

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES

In the Matter of:

File No. 19-00051

Jon Walker
Unlicensed

NOTICE AND ORDER TO CEASE AND DESIST

The Department of Licensing and Regulatory Affairs, by Keith Lambert, Director of the Bureau of Construction Codes, pursuant to authority under the Skilled Trades Regulation Act, MCL 339.5101 *et seq.*, orders Jon Walker (Respondent) to cease and desist from engaging in or attempting to engage in providing electrical and plumbing services without possessing an electrical or plumbing license in violation of the Act.

The Department received a complaint and conducted an investigation in accordance with sections 501 and 503 of the Act. The investigation revealed that Respondent attempted to violate sections 601(1) and 607(b), (c), (d), (e), (g), (h), of the Act for the following reasons:

1. Respondent does not possess a license under Articles 7 or 11 of the Act.
2. On or about December 31, 2017, [REDACTED] (hereinafter "the homeowner") had a fireplace fire, which caused extensive damage to her home.
3. On or about January 1, 2018, the homeowner hired Disaster MD Restoration Services, LLC (hereinafter "Disaster MD") to perform restoration

services on her home. Disaster MD failed to perform the agreed-upon work and the homeowner terminated Disaster MD on or about January 18, 2018.

4. On or about January 30, 2018, the homeowner contracted with Respondent and Rockies Renovations LLC to perform residential electric and plumbing services on her home for a total contract price of \$28,250.00.

5. The contract was procured by Respondent on behalf of Rockies Renovations LLC.

6. At all relevant times, Respondent was not licensed under Articles 7 or 11 of the Act. He is still not licensed.

7. On or about January 30, 2018, the homeowner paid a 5% deposit of \$1,412.50 to Respondent and Rockies Renovations LLC.

8. On or about March 6, 2018, the homeowner caused to be paid another \$23,165.00 to Respondent and Rockies Renovations LLC.

9. The contract included electrical and plumbing work that would require permits to be issued to perform the work, pursuant to MCLs 339.5731 and 339.6125, respectively.

10. Respondent and Rockies Renovations LLC failed to pull any of the relevant and necessary permits.

11. The contract included electrical and plumbing work that would require a license to perform the work.

12. Respondent engaged in or attempted to engage in the practice of an occupation regulated under the Act without possessing a license issued by the Department, contrary to section 601(1) of the Act.

Section 511 of the Act authorizes the Department to issue a cease and desist order as follows:

(1) After an investigation has been conducted, the director may order a person to cease and desist from a violation of this act or a rule promulgated or an order issued under this act.

(2) A person that is ordered to cease and desist under subsection (1) is entitled to a hearing before the department if a written request for a hearing is filed within 30 days after the effective date of the order.

(3) If a cease and desist order issued under this section is violated, the department of the attorney general may apply in the circuit court of this state to restrain and enjoin, temporarily or permanently, or both, a person from further violating a cease and desist order.

ACCORDINGLY, IT IS ORDERED that Respondent shall immediately cease and desist from engaging in or attempting to engage in practicing as an electrician or plumber without possessing a license issued by the Department in violation of the Skilled Trades Regulation Act, as well as engaging in other misconduct constituting violations of the Act.

RESPONDENT IS ADVISED that violations of the Act may lead to administrative, civil, and criminal sanctions.

RESPONDENT IS FURTHER ADVISED that under section 601(3) – 601(5) of the Act, a person not licensed under Articles 7 or 11 of the Act as an electrician or plumber who violates 601(1) may be subject to the following criminal penalties:

(a) a person that violates subsection (1) is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both.

(b) a person that violates subsection (1) a second time is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 1 year, or both.

(c) a person that violates subsection (1) a third or subsequent time is guilty of a felony punishable by a fine of not more than \$25,000.00 or imprisonment for not more than 5 years, or both.

RESPONDENT IS FURTHER ADVISED that the Department will refer this matter to the Michigan Department of Attorney General, as well as the local, relevant law enforcement for the city and county for review and possible action against Respondent, which may include criminal and administrative sanctions.

Pursuant to section 511(2) of the Act, Respondent is entitled to a hearing before a hearings examiner if Respondent files a written request for a hearing within 30 days after the effective date of this order. The written request for a hearing shall be submitted to the Bureau of Construction Codes, Department of Licensing and Regulatory Affairs, P.O. Box 30254, Lansing, Michigan 48909.

Failure to file a timely written request for hearing will waive Respondent's right to a hearing, and this order will become final.

This order shall take effect on the date signed as set forth below.

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS

Date: 5-3-2019

Keith Lambert
By: Keith Lambert
Director
Bureau of Construction Codes