



STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STANLEY "SKIP" PRUSS
DIRECTOR

Complaint No.: 309224 & 309225

DEPARTMENT OF LABOR & ECONOMIC
GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
FRED BAKER

Complainant,

V

KILGORE BUILDERS INC.
STEVEN JAY KILGORE, QUALIFYING OFFICER
License No. 21-02-138847

Respondent.

AND

STEVEN JAY KILGORE
License No. 21-01-054744

Respondent

FINAL ORDER

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

WHEREAS, Kilgore Builders Inc., Steven Jay Kilgore, Q.O., License No. 21-02-138847 and Steven Jay Kilgore, License No. 21-01-054744, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on November 25, 2008, Barbara A. Shutler, Departmental Analyst, on November 25, 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, 20089

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 Kilgore Builders inc., Steven Jay Kilgore, Q.O. Complaint No. 309224 and Steven Jay Kilgore, Complaint No. 309225, 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

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KILGORE BUILDERS, INC.
STEVEN JAY KILGORE, QUALIFYING OFFICER
License No. 21-02-138847

Complaint No. 309224

and

STEVEN JAY KILGORE
License No. 21-01-054744
Respondent.

Complaint No. 309225

STIPULATION

This matter having been scheduled for a compliance conference on **November 25, 2008** pursuant to a Formal Complaint, dated **September 23, 2008**, hereafter "Complaint" filed in accordance with the provisions of the Michigan Occupational Code ("Code"), 1980 PA 299, MCL 339.101 et seq., against KILGORE BUILDERS, INC., STEVEN JAY KILGORE, QUALIFYING OFFICER AND STEVEN JAY KILGORE, ("Respondent") by the Department of Labor & Economic Growth, and with the following persons in attendance at the conference: Barbara A. Shutler, Conferee, Fred Baker, and Steven Jay Kilgore, and all parties being desirous of reaching an amicable settlement of said Complaint; therefore

1. **IT IS HEREBY STIPULATED**, by and between the parties hereto, that Respondent admits to the violation set forth in paragraph(s) **8** of the Complaint.

2. Respondent admits to a violation of Section(s) **MCL 339.604(g)**. All other charges in the Complaint are hereby dismissed.

3. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent shall pay a FINE in the amount of **FIVE HUNDRED DOLLARS (\$500)** Said fine shall be paid by cashier's check or money order, with Complaint No. **309224 & 309225** clearly indicated on the

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. Said check or money order shall be mailed to the Michigan Department of Labor and Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

4. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent shall make RESTITUTION in the amount of **TWO THOUSAND DOLLARS (\$2,000)** by check or money order made payable to **FRED BAKER, 2052 CONIFER RIDGE, BYRON CENTER, MI 49315** within sixty (60) days of the date of mailing of the Final Order in this matter.

5. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation shall result in a suspension of all licenses or registrations of Respondent (individual and/or corporate) or in the denial of any license or registration renewal and the denial of future applications for licensure or registration until compliance is made with the terms of this Stipulation.

6. Respondent agrees 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. 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. For corrective repairs, and other non-monetary forms of restitution, the respondent, prior to the expiration of the respective term or condition date(s) set within this stipulation, is required to submit written proof from the appropriate governmental official or the person ordered to benefit from restitution to prove that the respondent timely complied with the ordered corrective or remedial action.

7. **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 designee, must approve this Stipulation before it is submitted to the Board for final approval. Should the Legal Affairs

Division Director, or that person's designee, or the Board reject this Stipulation, the Department will schedule a contested case hearing in this matter without prejudice to either party.

8. Respondent understands and intends that by signing this Stipulation, Respondent is waiving the right, pursuant to the Occupational Code, supra, the rules promulgated thereto, and the Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq., to a hearing before an administrative law judge, at which the Department would be required to prove the charges set forth in the Complaint by presentation of evidence and legal authority and at which Respondent would be entitled to appear with or without an attorney to cross-examine all witnesses presented by the Department and to present such testimony or other evidence or legal authority deemed appropriate as a defense to said charges.

Agreed to:

Steven J. Kilgore
Respondent/Designee (Printed Name)

Steven J. Kilgore
Respondent/Designee (Signature)

11-25-08
Date:

Attorney for Respondent (If Applicable)

Date:

Business Address:

2790 64th St. SW, Byron Center, Mi. 49315

Bureau of Commercial Services:

Barbara A. Shutler
By: Barbara A. Shutler

11-25-08
Date:

Approved: [Signature]
Stephen J. Gobbo,
Legal Division Director

Dec 5, 2008
Date: