



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  
REX AND SHERYL WILLIS

**Complaint No.:** 92946  
**Docket No.:** 2005-498

Complainant,

V

BRYANT CUSTOM HOMES INC.  
IAN G. BRYANT, QUALIFYING OFFICER  
License No. 21-02-144848

Respondent.

**FINAL ORDER**

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

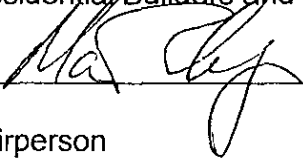
**WHEREAS**, Bryant Custom Homes Inc., Ian G. Bryant, Qualifying Officer, License No. 21-02-144848, has agreed with the requirements, conditions and terms set forth with specificity in a Stipulation attached hereto, signed by Respondent on June 13, 2008, Richard P. Carroll, attorney for Respondent on June 16, 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 Bryant Custom Homes Inc., Ian G. Bryant, Qualifying Officer, Complaint No. 92946, before the Board of Residential Builders and Maintenance and Alteration Contractors.

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

DEPARTMENT OF LABOR & ECONOMIC GROWTH,  
BUREAU OF COMMERCIAL SERVICES, ex rel  
(Rex & Sheryl Willis)

v.

BRYANT CUSTOM HOMES INC,  
IAN BRYANT, QUALIFYING OFFICER  
License No. 21-02-144848

Docket No. 2005-498  
Complaint No. 92946

**STIPULATION**

This matter having been scheduled for hearing before the State Office of Administrative Hearings and Rules on March 13, 2008, pursuant to a First Amended Formal Complaint dated March 2, 2007, "Complaint," filed in accordance with the provisions of the Michigan Occupational Code, 1980 PA 299, MCL 339.101 et seq., "Code," against Bryant Custom Homes, Inc., Respondent, "Respondent," by the Department of Labor & Economic Growth, and all parties being disposed to 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 7 & 8 of the Complaint which allege a judgment was entered against Respondent on January 26, 2005, in the Michigan Circuit Court for the County of Grand Traverse, and Respondent failed to satisfy the judgment in violation of the Code.

2. Respondent admits to a violation of Section 2411(2)(l) of the Michigan Occupational Code, 1980 PA 299; MCL 339.2411(2)(l). All other charges in the Complaint are hereby dismissed.

3. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that any and all allegations against Ian Bryant as an individual and/or against his individual license are hereby dismissed and no action is being taken against him or his license, considering the circuit court order, basis of this complaint, specifically dismissed him from the civil action.

4. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent shall not pay a FINE unless it fails to comply with the terms and conditions as set forth below in paragraph 4 and as stated in paragraph 5 below.

5. **IT IS FURTHER STIPULATED**, by and between the parties hereto, that Respondent shall make RESTITUTION in the amount of SEVENTY-EIGHT THOUSAND FIVE HUNDRED-TWENTY DOLLARS AND FIFTY CENTS, (\$78,520.50), (this includes the arbitration award of \$74,744.95, administrative fees and compensation to the arbitrator in the amount of \$1,700.00 and costs of \$150.00, plus an award of attorneys fees of \$1,925.55 as awarded by the Court), by check or money order made payable to Rex & Sheryl Willis, P.O. Box 466 Kimberling City, MO 65686-0466, within sixty (60) days of the date of mailing of the Final Order in this matter.

6. **IT IS FURTHER STIPULATED**, by and between the parties hereto, if Respondent does not pay the Restitution within sixty (60) days of the mailing of the Final Order, a fine in the amount of TWO THOUSAND DOLLARS, (\$2000.00), shall be due **in addition** to the Restitution. The Fine shall be paid by cashier's check or money order, with Complaint No. #92946 clearly indicated on the check or money order, made payable to the State of Michigan. If said Fine shall become due, it must be paid within ninety (90) days of the date of mailing of the Final Order in this matter. 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.

7. **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 Bryant Custom Homes Inc or in the denial of any license or registration renewal and the denial of future applications for licensure or registration of Bryant Custom Homes Inc until compliance is made with the terms of this Stipulation.

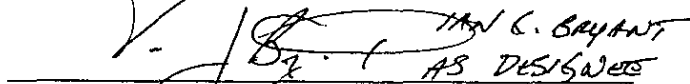
8. Respondent agrees to submit written proof of having complied with each requirement of this Stipulation, in a form acceptable to the Department, to the Michigan Department of Labor and Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909. 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 amount was paid.


9. 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.

10. 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 by:

  
Dan C. Bryant  
AS Designee  
Bryant Custom Homes, Inc. Designee

6/13/08  
Date:

  
Richard P. Carroll (P38807)  
310 West Front Street Suite 409  
Traverse City, MI 49684

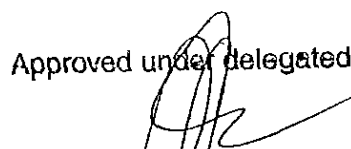
June 16, 2008  
Date:

Bureau of Commercial Services Approved By:

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G. Archie Millben, Director Enforcement Division  
Bureau of Commercial Services  
Department of Labor & Economic Growth

\_\_\_\_\_  
Date:

Approved under delegated authority:

  
\_\_\_\_\_  
Stephen J. Gobbo, Esq.  
Commercial Enforcement Division

Date: July 3 2008