



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

DEPARTMENT OF LABOR & ECONOMIC  
GROWTH,  
BUREAU OF COMMERCIAL SERVICES, ex rel  
SEAN F. MCGUIRE

**Complaint No.:** 306992

**Docket No.:** 2008-108

Complainant,

V

THOMAS C. CHAUVIN  
License No. 21-01-150545

Respondent.

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**FINAL ORDER**

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


**WHEREAS**, Thomas C. Chauvin, License No. 21-01-150545, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on April 15, 2008, Kim Breitmeyer, Administrative Law Specialist, on April 15, 2008, and approved under delegated authority by Stephen J. Gobbo Esq., Legal Affairs Division Director, on June 6, 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 22<sup>nd</sup> day of July, 2008.

Board of Residential Builders and Maintenance and Alteration Contractors

By:   
Chairperson

Date mailed: July 22 2008

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 Thomas C. Chauvin, Complaint No. 306992, before the Board of Residential Builders and Maintenance and Alteration Contractors.

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

DEPARTMENT OF LABOR & ECONOMIC GROWTH,  
BUREAU OF COMMERCIAL SERVICES, ex rel  
SEAN F. MCGUIRE  
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v

THOMAS C. CHAUVIN

Docket No. 2008-108

License No. 21-01-150545,  
Respondent.

Complaint No. 306992

Board: Residential Builders

**STIPULATION**

This matter having been scheduled for hearing before the State Office of Administrative Hearings and Rules on **April 15, 2008**, pursuant to a Formal Complaint, **dated November 6, 2007**, hereafter "Complaint," filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against THOMAS C. CHAUVIN, Respondent, 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 HEREBY STIPULATED**, by and between the parties hereto, that Respondent admits to the violation set forth in paragraph(s) **4 & 6-8** of the Complaint.

2. Respondent admits to a violation of Section(s) **604(c) and 2411(2)(I)** of the Michigan Occupational Code, 1980 PA 299, as amended; **MCL 339.604(c) and MCL 339.2411(2)(I)** and Rule(s) **21(2)(a)** of the **Board of Residential Builders and Maintenance and Alteration Contractors General Rules**, promulgated hereunder, being **2006 AACS, R 338.1521(2)(a)**. 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 (\$500.00)**. Said fine shall be paid by cashier's check or money order, with Complaint No. **306992** 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 Department of Labor & Economic Growth, Bureau of Commercial Services, P.O. Box 30018, Lansing, Michigan 48909. If Respondent fails to comply with the terms of this Stipulation within sixty (60) days of the date of mailing of the Final Order in this matter, then the FINE shall increase to **Five Thousand Dollars (\$5,000.00)**.

4. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent shall make RESTITUTION according to the Claim of Lien, filed April 23, 2007, by Quality Lumber and Building Wholesalers, Inc. in the amount of **Four Thousand Nine Hundred Fifty-nine Dollars and eighty-seven cents (\$4,959.87)**. Respondent shall also make RESTITUTION according to the Claim of Lien, filed May 22, 2007, by Wayne-Oakland Building Supplies in the amount of **One Thousand Six Hundred Fourteen Dollars and seventeen cents (\$1,614.17)**. Both amounts of RESTITUTION shall be paid 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 within sixty (60) days of the date of mailing of the Final Order shall result in a suspension or continued suspension of all licenses or registrations of Respondent 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. In addition, if Respondent fails to comply with the terms of this Stipulation within sixty (60) days of the date of mailing of the Final Order in this matter, then the FINE shall increase to **Five Thousand Dollars (\$5,000.00)**.

6. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that failure to comply with the terms set forth in this Stipulation within six (6) months of the date of mailing of the Final Order shall result in a revocation or continued revocation of all licenses or registrations of Respondent 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.

7. 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.

8. **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 it is submitted to the Board for final approval. Should the Enforcement 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.

9. 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:

  
\_\_\_\_\_  
Thomas C. Chauvin, Respondent


Date: 4-15-08

Attorney for Respondent (if applicable) \_\_\_\_\_

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

Attorney Business Address & Telephone Number:  
\_\_\_\_\_

Bureau of Commercial Services:

By:   
Kim Breitmeyer  
Administrative Law Specialist  
Enforcement Division

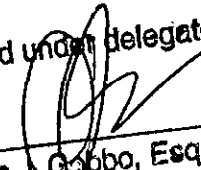
Date: 4/15/08

Approved: \_\_\_\_\_

G. Archie Millben,  
Enforcement Division Director

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

Approved under delegated authority:

  
\_\_\_\_\_  
Stephen J. Gabbo, Esq.  
Commercial Enforcement Division  
Date: June 6, 2008