

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

PIONEER HOMECRAFTERS LLC
License Number: 21-02-201645

and

GEORGE DAVID BRUNETTE
License Number: 21-01-199423

File Numbers: 21-15-327923
21-15-327924

CONSENT ORDER AND STIPULATION

CONSENT ORDER

On September 6, 2016, the Department of Licensing and Regulatory Affairs (Department) executed a Formal Complaint (Complaint) charging Pioneer Homecrafters LLC and George David Brunette (Respondents) with violating section(s) 604(h), 604(l) and 2411(2)(j) of the Occupational Code, MCL 339.101 et seq.

Respondents have admitted that the facts alleged in the Complaint are true and constitute violation(s) of the Occupational Code. The Michigan Board of Residential Builders and Maintenance and Alteration Contractors (Board) has reviewed this Consent Order and Stipulation (Order) 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 section(s) 604(h), 604(l) and 2411(2)(j) of the Occupational Code, supra.

Accordingly, IT IS ORDERED that for the cited violation(s) of the Occupational Code, Respondents are FINED \$1,000.00, jointly and severally, 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, Legal 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 numbers **21-15-327923 and 21-15-327924**.

IT IS FURTHER ORDERED that failure to comply with the terms of this Order shall result in SUSPENSION of Respondents licenses.

IT IS FURTHER ORDERED that in accordance with sections 411(3)(c), 602(c), and 604(k) of the Occupational Code, supra, 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 this Order shall be effective on the date signed by the Board, as set forth below.

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

By: _____
Chairperson

Dated: 6-13-17

STIPULATION

1. The facts alleged in the Complaint are true and constitute violation(s) of section(s) 604(h), 604(l) and 2411(2)(j) of the Occupational Code, supra.

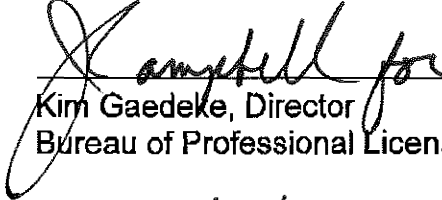
2. Respondents understand and intend that by signing this Stipulation Respondents are waiving the right, pursuant to the Occupational Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 et seq., to require the Department to prove the charges set forth in the Complaint by presentation of evidence and legal authority, and Respondent is waiving the right to appear with an attorney and such witnesses as Respondent 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 15.231 et seq.

4. This Order is approved as to form and substance by Respondent 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. Respondent and the Department expressly reserve the right to further proceedings should this Order be rejected.

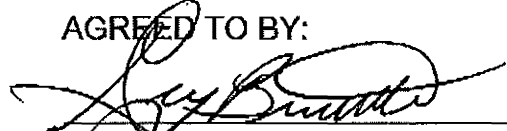
AGREED TO BY:



Kim Gaedeke, Director
Bureau of Professional Licensing

Dated: 3/31/17

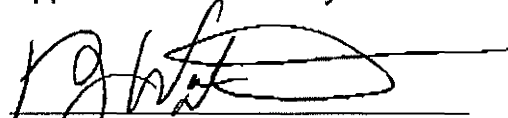
AGREED TO BY:



Pioneer Homecrafters LLC
George David Brunette
Respondents

Dated: 3-22-17

Approved as to form by:



Kevin J. Wistrom (P38235)
Attorney for Respondent

Dated: 3-22-17

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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

Pioneer Homecrafters LLC
License Number: 21-02-201645

and

George David Brunette,
License Number: 21-01-199423

File Numbers: 21-15-327923
21-15-327924

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Complainant) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against Pioneer Homecrafters LLC and George David Brunette (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 licensees for violations of the Occupational Code.

2. Respondent Pioneer Homecrafters LLC is licensed as a residential builder company, Respondent George David Brunette is licensed as an individual residential builder and is designated as the qualifying officer of Pioneer Homecrafters LLC, and therefore pursuant to section 2405(1) the Occupational Code, supra, is responsible for exercising the supervision or control of the building or construction operations necessary to secure full compliance with the Occupational Code and the rules promulgated under the Occupational Code, supra.

3. On April 11, 2015, Casey Lange and Wayne Kooienga acted on behalf of Pioneer Homecrafters LLC and entered into a contract with (Homeowner) to construct a three-season room and install a steel roof over the existing house. A copy of the contract, marked Exhibit A, is attached and incorporated.

4. At the time the contract was executed, Casey Lange and Wayne Kooinega were not designated as the qualifying officer of Pioneer Homecrafters LLC and were not licensed as builder salespersons. Wayne Kooinega was issued an individual builder license effective May 28, 1969, the license was suspended on June 13, 1984, and the license expired on May 31, 1985.

5. On April 30, 2015, Respondents applied for a building permit that was issued on May 1, 2015. On August 10, 2015, the Egelston Township Building Department approved the final inspection.

6. On October 2, 2015, the Homeowner filed a Statement of Complaint.

COUNT I

Respondents' 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 Occupational Code, contrary to Mich Admin Code, R 338.1536, in violation of section 604(h) of the Occupational Code, supra.

COUNT II

Respondents' conduct, as described above, evidences aiding or abetting an unlicensed person to evade this article, or knowingly combining or conspiring with, or acting as agent, partner, or associate for an unlicensed person, or allowing one's license to be used by an unlicensed person, in violation of sections 2411(2)(j) and 604(l) of the Occupational Code, supra.

Complainant 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 license. 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, MCL 24.201 et seq.

Pursuant to section 508(2) 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.



Kim Gaedeke, Director
Bureau of Professional Licensing

DATED: 09/06/2016

This is the final page of a Formal Complaint in the matter of Pioneer Homecrafters LLC and George David Brunette, File Numbers 21-15-327923 and 21-15-327924, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of four pages, this page included.

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