

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

MPM BUILDERS, LLC
License No. 21-02-202129

File No. 21-15-326755

and

MICHAEL P. MAJZNERSKI
License No. 21-01-135170,

File No. 21-15-326756

Respondents.

CONSENT ORDER

On October 2, 2015, the Department of Licensing and Regulatory Affairs executed a Formal Complaint charging Respondents with violating the Occupational Code, MCL 339.101 *et seq.*

Respondents have admitted that the facts and allegations in the Complaints are true, and constitute violation(s) of MCL 339.604(c). The Michigan Board of Residential Builders and Maintenance and Alteration Contractors has reviewed this Consent Order and Stipulation and agrees that the public interest is best served by resolution of the outstanding Complaint.

Therefore, IT IS FOUND that the facts alleged in the Complaint are true and constitute violation(s) of MCL 339.604(c).


IT IS ORDERED that for the cited violation(s) of the Occupational Code, Respondents are FINED \$500.00 to be paid to the State of Michigan within 60 days of 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, 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 numbers **21-15-326755** and **21-15-326756**.

IT IS FURTHER ORDERED that failure to comply with the terms of this Order shall result in a SUSPENSION of all licenses or registrations held by Respondents under Article 24 of the Occupational Code and in the denial of any license or registration renewal until compliance with this Order.

IT IS FURTHER ORDERED that this Order shall be effective 30 days from the date signed by the Board, as set forth below.

MICHIGAN BOARD OF RESIDENTIAL BUILDERS AND
MAINTENANCE AND ALTERATION CONTRACTORS

By: 
Chairperson

Dated: 3/13/14

STIPULATION

1. The facts in the Complaint are true and constitute violation(s) of MCL 339.604(c).

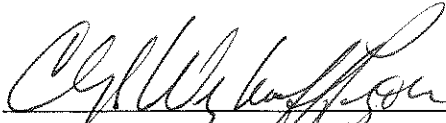
2. Respondents understand and intend that by signing this Stipulation Respondents are waiving the right, pursuant to the Occupational Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the Complaint by presentation of evidence and legal authority, and Respondents are waiving the right to appear with an attorney and such witnesses as Respondents may desire to present a defense to the charges.

3. This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 24.231 *et seq.*

4. This Order is approved as to form and substance by Respondents and the Department and may be entered as the final order of the Board in this matter.

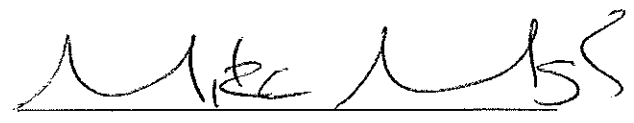
5. This proposal is conditioned upon acceptance by the Board. Respondents and the Department expressly reserve the right to further proceedings should this Order be rejected.

AGREED TO BY:


Cheryl Wykoff Pezon, Acting Director
Bureau of Professional Licensing
Department of Licensing and
Regulatory Affairs

Dated: 1/19/18

AGREED TO BY:


MPM Builders, LLC and
Michael P. Majznerski
Respondents

Dated: 1-10-2018

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

MPM BUILDERS, L.L.C.
License Number: 21-02-202129

MICHAEL P. MAJZNEFSKI,
QUALIFYING OFFICER
License Number: 21-01-135170

File Numbers: 21-15-326755
21-15-326756

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Complainant) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against MPM Builders, LLC and Michael P. Majznerski (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, 1980 PA 299, as amended; 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. Respondents are licensed as residential builders in the state of Michigan.

3. On or about on December 28, 2013, Respondents entered into a contract with _____ (Homeowner) to add a 40' x 8' addition to Homeowner's house. A copy of the contract, marked EXHIBIT A, is attached and incorporated.

4. On May 29, 2015, a building inspector for the Charter Township of Hampton, Michigan conducted a building inspection of Homeowner's addition and noted, in part, the following violations of the Michigan Residential Code adopted pursuant to the Stille-DeRossett-Hale single state construction code act, effective March 9, 2011:

- a. Plumbing vent stack is running up the side of the house on the outside, in violation of P 3101.4;
- b. Unsecured joist hangers and notched floor joists, in violation of R 502.8, R 502.8.1, R 502.6.2; and
- c. No vertical supports from the new roof rafters down to the bearing beam or other bearing points, in violation of R 802.3.1.

A copy of the building inspection, marked EXHIBIT B, is attached and incorporated.

COUNT I

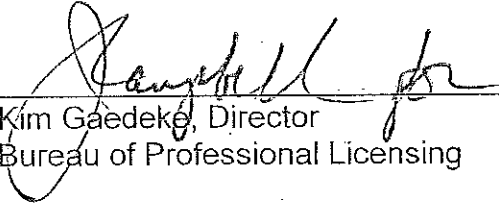
Respondents' conduct, as described above, evidences a failure to maintain standards of construction in accordance with the local building code, contrary to Mich Admin Code R 338.1551(5), in violation of section 604(c) of the Occupational Code, supra.

Complainant requests 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, Complainant further requests that formal proceedings be commenced pursuant to the Occupational Code, rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq.

Pursuant to section 508 of the Occupational Code, supra, Respondents have 15 days from the date of receipt of this Complaint to notify Complainant 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 Complainant, 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: _____

10/2/15



Kim Gaedeke, Director
Bureau of Professional Licensing

This is the final page of a Formal Complaint in the matter of MPM Builders, L.L.C., Complaint Number 21-15-326755 and Michael P. Majznerski, Complaint Number 21-15-326756, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of three pages, this page included.

CSW