

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

J & D REMODELERS, L.L.C.
License No. 21-02-200656,
Respondent.

Docket No. 17-010519
File No. 21-16-330871

FINAL ORDER

On March 6, 2017, the Department of Licensing and Regulatory Affairs executed a Formal Complaint¹ charging Respondent with violating the Occupational Code, MCL 339.101 *et seq.*

An administrative hearing was held in this matter before an administrative law judge who, on August 4, 2017, issued a Hearing Report setting forth Findings of Fact and Conclusions of Law.

The Michigan Board of Residential Builders and Maintenance and Alteration Contractors (Board), having reviewed the administrative record, considered this matter at a regularly scheduled meeting held in Lansing, Michigan on September 12, 2017, and received the administrative law judge's Findings of Fact and Conclusions of Law in the Hearing Report.

¹ The charges in the Formal Complaint against John Paul Duprey were dismissed on July 31, 2017, as Mr. Duprey is deceased.

IT IS ORDERED that for violating MCL 339.604(b), 339.604(h), and 339.2411(2)(a), Respondent's license to practice as a residential builder company in the state of Michigan is suspended for a minimum period of one day, commencing on the effective date of this Order.

IT IS FURTHER ORDERED THAT Respondent is FINED \$2,000.00 to be paid to the State of Michigan within 90 days from 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 number **21-16-330871**.

IT IS FURTHER ORDERED that Respondent shall pay RESTITUTION in the amount of \$9,750.00 to A L within 90 days from the effective date of this Order.

IT IS FURTHER ORDERED that Respondent shall submit satisfactory written evidence of payment of the ordered restitution to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909**.

IT IS FURTHER ORDERED that, in accordance with MCL 339.411(3)(c), 339.602(c) and 339.604(k), no application for licensure, renewal, relicensure, or

reinstatement shall be granted until all final orders of the Board have been satisfied in full.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, the Board may proceed to take disciplinary action pursuant to MCL 339.604(k).

This Final Order is a public record required to be published and made available to the public pursuant to section the Michigan Freedom of Information Act, MCL 15.231 *et seq.*

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: 10/16/17

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

By: Virginia Aksho for
Kim Gaedeke, Director
Bureau of Professional Licensing

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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

J & D REMODELERS LLC
License Number: 21-02-200656

and

JOHN PAUL DUPREY,
QUALIFYING OFFICER
License Number: 21-01-116298

File Numbers: 21-16-330871
21-16-330872

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Department), by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against J & D Remodelers LLC and John Paul Duprey (Respondents) 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 licensee for violations of the Occupational Code.

2. J & D Remodelers LLC is licensed as a residential building company, and John Paul Duprey is licensed as a residential builder in the state of Michigan.

3. On January 19, 2016, Respondents entered into a contract with (Homeowner) to renovate Homeowner's basement, including painting, drywall installation, plumbing, and electrical work. A copy of the contract, marked Exhibit A, is attached and incorporated.

4. In March 2016, Homeowner discovered a set of tools missing from her home, which Respondent confessed to taking. Respondent failed to reimburse Homeowner for the tools and failed to return to complete the contracted job.

5. On October 14, 2016, Homeowners filed a Statement of Complaint against Respondent with the Department alleging theft and failure to complete a home improvement project.

6. On November 4, 2016, the Department sent Respondent a Notice to Respondent and a copy of Homeowner's complaint. No response was received from Respondent.

COUNT I

Respondents' conduct, as described above, evidences a failure to reply to a valid and written complaint and to confirm or deny the justification of the complaint within 15 days, contrary to Mich Admin Code, R 338.1551(2), in violation of section 604(h) of the Occupational Code, supra.

COUNT II

Respondents' conduct, as described above, evidences fraud, deceit, or dishonesty in practicing an occupation, in violation of section 604(b) of the Occupational Code, supra.

COUNT III

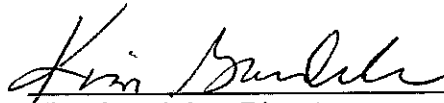
Respondent's conduct, as described above, evidences abandonment without legal excuse of a contract, construction project, or operation engaged in or undertaken by the licensee, contrary to section 2411(2)(a) of the Occupational Code, supra.

The Department requests that this Complaint be served upon Respondents and that Respondents be offered an opportunity to show compliance with all lawful requirements for retention of the licenses. If compliance is not shown, the Department further requests that formal proceedings be commenced pursuant to the Occupational Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 et seq.

Pursuant to section 508(2) of the Occupational Code, Respondents have 15 days from the date of receipt of this Complaint to notify the Department of Respondents' 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 Respondents' 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 Respondents fail to submit written notification within 15 days, this matter shall proceed to an administrative hearing.

Dated: 03/06/2017



Kim Gaedeke, Director
Bureau of Professional Licensing

Attachment

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