

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

IAN MATTOON  
License No. 21-05-213160  
Respondent.

File No. 21-16-330713  
Consent Order and Stipulation

CONSENT ORDER

On January 30, 2017, the Department of Licensing and Regulatory Affairs executed a Formal Complaint charging Respondent with violating the Occupational Code, MCL 339.101 *et seq.*

Respondent have admitted that the facts alleged in the Complaint are true and constitute violation(s) of MCL 339.601(1) and 339.604(c). 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 are true and constitute violation(s) of MCL 339.601(1) and 339.604(c).

IT IS ORDERED that for the cited violation(s) of the Occupational Code, Respondent is FINED \$1,250.00, 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, Compliance Section, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by check or money order, made payable to the State of Michigan, and the check or money order shall clearly display file numbers 21-16-330713.

IT IS FURTHER ORDERED that failure to comply with the terms of this Order shall result in **SUSPENSION** of all licenses or registrations held by Respondent 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 on 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 339.601(1) and 339.604(c).


2. Respondent understands and intends that by signing this Stipulation Respondent is 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 Respondent is waiving the right to appear with an attorney and such witnesses as Respondent 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 15.231 *et seq.*

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


5. This proposal is conditioned upon acceptance by the Board. Respondent and the Department expressly reserve the right to further proceedings without prejudice should this Order be rejected.

AGREED TO BY:

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

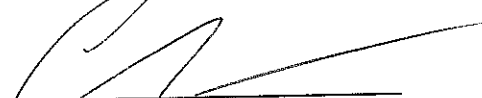
Dated: 10-16-17

AGREED TO BY:

  
\_\_\_\_\_  
Ian Mattoon  
Respondent

Dated: 10/4/17

Approved as to form by:

  
\_\_\_\_\_  
Charles R. Cuzydlo (P48503)  
Attorney for Respondent

Dated: 10/4/17

ck

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

IAN MATTOON

License Number: 21-05-213160

File Number: 21-16-330713

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Department) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Ian Mattoon (Respondent) as follows:

1. The Michigan Board of Residential Builders and Maintenance and Alteration Contractors (Board) is an administrative agency established by the Occupational Code, MCL 339.101 et seq. Pursuant to section 602 of the Occupational Code, supra, the Board is empowered to penalize licensees for violations of the Occupational Code.

2. Respondent is licensed as a builder's salesperson in the state of Michigan.

3. On May 9, 2016, Respondent acted on behalf of Palmer Construction Services LLC and entered into a contract with Liesa (Homeowner) to repair siding, garage repair work, and soffit work on Homeowner's house. Respondent failed to ensure

that the contract was signed by all parties. A copy of the contract, marked Exhibit A, is attached and incorporated.

4. At the time the contract was executed, Respondent was not designated as the qualifying officer of Palmer Construction Services LLC and was not licensed as a builder's salesperson.

5. On September 6, 2016, Respondent was granted a license to practice as a builder's salesperson.

6. On September 21, 2016, the Homeowner filed a Statement of Complaint.

#### COUNT I

Respondent's conduct, as described above, evidences practicing regulated occupation or using designated title without license or registration, in violation of section 601(1) of the Occupational Code, supra.

#### COUNT II

Respondent's conduct, as described above, evidences a failure to have all written agreements signed by all parties, contrary to Mich Admin Code, R 338.1533(1), in violation of section 604(c) of the Occupational Code, supra.

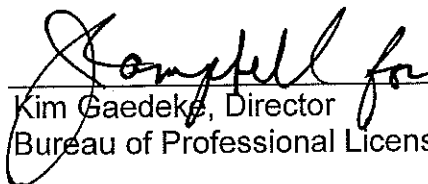
Department requests that this Complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful

requirements for retention of the license(s). If compliance is not shown, Department further requests that formal proceedings be commenced pursuant to the Occupational Code, rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 et seq.

Pursuant to section 508(2) of the Occupational Code, supra, Respondent has 15 days from the date of receipt of this Complaint to notify Department of Respondent's decision to either negotiate a settlement of this matter, to demonstrate compliance with the Occupational Code, or to request an administrative hearing. Written notification of Respondent's selection shall be submitted to Kim Gaedeke, Director, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909. If Respondent fails to submit written notification within 15 days, this matter shall proceed to an administrative hearing.

Dated: \_\_\_\_\_

1/30/17

  
\_\_\_\_\_  
Kim Gaedeke, Director  
Bureau of Professional Licensing

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