

Respectfully submitted,

BILL SCHUETTE
Attorney General

A handwritten signature in black ink, appearing to read "Bruce Charles Johnson", is written over the typed name and title of the Assistant Attorney General.

Bruce Charles Johnson (P62645)
Assistant Attorney General
Licensing & Regulation Division
525 W. Ottawa, 3rd Floor, Wms Bldg.
P.O. Box 30758
Lansing, Michigan 48909
(517) 373-1146

Dated: January 2, 2018

LF: 2017-0203686-B/Equity Building and Restoration LLC, 333584/Complaint – Formal – 2017-12-21