



STATE OF MICHIGAN
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH

STANLEY "SKIP" PRUSS
DIRECTOR

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
KIMBERLY KAY MARCINIAK

Complaint No.: 309746
Docket No. 2009-340

Complainant,

V

SAM JAMES HURLEY
D/B/A REMODELING ONE REMODELING COMPANY Respondent.
License No. 21-01-158553

FINAL ORDER

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

WHEREAS, Sam James Hurley, D/B/A Remodeling One Remodeling Company, License No. 21-01-158553, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on April 23, 2009, and approved by Barrington Carr, Enforcement Division Director, on May 5, 2009, on behalf of the Bureau of Commercial Services, Department of Energy, 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.

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

This Final Order is effective immediately upon its mailing.

Given under our hands at Okemos, Michigan, this 22nd day of
July, 2009.

Board of Residential Builders and Maintenance and Alteration Contractors

By: 

Chairperson

Date mailed: July 22 2009

Proof of Compliance Should be Filed With:

Department of Energy, Labor, & Economic Growth
Bureau of Commercial Services
Legal Affairs Division - Final Order Monitoring
P.O. Box 30018
Lansing, MI 48909
Telephone: (517) 241-9272
Fax: (517) 241-9296

This is the last and final page of the Final Order in the matter of Sam James Hurley, D/B/A Remodeling One Remodeling Company, Complaint No. 309746, before the Board of Residential Builders and Maintenance and Alteration Contractors.

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

ATTORNEY GENERAL
LICENSING AND
REGULATION DIVISION

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
Kimberly Kay Marciniak

APR 27 2009

v

Docket No. 2009-340
Complaint No. 309746
Board: Residential Builders and
Maintenance and Alteration
Contractors

SAM JAMES HURLEY d/b/a
REMODELING ONE REMODELING
License No. 21-01-158553

RECEIVED

STIPULATION

This matter having been scheduled for hearing before the State Office of Administrative Hearings and Rules on April 21, 2009, pursuant to a Formal Complaint, hereafter "Complaint," filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against Sam James Hurley d/b/a Remodeling One Remodeling, Respondent, hereafter "Respondent," by the Department of Energy, 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 violations as set forth in paragraphs 6 and 8 of the Complaint.¹

2. Respondent admits to a violation of section 339.604(c) of the Michigan Occupational Code, 1980 PA 299, as amended; MCL 339.604(c), and rule 51(5) of the Residential Builders and Maintenance and Alteration Contractors Board rules promulgated hereunder, being 2006 AACS, R 338.1551(5). All other charges in the Complaint are hereby dismissed.

¹ Parties acknowledge typo in paragraph 6 of the complaint and stipulate what reads 2006 AACS, R 338.1551(2) should read 2006 AACS, R338.1551(5).

3. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent shall pay a FINE in the amount of FIVE HUNDRED DOLLARS AND 00/100 (\$500.00). Said fine shall be paid by cashier's check or money order, with Complaint No. 309746 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, P.O. Box 30018, Lansing, Michigan 48909.

4. **IT IS FURTHER STIPULATED** by the parties that Respondent's builder's license will be revoked if the fine is not paid within six months of the mailing date of the Board's Final Order.

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 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. **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.

7. 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.

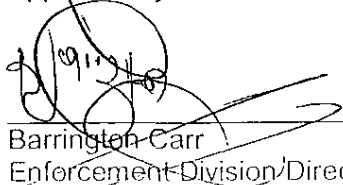
Agreed to:

Sam James Hurley d/b/a Remodeling One Remodeling
Respondent


Respondent (Signature)

4/23/09
Date:

Bureau of Commercial Services
Approved by:


Barrington Carr
Enforcement Division/Director

5/5/09
Date: