

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

SANDY J. JENKINS,
License No. 21-01-060935

Complaint No. 21-17-331728

CONSENT ORDER AND STIPULATION

CONSENT ORDER

A first superseding formal complaint was filed on February 15, 2018 charging Sandy J. Jenkins (Respondent) with having violated sections 604(c), (l) and 2411(2)(j) of the Occupational Code, MCL 339.101 *et seq.*

The parties have stipulated that the Board may enter this consent order and that the facts alleged in the Formal Complaint are true and constitute a violation of sections 604(c), (l), and 2411(2)(J) of the Occupational Code. The Board has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint.

Accordingly, for these violations, IT IS ORDERED:

Respondent is FINED \$500.00 to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 21-17-331728 clearly indicated on the check or money order), and shall be payable within 60 days. If Respondent fails to timely pay this fine, his license shall be suspended. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Department of Licensing and Regulatory Affairs, Bureau of

Professional Licensing, Enforcement Division, Compliance Section, P.O. Box 30189,
Lansing, Michigan 48909.

Respondent shall direct any communications to the Department that are required by the terms of this order to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement Division – Compliance Section, P.O. Box 30670, Lansing, Michigan 48909.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of section 604(k) of the Occupational Code.

This order shall be effective on the date signed by the Chairperson or the Chairperson's designee, as set forth below.

Signed on May 15, 2018

MICHIGAN BOARD OF RESIDENTIAL
BUILDERS AND MAINTENANCE &
ALTERATION CONTRACTORS

By 

Chairperson,

STIPULATION

The parties stipulate as follows:

1. The facts alleged in the complaint are true and constitute a violation of the Occupational Code.

2. The Director of the Bureau of Professional Licensing, or her designee, must approve this consent order and stipulation before it is submitted to the Board for final approval.

3. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Occupational Code, rules promulgated under the Occupational Code, and the Administrative Procedures Act of 1969, 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 to present a defense to the charges. Should the Board reject the proposed consent order, the parties reserve the right to proceed to hearing.

4. This matter is a public record required to be published and made available to the public pursuant to section 11(1)(a) of the Michigan Freedom of Information Act, 1976 PA 442, as amended.

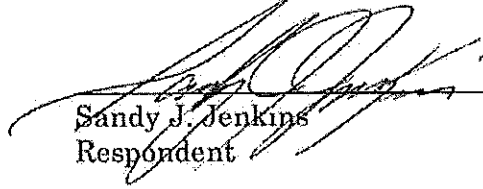
By signing this stipulation, the parties confirm that they have read, understand and agree with the terms of the consent order.

AGREED TO BY:



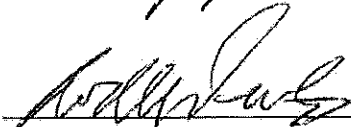
Timothy C. Erickson (P72071)
Graham H. Filler (P74995)
Assistant Attorneys General
Attorney for Complainant
Dated: 4-5-18

AGREED TO BY:



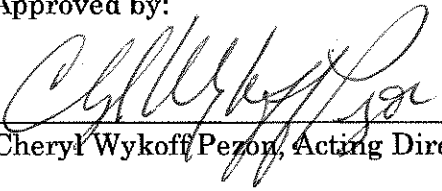
Sandy J. Jenkins
Respondent

Dated: 4/5/18



Rod A. Dunlap (P37558)
Attorney for Respondent
Dated: 4-2-18

Bureau of Professional Licensing
Approved by:



Cheryl Wykoff Pezon, Acting Director

4/10/18
Date

LF: 2017-0186977-B\Jenkins, Sandy J., 331728, (Res Bldr)\Occupational COS - 2018-03-01

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:

SANDY J. JENKINS,
License No. 21-01-060935

Complaint No. 21-17-331728

Respondent.

FORMAL COMPLAINT

Attorney General Bill Schuette, through Assistant Attorney General Graham H. Filler, on behalf of Complainant Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Complainant, pursuant to the Occupational Code, as amended, MCL 339.101 *et seq.*, and the rules promulgated thereunder, and files this Formal Complaint against Sandy J. Jenkins (Respondent), alleging upon information and belief as follows:

1. The Board of Residential Builders and Maintenance & Alteration Contractors is an administrative agency established under Article 24 of the Occupational Code, MCL 339.2401 *et seq.*
2. Respondent is properly licensed as a residential builder (license #21-01-060935) in the State of Michigan pursuant to the Code. There is no d/b/a associated with his individual builder license. Respondent is the resident agent for

Jenkins Contracting Services, Inc., whose business address is 8825 Puritan, Detroit, MI 48238.

3. Section 604(c) of the Code requires the Board to penalize a licensee for violating a rule of conduct of an occupation.

4. Section 604(h) of the Code requires the Board to penalize a licensee for violating any other provision of this act or a rule promulgated under the Code for which a penalty is not otherwise prescribed.

5. Section 604(l) of the Code requires the Board to penalize a licensee who “[a]ids or abets another person in the unlicensed practice of an occupation.”

6. R 339.601(1) prohibits a licensee to engage in the practice of an occupation unless the person possesses a license issued by the Department.

7. R 2411(2)(j) prohibits a licensee from knowingly combining with an unlicensed person to allow one’s license to be used by an unlicensed person.

8. Section 602 of the Code authorizes the Board to impose sanctions against a licensee if, after opportunity for a hearing, the licensee is found to have violated one or more of the subdivisions contained in section 604 of the Code.

9. Section 514 of the Code authorizes the Board to assess penalties against licensees under section 602 of the Code based on an administrative law hearing examiner’s hearing report.

FACTUAL ALLEGATIONS

10. On or about August 31, 2016, Raynard and Shalanda met with Respondent and signed a contract with Jenkins Contracting Services Inc. to

construct a home addition for the property at 15490 Hemlock St., Monroe Twp. 48161. The contract is dated August 31, 2016 and the parties listed are “Jenkins Contracting Services Inc.” and “Mr. and Mrs. Raynard & Shalanda ”.

11. Jenkins Contracting Services Inc., was located at 8825 Puritan, Detroit, MI 48238 and was not licensed as a residential builder or maintenance and alteration contractor under Article 24 of the Occupational Code at the time of the August 31, 2016 contract. At the current time, Jenkins Contracting Services is still unlicensed.

COUNT I

12. Respondent’s conduct, as described above, demonstrates practicing an occupation without possessing a license, contrary to R 339.601(1), in violation of section 604(c) of the Code.

COUNT II

13. Respondent’s conduct, as described above, constitutes aiding and abetting the unlicensed practice of a profession in violation of section 604(l) of the Code.

COUNT III

14. Respondent’s conduct, as described above, constitutes a willful violation of the building laws of this state or a political subdivision of this state, contrary to section 2411(2)(j) of the Code, in violation of section 604(c) of the Code.

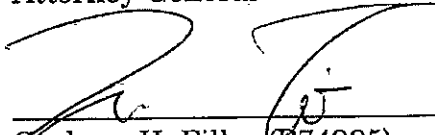
THEREFORE, Complainant Department of Licensing and Regulatory Affairs hereby commences proceedings pursuant to the Administrative Procedures Act of

1969, MCL 24.201 *et seq.*, the Occupational Code, MCL 339.101 *et seq.*, and the associated administrative rules 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.

Any written response shall be submitted to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan, 48909, with a copy to the undersigned assistant attorney general.

Respectfully submitted,

BILL SCHUETTE
Attorney General



Graham H. Filler (P74995)
Assistant Attorney General
Licensing & Regulation Division
525 West Ottawa, 3rd Floor, Williams Bldg.
P.O. Box 30758
Lansing, MI 48909
(517) 373-1146; Fax (517) 241-1997

Dated: October 19, 2017