



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

STANLEY "SKIP" PRUSS
DIRECTOR

Complaint No.: 307049 & 307050

DEPARTMENT OF LABOR & ECONOMIC
GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
KEVIN SHAKES

Complainant,

V

INTECH HOMES LLC
CLAUDIO BIANCHI, QUALIFYING OFFICER
License NO. 21-02-154073

Respondent.

And

CLAUDIO BIANCHI
License No. 21-01-040868

FINAL ORDER

WHEREAS, this matter having come before the Board of Residential Builders and Maintenance and Alteration Contractors, and

WHEREAS, Intech Homes LLC, Claudio Bianchi, Q.O., License NO. 21-02-154073 and Claudio Bianchi, License No. 21-01-040868, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on November 9, 2008, Jeffrey H. Bigelman, Esq., Attorney for Respondent, on November 12, 2008, William D. Wilhelm Jr., Administrative Law Specialist, on December 4, 2008, and approved by Stephen J. Gobbo Esq., Legal Affairs Division Director, on December 5, 2008, on behalf of the Bureau of Commercial Services, Department of Labor & Economic Growth.

NOW, THEREFORE, IT IS HEREBY ACKNOWLEDGED that the Board of Residential Builders and Maintenance and Alteration Contractors, pursuant to MCL 339.508(3); having considered and found said Stipulation acceptable, does hereby incorporate same by reference thereto in this Final Order.

This Final Order is effective immediately upon its mailing.

Given under our hands at Okemos, Michigan, this 15th day of January, 2008.

Board of Residential Builders and Maintenance and Alteration Contractors

By: Ma [Signature]

Chairperson

Date mailed: 1-15-09

Proof of Compliance Should be Filed With:

Department of Labor & Economic Growth:
Bureau of Commercial Services
Administrative Services Division
P.O. Box 30018
Lansing, Michigan 48909

This is the last and final page of the Final Order in the matter of Intech Homes LLC, Claudio Bianchi, Q.O., Complaint No. 307049 and Claudio Bianchi, Complaint No. 307050, before the Board of Residential Builders and Maintenance and Alteration Contractors.

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STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF COMMERCIAL SERVICES

DEPARTMENT OF LABOR &
ECONOMIC GROWTH,
BUREAU OF COMMERCIAL SERVICES, *ex rel*
KEVIN SHAKES

Complainant,

v

INTECH HOMES LLC
CLAUDIO BIANCHI, QUALIFYING OFFICER
License No. 21-02-154073

Complaint No. 307049
Docket No. 2008-400

and

CLAUDIO BIANCHI
License No. 21-01-040868

Complaint No. 307050
Docket No. 2008-401

Respondents.

STIPULATION

This matter having been scheduled for a Formal Administrative Hearing before the State Office of Administrative Hearings and Rules (SOAHR) on August 28, 2008, pursuant to a Formal Complaint, hereafter "Complaint," dated January 16, 2007, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, as amended, MCL 339.101 et seq., against INTECH HOMES LLC, CLAUDIO BIANCHI Q.O., and CLAUDIO BIANCHI, hereafter "Respondents," by the Department of Labor & Economic Growth, and all parties being desirous of reaching an amicable settlement of said Complaint; therefore

1. IT IS STIPULATED, by and between the parties hereto, that based upon the agreement to execute this Stipulation, the Administrative Hearing scheduled to be held on August 28, 2008, was withdrawn/cancelled (without prejudice), by the State Office of Administrative Hearings and Rules (SOAHR), at the request of the Bureau of Commercial Services.
2. IT IS FURTHER STIPULATED, by and between the parties hereto, that Respondents admit to the following specific violation(s) as set forth in numbered paragraphs of the Complaint in this matter:
 9. Respondents violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c):

Stipulation: DN 2008-400, CN 307049, Intech Homes LLC and DN 2008-401, CN 307050, Claudio Bianchi


3. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that all other charges, as set forth in Paragraphs 6, 7, and 8, are hereby dismissed pursuant to the principle of settlement and compromise.
4. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondents have the following license history. Intech Homes LLC received its license effective April 24, 2000, the license is active through May 31, 2009; and there is no history of prior complaints or disciplinary sanctions against the license. Claudio Bianchi received his license effective May 15, 1985, the license is active through May 31, 2011; and there is no history of prior complaints or disciplinary sanctions against the license.
5. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that RESTITUTION is not applicable in this matter, as Complainant filed an Arbitration claim and the issue of Restitution, if any, will be adjudicated in Arbitration proceeding.
6. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondents shall pay a total FINE (joint and several liability) in the amount of ONE THOUSAND Dollars and No Cents (\$1,000.00). The Fine shall be paid by Certified Check or Money Order, with Complaint Nos. 307049/307050 clearly indicated on the Certified Check or Money Order, made payable to the STATE OF MICHIGAN, within SIXTY (60) DAYS of the date of mailing of the Final Order in this matter. The Certified Check or Money Order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Enforcement Division, P.O. Box 30018, Lansing, Michigan 48909.
7. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that failure to comply with the terms and conditions set forth in this Stipulation shall result in Suspension of all Article 24 licenses or registrations of Respondents (individual and/or corporate) or in Denial of any license or registration renewal and Denial of future applications for licensure or registration until compliance is made with all the terms or conditions of this Stipulation.
8. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondents agree to submit written proof of having complied with each requirement of this Final Order, in a form acceptable to the Department, to the Michigan Department of Labor and Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909; (517) 241-9272. Forms of acceptable proof of monetary restitution payment, if restitution is a part of the Stipulation, include: A copy of the front and back of the cancelled check that was made payable to the person(s) ordered to receive restitution; or a receipt signed by the person(s) to whom restitution was payable, stating restitution was paid and the amount paid.

9. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Legal Affairs Division of the Bureau of Commercial Services or a designee must approve this Stipulation before the Director forwards it to the Board of Residential Builders and Maintenance and Alteration Contractors for final approval. Should the Director, a designee, or the Board reject this Stipulation, the Department will schedule the matter for an Administrative Hearing without prejudice to either party.

Respondents understand and intend that by signing this Stipulation, Respondents are waiving the right, pursuant to the Occupational Code, *supra*, the rules promulgated pursuant thereto, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq., to a Hearing before an administrative hearing officer at which time the Department would be required to prove the charges set forth in the aforesaid Complaint by presentation of evidence and legal authority and at which Respondents would be entitled to appear with or without the benefit of an attorney to cross-examine all adverse witnesses and to present such testimony, other evidence or legal authority deemed appropriate as a defense to said charges.

This Stipulation is agreed to by:

Respondents:



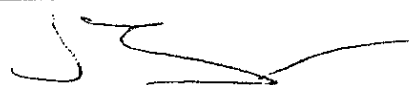
Claudio Bianchi, Individually and as
Qualifying Officer of Intech Homes LLC

Nov. 9 - 2008

Date

Respondent Address

Respondents' Attorney:

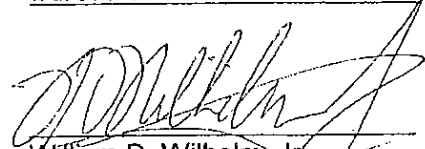


Jeffrey H. Bigelman, Esq.

11/12/08

Date

Bureau of Commercial Services:



William D. Wilhelm, Jr.
Administrative Law Specialist
Legal Affairs Division
Bureau of Commercial Services
Dept. of Labor & Economic Growth

12/4/08

Date

Approved: 

Stephen J. Gobbo, Director
Legal Affairs Division

Dec. 5, 2008

Date