

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
MANUFACTURED HOUSING COMMISSION

In the Matter of

ADAM SCHWERIN, OWNER/OPERATOR  
MARSHALL MHP, LLC  
D/B/A RAINBOW ESTATES  
Mobile Home Park License No. 1201667

Complaint No. COMPL-MFH2400044

Respondent.

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**FORMAL COMPLAINT**

The Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, Complainant (Department), based upon information and belief, files this Formal Complaint against ADAM SCHWERIN, MARSHALL MHP, LLC (Respondent) alleging violations of the Mobile Home Commission Act, 1987 PA 96, (hereafter the Act), MCL 125.2301 *et seq.*, as follows:

1. The Manufactured Housing Commission, an administrative agency established by the Act is empowered to discipline licensees under the Act. MCL 125.2343
2. Pursuant to MCL 125.2336 the Department conducted an investigation to determine compliance with this Act and rules promulgated under this Act.

**FACTUAL ALLEGATIONS**

4. Adam Schwerin (Respondent), whose mailing address is 111 2<sup>nd</sup> Ave, NE, STE 202B, St Petersburg, FL 33701, was, at all times relevant to this action, an individual doing business as Marshall MHP LLC, d/b/a Rainbow Estates, engaged in the business of operating a mobile home park licensed with the State of Michigan. A copy of the Verification of Licensure, marked Exhibit 1, is attached, and incorporated.

5. On May 11, 2022, the Department mailed Respondent a final notice advising that the renewal for licensure was being denied due to failure to provide required certifications. A copy of the Renewal Denial Letter, marked Exhibit 2, is attached, and incorporated.

6. On or about February 20, 2024, the Department of Environment, Great Lakes, and Energy (EGLE) – Drinking Water & Environmental Health Division, drafted a letter to the Department indicating non-compliance with the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), MCL 325.1001 et seq, and the associated administrative rules. A copy the EGLE Complaint Investigation, marked Exhibit 3, is attached, and incorporated.

7. The EGLE Complaint Investigation letter states that on February 1, 2024, EGLE conducted a site inspection, and identified the following deficiency:

the drinking water system (s). The following deficiency was identified:

a. Act 399, R 325.11201: Part 12 establishes certain requirements for maintaining the reliability of public water supply systems to ensure a continuous supply of water for drinking and household purposes. The various leaks found during the site visit shows that the water system is not a reliable water system and deficient in operation and maintenance.

8. On March 15, 2024, a Department Regulation Agent conducted a site review of the mobile home park to determine the park's operation status.

9. During the site review, it was observed that there was no signage identifying the mobile home park, the manager's office was vacant, and multiple homes were deemed uninhabitable by the local authorities. A City of Marshall official provided a statement that the City has had to make some emergency repairs on the property for broken water pipes and has also provided a dumpster for the residents.

9. A resident of the mobile home park provided a statement to the Department's Regulation Agent. He reported that there has been no management on site for several years, and he was advised to discontinue making payments to the owner as the owner has not paid property taxes or water bill payments since 2021.

**COUNT I**

Respondent failed to maintain the mobile home park, its facilities, and the equipment in a sanitary and safe condition in conformance with the provisions of the act and these rules, in violation of R 125.1718.

**COUNT II**

Respondent failed to notify the Department, in writing, within 10 days after having sold, transferred, given away, or otherwise disposed of a home<sup>1</sup> business, in violation of R125.1214a.

Based upon the conduct as aforesaid, Respondent has acted contrary to the Manufactured Housing General Rules, R 125.1718 and R125.1214a, constituting grounds for the assessment of a penalty as defined in Section 43 of the Act, MCL 125.2343, for the imposition of penalties and remedies.

WHEREFORE, Complainant, Michigan Department of Licensing and Regulatory Affairs, hereby commences proceedings pursuant to the Administrative Procedures Act of 1969, Act 306 of 1969, as amended; and, The Mobile Home Commission Act, Act 96 of 1987, to determine whether disciplinary action should be taken by the Department of Licensing and Regulatory Affairs, pursuant the Act for the reasons set forth herein.

Date: \_\_\_\_\_

\_\_\_\_\_  
Alesha Gensler  
Division Director  
Bureau of Construction Codes  
Department of Licensing and Regulatory Affairs

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<sup>1</sup> R125.1101 (1)(n) defines “Home” as having the same meaning as “manufactured home,” which has the same meaning as “mobile home” as defined in the act.



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
DIRECTOR

**CERTIFICATION OF LICENSURE**

Date of Verification April 09, 2024

Name: Marshall MHP LLC  
D/B/A Rainbow Estates  
Operator Adam Schwerin

Address: 875 Michigan Ave E  
Marshall, MI 49068

License Type: Manufactured Home Community  
License No: 1201667  
Issue Date: 06/27/2019  
Expiration Date: 10/01/2021  
Status: Inactive

The above license, for Marshall MHP LLC D/B/A Rainbow Estates, License Number 1201667, was issued a Manufactured Home Community license on 06/27/2019, Expired 10/02/2021, Closed 05/11/2022.

**License closed due to non-compliance of renewal application requirements.**

THIS IS TO CERTIFY THAT I, the undersigned, have access to the records and files of the Bureau of Construction Codes and certify and affix the State Seal that this information is correct.

*Felicia Badger*

Felicia Badger, Manager  
Enforcement Section  
Bureau of Construction Codes  
(517) 241-9309





GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

May 11, 2022

Adam Schwerin  
Marshall MHP, LLC d/b/a Rainbow Estates  
111 2<sup>nd</sup> Ave., NE, Ste. 202B  
St. Petersburg, FL 33701

RE: Unlicensed Mobile Home Park – Rainbow Estates, 875 E. Michigan Ave., Marshall, MI 49068

Dear Mr. Schwerin:

Pursuant to the Mobile Home Commission Act (herein: PA 96 of 1987 or “the Act”), a person shall not operate a mobile home park without a license. Subject to the same Act, this department shall issue a license only if all statutorily enumerated criteria have been met. This criteria includes: receipt of completed application and fee; certifications and recommendations of appropriate agencies and local governments (which must be submitted to and approved by the department); and that the mobile home park or seasonal mobile home park was approved as being in substantial compliance after its most recent inspection under section 17 of Act 96 of 1987.

Our office has neither received the required certifications for the park’s water and wastewater systems(s), nor its proof of compliance for the parks most recent inspection. Therefore, at this time the renewal for licensure is being denied, the park license file is closed, and you are now operating a park without a valid license, in criminal defiance of the Act. We are forwarding your criminal case to the local prosecuting attorney’s office for the commencement of a criminal proceeding for operating a mobile home park without a valid license.

If you have any questions, do not hesitate to contact us at (517) 241-9316.

Sincerely,

**Nicole Sklapsky**  
**Licensing and Compliance Division**

**cc: Calhoun County Prosecuting Attorney**  
**City of Marshall**  
**Department of Environment, Great Lakes, and Energy**



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
KALAMAZOO DISTRICT OFFICE



PHILLIP D. ROOS  
DIRECTOR

February 20, 2024

SENT VIA EMAIL AND U.S. MAIL

MI Department of Licensing and Regulatory Affairs  
Bureau of Construction Codes  
P.O. Box 30255  
7150 Harris Drive  
Lansing, Michigan 48909

Supply: Marshall MHP  
LLC d/b/a Rainbow Estates

To Whom It May Concern:

SUBJECT: Rainbow Estates Drinking Water Complaint Investigation

The Department of Environment, Great Lakes, and Energy (EGLE), Drinking Water and Environmental Health Division (DWEHD), recently received a complaint from the City of Marshall regarding the drinking water system at Rainbow Estates located in the City of Marshall Michigan. The facility has not been licensed by the Department of Licensing and Regulatory Affairs (LARA) since May 2022. The resulting investigation has indicated that the facility's drinking water supply system is deficient with respect to certain minimum requirements outlined in the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), MCL 325.1001 *et seq*, and the associated administrative rules. A summary of EGLE's investigation is being provided to LARA for further investigation and possible licensure and/or enforcement action under sections 43 and 48 of the Mobile Home Commission Act, 1987 PA 96, MCL 125.2301 and 125.2348.

EGLE received a complaint from the City of Marshall, generally alleging, as it pertains to the drinking water system, that unrepaired leaks have resulted in localized flooding and excessive water usage, ownership not maintaining infrastructure, and ownership has provided no response to issues.

EGLE conducted a site inspection on February 1, 2024. Drinking water system leaks were observed at Lots 25 and 33 within Rainbow Estates with one location contributing to flooding. Photographs enclosed. An evaluation of the drinking water system at Rainbow Estates has been completed based on the site visit and a review of the information available.

Deficiencies indicate non-compliance with one or more Act 399 requirements, which include defects in a water system's infrastructure, design, operation, maintenance, or management that cause, or may cause, interruptions to the "multiple barrier" protection system and adversely affect the system's ability to produce safe and reliable drinking water in adequate quantities. The following deficiencies have been identified:

1. Act 399, R 325.11201: Part 12 establishes certain requirements for maintaining the reliability of public water supply systems to ensure a continuous supply of water for drinking and household purposes. The various leaks found during the site visit show that the water system is an unreliable water system and deficient in operation and maintenance.

Page 2  
February 20, 2024

The lack of operation and maintenance by Rainbow Estates poses a public health risk. Neglecting leaks leaves the drinking water system open to contamination, especially during depressurization events. Additionally, the City of Marshall has indicated to EGLE that a payment towards the water utility bill has not been received since October 2021, which leaves the entire park subject to shut off. This is further evidence of deficient operation and an unreliable water system.

EGLE is requesting that LARA further investigate for possible licensure and/or enforcement action under sections 43 and 48 of the Mobile Home Commission Act, 1987 PA 96, MCL 125.2301 and 125.2348. It is recommended that LARA evaluate Rainbow Estates' progress toward addressing their water supply system's deficiencies relative to Act 399 requirements.

If you have any questions regarding EGLE's investigation or the information contained in this letter, please feel free to contact me by phone at 269-216-1691, or by email at [ReyesK@michigan.gov](mailto:ReyesK@michigan.gov).

Sincerely,



Katelyn Reyes, P.E.  
District Engineer  
Field Operations Section  
Drinking Water and Environmental Health Division  
269-216-1691

KR/kg

Enclosure: Site Visit Photographs  
cc/enc: Kevin Green, Calhoun County Health Department  
Derek Perry, City of Marshall  
Aaron Ambler, City of Marshall  
Adam Schwerin, Marshall MHP LLC d/b/a Rainbow Estates  
Ted Farmer, Marshall MHP LLC d/b/a Rainbow Estates  
Nicole Sklapsky, LARA (via email)  
Alesha Gensler, LARA (via email)  
Keith Lambert, LARA (via email)