



STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STANLEY "SKIP" PRUSS
DIRECTOR

DEPARTMENT OF LABOR & ECONOMIC
GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
EDWARD T. YOUNG

Complaint No.: 307464
Docket No.: 2008-720

Complainant,

V

DEBRA ANN ADAMS
License No. 21-01-155237

Respondent.

FINAL ORDER

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

WHEREAS, Debra Ann Adams, License No. 21-01-155237, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on November 21, 2008, William D. Wilhelm Jr., Administrative Law Specialist, on December 9, 2008, and approved by Stephen J. Gobbo Esq., Legal Affairs Division Director, on December 18, 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, 2008⁹

Board of Residential Builders and Maintenance and Alteration Contractors

By: MA Thy

Chairperson

Date mailed: Jan 15, 2009

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 Debra Ann Adams, Complaint No. 307464, before the Board of Residential Builders and Maintenance and Alteration Contractors.

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BUREAU OF COMMERCIAL SERVICES
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BUREAU OF COMMERCIAL SERVICES

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DEBRA ANN ADAMS
License No. 21-01-155237

Docket No. 2008-720
Complaint No. 307464

Respondent.

STIPULATION

This matter having been scheduled for an Formal Administrative Hearing before the State Office of Administrative Hearings and Rules (SOAHR) on September 17, 2008, pursuant to a Formal Complaint, hereafter "Complaint," dated March 24, 2008, filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, as amended, MCL 339.101 et seq., against DEBRA ANN ADAMS, hereafter "Respondent," 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 September 17, 2008, was dismissed/cancelled (without prejudice), by the State Office of Administrative Hearings and Rules (SOAHR), at the request of the Bureau of Commercial Services. It is noted that there is a related case: Docket No. 2008-721; Complaint No. 308577, Richard Joseph Adams (unlicensed builder), in which a Default Hearing was held on September 17, 2008, and Richard Joseph Adams was found in violation of MCL 339.601(1), concerning the entering into a contract with Edward T. Young, to provide regulated residential building services (modular home, construction of foundation, installation of modular home on the foundation, and the construction of a pole barn) when Richard Joseph Adams did not possess a Residential Builder license. It is also noted that Richard Joseph Adams provided, to the Complainant, the Residential Builder license of Respondent, Debra Ann Adams (wife), and Complainant obtained the Building Permit using the Residential Builder license of Respondent, Debra Ann Adams.

2. IT IS FURTHER STIPULATED, by and between the parties hereto, that the Respondent admits to the factual allegations and violations set forth in numbered paragraphs of the Formal Complaint in this matter as follows:

8. Respondent, failed to ensure that the project was completed, contrary to MCL 339.2411(2)(a).
9. Respondent failed to ensure that the services provided complied with the 2003 Michigan Residential Code standards, contrary to 1979 AC, R 338.1551(5) and 2006 AACS, R 338.1551(5).
10. Respondent acted as agent, partner, or associate with Richard Adams, a person not licensed under 1980 PA 299, as amended, although required to be licensed, contrary to MCL 339.2411(2)(j).
11. Respondent violated a rule of conduct in practicing an occupation, contrary to MCL 339.604(c).

3. IT IS FURTHER STIPULATED, by and between the parties hereto, that Respondent claimed that she was not aware that her husband, Richard Joseph Adams, had obtained and used her Residential Builder license in order for a Building Permit to be obtained, and that Richard Joseph Adams was providing regulated residential builder services without a Residential Builder license. Bureau records indicate that Respondent, Debra Ann Adams, obtained Individual Builder License No. 21-01-155237, effective July 14, 2000; the license is active through May 31, 2009; and there is no history of prior complaints or disciplinary sanctions.

4. IT IS FURTHER STIPULATED, by and between the parties hereto, that Restitution is not applicable in this matter as because a Chapter 7 (no assets) Bankruptcy Discharge, dated February 12, 2008, was obtained by Debra A. Adams and Richard J. Adams, in Case No. 07-33812, US Bankruptcy Court, Eastern District of Michigan (Flint).

5. IT IS FURTHER STIPULATED, by and between the parties hereto, that Respondent, Debra Ann Adams, voluntarily offered to terminate her Residential Builder license, in order to prevent her license from being similarly used in the future, and on September 24, 2008, the Bureau received her Wall License and Pocket Card, and the license was classified as "closed," effective September 24, 2008.

6. IT IS FURTHER STIPULATED, by and between the parties hereto, that Respondent's license shall be IMMEDIATELY REVOKED, effective the date of mailing of the Final Order in this matter.

7. IT IS FURTHER STIPULATED, by and between the parties hereto, that Respondent shall pay a FINE 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 No. 307464 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.

8. **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 the Continued Revocation of all Article 24 licenses or registrations of Respondent (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.

9. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent agrees to submit written proof of having complied with each requirement of this Stipulation/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.


10. **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, the designee, or the Board reject this Stipulation, the Department will schedule the matter for an Administrative Hearing without prejudice to either party.

Respondent understands and intends that by signing this Stipulation, he is 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 Respondent 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.

[signatures on next page]

This Stipulation is agreed to by:

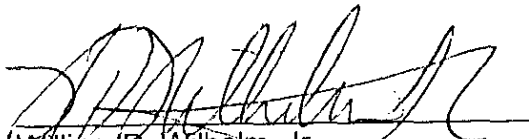
Respondent:


Debra Ann Adams


11/21/08
Date

10080 W. Cass Rd Westboro, MA
Respondent Address (current address)

Bureau of Commercial Services:


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

12/9/08
Date

Approved: 
Stephen J. Gobbo, Director
Legal Affairs Division

Dec 18, 2008
Date