

BUREAU OF COMMERCIAL SERVICES ANNUAL REPORT FOR FISCAL YEAR 2012

This annual report of the Bureau of Commercial Services for the period beginning October 1, 2011 and ending September 30, 2012 is submitted in accordance with Section 212 of the Michigan Occupational Code, PA 299 of 1980, being MCL 339.101 et seq., and on behalf of each of the statutory boards in accordance with Section 306(3) of the Code, supra.

The Bureau of Commercial Services mission is to encourage business growth in Michigan protecting the health, safety, and economic interests of Michigan citizens. The Bureau oversees two major programs: the licensing and regulation of occupations and the registration of business entities including corporations, limited liability corporations, limited liability partnerships, and partnerships. Overall, the Bureau provides services allowing for the economic mobility of individuals, and the formation of business organizations within the state, while protecting the Michigan consumer.

The Bureau of Commercial Services is organized by five major areas of responsibility: Bureau Administration & Administrative Services, Corporation Division, Enforcement Division, Licensing Division, and Compliance, & Cemetery Services Division. Bureau Administration & Administrative Services include: Overall Bureau policy direction; Informational Sales Program; Testing, Education, and Information Management Services; the Homeowner Construction Lien Recovery Fund; and other Bureau-level services or functions, including the Audit Section that conducts financial and other regulatory audits. The Corporation Division is divided into two sections: Document Review and Business Services. The Enforcement Division is divided into four functional units: Technical, Investigative Services, Ski Area & Amusement Safety Unit, and Division Director. The Licensing Division is organized into four units that administer applications and regulatory requirements for 31 occupations or professions and their various license types. The Compliance & Cemetery Division is responsible for drafting formal complaints, conduct of compliance and settlement conferences, coordination of legal representation at administrative hearings, represent the Bureau at select administrative hearings, final order compliance monitoring, and the review and response to Freedom of Information Act (FOIA) requests submitted to the bureau for records. The Division Director also serves as the State Cemetery Commissioner, who coordinates the administration of cemetery regulation within the State. The following chart provides a pictorial representation of the Bureau's offices. In the pages that follow, the role of each division is discussed relative to the two major programs administered by the Bureau of Commercial Services. A breakdown of appropriations follows; it should be emphasized that user fees fund both parts of the Bureau, or revenue generated by the Bureau's role as a licensing agency for commercial activity.

BUREAU OF COMMERCIAL SERVICES

BUREAU ADMINISTRATION & ADMINISTRATIVE SERVICES

Alan J. Schefke Director
G. Ann Baker, Deputy Director

(517) 241-9223

CORPORATION DIVISION

Julia Dale, Director

(517) 241-3838

LICENSING DIVISION

Andrew Brisbo, Acting Director

(517) 241-9221

ENFORCEMENT DIVISION

Barrington Carr, Director
Lansing/Grand Rapids Regional Office
Detroit Regional Office

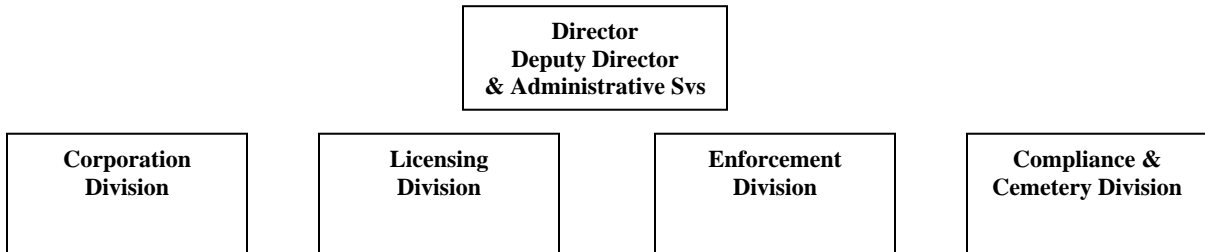
(517) 241-9208
(517) 241-9202
(313) 456-0310

COMPLIANCE & CEMETERY DIVISION

Stephen J. Gobbo, Director
Office of Cemetery Commissioner

(517) 241-9267
(517) 241-8070

BUREAU OF COMMERCIAL SERVICES



BUREAU OF COMMERCIAL SERVICES

FISCAL YEAR 2012 APPROPRIATION

Appropriated F.T.E.'s	175.0
Licensing & Regulation Fees	\$11,302,800
Real Estate Education Fund	320,300
Real Estate Enforcement Fund	364,600
Real Estate Appraiser Continuing Education Fund	47,000
Residential Builder Enforcement Fund	427,000
Private Occupational School	832,200
GF/GP	0
Corporation Fees	5,710,700
Unarmed Combat Fund	66,900
Security Business Fund	321,100
Accountancy Enforcement Fund	420,000
GROSS APPROPRIATIONS	<u>\$19,812,600</u>

Legislative Summary

Bureau of Commercial Services

2011 PA 125 (HB 4584 of 2011), effective January 1, 2012, delays the Michigan Professional Employer Organization (PEO) Regulatory Act's effective date from July 1, 2011 to January 1, 2012. It provides that certain provisions of the Act would apply beginning September 1, 2012. It allows LARA to adjust the license fee every 2 years, rather than every 3 years, based on the Detroit consumer price index. It provides that the license term is 1 year instead of 3. It requires an initial license to be issued for a term from its effective date until the first or second August 31 after that date, and requires that the license fee be adjusted for an initial license with an effective date that was not September 1.

2011 PA 162 (SB 0077 of 2011), effective January 1, 2012, amends sections 5805 and 5839 of the Revised Judicature Act to make actions against architects, professional engineers, and professional surveyors subject to the 2-year statute of limitations on malpractice actions and removes language under which section 5839 governed the period of limitations on actions against those professionals and contractors.

2011 PA 209 (HB 4947 of 2011), effective January 1, 2012, amends the Michigan Business Tax Act to require separate returns for short period tax years, require a fiscal year taxpayer with 2 short period tax years to use the same method of computing the tax for each short period tax year, require the MBT return of a unitary business group to include all the

people in the group, require a taxpayer with a certificated credit for a multiphase brownfield project to continue to file a return and pay the MBT until the credit was used up, disallow a deduction for a business loss for a prior year in which the taxpayer was not subject to the MBT Act, and allow a taxpayer claiming a credit for health care benefits to report the aggregate costs of employer-sponsored benefits. Additionally, it requires a U.S. person disregarded for Federal income tax purposes under the Internal Revenue Code to be treated as a disregarded entity for tax purposes under the MBT Act. This last provision is retroactive to January 1, 2008.

2011 PA 220 (SB 396 of 2011), effective November 15, 2011, updates the statute that governs Albion College to revise the membership of the college's board of trustees and their terms of office, and also to limit the liability of volunteers, including trustees.

2012 PA 63 (HB 4639 of 2011), effective March 22, 2012, amends the Estates and Protected Individuals Code to recognize the right and power of a person designated by a service member to make decisions about funeral arrangements and the handling, disposition, or disinterment of the deceased service member's body. It identifies and prioritizes the people who have the right and power to make decisions about funeral arrangements and the handling, disposition, or disinterment of a decedent's body, including decisions about cremation, and the right to possess cremated remains.

2012 PA 84 (HB 4601 of 2011), effective April 11, 2012, creates Chapter 30 of the Revised Judicature Act, adding Section 3001 to the Act, to establish limits on the asbestos-related liability of a corporation that assumed or incurred the liability as a result of a merger or consolidation with another corporation before 1972.

Bureau of Commercial Services

Corporation Division

The Corporation Division promotes economic development and growth by facilitating the formation and development of business entities in the State of Michigan. Further, the division enables domestic and foreign corporations, limited partnerships, limited liability partnerships and limited liability companies to transact business in the State. The Corporate Services program consists of forty-three full time positions that are allocated to the Corporation Division. Within the Corporation Division, the program is divided into the Document Review Section and the Business Services Section. During fiscal year 2012, this program generated over \$22,074,617.36 in revenue.

The Document Review Section provides services that enable domestic corporations, limited partnerships, limited liability partnerships and limited liability companies to be formed and foreign entities to qualify to transact business in the State. Articles of Incorporation, Certificates of Limited Partnership and Articles of Organization are reviewed and filed by this Section. Review requires extensive knowledge of corporation and partnership law and a thorough knowledge of the Bureau's policies, guidelines, and procedures. During fiscal year 2012, 17,101 new corporations, 55,820 limited liability companies, 172 limited partnerships and 185 limited liability partnerships were qualified to transact business in the State. During the fiscal year 555 Trademarks were registered.

Each corporation is required to file an annual report. The Business Services Section reviewed 461,349 annual reports and 135,307 were filed online in fiscal year 2012.

The Business Services Section responded to 161,525 telephone inquiries regarding name availability and general information on corporations, limited partnerships and limited liability companies in fiscal year 2012. In addition, the Unit received 6,556 requests for information. The Section also received 26,670 requests for copies of documents. Records for corporation documents, partnership documents, limited liability company documents and annual reports are maintained on computer and each transaction represents one or more computer entries. All documents and annual reports are stored on microfilm and an image system. Presently, records are maintained for 689,952 active corporations, limited liability partnerships, limited partnerships and limited liability companies.

Bureau of Commercial Services

Enforcement Division

The Enforcement Division is responsible for the investigation of allegations of violations of various licensing laws. If an investigation discloses that a violation of law has occurred, the Enforcement Division prepares a decision report with appropriate recommendation for formal action against the respondent. Alternately, if the investigation does not disclose a violation of law, the investigation concludes without administrative sanctions and the parties are notified.

The Enforcement Division draws its authority from the Occupational Code, 1980 PA 299, as amended and other licensing laws. Because violations of law occur in a variety of ways with different degrees of severity, each investigation having its own measure of complexity, the Enforcement Division works with gubernatorial appointed occupational and professional licensing boards, commissions, and/or experts, as appropriate, to ensure suitable administrative actions are taken under the circumstance.

The Enforcement Division investigates consumer complaints in over 31 different commercial occupational and professional areas of law. It also performs inspections in six areas of the program: barber establishments and schools, cosmetology establishments and schools, funeral establishments, ski area safety, carnival amusement rides, and proprietary schools.

Violations of law are subject to enforcement actions that are prescribed by the licensing laws. Contested case hearings are sometimes necessary to determine if a respondent is responsible for allegations contained in a formal complaint. [A formal complaint is a document that states the charges of each alleged violation and is prepared by the department after an investigation.] All contested case hearings are required to proceed under the Administrative Procedures Act.

Whether it is conducting investigations into consumers' complaints or performing inspections of regulated facilities, the Enforcement Division's purpose and mission in the administration of its regulatory program, remains two-fold: to ensure compliance with the various licensing laws and to protect the health, safety and welfare of Michigan citizens.

To fulfill its regulatory duties and responsibility, the Enforcement Division organizes into 6 work units: "*Intake*" that reviews all complaints for jurisdiction; "*Preliminary Review*" that performs desk reviews and desk investigations; "*Investigation*" that primarily conducts field investigations; "*Ski Area and Carnival-Amusement Safety*," handling inspections of ski areas and inspections of carnival-amusement rides, "*Unarmed Combat*" handling program responsibility for boxing and mixed martial arts events, and a small "*Administrative Unit*," for handling routine office duties.

Extension Report

Pursuant to Section 504(1) of the Occupational Code, Public Act 299 of 1980, as amended, the Enforcement Division shall request an extension for all complaints, which were not completed within 30 days of the date of receipt. During fiscal year 2011, the Enforcement Division requested extensions for 1,614 complaints.

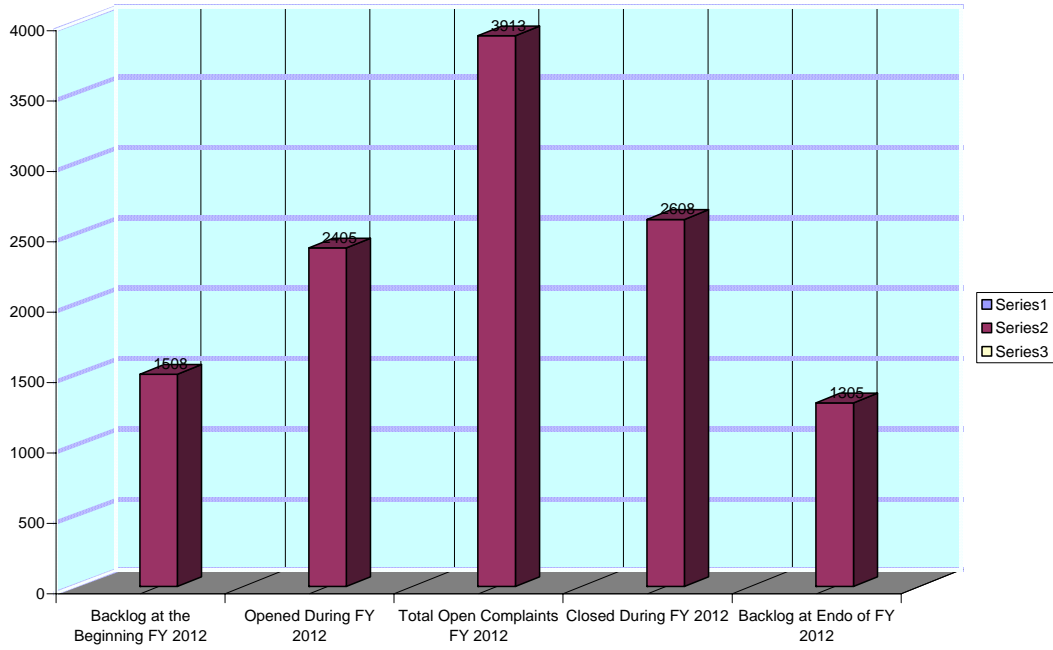
Bureau of Commercial Services Enforcement Statistics FY 2012

Occupation and Professions	Open Complaints at Beginning of FY 2012	Opened During FY 2012	Total Open Complaints FY 2012	Closed During FY 2012	Open Complaints at End of FY 2012
Accountancy	76	75	151	75	76
Appraisers	148	145	293	160	133
Architects	7	10	17	15	2
Auctioneers	1	1	2	2	0
Unarmed Combat	25	42	67	50	17
Barber	26	87	113	83	30
Carnival/Amusement	0	0	0	0	0
Builders	524	528	1,052	779	273
Cemetery	93	26	119	60	59
Collection Practices	60	144	204	156	48
Community Planners	0	0	0	0	0
Cosmetology	183	427	610	439	171
Foresters	0	0	0	0	0
Prepaid Funeral	32	94	126	31	95
Hearing Aid	6	10	16	14	2
Immigration Clerical	0	0	0	0	0
Landscape Architects	0	4	4	4	0
Surveyors	8	9	17	12	5
Mortuary Science	59	108	167	94	73
Polygraph Examiners	0	2	2	2	0
Personnel Agency	0	1	1	1	0
Engineers	13	11	24	15	9
Real Estate	219	541	760	490	270
Ski Safety	0	0	0	0	0
Private Investigators	8	14	22	19	3
Security Alarm	4	8	12	10	2
Security Guard	5	3	8	6	2
Non-Jurisdiction**	11	114	125	90	35
Vehicle Protection Warrantors	0	1	1	1	0
Totals	<u>1,508</u>	<u>2,405</u>	<u>3,913</u>	<u>2,608</u>	<u>1,305</u>

** Includes Proprietary Schools

Enforcement Division Inspection Statistics FY 2012

Enforcement Activity FY 2012



Board	Request Received	Closed
Barbers	183	223
Carnival/Amusement	1117	1059
Cosmetology	1470	1766
Mortuary Science	34	31
Ski Areas	369	328
Total	3173	3407

Bureau of Commercial Services

Administrative Services

Administrative Services has eighteen FTE's and includes: the Audit Section; Informational Sales Program; Testing, Education and Information Management; Services; and the Homeowner Construction Lien Recovery Fund. The area performs services benefiting the operations of other offices within the Bureau. These services included document imaging, computer support services, web design, cashiering, budget and financial monitoring, and human resources.

Testing & Education Services

The Testing and Education Services Unit serves as the governing body covering testing and education needs for 29 licenses administered by the Bureau of Commercial Services.

These licensure examinations are designed to measure an individual's entry-level competency to protect the public's health, safety and welfare. The examinations are developed and administered by either national organizations or external vendors. This Unit is also the Contract Administrator for all contracts related to testing.

Testing and Education Services also approves schools providing the pre-licensure courses to candidates applying for a real estate salesperson, real estate broker and real estate appraiser license.

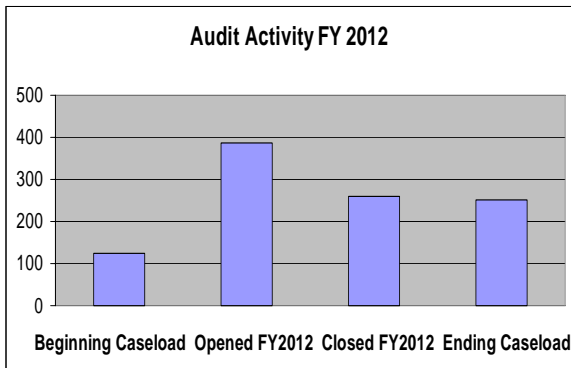
This unit provides the review and approval of the sponsors and courses for the continuing education of real estate salespersons, real estate brokers and real estate appraisers. This unit also maintains and updates listings of the continuing education hours for the same licenses.

Informational Sales Program

Per statute, the Bureau is allowed to sell licensing data. During Fiscal Year 2012 the Informational Sales Program received 454 inquires and made 221 sales, totaling \$36,723.00 in revenue. Corporation data was also sold by subscription. This brought in \$344,000 in revenue.

Audit Section

The Audit Section conducts audits of the financial records of licensees who maintain trust or escrow accounts on behalf of the public in professions under our jurisdiction. These professions include real estate brokers, residential builders, prepaid funeral contracts, collection agencies, and privately owned cemeteries. The audits are conducted on a compliant, routine, or random basis. During fiscal year 2012 the Audit Section opened 387 audit files and completed 259 audits. They also reviewed 133 annual reports of cemeteries, 69 annual reports of crematories, 651 prepaid funeral and cemetery sales act annual reports and 739 collection agency annual reports. The Audit Section investigates missing cemetery and prepaid funeral trust or escrow funds. During the period covered by this annual report the Section was involved in the investigation of approximately \$1,015,228 in alleged missing prepaid contract funds and other regulatory violations. Furthermore, the audit section was instrumental in the investigation and arrest of individuals for conversion of prepaid funeral contracts amounting to approximately \$645,224.



Bureau of Commercial Services

Regulatory Compliance Division

The Division administers compliance and hearing proceedings, Freedom of Information Act requirements, court appeals & litigation support, and agency representation, including services provided by the Department of Attorney General. The Division works closely with all Bureau areas to provide assistance on legal matters and to prosecute agency cases; it also coordinates activities with the Michigan Administrative Hearing System (MAHS) for the scheduling of contested case, due process hearings. The Division Director also serves as the State Cemetery Commissioner, as a designee of the Department Director, and is responsible for coordinating the administration of cemetery regulation within the State.

HEARINGS

Hearings Held	181
New Hearings Opened	295
Hearings Closed	189
Other Hearings actions (Requiring document service)	396

COMPLIANCE CONFERENCES

Scheduled	416
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FOIA

Requests	431
Billing Amount	\$7,932.00

<u>FINAL ORDERS SERVED</u>	474
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<u>COMPLAINTS ISSUED</u>	549
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Final Order Compliance Monitoring

The licensing boards can impose through a Final Order (FO) both financial (fines) and non-financial penalties on an individual violating the statutes governing a licensed profession. These non-financial penalties may include the prescription of continuing education to remedy shortcomings in professional conduct, CPA attested Financial Reports, or restitution to injured parties. The affected licensee has to reach compliance with all terms of a final order to continue to be eligible to practice the occupation.

During fiscal year 2012, the licensing boards issued 474 final orders that included \$877,657 in fines. Normally, the licensee operates under a set timeframe to reach compliance. After the passage of six months, unpaid fines are referred to the Department of Treasury for collection. By the end of the fiscal year 2012, the Department had collected \$158,876 in fine payments. The chart on page 17 summarizes this information: 36% of the licensees had complied with the fine penalty imposed by the licensing boards. Licensees not paying the fines are suspended and are not able to practice their respective professions until the outstanding fine amounts are paid and the person has complied with any other board-established penalties and requirements.

BOARD	# FY12 FOs	Assessed Fines FY12	#FY12 Fos with Fines Collected	FY12 FOs Paid	\$ Collected from Pre FY12 FOs	Pre FY12 Orders Paid	FY12 Outstanding Fines	% FY12 Fines paid	%FY12 Money Collected
11-Accountancy	26	\$236,000	10	\$20,500	\$1,000	1	\$215,500	38%	9%
12-Appraisers	73	\$150,750	37	\$50,000	\$23,250	9	\$100,750	51%	33%
15-UCC	19	\$4,977	4	\$825	\$250	1	\$4,152	21%	17%
17-Barbers	7	\$5,500	3	\$2,500	\$3,800	5	\$3,000	43%	45%
21-Builders	161	\$286,571	32	\$22,051	\$116,150	51	\$264,520	20%	8%
24-Collection	22	\$14,250	9	\$3,500	\$8,000	5	\$10,750	41%	25%
27-Cosmetology	126	\$116,959	64	\$49,500	\$15,100	18	\$67,459	51%	42%
28-Auctioneers	2	\$3,900	0	\$0	\$0	0	\$3,900	0%	0%
34-PrePaid Funeral	3	\$15,000	0	\$0	\$0	0	\$15,000	0%	0%
35-Hearing Aid Dlr	1	\$1,000	0	\$0	\$3,000	1	\$1,000	0%	0%
37-Private Detective	1	\$0	0	\$0	\$0	0	\$0	0%	0%
38-Security Guards	3	\$0	0	\$0	\$0	0	\$0	0%	0%
40-Surveyor	1	\$2,000	1	\$2,000	\$0	0	\$0	100%	100%
45-Mortuary Science	9	\$8,000	2	\$2,000	\$0	0	\$6,000	22%	25%
62-Engineers	2	\$2,500	1	\$1,500	\$0	0	\$1,000	50%	60%
65-Real Estate	18	\$30,250	6	\$4,500	\$24,500	8	\$25,750	33%	15%
TOTALS	474	\$877,657	169	\$158,876	\$195,050	99	\$718,781	36%	18%

Amount of FO fines collected through Treasury for FY 11/12:

Collected:

\$285,452.77

Net: \$223,186.45

*Note: The Access program used for tracking payments does not differentiate between the fine payments that are received in-house and those collected through Treasury. When a treasury collection is completed (could take years), the "Fine Collected" amount is recorded only once, during the month that the final payment was received, satisfying the whole fine amount. Thus, columns 5 & 6 may reflect more money than was actually collected during FY 11/12.

Bureau of Commercial Services

Licensing Division

The Licensing Division is responsible for administering the statewide licensing, registration, listing or permitting programs for thirty-one occupations.

The division reviews applications, investigates qualifications, issues licenses, processes renewal applications and maintains license, registration, listing and permit records for almost 300,000 individuals and businesses regulated by the Bureau of Commercial Services. The division maintains information about its programs on the department's website, addresses telephone inquires and correspondence from licensees, agencies and the general public.

The division provides administrative support to fourteen advisory boards, one commission and one ad-hoc committee including assistance in conducting meetings, preparation of minutes and documents, record keeping, issue research, and promulgation of rules. Division staff also provides board member training, policy guidance and other assistance to enable the board members to meet their statutory responsibilities.

The Licensing Division is responsible to determine eligibility for licensure, registration, listing and permits by focusing on the evaluation of credentials to ensure applicants meet current entry-level requirements to enter an occupation as required by applicable law and rules. Applicants may be responsible to verify completion of education and experience, be of good moral character, demonstrate financial stability, provide proof of insurance or bonding, and successfully complete an examination.

The Licensing Division is responsible to establish and maintain license, registration, list and permit files. Records are maintained electronically and/or on microfilm in accordance with current retention and disposal schedules.

The professions and occupations that the Bureau of Commercial Services licenses or registers are listed on the following pages in detail.

License Activity FY 11/12 10/1/11 through 9/30/12	Licenses/Registrations Issued	Examinations Administered	Verifications/ Certifications	Renewals	Total Number Licensees
Accountancy	932		335	17,409	19,227
Architects	310		42	2,794	6,804
Auctioneers	0	0	1	15	55
Barbers	746	306	64	630	7,531
Carnival-Amusement Safety	123		0	1,654	2,023
Cemetery Regulation	13		0	170	286
Collection Practices	175	145	45	1,130	1,244
Cosmetology	7,497	7,586	1,461	54,215	105,362
Educational Corporations	52				
Forensic Polygraph Examiners	10	6	0	113	111
Foresters	8		0	196	202
Hearing Aid Dealers	117		1	298	510
Immigration Clerical Assistants	0		0	2	7
Interior Designers	0		0	0	1,295
Landscape Architects	19		5	541	554
Mortuary Science	176	69	37	1,231	2,948
Ocularists	0		0	14	14
Personnel Agencies	1	2	0	35	72
Prepaid Funeral Contracts	159		5	130	579
Professional Community Planners	2	0	0	35	74
Professional Employer Organizations	68				68
Professional Engineers	1,211		1092	10,210	20,748
Professional Investigators	89		13	355	1,097
Professional Surveyors	18	33	24	511	1,029
Proprietary Schools	443			382	382
Real Estate Appraisers	270	39	93	1,508	3,354
Real Estate Brokers & Salespersons	8,593	4,218	292	17,231	46,207
Residential Builders and Maintenance & Alteration Contractors	3,165	3,592	740	4,617	64,681
Security Alarm Contractors	51	8	2	165	413
Security Guard Agencies	55		3	146	365
Ski Area Safety	4		0	5	350
Solicitors for Private Postsecondary Schools	262				
Unarmed Combat	272		16	276	4413
Vehicle Protection Product Warrantors	6		0	26	30
TOTAL	24,576	15,996	4,270	62,797	240,056

Note: 1. Certified Public Accountants, Architects, Landscape Architects, Professional Engineers and Professional Surveyors candidates take national examinations. Data on the number of Michigan candidates who sit for these national examinations is not available.

2. Examinations Administered includes only the number of exams actually administered. The number of exams scheduled is higher.

3. Examinations include both first time and repeat candidates and each section is counted as an examination. Example: Builders exam consists of two sections - the law and the practical. It is computed as two separate examinations administered.

Accountancy

Article 7 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the practice of public accounting in Michigan. Article 7 defines public accounting to include the preparation of an audit or other financial or accounting reporting which is to be used for publication or credit purposes or is to be filed with a governmental agency or court of law.

Administrative rules for the practice of certified public accountancy became effective in October 1979. These rules were subsequently amended. The rules are found in the Michigan Administrative Code, Sections R338.5101 - R338.5503.

The Michigan Board of Accountancy consists of 9 voting members: 6 certified public accountants and 3 public members, including 1 attorney.

<u>Board Member</u>	<u>Term Expires</u>
Professional	
Bayson, James	6-30-16
Howell, Matthew	6-30-14
Lord, Daniel	6-30-13
Post, Kathleen	6-30-15
Swartz, Michael	6-30-14
Weirich, Thomas	6-30-13
Public	
Homier, Barbra	6-30-16
Seibold, Amna	6-30-15
Wolock, Steven	6-30-13

**Board Meetings Schedule
Fiscal Year 2012**

November 18, 2011
January 20, 2012
May 11, 2012
August 17, 2012

Licensing Activity

Licenses Issued	932
Examinations Given	0*
Number of Licensees	19,227

Regulatory (Complaint) Activity

Active at beginning of FY 2012	76
Opened during FY 2012	75
Total complaints open in FY 2012	151
Closed during FY 2012	75
Backlog at end of FY 2012	76

Board Disciplinary Actions

Final Orders Issued	26
Fines Assessed	\$236,000.00

*National Exam, no data available.

Real Estate Appraisers

Article 26 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the services of real estate appraisers in Michigan.

Article 26 defines a real estate appraiser as an individual engaged in or offering to engage in the development and communication of appraisals or real property. An appraisal is defined as an opinion, conclusion, or analysis relating to the value of real property.

Administrative rules for the practice of real estate appraisal became effective in June 1996. These rules were subsequently amended. The current rules may be found in the Michigan Administrative Code: Sections R339.23101 - R339.23405.

The Michigan Board of Real Estate Appraisers consists of 9 voting members: 6 real estate appraisers and 3 public members.

Board Members

Term Expires

Professional

Kirksey, Brian	6-30-14
Meyer, Diana	6-30-16
Molenaar, David	6-30-13
Myers, Karen	6-30-16
Snyder, John	6-30-14
Thomas, Norman	6-30-13

Public

Burroughs, Lisa	6-30-16
Dynkowski, Darius	6-30-13
Kelly, Patricia	6-30-14

Board Meetings Schedule Fiscal Year 2012

December 6, 2011
March 20, 2012
June 12, 2012
September 25, 2012

Licensing Activity

Licenses Issued	270
Examinations Given	39
Number of Licensees	3,354

Regulatory (Complaint) Activity

Active at beginning of FY 2012	148
Opened during FY 2012	145
Total Complaints open in FY 2012	293
Closed during FY 2012	160
Backlog at end of FY 2012	133

Disciplinary Action

Final Orders Issued	73
Fines Assessed	\$150,750

Architects

Article 20 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the practice of architecture, which is defined as professional services, such as consultation, investigation, evaluation, planning, design, review of materials, and completed phases of work in construction, alteration or repair in connection with a public or private structure, building, equipment, works or project, when the professional service requires the application of a principle of architecture or architectural design.

Administrative rules for the practice of architecture became effective September 1985. These rules were subsequently amended. The current rules may be found in the Michigan Administrative Code, Sections R339.15101 - R339.15403.

The Michigan Board of Architects consists of 9 voting member: 5 architects, 1 engineer, 1 surveyor and 2 public members.

Board Members

Term Expires

Professional

DeDecker, Catherine	3-31-13
Knibbe, Elisabeth	3-31-13
Lamble, Dan	3-31-16
Naperala, Troy	3-31-15
Stempien, Robert	3-31-13
VanTine, Kenneth	3-31-15
VanValkenburgh, Paula	3-31-14

Public

Arnott-Bryks, Lynn	3-31-13
Wilkerson, Jeffrey	3-31-14

Board Meetings Schedule Fiscal Year 2012

October 20, 2011
February 2, 2012
April 26, 2012

Licensing Activity

Licenses Issued	310
Examinations Given	0*
Number of Licensees	6,804

Regulatory (Complaint) Activity

Active at beginning of FY 2012	7
Opened during FY 2012	10
Total complaints open in FY 2012	17
Closed during FY 2012	15
Backlog at end of FY 2012	2

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

*National Exam, no data available.

Auctioneers

Public Act 489 passed December 28, 2006 to implement registration for auctioneers effective on October 1, 2007. The registration of auctioneers is regulated under Article 29 of the Occupational Code, 1980 PA 299, as amended. Article 29 requires a person or company to become registered in order to use the title "Registered Auctioneer." An auctioneer is defined as a person who is, for compensation, engaged in the business of, the conduct of, or offers to engage in the conduct of an auction. Auction is defined as the sale, or offer for sale, by bidding, of real or personal property at a public or private location.

The Michigan Board of Auctioneers consists of 9 voting members: 6 registered professionals and 3 public members.

Board Members

Term Expires

Professional

Besner, Gwyneth	10-1-14
Narhi, Timothy	10-1-15
Rottier, Robert	10-1-12
Sheridan, William	10-1-12
Smittendorf, Lee	10-1-15
Stoecker, Bradley	10-1-13

Public

Ferency, Michael	10-1-14
Novak, Marian	10-1-13
Tagg, Nathan	10-1-15

Board Meetings Schedule Fiscal Year 2012

November 19, 2011
May 9, 2012

Registration Activity

Registrations Issued	0
Number of Registrants	55

Regulatory (Complaint) Activity

Active at beginning of FY 2012	1
Opened during FY 2012	1
Total complaints open in FY 2012	2
Closed during FY 2012	2
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	2
Fines Assessed	\$3,900

Barbers

Article 11 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the service of barbers, barber colleges, barber instructors, barber students, and barbershops in Michigan. Article 11 defines a barber as a person who shaves or trims the beard of a person; cuts, trims, shampoos, relaxes, curls, permanently waves, dresses, tints, bleaches, colors, arranges, or styles the hair of a person; massages the face and head of a person; or renders personal services of a similar nature customarily done by a barber.

Administrative rules governing practice as a barber became effective in April 1982. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R339.6001 - R339.6051.

The Michigan Board of Barber Examiners consists of 9 voting members: 6 barbers and 3 public members.

Board Members

Term Expires

Professional

Data, Paul	9-30-14
Glasscoe, Michael	9-30-12
Grover, Marlene	9-30-14
Morey, Robert	9-30-14
Pappas, George	9-30-15
Sullivan, Dennis	9-30-13

Public

Lakkidas, Brian	9-30-12
VanDyken, James	9-30-13
Marketti, Tanwya	9-30-11

Board Meetings Schedule Fiscal Year 2012

October 17, 2011

January 9, 2012

May 7, 2012

Licensing Activity

Applications Received	667
Examinations Given	380
New Licenses	393
Number of Licensees	8,056

Regulatory (Complaint) Activity

Active at beginning of FY 2012	26
Opened during FY 2012	87
Total complaints open in FY 2012	113
Closed during FY 2012	83
Backlog at end of FY 2012	30

Board Disciplinary Actions

Final Orders Issued	7
Fines Assessed	\$5,500

Unarmed Combat

Public Act 403 of 2004, as amended, the Michigan Unarmed Combat Regulatory Act provides for the licensing and regulation of promoters and professional boxing or mixed martial arts participants.

Administrative rules governing unarmed combat became effective on May 13, 2005. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R339.101 - R339.403.

The Michigan Unarmed Combat Commission consists of 11 voting members: 4 boxing licensees, 4 mixed martial arts licensees and 3 public members.

<u>Members</u>	<u>Term Expires</u>
Professional	
Benson, Fritz	6-5-16
Byrd, Joe	6-5-14
Maskin, Douglas	6-5-13
McNinch, Charles	6-5-13
Mueller, Wolfgang	6-5-16
Thibault, John	6-5-16
Viviano, Vincent	6-5-16
Weber, James	6-5-16
Public	
Martin, Michael	6-5-15
Moore, Kevin	6-5-16
Zurawski, Charles	6-5-13

Commission Meetings Fiscal Year 2012

December 8, 2011
June 21, 2012
September 6, 2012

Licensing Activity

Licenses Issued	272
Number of Licensees	4,413

Regulatory (Complaint) Activity

Active at beginning of FY 2012	25
Opened during FY 2012	42
Total complaints open in FY 2012	67
Closed during FY 2012	50
Backlog at end of FY 2012	17

Board Disciplinary Actions

Final Orders Issued	19
Fines Assessed	\$4,977

Residential Builders and Maintenance & Alteration Contractors

Article 24 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate persons engaged in the construction of a residential structure, or combination residential and commercial structure, or persons who undertake the repair, alteration, addition, subtraction, or improvement of a residential structure, or combination residential and commercial structure for compensation other than wages for personal labor.

Administrative rules for the practice of residential building and maintenance and alteration contracting became effective in October 1979. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R338.1511 - R338.1566.

The Michigan Board of Residential Builders and Maintenance and Alteration Contractors consists of 9 voting members: 4 builders, 2 contractors and 3 public members.

<u>Board Members</u>	<u>Term Expires</u>
Professional	
Agnew, Jeff	3-31-13
Distefano, Frank	3-31-13
Haeussler, James	3-31-14
Kelly, John	3-31-16
Powell, Greg	3-31-15
Vacant	3-31-12
Public	
Agostinelli, Joe	3-31-15
August, Gary	3-31-16
Brown Jr, Sidney	3-31-16

**Board Meetings Schedule
Fiscal Year 2012**

November 8, 2011
January 10, 2012
March 13, 2012
May 8, 2012
July 10, 2012
September 11, 2012

Licensing Activity

Licenses Issued	3,165
Examinations Given	3,592
Number of Licensees	64,681

Regulatory (Complaint) Activity

Active at beginning of FY 2012	524
Opened during FY 2012	528
Total complaints open in FY 2012	1,052
Closed during FY 2012	779
Backlog at end of FY 2012	273

Board Disciplinary Actions

Final Orders Issued	161
Fines Assessed	\$286,571

Carnival-Amusement Safety

Public Act 225 of 1966, as amended, the Carnival-Amusement Safety Act, was enacted to provide for the inspection, licensing, and regulation of carnival and amusement rides. The department performs inspections of traveling shows that operate in Michigan, and amusement parks and other fixed locations with rides, to assure compliance with the act and the rules promulgated. Michigan has approximately 100 permanent locations of amusement rides and approximately 600 locations where transient carnivals operate.

Administrative rules governing the operation of carnival and amusement rides became effective in April 1983. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R408.801 - R408.898.

The Michigan Carnival-Amusement Safety Board consists of 7 members: 1 representative of the amusement park operators, 1 representative of the carnival ride operators, 1 representative of the retail merchants association, 1 licensed professional engineer, 1 director of Licensing and Regulatory Affairs and 2 public members.

Board Members

Term Expires

Professional

Elhenicky, Robert	7-10-14
Heppler, Mark	7-10-13
Ledy, Jeffrey	7-10-12
Mark, John	7-10-16

Public

Arwood, Steven	N/A
Kipling, Kurt	7-10-14
McLonis, Richard	7-10-16

**Board Meetings Schedule
Fiscal Year 2012**

October 28, 2011
March 23, 2012

Licensing Activity

Permits Issued	123
Number of Permits	2,023

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Cemetery Regulation

The Cemetery Regulation Act 251 of 1968 provides authority to audit various cemetery trust funds, approve cemetery ownership changes, investigate new, proposed cemeteries, and investigate complaints of the public regarding cemeteries.

Administrative rules governing the operation of cemeteries became effective in 1974. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R456.101 - R456.196.

The Commissioner, who is the Director of the Department of Licensing and Regulatory Affairs or a designee, governs the Cemetery Commission. On June 2, 2008, Stephen Gobbo, Director of the Regulatory Compliance Division was appointed Cemetery Commissioner.

Registration Activity

Registrations Issued	13
Number of Registrants	286

Regulatory (Complaint) Activity

Active at beginning of FY 2012	93
Opened during FY 2012	26
Total complaints open in FY 2012	119
Closed during FY 2012	60
Backlog at end of FY 2012	59

Disciplinary Action

Final Orders Issued	0
Fines Assessed	\$0

Collection Practices

Article 9 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate collection agencies in Michigan. Article 9 defines a collection agency as a person directly or indirectly engaged in soliciting a claim for collection, or collecting or attempting to collect a claim owed or due, or asserted to be owed or due another, or repossessing or attempting to repossess a thing of value owed or due, or asserted to be owed or due another arising out of an expressed or implied agreement made primarily for personal or household purposes.

Administrative rules for collection practices became effective on July 18, 1997. These rules are found in the Michigan Administrative Code Sections R339.4001-R339.4011.

The Michigan Collection Practices Board consists of 9 voting members: 6 collection agency licensees and 3 public members.

Board Members

Term Expires

Professional

Angelo, Thomas	6-30-14
Cairnduff, David	6-30-12
Dietrich, Jennifer	6-30-15
Hoppin, James	6-30-13
Oldani, Thomas	6-30-13
Prince, Scott	6-30-14

Public

Cornish, Matthew	6-30-13
Roth, Jeanne	6-30-15
Sousley, Scott	6-30-12

**Board Meetings Schedule
Fiscal Year 2012**

January 19, 2012
August 16, 2012

Licensing Activity

Licenses Issued	175
Examinations Given	145
Number of Licensees	1,244

Regulatory (Complaint) Activity

Active at beginning of FY 2012	60
Opened during FY 2012	144
Total complaints open in FY 2012	204
Closed during FY 2012	156
Backlog at end of FY 2012	48

Disciplinary Action

Final Orders Issued	22
Fines Assessed	\$14,250

Professional Community Planners

Article 23 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to register and regulate professional community planners. Article 23 defines a community planner as a person qualified to prepare comprehensive community plans designed to portray general long-range proposals for the arrangement of land uses to guide government toward development of the entire community. Only a person registered under this article may use the title "Community Planner."

Administrative rules for the practice of Professional Community Planners were effective in 1996. These are found in the Michigan Administrative Code, Sections R339.20001 - R339.20037.

Executive Order 1996-2 abolished the Michigan Board of Professional Community Planners.

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Registration Activity

Registrations Issued	2
Examinations Given	0
Number of Registrants	74

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Cosmetology

Article 12 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the service of cosmetologists, manicurists, estheticians, electrologists, and cosmetology shops, schools, and instructors in Michigan.

Article 12 defines cosmetology as one of the following practices or a combination of the following practices: arranging, cutting, dressing, curling, waving, cleansing, singeing, bleaching, coloring, or similar work upon hair with the hands, or with mechanical or electrical apparatus or appliances, or by any means; cleaning, massaging, stimulating, manipulating, exercising, beautifying, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, or similar work upon the scalp, neck, face, arms, bust, or upper part of the body of a person; or the removing of superfluous hair from the upper part of the body of a person by the use of electrolysis, depilatories, waxes, or tweezers, or manicuring the nails of a person.

Administrative rules governing the practice of cosmetology became effective in October, 1981. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R338.2101 - R338.2195.

The Michigan Board of Cosmetology consists of 9 voting members: 6 cosmetologists and 3 public members.

Board Members

Professional

	<u>Term Expires</u>
Blankenship, Andrea	12-31-13
DeYoung, Helena	12-31-15
Livingston-Scott, Gail	12-31-12
Marshall, Edith	12-31-13
Price-Griffin, Lydia	12-31-12
River, Angela	12-31-14

Public

Atkins, Kristina	12-31-12
Schroeder, Andrea	12-31-14
Skipper-Stong, Kathleen	12-31-15

Board Meetings Schedule Fiscal Year 2012

December 12, 2011
February 6, 2012
May 14, 2012
September 10, 2012

Licensing Activity

Licenses Issued	7,497
Examinations Given	7,586
Number of Licensees	105,362

Regulatory (Complaint) Activity

Active at beginning of FY 2012	183
Opened during FY 2012	427
Total complaints open in FY 2012	610
Closed during FY 2012	439
Backlog at end of FY 2012	171

Board Disciplinary Actions

Final Orders Issued	126
Fines Assessed	\$116,959

Professional Engineers

Article 20 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the practice of professional engineering in Michigan. Article 20 defines professional engineering as professional services, such as consultation, investigation, evaluation, planning, design or review of material and completed phases of work in construction, alteration or repair in connection with a public or private utility, structure, building, machine, equipment, process, work or project when the professional service requires the application of engineering principles or data.

Administrative rules for the practice of professional engineering became effective in September 1985. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R339.16001 - R339.16034.

The Michigan Board of Professional Engineers consists of 9 voting members: 5 professional engineers, 1 architect, 1 professional surveyor, and 2 public members.

Board Members

Term Expires

Professional

Drewyor, Michael	3-31-16
El-Gamal, Mahmoud	3-31-13
Karmo, George	3-31-14
Kraus, John, Chair	3-31-13
Naperala, Troy	3-31-15
Stempien, Robert	3-31-13
Vizzini, Anthony	3-31-16

Public

Junior, Cary	3-31-14
Prihod, Kevin	3-31-13

Board Meetings Schedule Fiscal Year 2012

October 27, 2011
April 19, 2012
September 20, 2012

Licensing Activity

Licenses Issued	1,211
Examinations Given	0*
Number of Licensees	20,748

Regulatory (Complaint) Activity

Active at beginning of FY 2012	13
Opened during FY 2012	11
Total complaints open in FY 2012	24
Closed during FY 2012	15
Backlog at end of FY 2012	9

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	0

*National Examination, no data available.

Foresters

Article 21 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to register and regulate foresters. Article 21 defines a forester as a person who by reason of his or her knowledge of the natural sciences, mathematics and principles of forestry, acquired by forestry education and practical experience, is qualified to engage in the practice of professional forestry.

Administrative rules for the practice of forestry became effective in February 1984. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R339.18001 - R339.18035.

Executive Order 1996-2 abolished the Michigan Board of Foresters.

Registration Activity

Registrations Issued	8
Number of Registrants	202

Regulatory (Complaint) Activity

Active at beginning of FY 2012	1
Opened during FY 2012	3
Total complaints open in FY 2012	4
Closed during FY 2012	4
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Hearing Aid Dealers

Article 13 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate hearing aid dealers. Article 13 defines a hearing aid dealer to be a person who engages in the sale or offering for sale at retail of a hearing aid.

Administrative rules for hearing aid dealers became effective in November 1970. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R338.1901 - R338.1943.

Executive Order 1996-2 abolished the Michigan Board of Hearing Aid Dealers.

Licensing Activity

Licenses Issued	117
Examinations Given	0
Number of Licensees	510

Regulatory (Complaint) Activity

Active at beginning of FY 2012	6
Opened during FY 2012	10
Total complaints open in FY 2012	16
Closed during FY 2012	14
Backlog at end of FY 2012	2

Board Disciplinary Actions

Final Orders Issued	1
Fines Assessed	\$1,000

Immigration Clerical Assistants

The Immigration Clerical Assistant Act, Public Act 161 of 2004, effective October 1, 2004, was enacted to create a list of qualified individuals that are authorized to assist individuals with certain immigration matters. An immigration clerical assistant is an individual providing or offering to provide services, for compensation, relating to any immigration matter. An immigration matter is any matter affecting the immigrant status, nonimmigrant status, or citizenship status of any individual and includes, but is not limited to, federal or state administrative or court proceedings or the filing of accompanying documents in those proceedings or both.

No rules have been promulgated governing the activity of immigration clerical assistants.

Listing Activity

Applications Received	0
New Immigration Clerical Assistants	0
Number of ICA's Listed	7

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Interior Designer

Listing of Interior Designers was established by an amendment to the Occupational Code, 1980 PA 299, effective October 1, 1998. An interior designer is currently exempt from licensure or registration in Michigan; however, they may elect to be added to a list maintained by the state if they have successfully completed the National Council of Interior Design Qualification (NCIDQ) Examination or qualified by experience (prior to April 8, 2000). The listing is posted electronically and includes the names of interior designers who have filed an application with the Department to be added to the list and have successfully completed the NCIDQ Examination or have qualified for listing by experience (prior to April 8, 2000). A person need not be listed to practice interior design.

No rules have been promulgated governing the activity of interior designers.

Listing Activity

Applications Received	0
New Interior Designers	0
Number of Interior Designers Listed	1,295

Landscape Architects

Article 22 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to register and regulate landscape architects in Michigan. Article 22 defines a landscape architect as a person qualified to practice landscape architecture as provided in the article. Only a person registered under this article may use the title "Landscape Architect."

Administrative rules for the practice of landscape architecture became effective in April 1983. These rules were subsequently amended. These are found in the Michigan Administrative Code, Sections R339.19001 - R339.19049.

Executive Order 2007-23 abolished the Michigan Board of Landscape Architects effective May 3, 2007.

Registration Activity

Registrations Issued	19
Examinations Given	0*
Number of Registrants	554

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	4
Total complaints open in FY 2012	4
Closed during FY 2012	4
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

*National Examination, no data available.

Mortuary Science

Article 18 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the practice of mortuary science and funeral establishments in Michigan. Article 18 defines the practice of mortuary science as the practice of embalming or the practice of funeral directing, or both. A funeral establishment is defined as a place of business used in the care and preparation for burial or transportation of a dead human body.

Administrative rules for the practice of mortuary science became effective in April 1991. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R339.18901 - R339.18947.

The Michigan Board of Examiners in Mortuary Science consists of 9 voting members: 6 licensees and 3 public members.

Board Member

Term Expires

Professional

Daggett, Christine	6-30-14
Desmond, John	6-30-13
Kemp, Stephen	6-30-13
Ransford, Mark	6-30-16
Starks, Thomas	6-30-14
Wakeman, Rodney	6-30-15

Public

Kohler, Fr. Russell	6-30-13
Linder, Stephen	6-30-15
Miller, Patrick	6-30-16

**Schedule of Board Meetings
Fiscal Year 2012**

October 6, 2011
March 1, 2012

Licensing Activity

Licenses Issued	176
Examinations Given	69
Number of Licensees	2,948

Regulatory (Complaint) Activity

Active at beginning of FY 2012	59
Opened during FY 2012	108
Total complaints open in FY 2012	167
Closed during FY 2012	94
Backlog at end of FY 2012	73

Board Disciplinary Actions

Final Orders Issued	9
Fines Assessed	\$8,000

*Mortuary Science applicants take a national examination and a state examination. No data is available for the National examination. This figure represents the number of state examinations administered.

Ocularists

Article 27 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to register and regulate the practice of ocularism in Michigan. Article 27 defines ocularism as the design, fabrication, and fitting of ocular prosthetic appliances. Only a person certified under the article may use the title "Ocularist" or advertise that he or she is certified.

No rules have been promulgated to govern the practice of ocularists.

Registration Activity

Registrations Issued	0
Number of Registrants	14

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Personnel Agencies

Article 10 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate personnel agencies and agents in Michigan. Article 10 defines a personnel agency as a person engaged in the business or profession of serving, assisting, or aiding a client seeking employment, or making basic career decisions and who receives a fee from the client. A personnel agent is defined as the individual designated by the personnel agency who is responsible for the general management of the office.

Administrative rules governing the operation of personnel agencies became effective in 1996. These rules are found in the Michigan Administrative Code, Sections R339.5001 - R339.5039.

Executive Order 2007-22 abolished the Michigan Personnel Agency Board effective May 3, 2007.

Licensing Activity

Licenses Issued	1
Examinations Given	2
Number of Licensees	72

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	1
Total complaints open in FY 2012	1
Closed during FY 2012	1
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Prepaid Funeral Contracts

Public Act 255 of 1986, as amended, the Prepaid Funeral and Cemetery Sales Act, was enacted to regulate the sale and provision of certain funeral goods and funeral services and the use of funds received by sellers and providers of these goods and services. The act defines a provider as any person who furnishes or agrees to furnish merchandise or funeral or cemetery services pursuant to a prepaid contract, whether or not that person is the contract seller. In the case of merchandise, provider means the person who arranges for delivery of the merchandise at the time of the death of the contract beneficiary and not the manufacturer of the merchandise. In the case of funeral services, provider means a person who possesses all licenses necessary to perform the funeral services specified in the prepaid contract. In the case of cemetery services, provider means a person who possesses all licenses and registrations necessary to provide the cemetery services specified in the prepaid contract.

Administrative rules governing prepaid funeral contract sales became effective June 2006. These rules are found in the Michigan Administrative Code, Sections R339.11-R339.47.

Registration Activity

Registrations Issued	159
Number of Registrants	579

Regulatory (Complaint) Activity

Active at beginning of FY 2012	32
Opened during FY 2012	94
Total complaints open in FY 2012	126
Closed during FY 2012	31
Backlog at end of FY 2012	95

Board Disciplinary Actions

Final Orders Issued	3
Fines Assessed	\$15,000

Forensic Polygraph Examiners

Public Act 295 of 1972, as amended, the Forensic Polygraph Examiners Act, was enacted to license and regulate the practice of forensic polygraph examiners in Michigan. The act defines examiners as any person other than an intern who purports to detect deception, verify truthfulness or provide a diagnostic opinion of either of these through instrumentation of the use of a mechanical device; represents that this person can or does offer the service of detecting deception, verifying truthfulness or providing a diagnostic opinion of either of these through instrumentation of the use of a mechanical device; or uses instrumentation or a mechanical device to measure or record an individual's bodily responses or psycho- physiological activities or enable or assist the detection of deception, the verification of truthfulness or the reporting of a diagnostic opinion regarding either of these.

Administrative rules for forensic polygraph examiners became effective in March 1983. These rules are found in the Michigan Administrative Code, Sections R338.9001 - R338.9013.

Executive Order 2007-24 abolished the Board of Forensic Polygraph Examiners effective May 3, 2007.

Licensing Activity

Licenses Issued	10
Examinations Given	6
Number of Licensees	111

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	2
Total complaints open in FY 2012	2
Closed during FY 2012	2
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Professional Investigators

Public Act 285 of 1965, as amended, the Professional Investigator Licensure Act, provides for the licensing and regulation of professional investigators in Michigan. The act defines a professional investigator as a person, other than an insurance adjuster who is on salary and employed by an insurance company, who for a fee, reward, or other consideration engages in the investigation business. The act defines the investigation business as business that, for a fee, reward, or other consideration, engages in business or accepts employment to furnish, or subcontracts or agrees to make, or makes an investigation for the purpose of obtaining information with reference to any of the following: crimes or wrongs done or threatened against the United States or a state or territory of the United States, or any other person or legal entity; the identity, habits, conduct, business, occupation, honesty, integrity, credibility, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, acts, reputation, or character of a person; the location, disposition, or recovery of lost or stolen property; the cause or responsibility for fires, libels, losses, accidents, or damage or injury to persons or property; securing evidence to be used before a court, board, officer, or investigating committee; the prevention, detection, and removal of surreptitiously installed devices designed for eavesdropping or observation, or both; the electronic tracking of the location of an individual or motor vehicle for purposes of detection or investigation; computer forensics to be used as evidence before a court, board, officer, or investigating committee.

No rules have been promulgated to govern the practice of professional investigators.

Licensing Activity

Licenses Issued	89
Number of Licensees	1,097

Regulatory (Complaint) Activity

Active at beginning of FY 2012	8
Opened during FY 2012	14
Total complaints open in FY 2012	22
Closed during FY 2012	19
Backlog at end of FY 2012	3

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

**Michigan Board of Real Estate
Brokers and Salespersons**

Michigan Administrative Code, Sections
R339-22101 - R339.22667.

Real Estate Brokers and Salespersons

The Michigan Board of Real Estate Brokers and Salespersons consists of 9 voting members: 6 real estate licensees and 3 public members.

Article 25 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the practice of real estate brokers and salespersons in Michigan. Article 25 defines real estate broker as an entity, who with intent to collect or receive a fee, compensation, or valuable consideration, sells or offers for sale, buys or offers to buy, lists or offers or attempts to list, or negotiates the purchase or sale or exchange of mortgage of real estate, or negotiates for the construction of a building on real estate; who leases or offers or rents or offers for rent real estate or the improvements on the real estate for others, as a whole or partial vocation; who sells or offers for sale, buys or offers to buy, leases or offers to lease, or negotiates the purchase or sale or exchange of a business, business opportunity, or the good will of an existing business for others; or who, as owner or otherwise, engages in the sale of real estate as a principle vocation.

Board Members Term Expires

Professional	
Davis, Matthew	6-30-15
Hiltunen, Donald	6-30-13
Huston, Shawn	6-30-16
Samson, Daniel	6-30-13
Sellman, James	6-30-14
Sutherby-Fricke, Sheri	6-30-14
Public	
Craig, Robert	6-30-16
Eisbrenner, Lauren	6-30-13
Lance, James	6-30-15

Real estate salesperson is defined as a person who for compensation or valuable consideration is employed either directly or indirectly by a licensed real estate broker to sell or offer to sell, to buy or offer to buy, to list or offer to attempt to list, or to negotiate the purchase or sale or exchange or mortgage of real estate, or to negotiate for the construction of a building on real estate, or to lease, rent or offer for rent real estate, or who sells or offers for sale, buys or offers to buy, leases or offers to lease, or negotiates the purchase or sale or exchange of a business, business opportunity, or the good will of an existing business for others, as a whole or partial vocation.

**Board Meetings Schedule
Fiscal Year 2011**

- December 5, 2011
- March 5, 2012
- June 4, 2012
- September 24, 2012

Licensing Activity

Licenses Issued	8,593
Examinations Given	4,218
Number of Licensees	46,207

Regulatory (Complaint) Activity

Active at beginning of FY 2012	219
Opened during FY 2012	541
Total complaints open in FY 2012	760
Closed during FY 2012	490
Backlog at end of FY 2012	270

Administrative Rules for real estate brokers and salespersons became effective May 4, 1991. These rules were subsequently amended. The rules are found in the

Board Disciplinary Actions

Final Orders Issued	19
Fines Assessed	\$30,250

Security Alarm Contractors

Security Alarm Contractors

Public Act 330 of 1968, as amended, the Private Security Business and Security Alarm Act, provides for the licensing and regulation of security alarm contractors in Michigan. The act defines a security alarm system contractor as a business engaged in the installation, maintenance, alteration, monitoring or servicing of security alarm systems or a company that responds to a security alarm system.

Administrative Rules for security alarm contractors became effective May 1969. These rules were subsequently amended. The current rules are found in the Michigan Administrative Code, Sections R28.4001 - 28.4007.

Licensing Activity

Licenses Issued	51
Examinations Given	8
Number of Licensees	413

Regulatory (Complaint) Activity

Active at beginning of FY 2012	4
Opened during FY 2012	8
Total complaints open in FY 2012	12
Closed during FY 2012	10
Backlog at end of FY 2012	2

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Security Guard Agencies

Public Act 330 of 1968, as amended, the Private Security Business and Security Alarm Act, provides for the licensing and regulation of security guard agencies in Michigan. The act defines a private security guard as an individual or employee of a business who offers for hire to provide protection of property on the premises of another.

Administrative Rules for security alarm contractors became effective May 1969. These rules were subsequently amended. The current rules are found in the Michigan Administrative Code, Sections R28.4001 - 28.4007.

Licensing Activity

Licenses Issued	55
Number of Licensees	365

Regulatory (Complaint) Activity

Active at beginning of FY 2012	5
Opened during FY 2012	3
Total complaints open in FY 2012	8
Closed during FY 2012	6
Backlog at end of FY 2012	2

Board Disciplinary Actions

Final Orders Issued	3
Fines Assessed	\$0

Ski Area Safety

Public Act 199 of 1962, as amended, the Ski Area Safety Act of 1962, was enacted to issue permits to operate and regulate ski lifts in Michigan. The act defines ski area as an area used for skiing and served by one or more lift. Ski lifts are defined as a device for transporting persons uphill on skis, or in cars on tracks, or suspended in the air by the use of cables, belts, or ropes, and usually supported by trestles or towers with one or more spans.

Administrative rules governing the operation of ski areas became effective in May 1979. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R408.61 - R408.95.

The Michigan Ski Area Safety Board consists of 7 members: 3 ski area managers, 1 engineer, 1 member of the Central United States Ski Association, and 2 public members.

Board Members

Term Expires

Professional

Call, Michael	6-8-13
Edwards, Ronald	6-8-15
Kiefer, James	6-8-12
Sirdenis, Nick	6-8-16
Woods, Joel	6-8-13

Public

Kubiske, David	6-8-14
Vander Spoel, James	6-8-14

Board Meetings Schedule Fiscal Year 2012

October 5, 2011
May 2, 2012

Licensing Activity

Permits Issued	4
Number of Permits	350

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Board Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

Professional Surveyors

Article 20 of Public Act 299 of 1980, as amended, the Occupational Code, was enacted to license and regulate the practice of land surveying in Michigan. Article 20 defines a professional surveyor as a person who by reason of knowledge or law, mathematics, physical sciences, and techniques of measuring land acquired by professional education and practical experience is qualified to engage in the practice of professional surveying.

Administrative rules for the practice of professional surveying were became effective in September 1985. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R339.17101 - R399.17404.

The Michigan Board of Professional Surveyors consists of 9 voting members: 5 professional surveyors, 1 architect, 1 engineer, and 2 public members.

Board Members

Term Expires

Professional

Barish, Gilbert	3-31-13
Brand, Ronald	3-31-15
DeDecker, Catherine	3-31-13
Drewyor, Michael	3-31-16
Gravlin, Steven	3-31-14
Michalski-Wallace, Ginger	3-31-16
Van Tine, Kenneth	3-31-15

Public

Stanford, Robert A.	3-31-13
Whitley, Donnie	3-31-14

**Board Meetings Schedule
Fiscal Year 2012**

April 11, 2012
September 19, 2012

Licensing Activity

Licenses Issued	18
Examinations Given	33*
Number of Licensees	1,029

Regulatory (Complaint) Activity

Active at beginning of FY 2012	8
Opened during FY 2012	9
Total complaints open in FY 2012	17
Closed during FY 2012	12
Backlog at end of FY 2012	5

Board Disciplinary Actions

Final Orders Issued	1
Fines Assessed	\$2,000

* Professional Surveyors take a national examination and a state examination. No data is available for the national examinations. This figure represents the number of state examinations administered.

Vehicle Protection Product Warrantors

The Vehicle Protection Product Act, Public Act 263 of 2005, effective June 14, 2006, was enacted to create a list of warrantors to protect the public by insuring that the warrantor will be responsible for the claims made regarding the product. The act defines a vehicles protection product as a vehicle protection device, system, or service that is installed on or applied to a vehicle and is designed to prevent loss or damage to a vehicle from a specific cause. Except as provided in this subdivision, the term includes, but is not limited to, alarm systems, body part marking products, steering locks, window etch products, pedal and ignition locks, fuel and ignition kill switches, and electronic, radio, and satellite tracking devices. The term does not include a vehicle protection device, system, or service that is installed on or applied to a vehicle by the vehicle manufacturer at the vehicle assembly facility.

No rules have been promulgated governing the registration of vehicle protection product warrantors.

Listing Activity

Applications Received	6
Number Listed	30

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	1
Total complaints open in FY 2012	1
Closed during FY 2012	1
Backlog at end of FY 2012	0

Disciplinary Actions

Final Orders Issued	0
Fines Assessed	\$0

**Educational Corporations
(Private Colleges or Universities)**

If an organization desires to operate a private college or university, they must organize as an educational corporation under Public Act 327 of 1931 as amended, the Michigan General Corporation Act, or receive approval as a foreign corporation (out-of-state institution) under Act 284 of 1972, The Business Corporation Act, which provides the authority to conduct business in Michigan. The proposed private college or university must demonstrate it meets the five areas of adequacy required under Section 170-177 of the Michigan General Corporation Act prior to operating in the state. An on-site inspection is conducted to verify the findings in the application. The proposed institution must meet minimum standards to demonstrate adequacy of resources in the following areas:

- a. the housing space and administration facilities which it possesses or proposes to provide for its declared field or fields of education are adequate;
- b. its proposed educational program leading to the diplomas or degrees which it proposes to offer is adequate;
- c. its laboratory, library, and other teaching facilities which it possesses or proposes to provide are adequate;
- d. it has or proposes to employ an adequate staff, fully trained for the instruction proposed, and;
- e. at least 50% of its capital, whether of stock or in gifts, devises, legacies, bequests or other contributions of money or property, has been paid in or reduced to possession.

An existing private college or university is required to obtain approval prior to expanding program offerings. An educational corporation may grant diplomas, certificates, and degrees. Use of the words, "college, or university" is permitted under the provisions of the General Corporation Act.

Application Activity

Applications Received 52*

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Disciplinary Action

Final Orders Issued	0
Fines Assessed	\$0

* Figure includes requests for new programs and other change requests.

Professional Employer Organizations

Public Act 370 of 2010, the Michigan Professional Employer Organization Regulatory, provides for the licensing and regulation of professional employer organizations. The act defines a "professional employer organization" or "PEO" as any person engaged in the business of providing professional employer services regardless of its use of a descriptive term other than "professional employer organization" or "PEO". A PEO is a service provider that allows businesses to outsource such administrative functions as payroll, workers' compensation, human resources, and employee benefits. Reportedly, there are about 700 PEOs operating in all 50 states, covering as many as 3 million workers. According to the National Association of Professional Employer Organizations website, the PEO industry, which is about 30 years old, is growing rapidly.

No rules have been promulgated to govern the practice of professional employer organizations.

Licensing Activity

Licenses Issued	68
Number of Licensees	68

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Disciplinary Action

Final Orders Issued	0
Fines Assessed	\$0

Proprietary Schools

Career focused postsecondary schools must be licensed to offer instruction under the Proprietary Schools Act (PA 148 of 1943, as amended). These schools may be incorporated as a for-profit or non-profit corporation or may be unincorporated. The school must adequately complete a new school permit application. The application addresses the criteria in the Act regarding the method and content of the advertising, the standards and the methods of instruction, the personnel, health and safety standards and the operating and instructional practices of the school. An on-site inspection is conducted to verify the findings in the application. The use of the terms “college or university” cannot be used nor can degrees be granted under this license. The school may grant certificates of participation and completion and/or diplomas to students. An existing school is required to obtain approval prior to expanding program offerings. A school that closes must provide this office with Student Transcripts for archiving. Students that need an official transcript for a closed school can request a copy from this offer. There is a nominal fee for this service.

Administrative rules for proprietary schools became effective in 1979. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R390.561 - R390.569.

Licensing Activity

Licenses Issued/Approvals Granted	443*
Number of Licensees	382

Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Disciplinary Action

Final Orders Issued	0
Fines Assessed	\$0

* Private colleges and universities are approved to operate but not licensed. Figure includes requests for new programs and other change requests.

**Solicitors for Private Postsecondary
Schools**

Student recruiters that work in the state must hold a valid solicitor permit pursuant to Public Act 40 of 1963, as amended, the Private Trade Schools, Business Schools, Correspondence Schools, and Institutes Act. Solicitor permits are required for student recruiters representing out-of-state institutions without bachelor degree granting authority. These schools must have a valid State of Michigan certificate of compliance to solicit students in Michigan. Solicitor permits are required for student recruiters representing schools or institutes domiciled in Michigan that are licensed under Public Act 148 of 1943, as amended, the Proprietary Schools Act, or incorporated under Public Act 327 of 1931, as amended, the Michigan General Corporation Act.

Administrative rules for solicitors for private schools became effective on August 15, 1967. These rules were subsequently amended. These rules are found in the Michigan Administrative Code, Sections R340.471 - R340.479.

Administrative rules for solicitors for private trade schools or institutes became effective in 1979. These rules are found in the Michigan Administrative Code, Section R390.671.

Permit Activity

Permits Issued	262
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Regulatory (Complaint) Activity

Active at beginning of FY 2012	0
Opened during FY 2012	0
Total complaints open in FY 2012	0
Closed during FY 2012	0
Backlog at end of FY 2012	0

Disciplinary Action

Final Orders Issued	0
Fines Assessed	\$0