

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

MICHAEL CARROLL STARK
License No. 21-01-195616
Respondent.

Docket No. 17-021486
File No. 21-16-330855

AND

TMP GROUP, L.L.C.
License No. 21-02-182839,
Respondent.

Docket No. 17-021629
File No. 21-16-330854

FINAL ORDER

On May 24, 2017, the Department of Licensing and Regulatory Affairs executed a Formal Complaint charging Respondents 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 January 17, 2018, 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 May 15, 2018, 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 339.2411(2)(l), Respondents' licenses to practice as an individual builder and a builder company in the state of Michigan are SUSPENDED for a minimum period of one day, commencing on the effective date of this Order.

IT IS FURTHER ORDERED that Respondents are jointly and severally FINED \$5,000.00 to be paid to the State of Michigan within 60 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 numbers **21-16-330855 and 21-16-330854**.

IT IS FURTHER ORDERED that in the event Respondents fail to pay the fine within 60 days as set forth above, the fine shall increase to \$8,000.00.

IT IS FURTHER ORDERED that Respondents shall jointly and severally satisfy the judgement, including statutory interest as determined by the Court, ordered by the State of Michigan, 48th Judicial District Court, Bloomfield Hills, Michigan, in case number 16-31460-SC.

IT IS FURTHER ORDERED that Respondents shall submit satisfactory written evidence of satisfying the judgement, as set forth above, to the **Department of**

**Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O.
Box 30670, Lansing, MI 48909.**

IT IS FURTHER ORDERED that Respondents' licenses shall be restored to lapsed status IF Respondents' pay the fine and provide satisfactory written evidence of satisfaction of the judgement, as set forth above.

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.

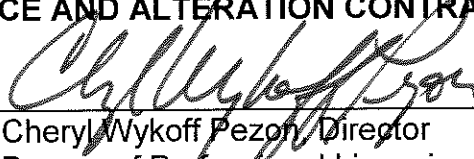
IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, the Board may proceed to take disciplinary action pursuant to MCL 339.604(k).

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: 6/14/18

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

By: 
Cheryl Wykoff Pezom, 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
MAINTENANCE AND ALTERATION CONTRACTORS

In the Matter of

TMP GROUP LLC
License Number: 21-02-182839

MICHAEL CARROLL STARK
Qualifying Officer
License Number: 21-01-195616

File Numbers: 21-16-330854
21-16-330855

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Department) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against TMP Group LLC and Michael Carroll Stark (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 TMP Group LLC is licensed as a builder company and Respondent Michael Carroll Stark is licensed as a residential builder in the state of Michigan.

3. On July 28, 2016, the 48th Judicial District Court in Bloomfield Hills, Michigan, executed a Judgment ordering Respondents to pay \$5,800.00 in case number 16-31460-SC. A copy of the Judgment, marked Exhibit A, is attached and incorporated.

4. Respondents have failed to pay the money as required by the Judgment.

COUNT I

Respondents' conduct, as described above, evidences a failure to satisfy a judgment or lien, in violation of section 2411(2)(l) of the Occupational Code, supra.

The Department 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 their licenses. If compliance is not shown, the Department further requests that formal proceedings be commenced pursuant to the Occupational Code, the rules promulgated under, and the Administrative Procedures Act, 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 the Department 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, 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: 05/24/2017

Kim Gaedeke
Kim Gaedeke, Director
Bureau of Professional Licensing

Attachment

AMD/LFM