

STATE OF MICHIGAN  
DEPARTMENT OF REGULATORY AFFAIRS<sup>1</sup>  
MARIJUANA REGULATORY AGENCY

In the Matter of

TBJ Sweet Leaf, LLC  
AU-ER No.: 000287  
License No.: AU-R-000184  
ENF No.: 20-00153

CMP No.: 20-000975

\_\_\_\_\_/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On December 16, 2020, the Marijuana Regulatory Agency (MRA) issued a formal complaint against the adult-use marijuana retail establishment license (AU-R 000184) of TBJ Sweet Leaf, LLC (“Respondent”) under the Michigan Regulation and Taxation of Marihuana Act (MRMTA), 2018 IL 1, *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated Mich Admin Code, R 420.209(12).

The executive director reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the formal complaint. Therefore, the executive director finds that the allegations contained in the formal complaint are true and that Respondent violated Mich Admin Code, R 420.209(12).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of five hundred and 00/100 dollars (\$500.00). This fine shall be paid within 30 days of the effective date of this order by check or money order made payable to the State of Michigan with enforcement number “20-00153” clearly displayed on the check or money order. Respondent shall mail the fine to Department of Licensing and Regulatory Affairs, Marijuana Regulatory Agency, PO BOX 30205, Lansing, Michigan 48909.

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<sup>1</sup> Executive Reorganization Order 2019-2 created the Marijuana Regulatory Agency (MRA) as a Type I agency within the Department of Licensing and Regulatory Affairs (LARA). MCL 333.27001(1)(a)(d). The MRA exercises its statutory powers, duties, and functions independent of LARA’s direction. MCL 16.103.

2. If Respondent fails to timely pay the fine, Respondent’s license shall be suspended until payment is received.
3. Unless otherwise specified in this order, Respondent shall direct any communications to the MRA that are required by the terms of this order to [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov).
4. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
5. If Respondent violates any term or condition set forth in this order, Respondent will be subject to fines and/or other sanctions under section 7(1)(c) of the MRTMA, MCL 333.27957, and Mich Admin Code, R 420.806.
6. Upon timely payment of the fine by Respondent, the matters set forth in the formal complaint shall be deemed resolved and closed subject to this Consent Order.

This order shall be effective on the date signed by the MRA’s executive director or his designee, as set forth below.

MARIJUANA REGULATORY AGENCY

Signed on: 6/2/21

By: **Andrew Brisbo**  
Digitally signed by: Andrew Brisbo  
 DN: CN = Andrew Brisbo email =  
 brisbo@michigan.gov C = US O = Marijuana  
 Regulatory Agency OU = Executive Director  
 Date: 2021.06.02 08:47:10 -04'00'  
 Andrew Brisbo, Executive Director  
 Marijuana Regulatory Agency

## STIPULATION

The parties stipulate to the following:

1. The facts alleged in the formal complaint are true and constitute a violation of the administrative rules promulgated under the MRTMA.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MRTMA, administrative rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the MRA to prove the charges set forth in the formal complaint by presentation of evidence and legal authority, and to present a defense to the charges.
3. The parties considered the following in reaching this agreement:
  - a. Respondent indicated that it was on the phone with the surveillance company in an attempt to gain access to the video footage while MRA staff were onsite but were not receiving timely assistance from the surveillance company.
  - b. Respondent avers that the MRA did not request the video footage be provided to the MRA upon retrieval but indicated that coverage recorded by cellular telephone would be sufficient.
  - c. Respondent indicates that it had recently passed a semi-annual inspection and there were no issues with access and providing video footage.
4. The MRA's enforcement division director or her designee must approve this proposed agreement before it is forwarded to the MRA's executive director or his designee for review and issuance of the above consent order. The parties reserve the right to proceed to an administrative hearing without prejudice to either party, should the MRA's enforcement division director, executive director, or their designees reject the proposed consent order.

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

AGREED TO BY:

Julie

Kluytman

Digitally signed by: Julie Kluytman  
DN: CN = Julie Kluytman email = kluytmanj@michigan.gov C = AD  
Date: 2021.06.01 11:42:01 - 04'00'

Julie Kluytman, Director  
Enforcement Division  
Marijuana Regulatory Agency

Dated: 6/1/21

AGREED TO BY:



Bruce Leach, Authorized Officer  
On behalf of Respondent  
TBJ Sweet Leaf, LLC

Dated: 5-26-2021

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MARIJUANA REGULATORY AGENCY

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License No.: AU-R-000184  
ENF No.: 20-00153

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FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against TBJ Sweet Leaf, LLC (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), 2018 IL1, *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MRTMA and the Administrative Rule promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MRTMA or Administrative Rules.

2. Section 8(1)(d) of the MRTMA provides that the Administrative Rules must ensure the health, safety, and security of the public and integrity of the marihuana establishment operations.

3. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marihuana establishment operations.

MARIJUANA REGULATORY AGENCY  
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909  
[www.michigan.gov/MRA](http://www.michigan.gov/MRA)

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## FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

4. Respondent holds an active state license under the MRTMA to operate an adult use marihuana retail establishment in the state of Michigan.

5. Respondent operated at 400 S. Dort Highway, Flint, Michigan 48503, at all times relevant to this complaint.

6. Following an investigation, the MRA determined that Respondent violated the MRTMA and/or Administrative Rules promulgated thereunder as set forth below:

- a. On October 6, 2020, Respondent was unable to provide surveillance video footage from October 2, 2020 upon request by the MRA in violation of Mich Admin Code, R 420.209(12), which requires a licensee to keep surveillance recordings in a manner that allows the agency to view and obtain copies of the recording at the marihuana business immediately upon request, and also requires a licensee to send or otherwise provide copies of the recordings to the agency upon request, within the time specified by the agency.

THEREFORE, based on the above, the MRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

Under MCL 333.27957 (1)(c) and Mich Admin Code 420.704(2), any party aggrieved by an action of the MRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted to the MRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

Respondent also has the right to request a compliance conference under Mich Admin Code 420.704(1). A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the

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MRTMA and/or the Emergency Rules. A compliance conference request must be submitted to the MRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods:

By Mail: Department of Licensing & Regulatory Affairs  
Marijuana Regulatory Agency  
P.O. Box 30205  
Lansing, Michigan 48909

By Email: [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov)

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter.

Questions about this complaint should be directed to the Marijuana Regulatory Agency's legal section at (517) 284-8599 or [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov).

Dated: 12/15/20

**MARIJUANA REGULATORY AGENCY**

By: Claire Patterson  
Claire Patterson, Scientific and Legal Section Manager

Digitally signed by: Claire Patterson  
DN: CN = Claire Patterson email = PattersonC8@michigan.gov C = US  
O = MRA OU = LARA  
Date: 2020.12.15 10:16:35 -0500

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