

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

INITIAL INVESTMENTS INCORPORATED  
CARLETTA DENISE FLOWERS, QUALIFYING OFFICER

License Number: 21-02-176851

File Number: 21-13-321424

AND

CARLETTA DENISE FLOWERS

License Number: 21-01-170640

File Number: 21-13-321425

FINAL ORDER

On August 13, 2014, a First Amended Formal Complaint (Complaint) was executed that charged Initial Investments Incorporated and Carletta Denise Flowers (Respondents) with violating section 604(c) of the Occupational Code, 1980 PA 299, as amended; MCL 339.101 et seq.

Respondents have admitted, by Stipulation submitted herewith, that the facts alleged in the Complaints are true and constitute a violation of the Occupational Code; and

Pursuant to section 508(3) of the Occupational Code, supra, the Board of Residential Builders and Maintenance and Alteration Contractors accepted the Stipulation at a regularly scheduled meeting held in Lansing, Michigan on November 10, 2015; therefore,

IT IS FOUND that the facts alleged in the Complaints are true and constitute a violation of section 604(c) of the Occupational Code, supra.

Accordingly,

IT IS ORDERED that for the cited violation of the Occupational Code, Respondents must comply with the terms and conditions of the Stipulation incorporated within this Order.

IT IS FURTHER ORDERED that the fine required by the terms of the Stipulation shall be mailed to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Sanction Monitoring, 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 the file number **21-13-321424** and **21-13-321425**.

This Final Order is a public record required to be published and made available to the public pursuant to section 11(1)(a) of the Michigan Freedom of Information Act, 1976 PA 442, as amended; MCL 15.241(1)(a).

CONTINUED ON THE NEXT PAGE

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Chairperson of the Board or authorized representative, as set forth below.

Dated: 1/8/16

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

By:   
Kim Gaedcke, Director  
Bureau of Professional Licensing

This is the final page of a Final Order in the matter Initial Investments Incorporated and Carletta Denise Flowers, Qualifying Officer, File Numbers 21-13-321424 and 21-13-321425, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of three pages, this page included.

KD

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING

DEPARTMENT OF LICENSING AND  
REGULATORY AFFAIRS,  
BUREAU OF PROFESSIONAL LICENSING,<sup>1</sup>  
Complainant,

V

Complaint No. 321424 and 321425

INITIAL INVESTMENTS INCORPORATED  
CARLETTA DENISE FLOWERS, QUALIFYING OFFICER  
License No. 21-02-176851

and

CARLETTA DENISE FLOWERS  
License No. 21-01-170640  
Respondents

Board: Residential Builders and  
Maintenance and Alteration  
Contractors

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STIPULATION

This matter arises out of Formal Complaints, dated August 13, 2014, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 *et seq.*, against Initial Investments Incorporated and Carletta Denise Flowers, Respondents, by the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, and all parties being desirous of reaching an amicable settlement of the Formal Complaints; therefore

1. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents neither admit nor deny but agree to allow the Board to treat as true for purposes of resolving this formal complaint to having violated R105.1 of the

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<sup>1</sup> Prior to July 6, 2015, formerly part of Corporations, Securities and Commercial Licensing Bureau

2009 Michigan Residential Code, which was adopted pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, contrary to Mich Admin Code, R338.1551(5), by failing to ensure a permit and clearance was obtained for the alteration and repair of the sizing of a chimney liner and replacement of a vent pipe.

2. IT IS HEREBY STIPULATED, by and between the parties hereto, that all other violations alleged in the August 13, 2014 Formal Complaints are dismissed.

3. IT IS HEREBY STIPULATED, by and between the parties hereto, that Respondents shall pay a FINE in the amount of \$1,000.00. The fine shall be paid by cashier's check or money order, with Complaint Nos. 321424 and 321425 clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days of the date of mailing of the Final Order in this matter. The check or money order shall be mailed to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Regulatory and Compliance Division -- Compliance Section, Final Order Monitoring, P.O. Box 30189, Lansing, Michigan 48909. Please note that the Department will not consent to any type of payment plan with Respondents that results in the last payment being made after the time frame specified in this Stipulation.

4. IT IS HEREBY STIPULATED, by and between the parties hereto, that if the FINE is overdue for at least six (6) months, the FINE will be referred to the Department of Treasury for collection action against Respondents.

5. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation shall result in a suspension of all licenses or registrations of the Respondents and/or denial of any license or registration renewal and the denial of future applications for licensure or registration if compliance is not made within six (6) months.

6. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that the Director of the Bureau of Professional Licensing, or designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Bureau of Professional Licensing Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

7. Respondents understand and intend that by signing this Stipulation, they are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaints by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

8. In agreeing to this Stipulation to resolve the issues raised in the formal complaint, the parties considered the following factors:

- A. Respondents contracted with Complainant to perform restorative and construction services at her residence. Prior to the deterioration of the business relationship between the parties, Respondents obtained Certificates of Acceptance from the City of Detroit for the plumbing, electrical, and building permits obtained for the work performed at the residence. Respondents maintain that these Certificates of Acceptance confirm all building code violations stemming from the time they had access to the residence were repaired.
- B. In addition to other subcontractors, Respondents subcontracted with a licensed heating and cooling company to perform the mechanical services on the subject property. Respondents maintain that all 4 mechanical violations noted in 2012 were corrected but does not contest the subcontractor failed to obtain permits and/or re-inspection clearances for two of the violations.
- C. Respondents were unaware of the subcontractors' failure to obtain permits and re-inspection clearances for the two mechanical violations.
- D. Respondents ceased performing work and vacated Complainant's residence in December 2012.

Agreed to:

Carletta D. Flowers  
Carletta Flowers, Respondent

Date: 8/10/2015

Michael F. Wais  
MICHAEL WAIS  
Michael F. Wais (P45482)  
Attorney for Respondent

Date: 8-10-2015

Attorney Business Address & Telephone Number:

Howard & Howard  
450 West Fourth Street  
Royal Oak, MI 48067

Bureau of Professional Licensing:

Approved by:

Kim Gaedeke  
Kim Gaedeke, Director

Date: 08/24/2015

LF/ Flowers, Carletta D., 321425 (Res Bldr)/ 2015-0104967-N Stip - 2015-08-10

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. 321424 and 321425

Complainant,

v

INITIAL INVESTMENTS INCORPORATED  
CARLETTA DENISE FLOWERS, QUALIFYING OFFICER  
License No. 21-02-176851

Respondent,

and

CARLETTA DENISE FLOWERS  
License No. 21-01-170640

Respondent.

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FIRST AMENDED 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. Initial Investments Incorporated, Carletta Denise Flowers, 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. Carletta Denise Flowers, (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 \_\_\_\_\_ and is attached hereto as Exhibit 1.

4. Authorities 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, have submitted evaluations of the Complaint submitted. The evaluations are attached hereto as Exhibit 2.

5. Respondent Initial Investments Incorporated entered into a contract to perform services regulated by 1980 PA 299, as amended, with \_\_\_\_\_ on or about April 15, 2012, pursuant to attached Exhibit 3.

6. Respondents, in performance of the contract, failed to comply with §§ R 314.3, R 315.3, R 612.1, E 3403.3, E 3905.11, G 2426.1, 1502.5, M 1601.1, M1701.1 and M1803.3.4 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 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 Carletta Denise Flowers was a party to the acts and omissions alleged herein above 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) of the Occupational Code, 1980 PA 299, as amended; MCL 339.604(c) and rule 51(5) of the Residential Builders and Maintenance and Alteration Contractors Board Rules, promulgated

thereunder, being 2006 AACR, 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: \_\_\_\_\_

8-13-14

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