



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
PAUL AND TINA WHITMAN

Complaint No.: 308568

Docket No.: 2008-1027

Complainant,

V

BEDFORD CONSTRUCTION INC.
ROBERT C. COBERLEY, QUALIFYING OFFICER Respondent.
License No. 21-02-142651

FINAL ORDER

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

WHEREAS, Bedford Construction Inc., Robert C. Coberley, Q.O., D/B/A SKA Construction, License No. 21-02-142651, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on December 15, 2008, Tiffany N. Daugherty, Administrative Law Specialist, on December 15, 2008, and approved by Stephen J. Gobbo Esq., Legal Affairs Division Director, on December 23, 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 17th day of
March, ~~2008~~: 2009

Board of Residential Builders and Maintenance and Alteration Contractors

By: Mandy

Chairperson

Date mailed: March 17, 2009

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 Bedford Constriction, Inc., Robert C. Coberley, Q.O., Complaint No. 308568, before the Board of Residential Builders and Maintenance and Alteration Contractors.

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BUREAU OF COMMERCIAL SERVICES
P.O. BOX 30018 • LANSING, MICHIGAN 48909
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STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF COMMERCIAL SERVICES

DEPARTMENT OF LABOR & ECONOMIC GROWTH,
BUREAU OF COMMERCIAL SERVICES, ex rel
PAUL AND TINA WHITMAN
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v

BEDFORD CONSTRUCTION INC.
ROBERT C. COBERLY, Q.O.
License No. 21-02-142651,
Respondent.

Docket No. 2008-1027

Complaint No. 308568

_____/ Board: Residential Builders

STIPULATION

This matter having been scheduled for hearing before the State Office of Administrative Hearings and Rules, formerly the Bureau of Hearings, on **October 22, 2008**, pursuant to a Formal Complaint, **dated May 29, 2008**, hereafter "Complaint," filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., against BEDFORD CONSTRUCTION INC., ROBERT C. COBERLY, QUALIFYING OFFICER, 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 5 of the Complaint.

2. Respondent admit to a violation of Section 2411(2)(m) of the Michigan Occupational Code, 1980 PA 299, as amended; **MCL 339.2411(2)(m)**.

3. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent's licenses shall be immediately REVOKED including, but not limited to: **License Nos. 21-02-142651 and 21-02-185789**. Said licenses shall be mailed immediately mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, P.O. Box 30018, Lansing, Michigan 48909. Mr. Coberley's pending application for individual licensure is DENIED.

4. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent's licenses shall remain REVOKED until such time as Respondent makes RESTITUTION to **Paul and Tina Whitman, 2053 Fountain Circle Drive, Lambertville, Michigan, 48144** by correcting and/or repairing all of the violations set forth in building inspection report dated December 18, 2006, and hereby attached to this Stipulation. Repairs shall be subject to approval by the building inspector. Respondent shall not use or employ any of his family members to make said repairs. In addition, Respondent shall be required to escrow the amount of required repairs so that the Whitmans will not be left with outstanding liens against their property.


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 or continued suspension of all licenses or registrations of both Respondent (including all licensed residential builder or maintenance and alteration contractor licensees for which Respondent(s) serve as qualifying officer) 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:


 Robert C. Coberley, Q.O./Respondent
 President
 BEDFORD CONSTRUCTION INC.

Date: 12/15/08

Bureau of Commercial Services:

By: _____
 Tiffany Daugherty
 Administrative Law Specialist
 Legal Affairs Division

Date: _____

Approved: _____
 Stephen J. Gobbo,
 Legal Affairs Director

Date: _____

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:

Robert C. Coberly, Q.O./Respondent

Date: _____

Bureau of Commercial Services:

By: _____
Tiffany Daugherty
Administrative Law Specialist
Legal Affairs Division

Date: 12/15/08

Approved: _____
Stephen J. Gobbo,
Legal Affairs Director

Date: Dec 23, 2008