



STATE OF MICHIGAN

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

STANLEY "SKIP" PRUSS  
DIRECTOR

**Complaint No.: 309920 & 309921**

DEPARTMENT OF ENERGY, LABOR &  
ECONOMIC GROWTH,  
BUREAU OF COMMERCIAL SERVICES, ex rel  
LINDSAY WILLIAMS

Complainant,

V

LEO GELLE CONSTRUCTION CO. INC.  
MARIO JOHN GELLE, Q.O.  
License No. 21-02-164029

Respondent.

And

MARIO JOHN GELLE  
License No. 21-01-188026

**FINAL ORDER**

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

**WHEREAS**, Leo Gelle Construction Co. Inc., License No. 21-02-164029 and Mario John Gelle, License No. 21-01-188026, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on April 3, 2009, John Valenti, Administrative Law Specialist, on April 3, 2009, and approved by Stephen J. Gobbo, Legal Affairs Division Director, on April 14, 2009, on behalf of the Bureau of Commercial Services, Department of Energy, Labor & Economic Growth.

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

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 22nd day of July, 2009.

Board of Residential Builders and Maintenance and Alteration Contractors

By: [Signature]  
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 Leo Gelle Construction Co. Inc., Mario John Gelle Q.O., Complaint No. 309920 and Mario John Gelle, Complaint No. 309921, 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

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DEPARTMENT OF ENERGY,  
LABOR & ECONOMIC GROWTH  
OFFICE OF COMPLAINTS UNIT

DEPARTMENT OF ENERGY, LABOR &  
ECONOMIC GROWTH,  
BUREAU OF COMMERCIAL SERVICES,  
*ex rel* LINDSAY WILLIAMS

Complainant

Complaint No. 309920

309921

LEO GELLE CONSTRUCTION CO., INC.

MARIO JOHN GELLE, QUALIFYING OFFICER Michigan State Residential Builders,  
License No. 21-02-164029 Maintenance & Alteration Contractors

STIPULATION

MARIO JOHN GELLE

License No. 21-01-188026

Respondents.

STIPULATION

These matters having been scheduled for conference before the Michigan Department of Labor & Economic Growth, Bureau of Commercial Services, Legal Affairs Division on March 30, 2009, pursuant to Formal Administrative Complaints filed November 25, 2008, under the Michigan Occupational Code, Article 24, MCL 339.2401-2412, against Respondents, NOW, THEREFORE :

1) IT IS STIPULATED, that Respondents make ADMISSION to violation of 2006 AACRS, R 338.1551(4), as set forth in paragraph eight (8) of the Formal Administrative Complaints, with all other allegation(s) DISMISSED, with prejudice :

2) IT IS FURTHER STIPULATED, that Respondents shall pay a FINE in the amount of FIVE HUNDRED DOLLARS (\$500.00), under MCL 339.602, § 602(e), PAYABLE to the State of Michigan within SIXTY (60) DAYS from the mailing date of the Final Order issued by the Michigan State Board of Residential Builders and Maintenance & Alteration Contractors adopting this Stipulation Agreement, a fine amount which is payable by certified check, cashier's check or money order, with Complaint No.s 309920; 309921 clearly written on the memorandum portion of the certified check, cashier's check or money order, and mailed to the Michigan Department of Energy, Labor & Economic Growth, Bureau of Commercial Services, Final Order Monitoring, P.O. Box 30018, Lansing, Michigan 48909-7518.

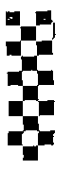
Leo Gelle Construction Company, Inc.; Mario John Gelle, Individually

Michigan State Licensed Residential Builders

License No.s 21-02-164029; 21-01-188026

Complaint No. 309920; 309921

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3) IT IS FURTHER STIPULATED, that in the event of FAILURE TO COMPLY in full with the terms and conditions as set forth above in this Stipulation Agreement, by non-payment of the above-required fine amount during the applicable time-period, Respondents' Michigan State Residential Builders License No.s 21-02-164029; 21-01-188026, SHALL IMMEDIATELY BE SUSPENDED INDEFINITELY, until payment-in-full has been made.

4) IT IS FURTHER STIPULATED, that the Director of the Legal Services Division must approve this Stipulation Agreement before forwarding to the Michigan State Board of Residential Builders and Maintenance & Alteration Contractors, for FINAL APPROVAL, and should this agreement be rejected by the Legal Affairs Division Director, or the Board, this matter will be scheduled for Formal Administrative Hearing, without prejudice to either party.

5) Respondents understands that by acceptance of this agreement, the RIGHT IS WAIVED to a formal hearing before an administrative hearings officer, at which time it would be necessary to prove the charges set forth in the Department's Formal Administrative Complaints by presentation of evidence and legal authority and at which Respondents 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 matter is currently pending arbitration pursuant to a Stipulated Dismissal entered February 24, 2007, before the Honorable Matthew R. Rumora, in 39<sup>th</sup> Judicial District Court Case No. 08-2261 GC.

Mario John Gelle  
Qualifying Officer, Leo Gelle Construction Co., D.F.L.E.G., B.C.S., Legal Affairs Division  
Inc., & Individually  
Respondents

John Valenti, Esq., A.L.S. (P28546)  
D.F.L.E.G., B.C.S., Legal Affairs Division  
(t) 313 456 0479; 517 373 1902  
(f) 313 456 0475  
e-mail: [valentij@michigan.gov](mailto:valentij@michigan.gov)

MARIO GELLE

Date: 4-3-09

Approved: Stephen J. Gobbo, Legal Affairs Division Director

Date: 4/14/2009

Leo Gelle Construction Company, Inc.; Mario John Gelle, Individually  
Michigan State Licensed Residential Builders  
License No.s 21-02-164029; 21-01-188026  
Complaint No. 309920; 309921