

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

KEVIN WILLIAM CRANICK,
D/B/A/ CEDAR CREEK CONTRACTING
License No. 21-01-157908,
Respondent.

Docket No. 17-001157
File No. 21-14-325440

FINAL ORDER

On May 18, 2015, the Department of Licensing and Regulatory Affairs executed a Formal Complaint 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 May 22, 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.

IT IS ORDERED that for violating MCL 339.604(c) Respondent is FINED \$500.00 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 **21-14-325440**.

IT IS FURTHER ORDERED that in the event Respondent fails to pay the fine as set forth above within 90 days, Respondent's license to practice as an individual residential builder shall be SUSPENDED.

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 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 Abdou for
Kim Gaedeke, Director
Bureau of Professional Licensing

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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 No. 325440

Complainant,

v

KEVIN WILLIAM CRANICK
D/B/A CEDAR CREEK CONTRACTING
License No. 21-01-157908

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. Kevin William Cranick, doing business as Cedar Creek Contracting (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. A Complaint against Respondent, 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 Rod Slocum and is attached hereto as Exhibit 1.
3. 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.

4. Respondent entered into a contract to perform services regulated by 1980 PA 299, as amended, with Rod Slocum on or about March 14, 2014, pursuant to attached Exhibit 3.

5. Respondent failed to provide Rod Slocum with a copy of the contract referred to in paragraph four above which was signed by all parties, contrary to 2006 AACCS, R 338.1533(1).

6. Respondent, in performance of the contract, failed to comply with §§ R105.1, R105.2(vi), M1601.1, P2603.1, P2705.1(3), E3403.3, E4101.2, E4101.3 and G2447.1 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. At the time Respondent performed the contract referred to in paragraph four above, services were performed which required a plumbing license, without a plumbing license, as evidenced by Exhibit 4, which was a willful violation of the State Plumbing Act, 2002 PA 733, as amended, contrary to MCL 339.2411(2)(e).

8. Respondent has violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

Based upon the conduct as aforesaid, Respondent has 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 rules 33(1) and 51(5) of the Residential Builders and Maintenance and Alteration Contractors Board Rules, promulgated thereunder, being 2006 AACCS, R 338.1533(1) and 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: _____

5-18-15

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