STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS BUREAU OF PROFESSIONAL LICENSING BOARD OF RESIDENTIAL BUILDERS AND MAINTENANCE & ALTERATION CONTRACTORS

In the Matter of

JOHN EUGENE JIMMERSON . License Number: 2103088561

File Number: 21-17-335912 . CONSENT ORDER AND STIPULATION

STIPULATION

Respondent acknowledges the facts and violations of the Occupational Code, MCL 339.101 *et seq.*, as set forth in the Formal Complaint; voluntarily waives the opportunity to show compliance, to have a hearing, to be represented by an attorney, and to have the appearance of witnesses; and agrees to the sanctions set forth in the following Consent Order.

The Department and Respondent agree that the Michigan Board of Residential Builders and Maintenance & Alteration Contractors may enter an Order as stipulated above.

Cheryl Wykoff Pezon, Acting Director Bureau of Professional Licensing

July 9, 2018 Dated:_____

John Eugene Jimmerson, Respondent Dated:

CONSENT ORDER

IT IS FOUND that Respondent violated the Occupational Code, as set forth in the Formal Complaint; accordingly,

IT IS ORDERED that Respondent is:

- 1. FINED \$230.00, to be paid to the State of Michigan within 60 days from the effective date of this Order. The fine shall be mailed to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 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 21-17-335912; and
- 2. Placed on PROBATION for a minimum period of one day and not to exceed a period of one year, commencing on the effective date of this Order. During the probationary period, Respondent shall provide proof of having completed the continuing education deficiency as indicated in the Formal Complaint. These hours

Consent Order and Stipulation File Number: 21-17-335912 shall not apply in computing Respondent's current continuing education requirements for license renewal.

Respondent shall be discharged from probation at the end of the probationary period, PROVIDED Respondent has paid the fine, has complied with the terms of this Order, and has not violated the Occupational Code.

Verification of continuing education shall be mailed to the **Department of** Licensing and Regulatory Affairs, Bureau of Professional Licensing, Compliance Section, P.O. Box 30670, Lansing, MI 48909.

Failure to provide proof of completing the continuing education and pay the fine, as set forth above, shall result in suspension of Respondent's license. The suspension shall be automatically lifted upon compliance with the Order, provided that such compliance occurs before the license expires. If Respondent fails to comply with the Order before the license expires, Respondent must apply for relicensure, in accordance with MCL 339.411 of the Occupational Code.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed, as set forth below.

MICHIGAN BOARD OF RESIDENTIAL BUILDERS AND MAINTENANCE & ALTERATION CONTRACTORS

Dated: July 9, 2018

Leson By:

Cheryl Wykoff Pezon, Acting Director Bureau of Professional Licensing

STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS BUREAU OF PROFESSIONAL LICENSING BOARD OF RESIDENTIAL BUILDERS AND MAINTENANCE & ALTERATION CONTRACTORS

In the Matter of

JOHN EUGENE JIMMERSON, License Number: 2103088561, Respondent.

File Number: 21-17-335912

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Cheryl Wykoff Pezon, Acting Director, Bureau of Professional Licensing, complains against Respondent, as follows:

1. The Michigan Board of Residential Builders and Maintenance & Alteration Contractors is an administrative agency established by the Occupational Code, MCL 339.101 *et seq.* Pursuant to MCL 339.602, the Board is empowered to discipline licensees for violations of the Code.

2. Respondent is licensed to practice as a Maintenance & Alteration Contractor in the state of Michigan.

3. The Department audited Respondent's compliance with the continuing competency requirements set forth in MCL 339.2404b, and Respondent failed to submit proof of compliance with the requirements. A copy of Department's audit results, marked Exhibit A, is attached and incorporated.

COUNT I

Respondent failed to comply with the continuing competency requirements set forth in MCL 339.2404b, in violation of MCL 339.604(h).

RESPONDENT IS NOTIFIED that Respondent has 15 days from the date of receipt of this Complaint to answer this Complaint in writing. Respondent shall submit the response to the **Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, CE Audit, P.O. Box 30670, Lansing, MI 48909.**

If Respondent fails to respond in writing within 15 days, this matter shall proceed to a contested case hearing, in accordance with MCL 339.508(2).

May 28, 2018 Dated:

Cheryl Wykoff Pezon, Acting Director Bureau of Professional Licensing