

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

LARRY JAY DAVIS
License No. 21-01-162495,
Respondent.

Docket No. 17-010680
File No. 21-16-330916

FINAL ORDER

On March 27, 2016, 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 October 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 December 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) and 339.2411(2)(j),

Respondent is FINED \$250.00 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 **21-16-330916**.

IT IS FURTHER ORDERED that in the event Respondent fails to pay the fine within 90 days as set forth above, the fine amount is increased to \$500.00.

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: 1/11/18

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

By: 
Cheryl Wykoff Pezon, Acting 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
MAINTANANCE AND ALTERATION CONTRACTORS

In the Matter of

LARRY JAY DAVIS,
d/b/a Davis Tile Company
License Number: 21-01-162495

File Number: 21-16-330916

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Department), by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Larry Jay Davis d/b/a Davis Tile Company (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 an individual residential builder in the state of Michigan.

3. On May 18, 2016, Aaron J. Davis, an unlicensed individual, acting as an agent for Respondent, entered into and signed a contract with (Homeowner) to perform a kitchen remodel that included tile installation, electrical work,

cabinet installation, counter top installation, plumbing, and duct work. A copy of the contract and a verification of licensure, marked Exhibit A, is attached and incorporated.

4. On June 22, 2016, Aaron J. Davis, an unlicensed individual, acting as an agent for Respondent, entered into another contract with Homeowner to renovate a laundry room. Renovations included tile installation, electrical work, counter top installation, and painting. A copy of the contract, marked Exhibit B, is attached and incorporated.

5. On or about on August 11, 2016, contractual relations broke down between Aaron J. Davis and Homeowner.

6. On October 19, 2016, Homeowner filed a Statement of Complaint with the Department alleging Respondent (through Aaron J. Davis) failed to properly perform the terms of the contracts.

COUNT I

Respondent's conduct, as described above, evidences acceptance or performance of a contract procured by a salesperson not licensed under a builder or contractor, or acceptance or performance of a contract, other than the sale of real property, procured by anyone not licensed under the act, contrary to Mich Admin Code, R 338.1536, in violation of section 604(c) of the Occupational Code, supra.

COUNT II


Respondent's conduct, as described above, evidences aiding or abetting an unlicensed person to evade Article 24, in violation of section 2411(2)(j) of the Occupational Code, supra.

The 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 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, supra, Respondent has 15 days from the date of receipt of this Complaint to notify the 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: _____

03/27/2017



Kim Gaedeke, Director
Bureau of Professional Licensing

Attachments