



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  
VILLA POINTE CONDO ASSOCIATION

**Complaint No.:** 302116  
**Docket No.:** 2008-336

Complainant,

V

DACO CONSTRUCTION  
D/B/A INNER CITY CONSTRUCTION CO., INC.  
FLOYD DAVIS JR., QUALIFYING OFFICER  
License No. 21-02-123300

Respondent.

**FINAL ORDER**

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

**WHEREAS**, Daco Construction, D/B/A Inner City Construction Co., Inc., Floyd Davis Jr., Q.O., License No. 21-02-123300, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on June 5, 2008, Serene Katranji – Zeni, Assistant Attorney General, on June 5, 2008, and approved under delegated authority by Stephen J. Gobbo Esq., Legal Affairs Division Director, on July 3, 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 17<sup>th</sup> day of  
September, 2008.

Board of Residential Builders and Maintenance and Alteration Contractors

By: 

Chairperson

Date mailed: September 17, 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 Daco Construction, D/B/A Inner City Construction Co., Inc., Floyd Davis Jr., Q.O., Complaint No. 302116, before the Board of Residential Builders and Maintenance and Alteration Contractors.

**STATE OF MICHIGAN  
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES  
BUREAU OF HEARINGS**

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

**Complaint No. 302116  
Docket No. 2008-336**

**Complainant,**

v

**DACO CONSTRUCTION  
D/B/A INNER CITY CONSTRUCTION CO., INC.  
FLOYD DAVIS, JR, QUALIFYING OFFICER  
License No. 21-02-123300**

**Respondent.**

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**STIPULATION**

This matter having been scheduled for hearing before the State Office of Administrative Hearings and Rules on June 5, 2008, 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 DACO Construction, d/b/a Inner City Construction Co., Inc., Floyd Davis, Jr, Qualifying Officer, 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 paragraphs five through fourteen of the Complaint.

2. Respondent admits to violations of Sections 604(c) & 2411(2)(d), (e), (j), & (m) of the Michigan Occupational Code, 1980 PA 299, as amended; and Rules 51(4) & (5) of the Builders and Maintenance and Alteration Contractors Board Rules promulgated hereunder, being 1979 AC, R 338.1551(4) & (5) and 2006 AACS, R 338.1551 (4).

3. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent shall pay a FINE in the amount of **Two Thousand Five Hundred dollars (\$2,500)** only in the event that the Restitution amount stated below is not paid within twenty-four (24) months of mailing of the Final Order in this matter. The fine shall be paid by cashier's check or money order, with Complaint No. 302116 clearly indicated on the check or money order, made payable to the State of Michigan. The 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 Respondent shall make RESTITUTION in the amount of **Sixteen Thousand Four Hundred dollars** by check or money order made payable to Villa Pointe Condominiums, c/o Alexander Zelmanski & Lee, PLLC, 44670 Ann Arbor Road, Suite 170, Plymouth, MI 48170, in **Seven Hundred dollar** increments for a period of twenty-four (24) months starting from the date of mailing of the Final Order in this matter. On the twenty-fourth month, the check shall be in the amount of **Three Hundred dollars**.

5. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that failure to pay restitution in accordance with the stipulated payment plan 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. Respondent agrees to submit written proof of having complied with each requirement of this Stipulation each month, 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 entity ordered to receive restitution.

7. **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.

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:



Floyd Davis



Daco Construction  
Daco Construction, Inc.  
Daco Construction & Home Improvement, Inc.

6-5-2008

Date:

Business Address:

19111 W. Ten Mile Rd, Southfield, MI 48075

Bureau of Commercial Services:



By: Serene Katranji-Zeni  
Assistant Attorney General

6-5-2008

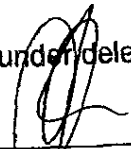
Date:

Approved:

G. Archie Millben,  
Enforcement Division Director

Date:

Approved under delegated authority:

  
Stephen J. Gobbo, Esq.  
Commercial Enforcement Division

Date:

July 3, 2008