

**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

May 8, 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 May 8, 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 9:05 a.m.

ROLL CALL

Present:	Frank DiStefano	Member
	Mark Glynn	Chairperson
	James Haeussler	Member
	Kevin Lewand	Member
	* Marilyn Lane	Member
	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
	*** William Wilhelm	Legal Unit
Visitors:	John R. Brakora	Attorney for Robert Adamczak
	Dan Rahall II	Petitioner
	Robert John Adamczak	Petitioner
	Anthony W. Perdue	Petitioner
	Nataki Perdue	Visitor
	Quincy Martinez Husband	Petitioner
	Tanika Husband	Visitor
	Giuseppe Francesco Piccione	Petitioner
	Jonathan Allen Trahan	Petitioner
	Christopher Robert Hunt	Petitioner
	Todd Steven Thibodeau	Petitioner
	Mark Merlanti	Attorney for Todd Thibodeau

* arrived at 9:33

** left meeting at 12:00

*** arrived at 10:00

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.

ANTHONY W. PERDUE (HANDS ANOINTED BY GOD CONSTRUCTION)

The Board received a petition for review of the Department's denial of a limited liability company residential builder licensure application received September 6, 2006. The Department denied the license on the basis of a lack of good moral character, as evidenced by a relevant criminal conviction history, and a lack of financial stability for Christopher E. Jackson, who is a member of the LLC, as evidenced by a recent credit report. Mr. Perdue addressed the Board.

MOTION: It was moved by Mr. Haeussler and supported by Mr. Parker that, after careful consideration of the written petition and oral presentation, the Board upheld the Department's denial on the basis that Mr. Jackson has not met the minimum license requirement of financial stability. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

ANTHONY W. PERDUE

The Board received a petition for review of the Department's denial of an individual residential builder license application received September 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. Perdue addressed the Board.

MOTION: It was moved by Ms. Flack and supported by Mr. Parker 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 with the following vote: Aye: Ms. Flack, Mr. Parker, Mr. Zausmer, Mr. Haeussler, Mr. DiStefano, Mr. Glynn, Mr. Lewand. Nay: Ms. Lane.

The Department concurred with the Board's decision.

CHRISTOPHER ROBERT HUNT

The Board received a petition for review of the Department's denial of an individual residential builder license application received April 19, 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. Hunt addressed the Board.

MOTION: It was moved by Ms. Lane and supported by Ms. Flack that, after careful consideration of the written petition and oral presentation, the Board upheld the Department's denial on the basis that the minimum license requirement of financial stability has not been met, and 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 the examination scores valid until November 8, 2008. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

QUINCY MARTINEZ HUSBAND

The Board received a petition for review of the Department's denial of an individual residential builder license application received October 31, 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. Husband addressed the Board.

MOTION: It was moved by Mr. Lewand and supported by Mr. Parker 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 the examination scores valid until November 8, 2008. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

JONATHAN ALLEN TRAHAN (JT CONSTRUCTION & HANDYMAN SERVICES LLC)

The Board received a petition for review of the Department's denial of a limited liability company residential builder license application received December 18, 2006. The Department denied the license on the basis of a lack of financial stability as evidenced in a recent credit report. Mr. Trahan addressed the Board.

MOTION: It was moved by Ms. Flack and supported by Ms. Lane that, after careful consideration of the written petition and oral presentation, the Board upheld the Department's denial on the basis that Mr. Trahan did not provide to the Board's satisfaction sufficient evidence to demonstrate financial stability. However, the Board did direct the staff to hold the examination scores valid until May 8, 2008. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

GIUSEPPE FRANCESCO PICCIONE

The Board received a petition for review of the Department's denial of an individual residential builder license application received December 4, 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. Piccione addressed the Board.

MOTION: It was moved by Mr. Zausmer and supported by Ms. Flack 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.

TODD STEVEN THIBODEAU

The Board received a petition for review of the Department's denial of an individual residential builder license application received January 24, 2007. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history. Mr. Thibodeau, along with his attorney Mark Merlanti, addressed the Board.

MOTION: It was moved by Ms. Lane 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. The motion carried with the following vote: Aye: Ms. Flack, Mr. Parker, Ms. Lane, Mr. Haeussler, Mr. DiStefano, Mr. Glynn, Mr. Lewand. Nay: Mr. Zausmer.

The Department concurred with the Board's decision.

NEW BUSINESS

HEARING REPORTS

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

APEX BUILDERS LLC, KERRY LYN MCDANIEL, Q.O, LICENSE NO. 2102-160538, EXPIRED 5-31-2006, LANSING, MICHIGAN: COMPLAINT NO. 299848

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane that the following penalty be assessed: Fine of \$2,500.00 made payable to the State of Michigan and restitution in the amount of \$8,492.00 payable to Marcie Amanda Barber 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. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 299848 and 299849. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

DENNIS C. BARNES JR., DOING BUSINESS AS DB BUILDERS, LICENSE NO. 2101-168222, EXPIRED 5-31-2006, BIRCH RUN, MICHIGAN: COMPLAINT NO. 301162

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 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.

MARK C BENNETT, DOING BUSINESS AS BENNETT CONSTRUCTION, LICENSE NO. 2101-157020, REVOKED 2-13-2007, SALINE, MICHIGAN: COMPLAINT NO. 301424

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Parker 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 \$15,000.00 made payable to the State of Michigan and restitution in the amount of \$46,230.00 payable to Jim and Tava Finn 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.

DENISE MICHELLE BOMAN, DOING BUSINESS AS D & J BUILDING CO., LICENSE NO. 2101-151038, SUSPENDED 6-01-2006, GLADWIN, MICHIGAN: COMPLAINT NO. 299590

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly abandonment and failure to reply to notice of complaint filed), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker 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 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.

RICHARD K. BRAST, LICENSE NO. 2101-098732, LEXINGTON, MICHIGAN: COMPLAINT NO. 297421

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly poor workmanship, aiding or abetting unlicensed person, and practicing an occupation without a license), 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 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 \$69,514.21 payable to Michael and Carrie Lisee 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.

EVAN THOMAS CHRISTIE, DOING BUSINESS AS EVAN CHRISTIE CONSTRUCTION, LICENSE NO. 2101-150949, EXPIRES 5-31-2008, SAINT JOSEPH, MICHIGAN: COMPLAINT NO. 297811

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Parker, that the following penalty be assessed: Fine of \$3,000.00 made payable to the State of Michigan and restitution in the amount of \$600.00 payable to Nicholas W. Miller 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.

CLEARWATER POOLS & SERVICE OF ANN ARBOR, INC, SCOTT RUSSELL PAWLOWSKI, Q.O., LICENSE NO. 2102-161515, EXPIRED 5-31-2005, SCOTT RUSSELL PAWLOWSKI, LICENSE NO. 2101-155808, EXPIRED 5-31-2005, ANN ARBOR, MICHIGAN: COMPLAINT NO. 303170

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Parker that the following penalty be assessed: Fine of \$1,500.00 made payable to the State of Michigan and restitution in the amount of \$6,650.00 payable to Gary R. King 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. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 303170 and 303171. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

DEMARCO CONSTRUCTION INC., THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-157769, EXPIRED 5-31-2006, K H J DEVELOPMENT, LLC, THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-165433, EXPIRED 5-31-2005, THERESA ANN DEMARCO, LICENSE NO. 2101-141940, EXPIRED 5-31-2006, WALLED LAKE, MICHIGAN: COMPLAINT NO. 302002

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failure to account for or remit funds, failing to satisfy judgments/liens, and causing the lien fund to pay out), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand that 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 \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$7,000.00, plus \$350.00 in litigation costs and fees, and interest at the statutory rate payable to the Homeowner Construction Lien Recovery Fund 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.

DEMARCO CONSTRUCTION INC., THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-157769, EXPIRED 5-31-2006, K H J DEVELOPMENT, LLC, THERESA ANN DEMARCO, Q.O.,

LICENSE NO. 2102-165433, EXPIRED 5-31-2005, THERESA ANN DEMARCO, LICENSE NO. 2101-141940, EXPIRED 5-31-2006, WALLED LAKE, MICHIGAN: COMPLAINT NO. 302004

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failure to account for or remit funds, failing to satisfy judgments/liens, and causing the lien fund to pay out), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand that 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 \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$11,500.00, plus \$350.00 in litigation costs and fees, and interest at the statutory rate payable to the Homeowner Construction Lien Recovery Fund 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.

DEMARCO CONSTRUCTION INC., THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-157769, EXPIRED 5-31-2006, K H J DEVELOPMENT, LLC, THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-165433, EXPIRED 5-31-2005, THERESA ANN DEMARCO, LICENSE NO. 2101-141940, EXPIRED 5-31-2006, WALLED LAKE, MICHIGAN: COMPLAINT NO. 301975

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failure to account for or remit funds, failing to satisfy judgments/liens, and causing the lien fund to pay out), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand that 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 \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$15,000.00, plus \$1,750.00 in litigation costs and fees, and interest at the statutory rate payable to the Homeowner Construction Lien Recovery Fund 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.

DEMARCO CONSTRUCTION INC., THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-157769, EXPIRED 5-31-2006, K H J DEVELOPMENT, LLC, THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-165433, EXPIRED 5-31-2005, THERESA ANN DEMARCO, LICENSE NO. 2101-141940, EXPIRED 5-31-2006, WALLED LAKE, MICHIGAN: COMPLAINT NO. 302000

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failure to account for or remit funds, failing to satisfy judgments/liens, and causing the lien fund to pay out), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand that 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 \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$4,100.00, plus \$350.00 in litigation costs and fees, and interest at the statutory rate payable to the Homeowner Construction Lien Recovery Fund 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.

DEMARCO CONSTRUCTION INC., THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-157769, EXPIRED 5-31-2006, K H J DEVELOPMENT, LLC, THERESA ANN DEMARCO, Q.O., LICENSE NO. 2102-165433, EXPIRED 5-31-2005, THERESA ANN DEMARCO, LICENSE NO. 2101-141940, EXPIRED 5-31-2006, WALLED LAKE, MICHIGAN: COMPLAINT NO. 301979

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failure to account for or remit funds, failing to satisfy judgments/liens, and causing the lien fund to pay out), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand that 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 \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$4,000.00, plus \$700.00 in litigation costs and fees, and interest at the statutory rate payable to the Homeowner Construction Lien Recovery Fund 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.

DK BUILDERS LLC, DANIEL R. KOSCIELSKI, Q.O., LICENSE NO. 2102-155990, EXPIRES 5-31-2007, DANIEL R. KOSCIELSKI, LICENSE NO. 2101-131736, EXPIRED 5-31-1999, FENNEVILLE, MICHIGAN: COMPLAINT NO. 301419

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failing to satisfy judgments/liens), 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. DiStefano, that the following penalty be assessed: Fine of \$5,000.00 made payable to the State of Michigan and restitution by satisfying judgment entered in the 54B Judicial District Court on April 27, 2005, Case No. 05-0386-GC, for RBK Corporation, in the amount of \$12,687.42 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. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 301419 and 301420. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

TIMOTHY PAUL GRASSLEY, LICENSE NO. 2101-147160, EXPIRED 5-31-2005, GTD BUILDERS LLC, TIMOTHY PAUL GRASSLEY, Q.O., LICENSE NO. 2102-166305, EXPIRED 5-31-2006, MONROE, MICHIGAN: COMPLAINT NO. 297822

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 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 (total fine) was based on assessing the maximum \$10,000.00 fine for (2) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution in the amount of \$14,000.00 payable to John and Beulah Nunn and by satisfying the Claim of Liens against their property within sixty (60) days from the date of mailing of the Final Order. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 297821 and 297822. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

GTD BUILDERS LLC, TIMOTHY PAUL GRASSLEY, Q.O., LICENSE NO 2102-166305, EXPIRED 5-31-2006, TIMOTHY PAUL GRASSLEY, LICENSE NO. 2101-147160, EXPIRED 5-31-2005, MONROE, MICHIGAN: COMPLAINT NO. 297821

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 Mr. Lewand, 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 \$20,000 (total fine) was based on assessing the maximum \$10,000.00 fine for (2) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution in the amount of \$14,000.00 payable to John and Beulah Nunn and by satisfying the Claim of Liens against their property within sixty (60) days from the date of mailing of the Final Order. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 297821 and 297822. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

DANA MARTIN HAMIK, LICENSE NO. 2103-085771, PACESETTER PRODUCTS, INC., DANA MARTIN HAMIK, Q.O., LICENSE NO. 2104-072696, SUSPENDED 5-31-2006 FOR NO QUALIFYING OFFICER, KENTWOOD, MICHIGAN: COMPLAINT NO. 301171

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly abandonment and fraud, deceit or dishonesty in occupation), the fine imposed should be higher than the fine recommended in 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 \$20,000 (total fine) was based on assessing the maximum \$10,000.00 fine for (2) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution in the amount of \$500.00 payable to Roger and Sandra Talcott within sixty (60) days from the date of mailing of the Final Order. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 301171 and 301170. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

EDWARD V. HORN, DOING BUSINESS AS AMERICAN HOME IMPROVEMENT CO., LICENSE NO. 2101-073884, EXPIRES 5-31-2007, YPSILANTI, MICHIGAN: COMPLAINT NO. 299403

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, failure to follow the local building code and poor workmanship), 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: 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 \$33,456.69 payable to Leonard and Laura Carravallah 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.

HOUSING CONCEPTS, INC., GREGORY ALLEN CLEMENTS, Q.O., LICENSE NO. 2102-168629, EXPIRED 5-31-2006, GREGORY ALLEN CLEMENTS, LICENSE NO. 2101-035652, EXPIRED 3-31-1981, GREGORY ALLEN CLEMENTS, LICENSE NO. 2105-050108, EXPIRED 3-31-1980, BRIGHTON, MICHIGAN: COMPLAINT NO. 300506

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, and fraud, deceit or dishonesty in occupation), 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: 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 \$750.00 payable to Timothy Batzer 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.

MICHAEL HENRY KEENER, JR., DOING BUSINESS AS M&M HOME IMPROVEMENT, LICENSE NO. 2101-137308, EXPIRES 5-31-2008, LANSING, MICHIGAN: COMPLAINT NO. 299471

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly fraud, deceit or dishonesty in occupation and abandonment), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Zausmer, 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 \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$1,562.00 payable to Maria Elena Castillo 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.

DANIEL R. KOSCIELSKI, DOING BUSINESS AS DAN KOSCIELSKI, LICENSE NO. 2101-131736, EXPIRED 5-31-1999, DK BUILDERS LLC, DANIEL R. KOSCIELSKI, Q.O., LICENSE NO. 2102-155990, EXPIRED 5-31-2007, HAMILTON, MICHIGAN: COMPLAINT NO. 301420

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failing to satisfy judgments/liens), 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. DiStefano, that the following penalty be assessed: Fine of \$5,000.00 made payable to the State of Michigan and restitution by satisfying judgment entered in the 54B Judicial District Court, Case No. 05-0386-GC, for RBK Corporation, in the amount of \$12,687.42 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 held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 301419 and 301420. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

MATTHEW PAUL LYONS, LICENSE NO. 2101-142920, EXPIRES 5-31-2008, STONE BROOK AT FOREST DUNES BLDG CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152718, EXPIRED 5-31-2002, STONE BROOK COURT LLC, MATTHEWA PAUL LYONS, Q.O., LICENSE NO. 2102-152721, EXPIRED 5-31-2002, STONEBROOK AT THE ORCHARDS LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152719, EXPIRED 5-31-2004, STONE BROOK DEVELOPMENT CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152722, EXPIRED 5-31-2004, STONEBROOKE AT PINE RIDGE LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152720, EXPIRED 5-31-2004, NOVI, MICHIGAN: COMPLAINT NO. 298626

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly poor workmanship, failure to correct the problem timely, and failure to

reply to notice of complaint filed), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand, 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 the 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. It is also the intent of the Board that the fine be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 298626 and 298625. Once the fine ordered in one of the companion Final Orders is satisfied, the fine ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

TODD GLEN MACK, DOING BUSINESS AS TODD MACK BUILDERS, LICENSE NO. 2101-088226, EXPIRING 5-31-2008, WATERFORD, MICHIGAN: COMPLAINT NO. 301846

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, failing to satisfy judgments/liens, 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 Mr. DiStefano, 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 \$46,258.22 payable to James and Darla Keely 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.

KERRY LYN MCDANIEL, LICENSE NO. 2101-102023, EXPIRED 5-31-2006, LANSING, MICHIGAN: COMPLAINT NO. 299849

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Haeussler and supported by Ms. Lane that the following penalty be assessed: Fine of \$2,500.00 made payable to the State of Michigan and restitution in the amount of \$8,492.00 payable to Marcie Amanda Barber 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. It is also the

intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 299848 and 299849. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

MICHIGAN IMPROVEMENT, INC., CURT HARDING, Q.O., LICENSE NO. 2102-166042, EXPIRED 5-31-2006, FLINT, MICHIGAN: COMPLAINT NO. 302133

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Parker, that the following penalty be assessed: Fine of \$1,000.00 made payable to the State of Michigan and restitution in the amount of \$514.00 payable to Joseph C. Gibbs 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.

BRETT C. MILLER, LICENSE NO. 2101-098535, EXPIRED 5-31-2006, PINCKNEY, MICHIGAN: COMPLAINT NO. 299476

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, aiding or abetting unlicensed person, and failing to satisfy judgments/liens), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. DiStefano, 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 \$7,500.00 made payable to the State of Michigan and restitution in the amount of \$6,112.24 payable to Stephen T. Kline 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 JOSEPH MILLER, LICENSE NO. 2101-163383, EXPIRED 5-31-2005, STANTON, MICHIGAN: COMPLAINT NO. 303974

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 \$2,000.00 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. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

JEFFREY BLASIE NABOZNY, LICENSE NO. 2101-152993, EXPIRED 5-31-2006, JEFFREY BLASIE NABOZNY, LICENSE NO. 2105-179774, EXPIRES 5-31-2007, COMMERCE TOWNSHIP, MICHIGAN: COMPLAINT NO. 96808

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, aiding or abetting unlicensed person, and poor workmanship), 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. Parker, 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 \$8,000.00 made payable to the State of Michigan and restitution in the amount of \$14,532.53 payable to Robert and Cathy Johnson 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.

TODD MICHAEL NEWTON, LICENSE NO. 2101-159812, EXPIRED 5-31-2006, MONTGOMERY, MICHIGAN: COMPLAINT NO. 303939

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Parker, that the following penalty be assessed: Immediate suspension 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. Fine of \$1,000.00 made payable to the State of Michigan and restitution by satisfying judgment entered in 2B Judicial District Court on July 5, 2006, Case No. 06-908 SC, for Margaret Freese, in the amount of \$3,000.00, plus costs, fees, and interest at 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.

PACESETTER PRODUCTS, INC., DANA MARTIN HAMIK, Q.O., LICENSE NO. 2104-072696, SUSPENDED FOR NO Q.O., 5-31-2006, DANA MARTIN HAMIK, LICENSE NO. 2103-085771, EXPIRED 5-31-2005, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 301170

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly abandonment and fraud, deceit or dishonesty in occupation), the fine imposed should be higher than the fine recommended in 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, 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 \$20,000 (total fine) was based on assessing the maximum \$10,000.00 fine for (2) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution in the amount of \$500.00 payable to Roger and Sandra Talcott within sixty (60) days from the date of mailing of the Final Order. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 301171 and 301170. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

ANTHONY JAMES PAPANIA, DOING BUSINESS AS INTEGRITY COMPLETE CONSTRUCTION, LICENSE NO. 2101-156904, EXPIRES 5-31-2007, L'ANSE, MICHIGAN: COMPLAINT NO. 298786

The Board reviewed the hearing.

MOTION: It was moved by Mr. Haeussler and supported by Mr. DiStefano, that the following penalty be assessed: Fine of \$4,000.00 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.

SCOTT RUSSELL PAWLOWSKI, LICENSE NO. 2101-155808, EXPIRED 5-31-2005, CLEARWATER POOLS & SERVICE OF ANN ARBOR MI., SCOTT RUSSELL PAWLOWSKI, Q.O., LICENSE NO. 2102-161515, EXPIRES 5-31-2007, ANN ARBOR, MICHIGAN: COMPLAINT NO. 303171

The Board reviewed the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Parker that the following penalty be assessed: Fine of \$1,500.00 made payable to the State of Michigan and restitution in the amount of \$6,650.00 payable to Gary R. King 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. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 303170 and 303171. Once the fine and restitution ordered in one of the companion Final Orders is satisfied, the fine and restitution ordered in the other Final Order will be considered satisfied. 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 FRANK SCHEBEL, DOING BUSINESS AS BISONTE CONSTRUCTION CO., LICENSE NO. 2101-171059, EXPIRES 5-31-2007, JOSEPH FRANK SCHEBEL, LICENSE NO. 2105-165788, EXPIRED 5-31-2004, DEARBORN, MICHIGAN: COMPLAINT NO. 302963

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly failing to satisfy judgments and failure to reply to notice of complaint filed), 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 and restitution by satisfying judgment entered in the 19th Judicial District Court, Case No. 05-GC87283 GC, in the amount of \$9,835.00, plus costs, fees, and interest at the statutory rate payable to National Lumber Company 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. Ms. Flack abstained.

KEITH B. SIZEMORE, DOING BUSINESS AS ROOF DOCTORS, LICENSE NO. 2103-152593, REVOKED 3-16-2007, WHITE LAKE, MICHIGAN: COMPLAINT NO. 301970

The Board reviewed the hearing report and determined that, because of prior disciplinary actions and the severity of the offenses (particularly poor workmanship and failure to reply to notice of complaint filed), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. DiStefano and supported by Mr. Lewand, 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 \$4,475.00 payable to Dr. L.F. Lafferty 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.

STONEBROOK AT THE ORCHARDS LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152719, EXPIRED 5-31-2004, MATTHEW PAUL LYONS, LICENSE NO. 2101-142920, EXPIRES 5-31-2008, STONE BROOK AT FOREST DUNES BLDG CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152718, EXPIRED 5-31-2002, STONE BROOK COURT LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152721, EXPIRED 5-31-2002, STONE BROOK DEVELOPMENT CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152722, EXPIRED 5-31-2004, STONEBROOKE AT PINE RIDGE LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152720, EXPIRED 5-31-2004, NOVI, MICHIGAN: COMPLAINT NO. 298625

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly poor workmanship, failure to correct the problem timely, and failure to reply to notice of complaint filed), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand, 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 the 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. It is also the intent of the Board that the fine be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 298626 and 298625. Once the fine ordered in one of the companion Final Orders is satisfied, the fine ordered in the other Final Order will be considered satisfied. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

ROBERT ALLEN YERKS, DOING BUSINESS AS BUILDER BOB'S, LICENSE NO. 2101-163325, REVOKED 3-16-2007, ALMA, MICHIGAN: COMPLAINT NO. 303565

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Parker 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 \$5,000.00 made payable to the State of Michigan and restitution

in the amount of \$65,000.00, plus \$3,115.00 in litigation costs payable to the Homeowner Construction Lien Recovery Fund 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.

ROBERT ALLEN YERKS, DOING BUSINESS AS BUILDER BOB'S, LICENSE NO. 2101-163325, REVOKED 3-16-2007, ALMA, MICHIGAN: COMPLAINT NO. 303564

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 causing the lien fund to pay out), the fine imposed should be higher than the fine recommended in the hearing report.

MOTION: It was moved by Mr. Parker 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 \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$500.00, plus \$3,115.00 in litigation costs payable to the Homeowner Construction Lien Recovery Fund 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.

STIPULATIONS

RODNEY PAUL BAUM, LICENSE NO. 2101-132906, EXPIRES 5-31-2007, CUSTOM HOMES INC, RB, ROD P BAUM, Q.O., LICENSE NO. 2102-159133, EXPIRED 5-31-2006, ROD BAUM CUSTOM HOMES LLC, RODNEY PAUL BAUM, Q.O., LICENSE NO. 2102-176741, EXPIRES 5-31-2008, EATON RAPIDS, MICHIGAN: COMPLAINT NO. 96637

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. 96637 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

TOLL MI III LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-165117, RONALD J. BOSHAW, LICENSE NO. 2101-100736, EXPIRES 5-31-2008, CHELTENHAM ESTATES LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-157966, EXPIRED 5-31-2003, HERITAGE OF AUBURN HILLS, RONALD J. BOSHAW, LICENSE NO. 2102-158166, EXPIRED 5-31-2005, NEWPORT RIDGE LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-158129, EXPIRED 5-31-2003, TIMBER RIDGE INVESTMENT LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-158129, TIMBER RIDGE INVESTMENT LIMITED PARTNERSHIP, RONALD J. BOSHAW, LICENSE NO. 2102-158130, PLYMOUTH, MICHIGAN: COMPLAINT NO. 297766 AND 297767

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. 297766 and 297767 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 by making corrective repairs to be completed as required by "local building inspection report document". These corrective repairs have been completed and a copy of the local building inspector report has confirmed corrections meet inspection standards and codes.
- c. Failure to comply with the terms set forth in this stipulation within sixty (60) days of the mailing of the Final Order in this matter 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 Ms. Lane and supported by Ms. Flack to accept the stipulation as prepared. The motion carried by unanimous vote. Mr. Haeussler abstained.

MCI BUILDERS, MAURICE CARTIER, LICENSE NO. 2102-080210, EXPIRES 5-31-2007, MAURICE VINCENT CARTIER, LICENSE NO. 2101-078864, EXPIRES 5-31-2007, OKEMOS, MICHIGAN: COMPLAINT NOS. 302566 AND 302567

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

- a. Respondents shall close License No. 2102-080210 and License No. 2101-078864 within sixty (60) days of the date of mailing of the Final Order in this matter by returning the respective wall license and pocket card licenses to the Bureau of Commercial Services, Builders Unit, P.O. Box 30018, Lansing, MI 48509. It is acknowledged that the renewal/relicensure of said licenses is subject to the provision of MCL 339.411.
- b. Respondent shall pay a total fine (joint and several) in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint Nos. 302566/302567 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 comply with the provision detailed in Paragraph #6 of the Stipulation (Closure of Licenses) or fail to the timely payment of the \$500.00 fine, the fine shall increase to a total of \$1,500.00.
- c. Failure to comply with the terms set forth in this stipulation within sixty (60) days of the mailing of the Final Order in this matter 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

ESTATE HOMES LLC, GREGORY A. CUMMINGS, Q.O., LICENSE NO. 2102-157483, GREGORY A. CUMMINGS, LICENSE NO. 2101-138955, EXPIRES 5-31-2008, SHELBY TOWNSHIP, MICHIGAN: COMPLAINT NO. 303111, 303112, 303285, 303286, 303707, 303708, 303709, 303710, 303711, 303712, 304098, 304099, and 304142

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

- a. Respondent's license shall be revoked.
- b. Respondent shall make restitution in the amount of \$53,965.26 by certified check or money order made payable to Richard Weiler.

Respondent shall make restitution in the amount of \$195,206.00 by certified check or money order made payable to Walter Lubzik.

Respondent shall make restitution in the amount of \$39,936.35 by certified check or money order made payable to Alquin and Maria Siacon.

Respondent shall make restitution in the amount of \$20,000.00 by certified check or money order made payable to Paul and Elizabeth Lenz.

Respondent shall make restitution in the amount of \$2,000.00 by certified check or money order made payable to Derrick and Latrise Wolford.

Respondent shall make restitution in the amount of \$2,000.00 by certified check or money order made payable to David Greenwood.

Respondent shall make restitution in the amount of \$10,174.80 by certified check or money order made payable to Paul Davis, Bellagio Tile Company.

- c. Prior to seeking reinstatement, Respondent shall present evidence to the Department that he has paid the restitution provided for in this order.

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

MICHAEL ALLEN FLANARY, LICENSE NO. 2101-158903, EXPIRES 5-31-2008, REDFORD, MICHIGAN: COMPLAINT NO. 299510

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 \$5,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 299510 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

POINTE CUSTOM BUILDERS INC, WILLIAM EVERAL FURGUSON, Q.O., LICENSE NO., 2102-114622, EXPIRED 5-31-2006, AND WILLIAM EVERAL FURGUSON, LICENSE NO. 2101-089790, EXPIRED 5-31-1994, CLARKSTON, MICHIGAN: COMPLAINT NOS. 298739 AND 298740

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

- a. Respondents Pointe Custom Builders Inc and William Everal Furguson shall pay a total fine (joint and several liability) in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 298739/298740 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 Respondents fail to comply with the timely payment of the restitution and fine, the fine shall increase to a total of \$1,500.00.
- b. It is further stipulated between the parties that Respondent Pointe Custom Builders Inc is not liable for Restitution in this matter due to the filing of a Chapter 7 Bankruptcy petition, dated March 14, 2005. However, Respondent William E. Furguson shall make restitution in the amount of \$2,586.00 by certified check or money order, made payable to Donald T. Gervase 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

HENRY GARCIA, DOING BUSINESS AS AMERICAN ROOFING, LICENSE NO. 2103-175100, EXPIRING 5-31-2008, LANSING, MICHIGAN: COMPLAINT NO. 300015

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 \$1,200.00. Fine shall be paid by cashier's check or money order, with Complaint No. 300015 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 \$3,000.00 by check or money order made payable to Manoj G. Shah within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation within sixty (60) days of the date of mailing of the Final Order 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.

- d. Failure to comply with the terms of the stipulation within ninety (90) days of the date of mailing of the Final Order shall result in the revocation or continued revocation of all licenses or registrations of Respondent.

MOTION: It was moved by Ms. Flack 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. 301326

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. 301326 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

GERRY GLEN HAWKS, DOING BUSINESS AS HAWKS CUSTOM BUILDERS, LICENSE NO. 2101-107636, EXPIRES 5-31-2008, DUN RITE EXCAVATING LLC, GERRY GLEN HAWKS, Q.O., LICENSE NO. 2102-170501, EXPIRES 5-31-2007, DUNE RITE ROOFING LLC, GERRY GLEN HAWKS, Q.O., LICENSE NO. 2102-169580, EXPIRES 5-31-2008, HAWKS CUSTOM BUILDERS LLC, GERRY GLEN HAWKS, Q.O., LICENSE NO. 2102-160695, EXPIRES 5-31-2008, HAWKS EXCAVATING LLC, GERRY GLEN HAWKS, Q.O., LICENSE NO. 2102-160684, EXPIRED 5-31-2006, JEDDO, MICHIGAN: COMPLAINT NO. 303396

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. 303396 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

MARK RANDAL HENRY, LICENSE NO. 2101-152005, EXPIRED 5-31-2006, POWER OF ABILITY HOLDINGS INC., MARK R. HENRY, Q.O., LICENSE NO. 2102-161099, EXPIRES 5-31-2007, FLINT, MICHIGAN: COMPLAINT NO. 297007

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. 297007 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

SCOTT DOUGLAS HENRY, LICENSE NO. 2101-157504, EXPIRES 5-31-2008, WATERFORD, MICHIGAN: COMPLAINT NO. 303872

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. 303872 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 \$2,550.00 by check or money order made payable to Kurt Layson 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

EVERETT L. KUHN, DOING BUSINESS AS EK CONSTRUCTION, LICENSE NO. 2101-163615, EXPIRES 5-31-2007, ROMULUS, MICHIGAN: COMPLAINT NO. 304244

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. 304244 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 with corrective repairs to be completed as required by "local building inspection report document", "1. complete repair of holes in car port roof, 2. paint the rear bedroom, 3. repair vinyl rear window completely, 4. repair ceiling in the kitchen from leaking." An inspection is required by the local builders inspector, verifying acceptable code standards met in all corrective repairs as stated.
- 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

STONEBROOKE AT THE ORCHARDS LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-1552719, EXPIRED 5-31-2004, MATTHEW PAUL LYONS, LICENSE NO. 2101-142920, EXPIRES 5-31-2008, STONE BROOK AT FOREST DUNES BUILDING CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152718, EXPIRED 5-31-2002, STONEBROOK COURT LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152721, EXPIRES 5-31-2002, STONE BROOK DEVELOPMENT CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE

NO. 2102-152722, EXPIRED 5-31-2004, STONEBROOKE AT PINE RIDGE LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152720, NOVI, MICHIGAN: COMPLAINT NOS. 96793 AND 96794

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

- a. Respondents Stonebrooke At The Orchards LLC and Matthew Paul Lyons shall pay a fine (joint and several liability) in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint Nos. 96793/96794 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 Stonebrooke At The Orchards LLC shall make restitution in the amount of \$2,590.00 by check or money order, made payable to Gerald Faber, within sixty (60) days of the date of mailing of the Final Order. It is acknowledged that Respondent Matthew P. Lyons is not liable for the Restitution due to his Chapter 7 Bankruptcy Discharge, dated February 10, 2006.
- 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

MCI BUILDERS, MAURICE CARTIER, Q.O., LICENSE NO. 2102-080210, EXPIRES 5-31-2007 AND MAURICE VINCENT CARTIER, LICENSE NO. 2101-078864, EXPIRES 5-31-2007, OKEMOS, MICHIGAN: COMPLAINT NO. 302566

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

- a. Respondents shall pay a total fine (joint and several) in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint Nos. 302566/302567 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. Respondents shall close License Nos. 2102-080210 and License No. 2101-078864, within sixty (60) days of the date of mailing of the Final Order, by returning the respective wall licenses and pocket cards to the Bureau of Commercial Services, Builders Unit, P.O. Box 30018, Lansing, MI 48909. It is acknowledged that the renewal/relicensure of said licenses is subject to the provisions of MCL 339.411.
- c. If Respondents fail to comply with the closure of the licenses or fail to the timely payment of the \$500.00 fine, the fine shall increase to a total of \$1,500.00.
- d. 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

LAWRENCE JOSEPH MINER, JR., DOING BUSINESS AS A & R CONSTRUCTION, LICENSE NO. 2101-171399, EXPIRES 5-31-2007, LAINGSBURG, MICHIGAN: COMPLAINT NO. 297262

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 \$1,250.00. Fine shall be paid by cashier's check or money order, with Complaint No. 297262 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

JAMES LARRY MITCHELL, DOING BUSINESS AS WATCH CONSTRUCTION COMPANY, LICENSE NO. 2101-147260, EXPIRES 5-31-2007, WATCH CONSTRUCTION COMPANY, JAMES LARRY MITCHELL, Q.O., LICENSE NO. 2102-183676, ROMEO, MICHIGAN: COMPLAINT NO. 302601

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

- a. Respondent shall submit to the Department a Corporation Residential Builder License Application and obtain a Corporation Residential Builder License for the corporate entity of Watch Construction Company, within sixty (60) days of the date of mailing of the Final Order.
- b. 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. 302601 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. However, if Respondent fails to obtain a Corporation Residential Builder License for Watch Construction Company, the fine shall increase to a total of \$1,000.00.
- 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

DAVID WALTON PIGGOTT, LICENSE NO. 2101-134588, EXPIRES 5-31-2007, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 298740

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. 298740 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. However, if Respondent fails to pay the \$750.00 fine within 60 days of the mailing of the Final Order, the fine shall increase to a total of \$1,500.00.
- 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

POINTE CUSTOM BUILDERS INC., WILLIAM EVERAL FURGUSON, Q.O., LICENSE NO. 2102-114622, EXPIRED 5-31-2006 AND WILLIAM EVERAL FURGUSON, LICENSE NO. 2101-089790, EXPIRED 5-31-1994, WATERFORD, MICHIGAN: COMPLAINT NO. 298739

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

- a. Respondent Pointe Custom Builders Inc is not liable for Restitution in this matter due to the filing of a Chapter 7 Bankruptcy petition, dated March 14, 2005. However, Respondent William E. Furguson shall make restitution in the amount of \$2,586.00 by certified check or money order made payable to Donald T. Gervase. Restitution must be paid no later than sixty (60) days of the mailing of the Final Order.
- b. Respondent Pointe Custom Builders, Inc. and William Everal Furguson shall pay a total fine (joint and several liability) in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint Nos. 298739/298740 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 Respondents fail to comply with the timely payment of the Restitution and the Fine, the Fine shall increase to a total of \$1,500.00.
- d. 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

POWER OF ABILITY HOLDINGS INC., MARK R. HENRY, Q.O., LICENSE NO. 2102-161099, EXPIRES 5-31-2007, MARK RANDAL HENRY, LICENSE NO. 2101-152005, EXPIRED 5-31-2006, FLINT, MICHIGAN: COMPLAINT NO. 297006

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 \$5,000.00. Fine shall be paid by cashier's check or money order, with Complaint No. 297006 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 no. 2102-161099 shall be immediately revoked on the date of the 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

WILLEM ROELOFS, LICENSE NO. 2101-151665, EXPIRES 5-31-2008, KALAMAZOO, MICHIGAN: COMPLAINT NO. 297750

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. 297750 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

SMITTY'S CONSTRUCTION INC., PAUL WILLIAM SMITH, JR., Q.O., LICENSE NO. 2102-168586, EXPIRES 5-31-2008, FLAT ROCK, MICHIGAN: COMPLAINT NO. 300990

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. 300990 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 \$2,500.00 by check or money order made payable to Willa Gholston 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

STONEBROOKE AT THE ORCHARDS LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-1552719, EXPIRED 5-31-2004, MATTHEW PAUL LYONS, LICENSE NO. 2101-142920, EXPIRES 5-31-2008, STONE BROOK AT FOREST DUNES BUILDING CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152718, EXPIRED 5-31-2002, STONEBROOK COURT LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152721, EXPIRES 5-31-2002, STONE BROOK DEVELOPMENT CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152722, EXPIRED 5-31-2004, STONEBROOKE AT PINE RIDGE LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152720, STERLING HEIGHTS, MICHIGAN: COMPLAINT NO. 86325

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

- a. Respondent Stonebrooke At The Orchards LLC and Matthew P. Lyons shall pay a total fine (joint and several liability) in the amount of \$750.00. Fine shall be paid by cashier's check or money order, with Complaint No. 86325 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 Stonebrooke At The Orchards LLC shall make restitution to Complainant in the amount of \$20,472.00 by certified check or money order made payable to Bob Condra. Restitution must be paid no later than sixty (60) days of the date of mailing of the Final Order. It is acknowledged that Respondent Matthew P. Lyons, Qualifying Officer, is not liable for the Restitution due to his Chapter 7 Bankruptcy discharge, dated February 10, 2006.
- 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

STONEBROOKE AT THE ORCHARDS LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-1552719, EXPIRED 5-31-2004, MATTHEW PAUL LYONS, LICENSE NO. 2101-142920, EXPIRES 5-31-2008, STONE BROOK AT FOREST DUNES BUILDING CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152718, EXPIRED 5-31-2002, STONEBROOK COURT LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152721, EXPIRES 5-31-2002, STONE BROOK DEVELOPMENT CO LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152722, EXPIRED 5-31-2004, STONEBROOKE AT PINE RIDGE LLC, MATTHEW PAUL LYONS, Q.O., LICENSE NO. 2102-152720, STERLING HEIGHTS, MICHIGAN: COMPLAINT NOS. 96793 AND 96794

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

- a. Respondents Stonebrooke At The Orchards LLC and Matthew P. Lyons shall pay a total fine (joint and several liability) in the amount of \$500.00. Fine shall be paid by cashier's check or money order, with Complaint Nos. 96793/96794 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 Stonebrooke At The Orchards LLC shall make restitution to Complainant in the amount of \$2,590.00 by certified check or money order made payable to Gerald Faber. Restitution must be paid no later than sixty (60) days of the date of mailing of the Final Order. It is acknowledged that Respondent Matthew P. Lyons is not liable for the Restitution due to his Chapter 7 Bankruptcy discharge, dated February 10, 2006.
- 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

SUMMIT PROPERTIES AND DEVELOPMENT CO., INC., CARL A. MATISSE, Q.O., LICENSE NO. 2102-117045, EXPIRES 5-31-2008, CLARKSTON, MICHIGAN: COMPLAINT NO. 301605

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. 301605 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

TOLL MI III LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-165117, EXPIRES 5-31-2009, CHELTENHAM ESTATES LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-157966, EXPIRED 5-31-2003, HERITAGE OF AUBURN HILLS LLC, RONALD J. BOSHAW, Q.O, LICENSE NO. 2102-158166, EXPIRED 5-31-2005, NEWPORT RIDGE LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-158129, EXPIRED 5-31-2003, TIMBER RIDGE INVESTMENT LIMITED PARTNERSHIP, RONALD J. BOSHAW, Q.O., LICENSE NO. 2102-158130, NOVI, MICHIGAN: COMPLAINT NO. 297766 AND 297767

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. 297766 & 297767 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 by completing the corrective repairs as required by local building inspection report. These corrective repairs have been completed and a copy of the local building inspector report has confirmed corrections meet inspection standards and codes.
- 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 Ms. Lane and supported by Ms. Flack to accept the stipulation as prepared. The motion carried by unanimous vote. Mr. Haeussler abstained.

TOM ATWELL HOMES & REALTY, INC., THOMAS G. ATWELL, Q.O., LICENSE NO. 2102-012328, EXPIRES 5-31-2008, THOMAS G. ATWELL, LICENSE NO. 2101-021307, EXPIRES 5-31-2008, FENTON, MICHIGAN: COMPLAINT NO. 90539

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 \$1,250.00. Fine shall be paid by cashier's check or money order, with Complaint No. 90539 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 \$3,000.00 by check or money order made payable to William and Kristine Kussro 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 Ms. Flack and supported by Ms. Lane to accept the stipulation as prepared. The motion carried by unanimous vote.

HARRY D WOODWORTH, LICENSE NO. 2101-132838, EXPIRES 5-31-2007, HOLT, MICHIGAN: COMPLAINT NO. 297420

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. 297420 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 to Complainant, in the amount of \$1,840.00 by certified check or money order made payable to Lynda Waltz-Pine. Restitution must be paid no later than 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 Ms. Flack 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 July 10, 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 12:20 p.m.

Chairperson
Mark Glynn

Recording Secretary
Robin Sirls

Date