

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

GOLD STAR PROPERTY RESTORATION, INC.
License No. 21-02-166236

File No. 21-15-326279

and

STEVEN ANDREW BURZYNSKI
License No. 21-01-192011,

File No. 21-15-324710

Respondents.

CONSENT ORDER

On May 5, 2015, the Department of Licensing and Regulatory Affairs executed a Formal Complaint charging Respondents with violating the Occupational Code, MCL 339.101 *et seq.*

Respondents have admitted that the facts alleged in the Complaint are true and constitute violation(s) of MCL 339.604(c) and MCL 339.2411(2)(e). 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) and MCL 339.2411(2)(e).

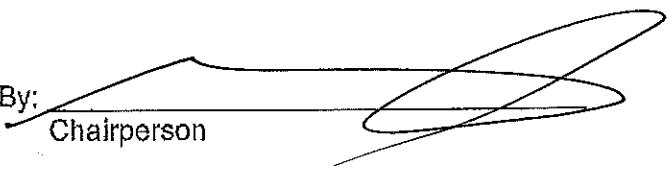
IT IS ORDERED that for the cited violation(s) of the Occupational Code, Respondents are FINED \$1,000.00 to be paid to the State of Michigan within 60 days of the effective date of this Order.

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 21-15-326279 and 21-15-324710.

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: 12/12/17

STIPULATION

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

2. 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.

3. 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.*

4. Factors taken into consideration in the formulation of this order include the following:


Although Respondents failed to obtain a building permit prior to commencement and completion of the contracted work, Respondents did subsequently obtain the required permit and paid the appropriate fees.

Respondent Gold Star Property Restoration, Inc. has been licensed since 2003 and Respondent Burzynski has been licensed since 2008 with no other disciplinary action against their licenses.

5. 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.

6. 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.

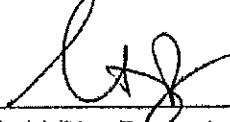
AGREED TO BY:



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

Dated: 09/11/2017

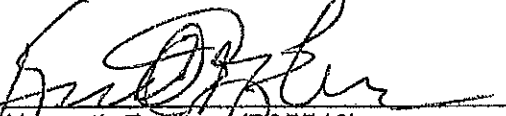
AGREED TO BY:



Gold Star Property Restoration, Inc. and
Steven Andrew Burzynski
Respondents

Dated: 8-22-17

APPROVED AS TO FORM BY:



Kenneth F. Silver (P35546)
Hertz Schram PC
Attorney for Respondents

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS,
CORPORATIONS, SECURITIES &
COMMERCIAL LICENSING BUREAU

Complaint Nos. 326279 and 324710

Complainant,

v

GOLD STAR PROPERTY RESTORATION, INC.
D/B/A GOLD STAR COMPANIES, INC.
STEVEN ANDREW BURZYNSKI, QUALIFYING OFFICER
License No. 21-02-166236

Respondent,

and

STEVEN ANDREW BURZYNSKI
License No. 21-01-192011

Respondent.

FORMAL COMPLAINT

NOW COMES the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, Complainant, pursuant to MCL 339.101-605, and its rules promulgated thereunder, upon information and belief alleges as follows:

1. Gold Star Property Restoration, Inc. doing business as Gold Star Companies, Inc., Steven Andrew Burzynski, Qualifying Officer (Respondent), has, at all times relevant to this Complaint, been licensed as a residential builder under the Occupational Code, 1980 PA 299, as amended, Article 24; MCL 339.2401-2412.

2. Steven Andrew Burzynski, (Respondent), has, at all times relevant to this Complaint, been licensed as a residential builder under the Occupational Code, 1980 PA 299, as amended, Article 24; MCL 339.2401-2412.

3. A Complaint against Respondents, conforming to the requirements of § 2411 of 1980 PA 299, as amended; MCL 339.2411 has been filed with the Department of Licensing and Regulatory Affairs by Stevie and Kenya and is attached hereto as Exhibit 1.

4. An authority charged with the enforcement of the laws governing construction of residential or residential and commercial buildings in the political subdivision in which the building is located, has submitted an evaluation of the Complaint submitted. The evaluation is attached hereto as Exhibit 2.

5. Respondents entered into a contract to perform services regulated by 1980 PA 299, as amended, with Stevie on or about March 28, 2014, pursuant to attached Exhibit 3.

6. Respondents, in performance of the contract, failed to comply with §§ R105 and R313 of the 2009 Michigan Residential Code, which was adopted pursuant to the Stille-DeRossett-Hale single state construction code act, effective March 9, 2011, contrary to MCL 339.2411(2)(e) and 2006 AACCS, R 338.1551(5).

7. Respondents have violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

8. Respondent Steven Andrew Burzynski was a party to the acts and omissions alleged hereinabove and was in a position to ensure compliance with the Occupational Code or otherwise prevent the violations that are the subject of this complaint but failed to do so.

Based upon the conduct as aforesaid, Respondents have acted contrary to §§ 604(c) and 2411(2)(e) of the Occupational Code, 1980 PA 299, as amended; MCL 339.604(c) and MCL 339.2411(2)(e) and rule 51(5) of the Residential Builders and Maintenance and Alteration Contractors Board Rules, promulgated thereunder, being 2006 AACCS, R 338.1551(5), constituting grounds for the assessment of a penalty as defined in § 602 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.

DEPARTMENT OF LICENSING AND REGULATORY
AFFAIRS

BY


Barrington Carr, Director
Enforcement Division

Dated: _____

5-5-15

Responsive Pleadings Should Be Filed With:

Department of Licensing and Regulatory Affairs
Corporations, Securities & Commercial Licensing Bureau
Regulatory Compliance Division
P.O. Box 30018
Lansing, MI 48909