

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

ZAYNE ROUMAYA
License No. 21-01-107768,

Respondent.

File No. 21-16-329642

CONSENT ORDER

On December 15, 2016, the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, executed a Formal Complaint charging Respondent with violating the Occupational Code, MCL 339.101 *et seq.*

Respondent has admitted that the facts alleged in the Complaint are true, with the exception of Count I, which shall be dismissed, and has agreed that the allegations constitute violation(s) of MCL 339.2411(2)(j). The Michigan Board of Residential Builders and Maintenance and Alteration Contractors has reviewed this Consent Order and Stipulation 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 constitute violation(s) of MCL 339.2411(2)(j).

IT IS ORDERED that Count I of the Complaint, which alleged a violation of MCL 339.604(c), is DISMISSED.


IT IS FURTHER ORDERED that for the cited violation(s) of the Occupational Code, Respondent is FINED \$1,000.00 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, 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 **21-16-329642**.

IT IS FURTHER ORDERED that failure to comply with the terms of this Order shall result in SUSPENSION of all licenses or registrations held by Respondent under Article 24 of the Occupational Code and in the denial of any license or registration renewal until compliance with this Order.

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: 12/12/17

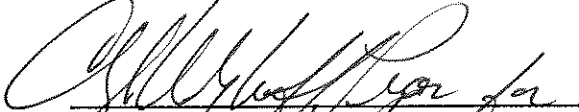
STIPULATION

1. Respondent and the Department agree that, pursuant to the principle of settlement and compromise, Count I of the Complaint shall be dismissed by the Board.
2. The facts alleged in the Complaint are true and constitute violation(s) of MCL 339.2411(2)(j).
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 24.231 *et seq.*

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
Department of Licensing and
Regulatory Affairs

Dated: 11/1/17

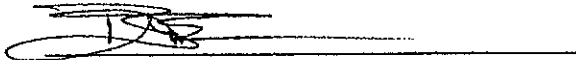
AGREED TO BY:



Zayne Rounaya
Respondent

Dated: 10/25/17

APPROVED AS TO FORM BY:



Bryan M. Beckerman (P51925)
Novara Tesija PLLC
Attorney for Respondent

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF RESIDENTIAL BUILDERS AND
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In the Matter of

ZAYNE ROUMAYA

License Number: 21-01-107768

File Number: 21-16-329642

FORMAL COMPLAINT

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

3. On October 1, 2015, Respondent, as Manager and CEO of Majestic Home Solutions LLC, entered into an agreement with Tabatha J. and Eric (Homeowners) to build a finished basement for \$62,011.58. Majestic Home Solutions

LLC was listed on the agreement as the company performing the project with Respondent's individual builder identification number affixed to the agreement. A copy of the agreement, marked Exhibit A, is attached and incorporated.

4. Majestic Home Solutions LLC was not licensed as a residential builder or registered by Respondent as an assumed name doing business in the state of Michigan when the agreement was signed by Homeowners. A copy of a non-licensure certificate, marked Exhibit B, is attached and incorporated.

5. On November 10, 2015, Respondent commenced work on the basement project.

6. On November 17, 2015, Respondent was issued a building permit under his name and individual residential builder's license.

7. On June 6, 2016, Homeowners filed a Statement of Complaint with Complainant alleging, in part, that Respondent failed to complete all items on the punch list and charged Homeowners \$3,000.00 for township building permits that cost \$880.25.

8. On September 13, 2016, Respondent registered Majestic Home Solutions LLC, with the state of Michigan as an entity Doing Business under an Assumed Name.

9. On September 30, 2016, Complainant contacted the Charter Township of Oakland's building department and was informed \$1,489.25 and not \$880.25, was the total cost for required permits on Homeowners' project.

COUNT I

Respondent's conduct, as described above, evidences a failure to have all agreements and changes to the agreements between a builder, or contractor, and the customer in writing and signed by the parties, contrary to Mich Admin Code, R 338.1533(1), in violation of section 604(c) of the Occupational Code, supra.

COUNT II

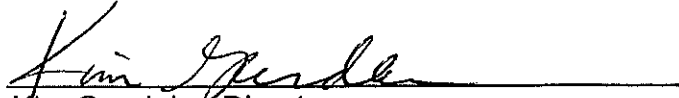
Respondent's conduct, as described above, evidences aiding or abetting another person in the unlicensed practice of an occupation, in violation of section 2411(2) of the Occupational Code, supra.

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 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.

DATED: 12/15/2016



Kim Gaedeke, Director
Bureau of Professional Licensing

Attachments

BCW