

Bureau of Construction Codes
Statistical Report on Complaints and Investigations
For Fiscal Year 2019

(Pursuant to Section 514 of Public Act 60 of 2019)

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Prepared by

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REPORT AUTHORITY

Section 514 of 2019 PA 60, the appropriations act for the Department of Licensing and Regulatory Affairs, making appropriations for fiscal year 2020.

Sec. 514. From the appropriations in part 1, the bureau of community and health systems; bureau of construction codes; bureau of fire services; bureau of professional licensing; corporations, securities, and commercial licensing bureau; and marijuana regulatory agency must submit reports to the subcommittees, senate and house fiscal agencies, and state budget director by December 31. The reports must include all of the following information for the prior fiscal year for each agency or bureau:

- (a) The number of complaints received, with the number of complaints specified for each profession or license type that the agency or bureau regulates.

There were 1,176 complaints received by the bureau with the number of complaints for each license type listed below.

License Type	Number of Complaints
Boiler	0
Residential Builders	748
Electrical	41
Elevator	2
Inspector	3
Manufactured Housing	264
Mechanical	35
Plumbing	45
Local Enforcing Agency	29
Bureau Total	1,167

- (b) A description of the process used to resolve complaints.

Upon receipt of a complaint, the complainant and respondent are notified. The respondent is offered the opportunity to respond to the complaint allegations. An investigation is conducted regarding the allegations to determine if a violation of an applicable act, rule, or code has occurred. If the investigation reveals no violations, the complaint is closed, and the complainant and respondent are notified with reasons for the determination. If violations are determined, a formal complaint is prepared identifying the violations, and the complainant and respondent are notified. The formal complaint offers the respondent to negotiate a settlement, demonstrate compliance, or proceed to

a contested case hearing. If a settlement cannot be reached or compliance cannot be shown, an administrative hearing is held before an administrative law judge in accordance with the Administrative Procedures Act. After the hearing, the administrative law judge's report is provided to the applicable licensing board/commission. That agency holds a meeting to determine the penalties based upon the administrative report. A final order is issued by the applicable licensing board/commission rendering the complaint resolved.

(c) A description of the types of complaints received with total counts of the number of complaints of that type received.

Complaints fall into the following categories:

- 1) Abandonment of job
- 2) Aiding/Abetting unlicensed activity
- 3) Approving non-compliant work
- 4) Code violation
- 5) Collecting rent without being properly licensed
- 6) Diversion of funds/property
- 7) Failure to assure violations are corrected
- 8) Failure to fix roads in a mobile home park
- 9) Failure to have all agreements in writing
- 10) Failure to include license information in a contract
- 11) Failure to maintain standards of construction
- 12) Failure to properly title a mobile home
- 13) Failure to put change of orders in writing
- 14) Failure to obtain permit
- 15) Failure to remit
- 16) Failure to satisfy a judgement
- 17) Fraud, deceit, or dishonesty
- 18) Gross negligence
- 19) Improper billing practices
- 20) Improper drainage in a mobile home park
- 21) Incompetence
- 22) Lack of good moral character
- 23) Rodent infestation in mobile home park
- 24) Rubbish on ground in mobile home park
- 25) Rule of conduct violation
- 26) Sewage on ground in mobile home park
- 27) Unlicensed practice
- 28) Watermain break in mobile home park
- 29) Willful violations of building laws

The bureau does not track the number of complaints per complaint category.

(d) The number of investigations initiated, and the number of investigations closed.

Investigations Initiated	Investigations Closed
1,167	537

(e) The number and type of enforcement actions taken against licensees and metrics regarding any adverse actions taken against licensees including license revocations, suspensions, and fines.

Enforcement Action Taken	Number of Actions Taken
Fine	37
Fine & Revocation	10
Limited License	0
Probation	1
Reprimand	0
Restitution	11
Revocation	0
Suspension	0
Suspension & Fine	2
Voluntary Surrender	1
Bureau Total	62