

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

KEVIN LAROY WILSON,  
License Number: 21-01-091227

File Number: 21-15-327465

CONSENT ORDER

On November 6, 2015, the Department of Licensing and Regulatory Affairs (Department) executed a Formal Complaint (Complaint) charging Kevin LaRoy Wilson (Respondent) with violating section(s) 604(c), 2411(2)(a), 2411(2)(c), and 2411(2)(h) of the Occupational Code, MCL 339.101 et seq.

Respondent has admitted that the facts alleged in the Complaint are true, with the exception of Counts IV and V, alleging violations of sections 2411(2)(a) and 2411(2)(c) of the Occupational Code, supra, which shall be dismissed. 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(c) and 2411(2)(h) of the Occupational Code, supra.

Accordingly, IT IS ORDERED that Counts IV and V of the Complaint, which charged Respondent with violating section(s) 2411(2)(a) and 2411(2)(c) of the Occupational Code, supra, are DISMISSED.

IT IS FURTHER ORDERED that for violating section(s) 604(c) and 2411(2)(h) of the Occupational Code, Respondent is FINED \$750.00 to be paid to the State of Michigan within 60 days of the effective date of this Order.

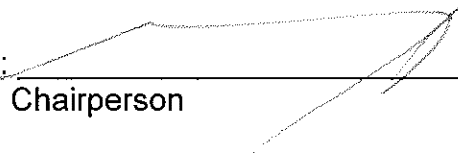
IT IS FURTHER ORDERED that the fine shall be mailed to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Sanction Monitoring, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by check or money order, made payable to the State of Michigan, and the check or money order shall clearly display file number **21-15-327465**.

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.

CONTINUED ON THE NEXT PAGE

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: 6-14-16

STIPULATION

1. Respondent and the Department agree that Counts IV and V of the Complaint that charged Respondent with violating section(s) 2411(2)(a) and 2411(2)(c) of the Occupational Code, supra, shall be dismissed by the Board.

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

3. Respondent understands and intends that by signing this Stipulation Respondent is 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.

4. 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.

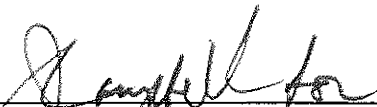
5. Factors taken into consideration in the formulation of this Order are as follows:

Respondent ceased work on the project after Respondent and the homeowner failed to agree on modifications to the oral construction contract. Respondent supplied information showing that the money received from the homeowner matched expenditures for the work performed.


6. 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.

7. 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  
Department of Licensing and  
Regulatory Affairs

AGREED TO BY:

  
\_\_\_\_\_  
Kevin LaRoy Wilson  
Respondent

Dated: 3/1/16

Dated: 2-19-16

This is the final page of a Consent Order and Stipulation in the matter of Kevin LaRoy Wilson, File Number 21-15-327465, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of four pages, this page included. LLC

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

KEVIN LAROY WILSON

License Number: 21-01-091227

File number: 21-15-327465

FORMAL COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs (Complainant) by Kim Gaedeke, Director, Bureau of Professional Licensing, files this Complaint against and Kevin LaRoy Wilson (Respondent) 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. Respondent is licensed as a residential builder in the state of Michigan.

3. In August 2014, Respondent negotiated an agreement with Pamela Burke (Homeowner) to remove a driveway and deck and build a new driveway and deck and construct an addition to Homeowner's house. Respondent provided a written quote

for this work, which was never signed by either party, but did not provide a written agreement with terms, plans, and specifications to Homeowner. Later, Homeowner requested several changes to the quoted work, which Respondent also failed to incorporate into a written, amended agreement.

4. Homeowner paid Respondent a total of \$20,000 in installments as work progressed. On May 9, 2015, Respondent abandoned the unfinished project.

5. On May 20, 2015, Homeowner requested a paid materials list and return of money owed. Respondent refused and referred Homeowner to his lawyer.

6. On July 15, 2015, Homeowner filed a Statement of Complaint with Complainant alleging lack of a written contract, defects in the construction work, failure to provide a paid materials list, and failure by Respondent to return money owed on the unfinished project.

7. On July 6, 2015, a building inspector verified that Respondent failed to protect the permanent supports of the deck structure from frost by keeping structural members away from contact with the underlying soil, contrary to R403.1.4 and R403.1.4.1 of the 2009 Michigan Residential Code, adopted pursuant to the Stille-DeRossett-Hale single state construction code act, effective March 9, 2011. A copy of the inspection report, marked Exhibit A, is attached and incorporated.

### COUNT I

Respondent's conduct, as described above, evidences a failure to provide the customer with a written agreement signed by the parties that clearly states the terms of the transaction, with plans and specifications, including the cost, type and amount of work to be done, and the type and quality of materials to be used, contrary to Mich Admin Code, R 338.1533(1) and (2), in violation of section 604(c) of the Occupational Code, supra.

### COUNT II

Respondent's 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.

### COUNT III

Respondent's conduct, as described above, evidences a failure to deliver to the purchaser the entire agreement of the parties, including any finance or other charge arising out of or incidental to an agreement involving the repair, alteration or addition to a residential structure, in violation of section 2411(2)(h) of the Occupational Code, supra.

#### COUNT IV

Respondent's conduct, as described above, evidences abandonment without legal excuse of a contract, construction project, or operation engaged in or undertaken by the licensee, in violation of section 2411(2)(a) of the Occupational Code, supra.

#### COUNT V

Respondent's conduct, as described above, evidences failure to account for or remit money coming into Respondent's possession belonging to others, in violation of section 2411(2)(c) of the Occupational Code, supra.

Complainant requests that this Complaint be served upon Respondent and that Respondent 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, 1969 PA 306, as amended; MCL 24.201 et seq.

Pursuant to section 508(2) of the Occupational Code, supra, Respondent has 15 days from the date of receipt of this Complaint to notify Complainant of Respondent's 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 Respondent's 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 Respondent fails to submit written notification within 15 days, this matter shall proceed to an administrative hearing.



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Kim Gaedeke, Director  
Bureau of Professional Licensing

DATED: 11-6-15

This is the final page of a Formal Complaint in the matter of Kevin LaRoy Wilson, File Number 21-15-327465, before the Michigan Board of Residential Builders and Maintenance and Alteration Contractors, consisting of five pages, this page included.

LLC