

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

RESIDENTIAL BUILDERS AND MAINTENANCE AND ALTERATION CONTRACTORS BOARD

BOARD MEETING MINUTES

March 13, 2007

In accordance with the Open Meetings Act, Public Act No. 267 of 1976, as amended, the Residential Builders and Maintenance and Alteration Contractors Board met on March 13, 2007, at the Department of Labor & Economic Growth, Bureau of Commercial Services, 2501 Woodlake Circle, Second Floor, Room 1, Okemos, Michigan. The Board meeting was called to order by Chairperson Mark Glynn at 9:04 a.m.

ROLL CALL

Present:	Frank DiStefano	Member
	Mark Glynn	Chairperson
	James Haeussler	Member
	Kevin Lewand	Member
	Marilyn Lane	Member
Absent:	Jennifer Schoats-Flack	Member
	Anthony Parker	Vice Chairperson
	Mark Zausmer	Member
Staff:	Gloria Keene	Licensing Administrator
	Linda Clewley	Assistant Licensing Administrator
	Robin Sirls	Recording Secretary
	Stephen Gobbo	Legal Unit, Manager
Visitors:	Vicki L. Alexander	Petitioner
	Kenneth Robert Blakeley	Petitioner
	Rogers J. Carter	Petitioner
	Ryan Daam	Petitioner
	William McNeil	Attorney for Ryan Daam
	Shannon Ann Newberry	Petitioner
	Kevin Peter Olender	Petitioner
	Patrick McFadden	Attorney for Kevin Olender
	Samuel Joseph Roberts	Petitioner
	Philip Zimmer	Visitor

ADDITIONS TO OR DELETIONS FROM AGENDA

Deletions:

Hearing Report A-19	Joseph Frank Schebel d/b/a Bisonte Construction Company
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Hearing Report A-22 Sunnyside Construction of Michigan Inc.
Michael Thomas Maurino, Q.O.

APPROVAL OF MINUTES FROM JANUARY 16, 2007

MOTION: It was moved by Ms. Lane and supported by Mr. Haeussler that the minutes from the meeting held January 16, 2007 be approved as presented. The motion carried by unanimous vote.

PETITIONS

Vicki L. Alexander

The Board received a petition for review of the Department's denial of an individual residential builders relicensure application received September 29, 2005. The Department denied the license on the basis of a lack of financial stability, as evidenced in a recent credit report. Ms. Alexander addressed the Board.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane that after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts shown on her credit report are reconciled within 120 days, which is July 11, 2007. A copy of Ms. Alexander's credit report from all three credit bureaus must be provided to the Department prior to this date. The Department will verify that all accounts are reconciled and that there are no new derogatory accounts or information shown. If the documentation is not received prior to July 11, 2007, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld and the application file discarded. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

KENNETH ROBERT BLAKELEY (KEN'S B & B EXCAVATING LLC)

The Board received a petition for review of the Department's denial of a Limited Liability Company Residential Builder licensure application received November 30, 2006. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history. Mr. Blakeley addressed the Board.

MOTION: It was moved by Ms. Lane and supported by Mr. DiStefano that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, contingent upon the Department receiving, within 60 days, a fully signed and executed stipulating agreement and to provide proof to the Department that all payments under that agreement have been made. The Board is allowing Mr. Blakeley until May 12, 2007 to meet all licensure requirements, which includes

providing to the Department the fully signed stipulation agreement and proof that the agreement has been satisfied or the Department's denial will be upheld and the application file discarded. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

ROGERS J. CARTER

The Board received a petition for review of the Department's denial of an individual residential builders relicensure application received July 10, 2006. The Department denied the license on the basis of a lack of good moral character and a lack of financial stability, as evidenced by a relevant criminal conviction history and a recent credit report. Mr. Carter addressed the Board.

MOTION: It was moved by Ms. Lane and supported by Mr. DiStefano that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts shown on his credit report are reconciled prior to March 13, 2008. Mr. Carter must provide to the Department a copy of his credit report from all three credit bureaus (TransUnion, Equifax, and Experian) prior to this date. The Department will verify that all accounts are reconciled and that there are no new derogatory accounts shown on the credit reports. If the documentation is not received prior to March 13, 2008, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld and the application file discarded. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

RYAN MICHAEL DAAM

The Board received a petition for review of the Department's denial of an individual residential builder license application received August 7, 2006. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history. Mr. Daam, along with his attorney William McNeal, addressed the Board.

MOTION: It was moved by Mr. Haeussler and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

SHANNON ANN NEWBERRY

The Board received a petition for review of the Department's denial of an individual residential builder license application received September 19, 2006. The Department denied the license

on the basis of a lack of financial stability, as evidenced in a recent credit report. Ms. Newberry addressed the Board.

MOTION: It was moved by Mr. Lewand and supported by Mr. DiStefano that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts shown on her credit report that was supplied by the Department have been reconciled and no new derogatory accounts or information are shown on the credit reports provided by Ms. Newberry to the Board at the March 13 meeting. If the accounts have not been reconciled, or there are additional derogatory accounts or information found, the Department's denial will be upheld and the application file discarded. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

KEVIN PETER OLENDER

The Board received a petition for review of the Department's denial of an individual residential builders license application received July 26, 2006. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history. Mr. Olender, along with his attorney, Patrick McFadden, addressed the Board.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Haeussler that, after careful consideration of the written petition and oral presentation, the Board upheld the Department's denial on the basis that (1) although the denial was not based upon the convictions alone, the criminal offenses were reasonably related to the practice of residential building, (2) sufficient evidence/length of rehabilitation was not presented, and (3) the consequences and nature of the offense distinctly bear upon the ability of a licensee to deal in an open, honest, and fair manner with the public. However, the Board did direct the staff to hold Mr. Olender's test scores valid until March 13, 2008. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

SAMUEL JOSEPH ROBERTS (GRACE/HILL CONTRACTING INC.)

The Board received a petition for review of the Department's denial of a corporate residential builders licensure application received April 26, 2006. The Department denied the license on the basis that Philip Zimmer, an officer of Grace/Hill Contracting Inc., has not complied with two Final Orders issued by the Residential Builders and Maintenance & Alteration Contractors Board, dated January 17, 2000 and September 22, 2000 and on the basis that Mr. Zimmer has practiced fraud or deceit in obtaining a license. Mr. Roberts and Mr. Zimmer addressed the Board.

MOTION: It was moved by Ms. Lane and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board upheld the Department's denial for licensure on the basis that Mr. Zimmer has not complied with two Final Orders issued by the Residential Builder and Maintenance and Alteration Contractors Board. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

NEW BUSINESS

HEARING REPORTS

MOTION: It was moved by Ms. Lane and supported by Mr. Lewand that the Board receive all hearing reports on the agenda. The motion carried by unanimous vote.

RONALD E. BOWMAN, LICENSE NO. 2101-051833, EXPIRES 5-31-2007, SHELBY TOWNSHIP, MICHIGAN: COMPLAINT NO. 297438

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Mr. Lewand that the following penalty be assessed: Fine of \$2,500.00 made payable to the State of Michigan and restitution in the amount of \$13,800.00 payable to William and Sula Saylor within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

BRUNO BUILDING CORP., MELANIE ANN ABBRUZZINO, Q.O., LICENSE NO. 2102-151837, REVOKED 9-29-2004, DEARBORN, MICHIGAN: COMPLAINT NO. 298055

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Haeussler that the following penalty be assessed: Continued revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent. Fine of \$30,000.00 made payable to the State of Michigan and restitution in the amount of \$10,000.00 payable to Matthew B. Clark within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

VANCE ALAN BURTON, LICENSE NO. 2101-153861, EXPIRED 5-31-2005, HOLLY, MICHIGAN: COMPLAINT NO. 302119

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Mr. Lewand that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$20,000.00 made payable to the State of Michigan and restitution in the amount of \$6,000.00 payable to Cynthia La Rose within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

ANTONIO DICRISTO, LICENSE NO. 2103-175832, EXPIRED 5-31-2006, HARRISON TOWNSHIP, MICHIGAN: COMPLAINT NO. 301034

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly abandonment and failure to account for or remit funds), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Ms. Lane that the following penalties be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan and restitution in the amount of \$6,600.00 payable to Karim El Fishawy within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

JOSEPH ROBERT ELENBAAS, DOING BUSINESS AS JO ELENBAAS BUILDERS, LICENSE NO. 2101-157743, WILLIAMSTON, MICHIGAN: COMPLAINT NO. 302170

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly abandonment, failure to account for or remit funds, and willful violation of building laws/codes), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Lewand and supported by Mr. DiStefano that the following penalties be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan and restitution by satisfying judgment entered in the 55th District Court, Case No. 05-

189-GC, for Divyakant B. Gandhi within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

ESTATE HOMES, GREGORY A. CUMMINGS, Q.O., LICENSE NO. 2102-157483, SUSPENDED 8-25-2006, TROY, MICHIGAN: COMPLAINT NO. 300218

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Mr. DiStefano, that the following penalty be assessed: Immediate revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent upon issuance of the Final Order. Fine of \$10,000.00 made payable to the State of Michigan and restitution in the amount of \$9,396.60 payable to GM Carpet Cleaning & Power Washing within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

JOHN KEVIN HARDY, DOING BUSINESS AS VIPER POOL'S AND SPA'S, LICENSE NO. 2101-168646, EXPIRED 5-31-2006, WYOMING, MICHIGAN: COMPLAINT NO. 300243

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Lewand that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan and restitution in the amount of \$56,690.00 payable to Vincent V. Benivegna within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

JEFFERY DONALD HUMES, DOING BUSINESS AS HUMES EXCAVATING, LICENSE NO. 2101-111870, EXPIRES 5-31-1994, HUMES EXCAVATING INC., JEFFERY DONALD HUMES, Q.O. LICENSE NO. 2102-120595, EXPIRED 5-31-2005, SUNFIELD, MICHIGAN: COMPLAINT NO. 94698

The Board reviewed the hearing report.

MOTION: It was moved by Ms. Lane and supported by Mr. DiStefano that complaint Number 94698 be dismissed. The motion carried by unanimous vote.

HUMES EXCAVATING INC., JEFFERY DONALD HUMES, Q.O., LICENSE NO. 2102-120595, EXPIRED 5-31-2005, JEFFERY DONALD HUMES, DOING BUSINESS AS HUMES EXCAVATING, LICENSE NO. 2101-111870, EXPIRED 5-31-1994, SUNFIELD, MICHIGAN: COMPLAINT NO. 94697

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly taking contract obtained by unlicensed person, failure to reply to notice of complaint filed, and failure to follow the local building code), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane that the following penalty be assessed: Fine of \$4,500.00 made payable to the State of Michigan and restitution in the amount of \$3,473.15 payable to Monika Torrez within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

KENDRICK CONSTRUCTION, INC., JOSEPH LEVITES, Q.O. (8/1/00 – 10/25/04), LICENSE NO. 2104-075644, SUSPENDED 11-19-2004, AAA PAINTING CO., JOSEPH LEVITES, Q.O., LICENSE NO. 2102-033481, EXPIRING 5-31-2007, AAA PAINTING CO, JOSEPH LEVITES, Q.O., LICENSE NO. 2104-029905, EXPIRED 3-31-1975, M.C.J.R. & ASSOCIATES CO INC., JOSEPH LEVITES, Q.O., LICENSE NO. 2102-060037, EXPIRED 3-31-1982, JOSEPH LEVITES, AAA HOME INSPECTION SERVICE COMPANY, LICENSE NO. 2101-124417, EXPIRING 5-31-2008, DETROIT, MICHIGAN: COMPLAINT NO. 301546

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Mr. DiStefano, that the following penalty be assessed: Immediate revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent upon issuance of the Final Order. Fine of \$4,500.00 made payable to the State of Michigan and restitution in the amount of \$6,100.00 payable to Christine Bell Wells within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

PETER GEORGE KORUGA, DOING BUSINESS AS PETER KORUGA & SON, LICENSE NO. 2101-122778, EXPIRES 5-31-2007, PETER KORUGA AND SON INC, PETER GEORGE KORUGA, Q.O., LICENSE NO. 2102-179165, EXPIRING 5-31-2008, WAKEFIELD, MICHIGAN: COMPLAINT NO. 89391

The Board reviewed the hearing report and determined that the restitution amount should be reduced based on the information presented in the Hearing Report.

MOTION: It was moved by Mr. Haeussler and supported by Mr. Lewand, that the following penalty be assessed: Fine of \$250.00 made payable to the State of Michigan and restitution in the amount of \$2,250.00 payable to Diane and Larry Greig within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried with the following vote: Aye: Mr. Haeussler, Mr. Lewand, Mr. DiStefano. Nay: Ms. Lane, and Mr. Glynn.

KARL J. LAKOS, JR., LICENSE NO 2101-087360, EXPIRING 5-31-2007, NEW BOSTON, MICHIGAN: COMPLAINT NO. 298226

The Board reviewed the hearing report and determined that the restitution amount should be determined through civil litigation between the parties due to conflicting information regarding the restitution amount.

MOTION: It was moved by Ms. Lane and supported by Mr. Lewand, that the following penalty be assessed: Fine of \$3,500.00 made payable to the State of Michigan within sixty (60) days from date of mailing of the Final Order. Failure to comply with the Final Order will result in revocation of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

JASON RICHARD LAVALLEY, NOT LICENSED, SAINT CLAIR SHORES, MICHIGAN: COMPLAINT NO. 301600

The Board reviewed the hearing report.

MOTION: It was moved by Ms. Lane and supported by Mr. Lewand, that the following penalty be assessed: Fine of \$1,500.00 made payable to the State of Michigan and restitution in the amount of \$3,000.00 payable to Richard Gardner within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

LARRY LOPEZ, LICENSE NO. 2101-118105, EXPIRING 5-31-2007, ADRIAN, MICHIGAN: COMPLAINT NO. 298400

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Mr. DiStefano, that the following penalty be assessed: Fine of \$1,000.00 made payable to the State of Michigan and restitution in the amount of \$1,000.00 payable to Joan A. Tremp within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

GORDON REX LOVEDAY, LICENSE NO. 2101-135251, EXPIRING 5-31-2007, NEW BOSTON, MICHIGAN: COMPLAINT NO. 298706

The Board reviewed the hearing report and determined that the restitution amount should be determined through civil litigation between the parties because there appeared to be inadequate records and conflicting information for the Board to be able to determine what work was actually performed or to address the matter of restitution.

MOTION: It was moved by Mr. Lewand and supported by Mr. Haeussler, that the following penalty be assessed: Fine of \$10,000.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

BRUCE RANDOL MERRYMAN, DOING BUSINESS AS BRM BUILDERS, LICENSE NO. 2101-157837, EXPIRED 5-31-2006, JENISON, MICHIGAN: COMPLAINT NO. 298990

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, failure to account for or remit funds, and failure to follow the local building code), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane, that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended/revoked. Fine of \$10,000.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

R.F. BUILDERS MODULAR DIVISION, INC., LINDA CAROL JACKSON, Q.O. (10/1/97 TO 8/24/03), MICHAEL STEVEN FRANKLIN, Q.O. (8/25/03 TO PRESENT), LICENSE NO. 2102-141557, SUSPENDED 8-21-2006, MICHAEL S. FRANKLIN, LICENSE NO. 2103-041398, EXPIRED 5-31-1985, MICHAEL STEVEN FRANKLIN, LICENSE NO. 2101-127792, SUSPENDED 8-21-2006, MONROE, MICHIGAN: COMPLAINT NO. 89046

The Board reviewed the hearing report

MOTION: It was moved by Ms. Lane and supported by Mr. DiStefano, that the following penalty be assessed: Immediate revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s), held by the Qualifying Officer of the Respondent upon issuance of the Final Order. Fine of \$6,000.00 made payable to the State of Michigan and restitution in the amount of \$10,000.00 payable to Betty White and Robert Martin within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

MARK A ROWBOTHUM, DOING BUSINESS AS CONSTRUCTION PLUS, LICENSE NO. 2101-048449, EXPIRED 5-31-2006, HOMER, MICHIGAN: COMPLAINT NO. 298050

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly failure to account for or remit funds, and lack of good moral character), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane, that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$20,000.00 (total fine) was based on assessing the maximum fine for two (2) violations found by the Administrative Law Judge, made payable to the State of Michigan within sixty (60) days from the date of the mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

JOSEPH FRANK SCHEBEL, DOING BUSINESS AS BISONTE CONSTRUCTION COMPANY, LICENSE NO. 2101-171059, EXPIRING 5-31-2007, JOSEPH FRANK SCHEBEL, LICENSE NO. 2105-165788, EXPIRED 5-31-2004, DEARBORN, MICHIGAN: COMPLAINT NO. 303344

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, and failure to account for or remit funds), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane, that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as

the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$20,000.00 (total fine) was based on assessing the maximum \$10,000.00 fine for two (2) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution in the amount of \$2,990.00 payable to Thomas McDonald within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

KEITH B. SIZEMORE, DOING BUSINESS AS ROOF DOCTORS, LICENSE NO. 2101-152593, SUSPENDED 5-12-2002, WHITE LAKE, MICHIGAN: COMPLAINT NO. 298446

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Haeussler, that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan and restitution in the amount of \$2,985.00 payable to William F. Mennick within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

SUPERIOR BUILDERS AND CONTRACTORS INC., THERESA MARIE FOLLMER-ROBERTS, Q.O., LICENSE NO. 2102-160481, SUSPENDED 12-27-2006, THERESA MARIE FOLLMER-ROBERTS, LICENSE NO. 2101-159802, SUSPENDED 12-27-2006, HARRISON TOWNSHIP, MICHIGAN: COMPLAINT NO. 298715

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane, that the following penalty be assessed: Immediate revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent upon issuance of the Final Order. Fine of \$10,000.00 made payable to the State of Michigan and restitution by satisfying judgment entered in 41B District Court on June 28, 2005, Case No 05-1108, for Misty Delegato, in the amount of \$1,500.00 plus costs and interest of the statutory rate within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

JAMES ERIC VANBONN, LICENSE NO. 2101-165697, REVOKED 6-8-2006, STERLING HEIGHTS, MICHIGAN: COMPLAINT NO. 298565

The Board reviewed the hearing report and determined that, because of a prior disciplinary action and the severity of the offenses (particularly abandonment, failure to correct the problem timely, and willful violation of building laws/codes), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Ms. Lane, that the following penalty be assessed: Continued revocation of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan and restitution in the amount of \$1,036.56 payable to Fred Smith within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

WALLY GATOR MASONRY, INC., WENDY ELIZABETH SCHULTE, Q.O., LICENSE NO. 2102-171649, EXPIRING 5-31-2007, BLANCHARD, MICHIGAN: COMPLAINT NO. 303673

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, and failing to satisfy judgment liens and unpaid bills), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Mr. Lewand, that the following penalty be assessed: Fine of \$7,500.00 made payable to the State of Michigan and restitution by satisfying judgment entered in the 74th Judicial District Court on April 3, 2006, in the amount of \$3,000.00 plus costs and interest at the statutory rate within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

GREGORY MARCEL WORDLAW, LICENSE NO. 2101-076073, SUSPENDED 12-21-2006, DETROIT, MICHIGAN: COMPLAINT NO. 297437

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly aiding or abetting unlicensed person, poor workmanship, and willful violation of building laws/codes), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane, that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan within sixty

(60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

STIPULATIONS

20THCENTURY STONE COMPANY INC., ROBERT D. FELDMAN, Q.O., LICENSE NO. 2102-113876, EXPIRING 5-31-2008, AND ROBERT D. FELDMAN, LICENSE NO. 2101-044325, EXPIRING 5-31-2008, SOUTHFIELD, MICHIGAN: COMPLAINT NO. 301578 AND 301584

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$750.00. Fine shall be paid by cashier's check or money order, with Complaint No.s 301578 and 301584 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$3,707.78 by check or money order, made payable to Sharon M. Bakaian within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

SHAWN WALTER BURGER, DOING BUSINESS AS RIGHTHIGHT, LICENSE NO. 2101-136687, EXPIRING 5-31-2007, FARWELL, MICHIGAN: COMPLAINT NO. 300322

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 300322 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Respondent shall make restitution in the amount of \$3,175.00 by check or money order, made payable to Sean & Dana Roberds within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.
- d. Failure to comply with the terms set forth in this Stipulation within ninety (90) days of the date of mailing of the Final Order in this matter shall result in a revocation or continued revocation of all licenses or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

ROBERT J. CECIL, DOING BUSINESS AS MR. FIX-IT, LICENSE NO. 2101-138759, EXPIRING 5-31-08, BLACK RIVER, MICHIGAN: COMPLAINT NO. 87988

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall make restitution in the amount of \$39,289.08 to Village Home Center in satisfaction of the Civil Judgment at the 23rd Circuit Court-Alcona, dated September 24, 2002. Respondent shall satisfy this judgment by making monthly payments to Village Home Center in the amount of \$1,000.00 by the last day of every month, by check or money order, made payable to Village Home Center. Payments must begin immediately and must continue until the judgment is paid in it entirety, with any accumulated interest as required by the judgment.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license or registration renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

COMPLETE BUILDING SOLUTIONS INC., RICK DALE ROBINSON, Q.O., LICENSE NO. 2102-167345, EXPIRING 5-31-2008, AND RICK D. ROBINSON, LICENSE NO. 2101-064847, EXPIRING 5-31-2008, COMPLETE BUILDING ASSOCIATES LLC, RICK DALE ROBINSON, Q.O., LICENSE NO. 2102-160851, SUSPENDED 4-25-2005, COMPLETE BUILDING INC, RICK DALE ROBINSON, Q.O., LICENSE NO. 2102-158935, EXPIRED 5-31-2004, COMPLETE BUILDING SERVICE INC, RICK DALE ROBINSON, Q.O., LICENSE NO. 2102-159371,

EXPIRED 5-31-2004, COMPLETE BUILDING SERVICES LLC, RICK DALE ROBINSON, Q.O., LICENSE NO. 2102-160849, SUSPENDED 4-25-2005, COMPLETE REMODELING ROOFING INC., RICK DALE ROBINSON, Q.O., LICENSE NO. 2102-159228, EXPIRED 5-31-2004, COMPLETE REMODELING ROOFING LLC, RICK DALE ROBINSON, Q.O., LICENSE NO. 2102-160850, EXPIRED 5-31-2004, MARINE CITY, MICHIGAN: COMPLAINT NO. 302108 AND 302109

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$750.00. Fine shall be paid by cashier's check or money order, with Complaint No.s 302108 and 302109 clearly indicated on the cashier's check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$2,701.70 by check or money order, made payable to Cynthia Irene Kendall within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license or registration renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

KIP CREVIA, LICENSE NO. 2101-111074, EXPIRING 5-31-2007, MERRILL, MICHIGAN: COMPLAINT NO. 303670

The Board reviewed the stipulation and complaint. According to the stipulation respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 303670 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses or registrations of Respondent (individual and/or corporate) or in the

denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

CUSTOM DREAM HOMES, INC., FREDERICK HANDLEY, Q.O., LICENSE NO. 2102-146638, EXPIRED 5-31-2005, FREDERICK HANDLEY CONSTRUCTION INC., FREDERICK HANDLEY, Q.O., LICENSE NO. 2102-164042, EXPIRING 5-31-2007, R C HANDLEY CONSTRUCTION INC., FREDERICK HANDLEY, Q.O., LICENSE NO. 2102-104376, EXPIRED 5-31-1993, FREDERICK HANDLEY, LICENSE NO. 2101-053145, EXPIRED 5-31-2002, CLARKSTON, MICHIGAN: COMPLAINT NO. 303524

The Board reviewed the stipulation and complaint. According to the stipulation respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 303524 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution according to the terms of the State of Michigan 52-1 Judicial District Court Judgment, dated May 24, 2005, in the matter of Kenneth M. and Katherine M. Eid v. Custom Dream Homes Inc, Case No 04-C06582-GC, in the amount of \$8,900.00 within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses or registrations of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

JEFF WILLIAM DERRING, DOING BUSINESS AS JWD ENTERPRISES, LICENSE NO. 2103-168318, EXPIRING 5-31-2008, MARINE CITY, MICHIGAN: COMPLAINT NO. 300992

The Board reviewed the stipulation and complaint. According to the stipulation respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$1,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 300992 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60)

days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses or registrations of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

ANDY RAYMOND DE VROU, DOING BUSINESS AS DE VROU BUILDERS, LICENSE NO. 2101-071714, EXPIRING 5-31-2007, BYRON CENTER, MICHIGAN: COMPLAINT NO. 297859

The Board reviewed the stipulation and complaint. According to the stipulation respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 297859 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses or registrations of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

KIP ROBERT ELSEA, DOING BUSINESS AS KIP'S CONCRETE, LICENSE NO. 2103-156516, EXPIRED-VOLUNTARY 5-31-2005, KIP'S CONCRETE, KIP R. ELSEA, Q.O., LICENSE NO. 2104-158837, EXPIRING 5-31-2008, SAGINAW, MICHIGAN: COMPLAINT NO. 302397

The Board reviewed the stipulation and complaint. According to the stipulation respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 302397 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Respondent shall pay restitution to Complainant by the satisfaction of the subject Civil Judgment. Proof of satisfaction of Judgment must be submitted to the Department within one hundred twenty (120) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses or registrations of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

FUTURE HOME BUILDERS, INC., JEROME SHAVATOSKI, Q.O., LICENSE NO. 2102-124695, EXPIRED 5-31-2004, FUTURE HOMES, JEROME SHAVATOSKI, Q.O., LICENSE NO. 2102-112448, EXPIRED 5-31-1996, JAMB CONSTRUCTION INC., JEROME SHAVATOSKI, Q.O., LICENSE NO. 2102-086436, EXPIRED 5-31-1990, JEROME SHAVATOSKI, LICENSE NO. 2101-073965, EXPIRING 5-31-2008, RICHMOND, MICHIGAN: COMPLAINT NO. 301855

The Board reviewed the stipulation and complaint. According to the stipulation respondent consents to the following:

- a. Respondent's license shall be suspended until the civil court judgment against Future Home Builders, Inc. in favor of Scott and Kim Hosking is paid.
- b. If Respondent does not pay the judgment at issue in this case within six (6) months of execution of the Stipulation in this matter, Respondent's license shall be revoked and Respondent shall pay a fine in the amount of \$1,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 301855 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

ROGER LEE HACKBARTH, DOING BUSINESS AS HACKBARTH CONSTRUCTION, LICENSE NO. 2101-073860, EXPIRING 5-31-2007, MASON, MICHIGAN: COMPLAINT NO. 299843

The Board reviewed the stipulation and complaint. According to the stipulation respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$2,500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 299843 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall post a three (3) year surety bond.
- c. Respondent license shall be suspended for sixty (60) days to begin on the date of the mailing of the Final Order.
- d. Failure to comply with the terms of the stipulation shall result in suspension of all licenses or registrations of Respondent (individual and/or corporate), including Qualifying Officers, or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.
- e. Failure to pay the restitution and/or fine within sixty (60) days of the date of mailing of the Final Order, said license shall be Revoked.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

GEORGE M. HATTEY JR., DOING BUSINESS AS HATTEY CONSTRUCTION, LICENSE NO. 2101-068100, EXPIRED 5-31-2005, JACKSON, MICHIGAN: COMPLAINT NO. 297990

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$1,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 297990 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license

renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

WHITFIELD HUNT JR., LICENSE NO. 2101-052677, EXPIRING 5-31-2007, JACKSON, MICHIGAN: COMPLAINT NO. 301463

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 301463 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$1,517.00 by check or money order, made payable to Linda Neill within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

JOHN F. KRANIAK, LICENSE NO. 2101-85277, EXPIRING 5-31-2008, ROSEVILLE, MICHIGAN: COMPLAINT NO. 299319

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 299319 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Respondent shall make restitution in the amount of \$7,000.00 by check or money order, made payable to John A. Holeton within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

KARL J. LAKOS JR., LICENSE NO. 2101-087360, EXPIRING 5-31-2007, NEW BOSTON, MICHIGAN: COMPLAINT NO. 298646

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$1,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 298646 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909. If Respondent fails to pay the fine or restitution within sixty (60) days of the date of mailing of the Final Order the fine shall increase to \$4,000.00.
- b. Respondent shall make restitution in the amount of \$1,900.00 by check or money order, made payable to Thomas Tavgian within sixty (60) days of the date of mailing of the Final Order. If Respondent fails to pay the fine or restitution within sixty (60) days of the date of mailing of the Final Order, the fine shall increase to \$4,000.00.
- c. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation. If Respondent fails to pay the fine or restitution within sixty (60) days of the date of mailing of the Final Order, the fine shall increase to \$4,000.00.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

MAX – PARKVIEW COMMONS, INC., WILLIAM MAZURKIEWICZ, Q.O., LICENSE NO. 2102-159577, EXPIRED 5-31-2006, HORIZON DEVELOPMENT, WILLIAM MAZURKIEWICZ, Q.O., LICENSE NO. 2102-058831, EXPIRING 5-31-2007, MAZ – PINE POINTE INC., WILLIAM

MAZURKIEWICZ, Q.O., LICENSE NO. 2102-147312, EXPIRED 5-31-2003, MAZ BUILDING CO., WILLIAM MAZURKIEWICZ, Q.O., LICENSE NO. 2102-134024, EXPIRING 5-31-2007, MAZ – BRITTANY PARC INC., WILLIAM MAZURKIEWICZ, Q.O., LICENSE NO. 2102-142752, EXPIRED 5-31-2002, CLINTON TOWNSHIP, MICHIGAN: COMPLAINT NO. 301132

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 301132 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$1,900.00 by check or money order, made payable to Guy Ratchford within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

MESA BUILDERS LLC, CHARLES EDWARD DAILEY, Q.O., LICENSE NO. 2102-160813, EXPIRED 5-31-2006, AND CHARLES EDWARD DAILEY, DOING BUSINESS AS MESA BUILDERS, LICENSE NO. 2101-103236, EXPIRED 5-31-2004, IMLAY CITY, MICHIGAN: COMPLAINT NO. 96291 AND 96292

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$750.00. Fine shall be paid by cashier's check or money order, with Complaint No.s 96291 and 96292 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$8,300.00 by check or money order, made payable to Chester & Beverly Kobylas within sixty (60) days of the date of mailing of the Final Order.

- c. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

NORTHWINDS CUSTOM HOMES, INC., JAMES LEE FIREBAUGH, Q.O., LICENSE NO. 2102-153694, REVOKED 3-15-2006, AUTUMN DEVELOPMENT INC., JAMES LEE FIREBAUGH, Q.O., LICENSE NO. 2102-092106, REVOKED 3-15-2006, EAGLE DESIGN AND CONSTRUCTION INC., JAMES LEE FIREBAUGH, Q.O., LICENSE NO. 2102-136327, REVOKED 3-15-2006, JAMES LEE FIREBAUGH, LICENSE NO. 2101-051063, REVOKED 3-15-2006, CHARLEVOIX, MICHIGAN: COMPLAINT NO. 10876

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$1,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 10876 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent's license, number 2102-153694 will continue to be revoked upon the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

ANTHONY ALLEN PARKER, LICENSE NO. 2101-125554, EXPIRED 5-31-2006, MOUNT PLEASANT, MICHIGAN: COMPLAINT NO. 299527

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 299527 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60)

days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

CHRIS D. ROENICKE, LICENSE NO. 2101-075445, EXPIRING 5-31-2008, SAGINAW, MICHIGAN: COMPLAINT NO. 300339

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 300339 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

KIRK LEE SCULLY, DOING BUSINESS AS SCULLY'S CONSTRUCTION, LICENSE NO. 2101-084975, EXPIRED 5-31-2006, IMLAY CITY, MICHIGAN: COMPLAINT NO. 300242

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$1,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 300242 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

TANNER BUILDING & REMODELING INC., JAMES P. TANNER, Q.O., LICENSE NO. 2102-132184, EXPIRING 5-31-2007, JAMES P. TANNER, LICENSE NO. 2101-098437, EXPIRED 5-31-1996, CLARKSTON, MICHIGAN: COMPLAINT NO. 302149

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 302149 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909. In the alternative, James P. Tanner, Respondent in related complaint No. 302150, may pay the fine in lieu of payment by Respondent in this matter. In either case, only one \$500.00 fine is owed between the two (2) complaints, regardless of which licensee pays it.
- b. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

JAMES P. TANNER, LICENSE NO. 2101-098437, EXPIRED 5-31-1996, TANNER BUILDING & REMODELING INC., JAMES P. TANNER, Q.O., LICENSE NO. 2102-132184, EXPIRING 5-31-2007, CLARKSTON, MICHIGAN: COMPLAINT NO. 302150

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. There is no fine at issue between the parties in this matter, unless Tanner Building & Remodeling Inc, Respondent in complaint No. 302149, fails to pay the fine in the amount of \$500.00. Respondent shall pay a fine in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 302150 clearly indicated on the check or money order, made payable to the State of

Michigan within sixty (60) days from the date of mailing of the Final Order. In either case only one fine in the amount of \$500.00 is owed between the two (2) complaints, regardless of which licensee pays it. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Failure to comply with the terms of the stipulation shall result in suspension or continued suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

ROBERT ALLAN YERKS, DOING BUSINESS AS BUILDER BOB'S, LICENSE NO. 2101-163325, EXPIRING 5-31-2007, ALMA, MICHIGAN: COMPLAINT NO. 302972

The Board reviewed the stipulation and complaint. According to the stipulation Respondent consents to the following:

- a. Respondent's Individual Residential Builder License No. 2101-163325 shall be immediately revoked effective upon the date of mailing of the Final Order. Respondent shall surrender his wall license and pocket card license within thirty (30) days of the mailing date of the Final Order by submission to the Department of a legally-binding affidavit/sworn statement, that states the Respondent does not currently possess a wall license or a pocket card license, and that Respondent shall not represent himself to anybody as a licensed builder. An "acceptable" affidavit/sworn statement shall be submitted to the Department within thirty (30) calendar days of the mailing date of the Final Order. If Respondent fails to comply with the timely surrender of the licenses via submission of an acceptable affidavit/sworn statement, the fine shall be increased.
- b. Respondent shall pay a fine in the amount of \$5,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 302972 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- c. If Respondent fails to submit within thirty (30) days of the mailing date of the Final Order in this matter, an "acceptable" affidavit/sworn statement, the fine shall be increased to a total of \$10,000.00.
- d. It is further stipulated, by and between the parties hereto, that the criminal convictions included Restitution to the victims, including \$26,191.00 to Complainant Schulert and \$71,730.00 to various suppliers. This administrative

matter does not include additional Restitution (beyond that ordered in the criminal matter); however, Respondent shall provide to the Department PROOF OF SATISFACTION OF THE RESTITUTION ordered in the criminal matter. Respondent represents and Complaint acknowledges that he is currently paying \$250.00 per month to Complainant [as of August 2006-January 2007, a total of \$1,500.00]. It is also acknowledged that if the Restitution in the criminal matter is adjusted (such as via appeal), the adjusted amount shall also be applicable to and binding on this administrative matter.

- e. It is further stipulated, by and between the parties hereto, that the parties acknowledge that Respondent filed for Chapter 13 Bankruptcy protection on August 12, 2005, in Case No. 05-23668, U.S. Bankruptcy Court, Eastern District of Michigan (Bay City), and a Chapter 13 discharge was issued effective July 12, 2006. In any event Respondent acknowledges and agrees that this administrative matter is an exercise of the Department's governmental police powers and the sanctions imposed in this administrative matter are not affected or stayed by the Bankruptcy Discharge, and furthermore the Restitution ordered in the criminal matter is also not affected or stayed by the Bankruptcy Discharge.
- f. The Department shall not grant any application for individual or corporate licensure, relicensure, renewal, registration or reinstatement to Respondent while license is in revoked status by order of the Michigan State Board of Residential Builders and Maintenance and Alteration Contractors, therefore only the Board can grant a license to Respondent upon review by the Board.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

ITEMS FOR CONSIDERATION FROM VISITORS

None

ITEMS FOR CONSIDERATION FROM BOARD MEMBERS OR DEPARTMENT

None

NEXT MEETING DATE

The next regularly scheduled meeting of the Residential Builders and Maintenance and Alteration Contractors Board will be held on May 8, 2007, Room 1, at 9:00 a.m.

ADJOURNMENT

There being no further business to be brought before the Board at this time, the meeting was adjourned at 12:10 p.m.

Residential Builders and Maintenance and Alteration Contractors Board
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Chairperson
Mark Glynn

Recording Secretary
Robin Sirls

Date