Statement of Complaint against Local Enforcing Agency

The Bureau of Construction Codes (BCC) does not have jurisdiction over contractual, monetary, or warranty issues, nor does BCC have authority to conduct criminal prosecution.

BCC has authority to examine written complaints it receives regarding local enforcing agencies to determine if a performance evaluation of the agency should be requested from the State Construction Code Commission. BCC can only consider violations specified in the Stille-DeRossett Hale Single State Construction Code Act, Occupational Code, Skilled Trades Regulation Act, and Administrative Rules.

Before submitting a written complaint to BCC, the local enforcing agency should first be contacted to see if the matter can be resolved.

To assist in finding the appropriate local enforcing agency, visit BCCs website at www.michigan.gov/bcc and review the Statewide Jurisdiction List. For each construction code discipline (i.e., building, electrical, mechanical, and plumbing) there are three (3) possible levels of jurisdiction (i.e., local, county, state). The List shows the applicable enforcing agency for each governmental subdivision in Michigan.

- LOCAL (city, township, or village): the unit of government has their own code enforcement program.
- COUNTY: the unit of government receives code enforcement services from a county enforcing agency.
- STATE: the Bureau of Construction Codes is responsible for code enforcement in that unit of government.

Secondly, it is important to determine if your matter is a construction code appeal or a complaint. If determined to be an appeal and the governmental subdivision does not have a construction board of appeals, a code appeal must still be filed with the governmental subdivision. However, each governmental subdivision is required to have an appeals board; therefore, if there is not one, a complaint can also be filed simultaneously for that reason.

Construction Code Appeal Process

In accordance with 1972 PA 230, MCL 125.1514 which states in part, [i]f an enforcing agency refuses to grant an application for a building permit, or if the enforcing agency makes any other decision pursuant or related to this act, or the code, an interested person, or the person's authorized agent, may appeal in writing to the board of appeals. The board of appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the enforcing agency from whom the appeal was taken not more than 30 days after submission of the appeal. Failure by the board of appeals to hear an appeal and file a decision within the time limit is a denial of the appeal for purposes of authorizing the institution of an appeal to the commission. A copy of the decision and statement of the reasons for the decision shall be delivered or mailed, before filing, to the party taking the appeal.

MCL 125.1516 states in part that “[a]n interested person, or the interested person's authorized agent, may appeal a decision of a board of appeals to the commission within 10 business days after filing of the decision with the enforcing agency or, in case of an appeal because of failure of a board of appeals to act within the prescribed time, at any time before filing of the decision. An appeal to the commission shall be decided within 30 days after receipt of the appeal by the commission. A copy of the decision and a statement of reasons for the decision shall be sent to the applicant and filed with the affected board of appeals and enforcing agency within 5 business days after the making of the decision.

To file a complaint, the following information should be submitted.

- A completed, signed Statement of Complaint against Local Enforcing Agency form.
- Copies of any correspondence sent or provided to the local enforcing agency you have a complaint with.
- Copies of any written response received from the local enforcing agency you have a complaint with.
- Copies of any documents which support the allegations which may include, but are not limited to:
  - Permit and inspection records from the local enforcing agency
  - Clear photographs showing the alleged violation and the date the photos were taken
  - Notes you have taken
  - Other relevant documents

No bulky materials should be sent. **KEEP COPIES OF ALL DOCUMENTS SENT TO THE BUREAU.**

Documentation provided may be shared with the local enforcing agency the complaint is against; therefore, information such as social security numbers and other personal information should not be included.

Failure to provide relevant documentation to support the allegations may result in the complaint being closed.

Statement of Complaint against Local Enforcing Agency

Michigan Department of Licensing and Regulatory Affairs
Bureau of Construction Codes/Building Trades Section
PO Box 30254, Lansing, MI 48909
517-241-9313
LARA-BCC-BuildingTrades@michigan.gov

Authority: 1980 PA 299, 1972 PA 230, 2016 PA 407 Penalty: Failure to provide written complaint may result in closure of complaint.	LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

The Department has authority to examine written complaints it receives regarding local enforcing agencies to determine if a performance evaluation of the agency should be requested from the State Construction Code Commission.

- We do not act as a court of law.
- We cannot order monies be refunded, contracts be canceled, etc.
- We do not provide legal advice.

I. Complainant Information (information about you)

YOUR NAME (Last, First, Middle Initial)		COUNTY	
YOUR STREET ADDRESS	CITY	STATE	ZIP CODE
E-MAIL ADDRESS		TELEPHONE NUMBER (Include Area Code)	

II. Enforcing Agency Information (who the complaint is against)

NAME OF LOCAL ENFORCING AGENCY COMPLAINT IS REGARDING		TELEPHONE NUMBER (Include Area Code)	
NAME OF PERSON YOU DEALT WITH / CONTACT PERSON		COUNTY	
STREET ADDRESS	CITY	STATE	ZIP CODE

Have you contacted the above-named local enforcing agency regarding your complaint? ☐ Yes ☐ No

If yes, what was the result?

III. Details of Complaint - Briefly explain the allegations, include pictures and/or documents as necessary.

Note: Originals will not be returned. Attach additional sheets if necessary to clearly document the violations you believe have occurred.

EXPLANATION OF COMPLAINT

IV. Attachments Supporting Allegations – Failure to provide relevant documentation to support the allegations may result in the complaint being closed.

- ☐ Proof of payment (cancelled check, receipt, closing statement)
- ☐ Permit and Inspection Records from the local unit of government
- ☐ Clear Photographs showing the alleged violation and the date the photos were taken (preferably in color)
- ☐ Court documents if applicable
- ☐ Notes you have taken
- ☐ Other relevant documents

I understand this form is a public record under 1976 PA 442, the Freedom of Information Act, and the Department may be sending a copy of this complaint to local enforcing agency the complaint is against.

SIGNATURE	DATE