



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

STANLEY "SKIP" PRUSS
DIRECTOR

DEPARTMENT OF LABOR & ECONOMIC
GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
JACQUES SHORT

Complaint No.: 308895

Complainant,

V

KEVIN ADAM HOLMES
D/B/A A.V.S. CONSTRUCTION
License No. 21-01-174384

Respondent.

FINAL ORDER

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

WHEREAS, Kevin Adam Holmes, D/B/A A.V.S. Construction License No. 21-01-174384, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on November 13, 2008, Sean F. Caroll, Attorney for Respondent, on November 13, 2008, Jim Nelson, Department Conferee, on November 14, 2008, and approved by Stephen J. Gobbo Esq., Legal Affairs Division Director, on December 8, 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, 2009

Board of Residential Builders and Maintenance and Alteration Contractors

By: 

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 Kevin Adam Holmes, D/B/A A.V.S. Construction, Complaint No. 308895, before the Board of Residential Builders and Maintenance and Alteration Contractors.

DLEG is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities

BUREAU OF COMMERCIAL SERVICES
P.O. BOX 30018 • LANSING, MICHIGAN 48909
www.michigan.gov

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

DEPARTMENT OF LABOR &
ECONOMIC GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
JACQUES SHORT

Complaint No. 308895


Complainant,

v
KEVIN ADAM HOLMES
D/B/A A.V.S. CONSTRUCTION
License No. 21-01-174384

Respondent.

STIPULATION

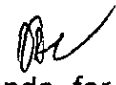
This matter having been scheduled for a Compliance Conference in Okemos, Michigan, before the Department of Labor & Economic Growth, Bureau of Commercial Services, pursuant to an Administrative Complaint, hereafter Complaint, dated August 27, 2008 filed pursuant to the Occupational Code, 1980 PA 299, as amended, MCL 339.101 et seq., against Kevin Adam Homes, d/b/a A.V. S. Construction hereafter Respondent, by the Department of Labor & Economic Growth

A compliance conference was held on Monday October 6, 2008, ~~in attendance were~~ 
All parties being desirous of reaching an amicable settlement of said Complaint; hereby
agree to the following:

IT IS FURTHER STIPULATED, by and between the parties hereto, that Respondent shall pay a FINE in the amount of **Five Hundred Dollars and No Cents (\$500.00)**. The fine shall be paid by cashier's check or money order, with Complaint No. **308895** clearly indicated on the check or money order, made payable to the State of Michigan, within sixty (60) days from the mailing date of the Final Order in this matter. The check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Enforcement Division, P. O. Box 30185, Lansing, Michigan 48909.

Kevin Adam Holmes
d/b/a A.V. S. Construction
Complaint No. 308895
Page 1 of 3

IT IS STIPULATED, by and between the parties hereto, that the Respondent admits to the allegation(s) and violation(s) set forth in paragraph(s) of the Formal Complaint in this matter as follows:

MCCL 2-20, 2000, 1/1/00 
4. Respondent has acted contrary to § 2411(2)(a), constituting grounds for the assessment of a penalty as defined in § 602 of the Occupational Code.

IT IS FURTHER STIPULATED, by and between the parties hereto, that **RESTITUTION** is not applicable in this case.

IT IS FURTHER STIPULATED, by and between the parties hereto, that failure to comply with the terms and conditions set forth in this Stipulation within sixty (60) days from the mailing of date this Final Order shall result in a suspension of all licenses or registrations of Respondent 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. Respondent agrees to submit written proof of having complied with each requirement of this Stipulation, in a form acceptable to the Michigan Department of Labor & Economic Growth, Bureau of Commercial Services, Office of Administrative Services Division, P.O. Box 30018, Lansing, Michigan 48909. Forms of acceptable proof of monetary restitution payment include: copy of front and back 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 amount paid.

IT IS FURTHER STIPULATED, by and between the parties hereto, that the Director of the Enforcement Division of the Bureau of Commercial Services or designee, must approve this Stipulation before the Director forwards it to the Board of Maintenance Alteration Contract Residential Builders for final approval. Should the Director, designee, or the Board rejects 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.

This Stipulation is acknowledged by:

Kevin Holmes
Respondent/Designee (printed name)

Kevin Holmes 11-13-08
Respondent/Designee (signature) Date

If Applicable
[Signature] 11-13-08
Attorney for Respondent (signature) Date

By: [Signature] 11-14-08
Jim Nelson Date
Dated: October 6, 2007

Approved: [Signature] Date 11-14-08
Stephen J. Gobbo
Legal Affairs Director