



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

Complaint No.: 308101 & 308102

DEPARTMENT OF LABOR & ECONOMIC
GROWTH,
BUREAU OF COMMERCIAL SERVICES

Complainant,

V

JW BUILDING, INC.
JOHN B. WIEGAND, QUALIFYING OFFICER
License No. 21-02-150769

Respondent.

AND

JOHN B. WIEGAND
License No. 21-01-067115

FINAL ORDER

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

WHEREAS, JW Building, Inc., John B. Wiegand, Q.O., License No. 21-02-150769, and John B. Wiegand, License No. 21-01-067115, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on October 5, 2008, Barbara A. Shutler, Departmental Analyst, on October 7, 2008, and approved by Stephen J. Gobbo Esq., Legal Affairs Division Director, on October 9, 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 25th day of November, 2008.

Board of Residential Builders and Maintenance and Alteration Contractors

By: MA Lby

Chairperson

Date mailed: November 25 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 JW Building, Inc., John B. Wiegand, Q.O., Complaint No. 308101, and John B. Wiegand, Complaint No. 308102, before the Board of Residential Builders and Maintenance and Alteration Contractors.

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DEPARTMENT OF D.L.E.G.
C.E.D. - COMPLIANCE UNIT

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

DEPARTMENT OF LABOR & ECONOMIC GROWTH,
BUREAU OF COMMERCIAL SERVICES,

Complainant,

v

J W BUILDING, INC.
JOHN B. WIEGAND, QUALIFYING OFFICER
License No. 21-02-150769

Complaint No. 308101

and

JOHN B. WIEGAND
License No. 21-01-067115

Complaint No. 308102

Respondents.

STIPULATION

This matter having been scheduled for a compliance conference on **July 29, 2008** pursuant to a Formal Complaint, **dated May 30, 2008**, hereafter "Complaint," filed in accordance with the provisions of the Michigan Occupational Code ("Code"), 1980 PA 299, MCL 339.101 et seq., against J W BUILDING, INC., JOHN B. WIEGAND, QUALIFYING OFFICER AND JOHN B. WIEGAND ("Respondent") by the Department of Labor & Economic Growth, and with the following persons in attendance at the conference: Barbara A. Shutler, Conferee, and John B. Wiegand 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) 6 of the Complaint.

2. Respondent admits to a violation of Section(s) **MCL 339.2411(2)(c)**. 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 **TWO HUNDRED AND FIFTY DOLLARS (\$250)** Said fine

shall be paid by cashier's check or money order, with Complaint No. **308101 & 308102** 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 RESTITUTION is not applicable in this matter due to the discharge of bankruptcy.

5. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent will voluntarily revoke building license number 21-02-150769 issued in the name of J W Building, Inc. and return the wall certificate and pocket card immediately to the Michigan Department of Labor and Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

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 suspension or continued suspension of all other 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 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.

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:

JOHN B. WIEGAND
Respondent/Designee (Printed Name)

John B. Wiegand
Respondent/Designee (Signature)

10-5-08
Date:

Attorney for Respondent (If Applicable)

Date:

Business Address:

5791 DORALN. CLARKSTON, MI 48348

Bureau of Commercial Services:

Barbara Shuttler
By: Barbara A. Shuttler

10/7/08
Date:

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

10/9/2008
Date: