

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

**RESIDENTIAL BUILDERS AND MAINTENANCE AND ALTERATION CONTRACTORS BOARD**

**BOARD MEETING MINUTES**

**JULY 14, 2009**

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 July 14, 2009, at the Department of Energy, 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 9:06 a.m.

**ROLL CALL**

|           |                             |                                   |
|-----------|-----------------------------|-----------------------------------|
| Present:  | Frank DiStefano             | Member                            |
|           | Mark Glynn                  | Chairperson                       |
|           | * Marilyn Lane              | Member                            |
|           | Kevin Lewand                | Member                            |
|           | Anthony Parker              | Vice Chairperson                  |
|           | ** Jennifer Shoats-Flack    | Member                            |
| Absent:   | Gary August                 | Member                            |
|           | James Haeussler             | Member                            |
| Staff:    | Gloria Keene                | Licensing Administrator           |
|           | Linda Clewley               | Assistant Licensing Administrator |
|           | Robin Sirls                 | Recording Secretary               |
|           | Joyce Karr                  | Director, Licensing Division      |
|           | Barrington Carr             | Enforcement Division Director     |
|           | James Nelson                | Legal Unit Support Manager        |
|           | Judy Dixon                  | Administrative Law Specialist     |
|           | Heather Miller              | Compliance Specialist             |
|           | Patty Wick                  | Enforcement Division              |
|           | Bob Engle                   | State Administrative Manager      |
|           | Conrad Tatnall              | Final Order Monitoring Analyst    |
|           | Amelia Vallier              | Department Technician, Builders   |
|           | Joseph Berry                | Compliance Conferee               |
| Visitors: | Michael E. Bambas           | Petitioner                        |
|           | Michael Charles Beaulieu    | Petitioner                        |
|           | Donald E. Billingham        | Petitioner                        |
|           | Edward J. Bambas            | Visitor                           |
|           | Dave Allan Sova             | Petitioner                        |
|           | Christopher Thomas Geistert | Petitioner                        |
|           | Bart Daniel Fraley          | Petitioner                        |
|           | Wesley Donald Benning       | Petitioner                        |
|           | Kim Lee Dahlgren            | Petitioner                        |
|           | John Taylor Belcher         | Petitioner                        |

|                             |                           |
|-----------------------------|---------------------------|
| Donna Belcher               | Visitor                   |
| Larry Fields                | Attorney for John Belcher |
| Teri Fraley                 | Visitor                   |
| Shawn Marshall Fisher       | Petitioner                |
| Christopher James Harding   | Petitioner                |
| Clifton Vanulvill Boyd, Jr. | Petitioner                |
| Craig Charles Olmsted       | Petitioner                |
| Albert F. Shaheen           | Petitioner                |
| Steven Ray Richardson       | Petitioner                |
| James J. Riddle             | Petitioner                |
| Richard Lee Hartman         | Petitioner                |
| Julius Branson Tunstull     | Petitioner                |
| Barbara R. Tunstull         | Visitor                   |
| Clyde Lovell Thomas         | Petitioner                |
| Lyle James Thompson         | Petitioner                |
| Randall Scott Williams      | Petitioner                |
| Lonnie Elmer John Dowd      | Petitioner                |
| David White                 | Visitor                   |
| Todd Timothy Wilson         | Petitioner                |
| Reverend James Randolph     | Visitor                   |
| Douglas L. McArthur         | Petitioner                |
| Donna L. McArthur           | Visitor                   |
| Harold E. Farris            | Petitioner                |
| Andrew Holroyd              | Petitioner                |

\* left meeting at 12:45

\*\* left meeting at 1:15

### **ADDITIONS TO OR DELETIONS FROM AGENDA**

#### **Additions:**

|                 |                        |
|-----------------|------------------------|
| Petitioner 4-X  | Lonnie Elmer John Dowd |
| Petitioner 4-Y  | Harold E. Farris       |
| Petitioner 4-Z  | Douglas L. McArthur    |
| Petitioner 4-AA | Andrew Holroyd         |

### **APPROVAL OF MINUTES FROM MAY 5, 2009**

MOTION: It was moved by Ms. Lane and supported by Mr. Parker that the minutes from the meeting held May 5, 2009 be approved. The motion carried by unanimous vote.

### **PETITIONS**

**MICHAEL E. BAMBAS**

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received May 15, 2008. The Department denied the license on the basis of a lack of financial stability as evidenced by a recent credit report. Mr. Bambas, along with Edward Bambas, 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 Mr. Bambas did not provide to the Board's satisfaction sufficient evidence to demonstrate financial stability. The motion carried with the following vote: Aye: Mr. DiStefano, Ms. Flack, Mr. Lewand, Mr. Parker. Nay: Ms. Lane

The Department concurred with the Board's decision.

#### MICHAEL CHARLES BEAULIEU

The Board received a petition for review of the Department's denial of an individual maintenance & alteration contractor licensure application received February 2, 2009. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history report. Mr. Beaulieu 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 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.

#### JOHN TAYLOR BELCHER

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received March 17, 2009. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history report. Mr. Belcher, along with his attorney Larry Fields, 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 (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 by unanimous vote.

The Department concurred with the Board's decision.

WESLEY DONALD BENNING

The Board received a petition for review of the Department's denial of an individual maintenance & alteration contractor licensure application received May 30, 2008. The Department denied the license on the basis of a lack of financial stability as evidenced by a recent credit report. Mr. Benning 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 moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all outstanding federal and/or state tax liens are reconciled no later than September 14, 2009. A Release of Lien for each outstanding lien must be submitted to the Department that indicates the debt has been satisfied. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the petitioner is unable to reconcile the derogatory accounts, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

DONALD E. BILLINGHURST

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received November 13, 2008. The Department denied the license on the basis of a lack of financial stability as evidenced by a recent credit report. Mr. Billinghamurst, along with Shelly Billinghamurst, addressed the Board.

MOTION: It was moved by Mr. Parker and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

CLIFTON VANULVILL BOYD JR.

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received May 21, 2008. The Department denied the license on the

basis of a lack of financial stability as evidenced by a recent credit report. Mr. Boyd 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, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### KIM LEE DAHLGREN

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received April 2, 2009. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Dahlgren addressed the Board.

**MOTION:** It was moved by Mr. Parker and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than January 10, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. If payment agreements have been made with the creditors, a copy of the payment agreement and proof of payments must be submitted to the Department. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to January 10, 2010 or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### MICHAEL WAYNE FISHER

The Board received a petition for review of the Department's denial of an individual maintenance & alteration contractor licensure application received June 13, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Fisher was not present.

**MOTION:** It was moved by Mr. Lewand and supported by Ms. Flack that, after careful consideration of the written petition, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

BART DANIEL FRALEY

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received May 19, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Fraley, along with Teri Fraley, addressed the Board.

**MOTION:** It was moved by Ms. Lane 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, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

CHRISTOPHER THOMAS GEISTERT

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received September 15, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Geistert addressed the Board.

**MOTION:** It was moved by Ms. Lane 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,

provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

CHRISTOPHER JAMES HARDING

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received March 31, 2009. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Harding addressed the Board.

MOTION: It was moved by Ms. Flack and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board upheld the Department's denial on the basis that Mr. Harding did not provide to the Board's satisfaction sufficient evidence to demonstrate financial stability. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

RICHARD LEE HARTMAN

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received June 4, 2008. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history report. Mr. Hartman 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 (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 by unanimous vote.

The Department concurred with the Board's decision.

CRAIG CHARLES OLMSTED

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received April 17, 2009. The Department denied the license on the basis that Mr. Olmsted wanted the Board to waive the required 60 hours of prelicensure education and the examination that is required to qualify for relicensure. Mr. Olmsted addressed the Board.

**MOTION:** It was moved by Mr. Lewand and supported by Ms. Flack that, after careful consideration of the written petition and oral presentation, the Board upheld the Department's denial. However, the Board did suggest that he contact the Department of Energy, Labor & Economic Growth, Testing & Education Services Unit, regarding special accommodations available to him under the Americans with Disabilities Act. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### STEVEN RAY RICHARDSON

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received March 26, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Richardson addressed the Board.

**MOTION:** It was moved by Mr. Parker and supported by Ms. Lane that, after careful consideration of the written petition, and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### JAMES J. RIDDLE

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received April 17, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Riddle addressed the Board.

**MOTION:** It was moved by Ms. Lane and supported by Mr. DiStefano that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure,

provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

ALBERT F. SHAHEEN

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received April 24, 2009. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Shaheen addressed the Board.

MOTION: It was moved by Ms. Lane and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

DAVID ALLAN SOVA DOING BUSINESS AS ELITE BUILDING SOLUTIONS

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received February 24, 2009. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history report. Mr. Sova 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 by unanimous vote.

The Department concurred with the Board's decision.

ELITE BUILDING SOLUTIONS LLC- DAVID ALLAN SOVA, Q.O.

The Board received a petition for review of the Department's denial of a limited liability company residential builder licensure application received February 15, 2008. The Department denied the license on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history report. Mr. Sova 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 by unanimous vote.

The Department concurred with the Board's decision.

CLYDE LOVELL THOMAS

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received March 14, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Thomas addressed the Board.

MOTION: It was moved by Mr. Lewand 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, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

LYLE JAMES THOMPSON DOING BUSINESS AS THOMPSON AND SONS REMODELING

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received May 29, 2008. The Department denied the license on the basis of a lack 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. Thompson addressed the Board.

MOTION: It was moved by Mr. Lewand 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 Mr. Thompson did not provide to the

Board's satisfaction sufficient evidence to demonstrate financial stability, and on the basis that (1) although the denial was not based on the convictions alone, the criminal offenses were reasonable 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 by unanimous vote.

The Department concurred with the Board's decision.

#### JULIUS BRANSON TUNSTULL

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received March 18, 2009. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Tunstull addressed the Board.

**MOTION:** It was moved by Mr. Parker and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### JOANNA MAE WATKINS

The Board received a petition for review of the Department's denial of an individual maintenance & alteration contractor licensure application received May 21, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Ms. Watkins was not present.

**MOTION:** It was moved by Mr. Lewand and supported by Mr. DiStefano that, after careful consideration of the written petition, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received

prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

RANDALL SCOTT WILLIAMS

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received July 14, 2009. The Department denied the license on the basis of a lack 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. Williams addressed the Board.

MOTION: It was moved by Mr. Parker and supported by Ms. Lane that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

TODD TIMOTHY WILSON

The Board received a petition for review of the Department's denial of an individual maintenance & alteration licensure application received May 30, 2008. The Department denied the license on the basis of a lack 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. Wilson 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 by unanimous vote.

The Department concurred with the Board's decision.

LONNIE ELMER JOHN DOWD

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received April 8, 2009. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Dowd addressed the Board.

**MOTION:** It was moved by Mr. DiStefano and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### HAROLD E. FARRIS

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received September 25, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Farris addressed the Board.

**MOTION:** It was moved by Mr. DiStefano 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, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### DOUGLAS L. MCARTHUR

The Board received a petition for review of the Department's denial of an individual residential builder relicensure application received May 1, 2008. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. McArthur addressed the Board.

**MOTION:** It was moved by Mr. DiStefano and supported by Mr. 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, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### ANDREW HOLROYD

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received June 3, 2009. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Holroyd addressed the Board.

**MOTION:** It was moved by Mr. DiStefano and supported by Mr. Lewand that, after careful consideration of the written petition and oral presentation, the Board moved that the grounds for previous denial are no longer considered a bar to licensure, provided that all derogatory accounts are reconciled no later than July 14, 2010. The petitioner must submit to the Department copies of his credit report from the three credit bureaus that indicate the debts have been satisfied prior to this date. The Department will verify that the derogatory accounts are reconciled and that there is no new derogatory account information. If the documentation is not received prior to July 14, 2010, or the accounts are not reconciled, or there are additional derogatory accounts, the Department's denial will be upheld. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### OLD BUSINESS

#### SHAWN MARSHALL FISHER

The Board received a petition for review of the Department's denial of an individual residential builder licensure application received June 2, 2008. The Board moved to table consideration of Mr. Fisher's petition until the July 14, 2009 meeting, in order to provide him with an opportunity to gather documentation in support of his petition. Mr. Fisher was denied licensure by the Department on the basis of a lack of good moral character as evidenced by a relevant criminal conviction history report. Mr. Fisher addressed the Board.

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

The Department concurred with the Board's decision.

### **HEARING REPORTS**

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

CHESTER ANDREW BAJAS, LICENSE NO. 2101-155012, EXPIRES 5-31-2009, LIVONIA, MICHIGAN: COMPLAINT NO. 310225

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, fraud, deceit or dishonesty in occupation, and failing to satisfy judgments/liens), a fine should be imposed.

MOTION: It was moved by Mr. Parker 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, in accordance with statutory provisions. 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 by satisfying judgment entered in the 35<sup>th</sup> District Court on June 27, 2008, Case No. 08C3112SC in the amount of \$1,085.00, plus costs fees, and interest at the statutory rate payable to David and Debra Neil 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.

CHESTER ANDREW BAJAS, LICENSE NO. 2101-155012, EXPIRES 5-31-2009, LIVONIA, MICHIGAN: COMPLAINT NO. 311143

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, fraud, deceit or dishonesty in occupation, and failing to satisfy judgments/liens), a fine should be imposed.

MOTION: It was moved by Mr. Lewand 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, in accordance with statutory provisions. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan and restitution by satisfying judgement entered in 52-1 District Court on September 10, 2008, Case No. 08C06739-GC, in the

amount of \$9,140.00, plus costs, fees, and interest at statutory rate, payable to Terry E. Wahrman 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.

ADCO CONSTRUCTION LLC, AARON LYLE BRISLEY, Q.O., LICENSE NO. 2102-179134, EXPIRED 5-31-2008, AVOCA, MICHIGAN: COMPLAINT NO. 309039

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, failure to account for or remit funds and failing to satisfy judgments/liens), a fine should be imposed.

MOTION: It was moved by Mr. Parker 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, in accordance with statutory provisions. Fine of \$5,000.00 made payable to the State of Michigan and restitution to Diane Johns by paying Quality Lumber and Builders Wholesalers Inc in the amount of \$10,298.23 and by paying Jeddo Drywall, Inc., in the amount of \$9,094.00 and restitution payable to Diane Johns in the amount of \$17,723.00 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.

C & L HOLDINGS, INC, STEVEN EDWARD CARPENTER, Q.O., LICENSE NO. 2102-159666, EXPIRED 5-31-2008, PARK PLACE CONSTRUCTION INC., STEVEN EDWARD CARPENTER, Q.O., LICENSE NO. 2102-141440, EXPIRED 5-31-2002, STEVEN EDWARD CARPENTER, LICENSE NO. 2101-140228, EXPIRES 5-31-2011, DAVISON, MICHIGAN: COMPLAINT NO. 307189

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 \$11,192.64 payable to Andrew Starr 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, in accordance with statutory provisions. 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 307189 and 307190. 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.

STEVEN EDWARD CARPENTER, LICENSE NO. 2101-140228, EXPIRES 5-31-2011, C & L HOLDINGS, INC, STEVEN EDWARD CARPENTER, Q.O., LICENSE NO. 2102-159666, EXPIRED 5-31-2008, PARK PLACE CONSTRUCTION INC., STEVEN EDWARD CARPENTER, Q.O., LICENSE NO. 2102-141440, EXPIRED 5-31-2002, DAVISON, MICHIGAN: COMPLAINT NO. 307190

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 \$11,192.64 payable to Andrew Starr 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, in accordance with statutory provisions. 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 307189 and 307190. 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.

CLARK WILLIAM DUERR, DOING BUSINESS AS CWD CONSTRUCTION, LICENSE NO. 2101-155959, EXPIRES 5-31-2009, CARSON CITY, MICHIGAN: COMPLAINT NO. 307882

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 poor workmanship), 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, in accordance with statutory provisions. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000 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.

ROBERT BRUCE JANDRON JR., DOING BUSINESS AS JANDRON CUSTOM HOME BUILDERS, LICENSE NO. 2101-168494, EXPIRES 5-31-2011, JANDRON CUSTOM HOMES BUILDERS, ROBERT BRUCE JANDRON JR., Q.O., LICENSE NO. 2102-192489, EXPIRES 5-31-2011, NEGAUNEE, MICHIGAN: COMPLAINT NO. 300491

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 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, in accordance with statutory provisions. 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.

OAK WOOD BUILDERS INC, BRIAN KEITH KASETA, Q.O. (2-20-2001 TO 11-10-2003), SAMUEL T. MOCERI, Q.O., LICENSE NO. 2102-103073, LAPSED-SUSPENDED 5-31-2005, OAKWOOD IMPROVEMENTS INC., BRIAN KEITH KASETA, Q.O., LICENSE NO. 2102-175603, EXPIRES 5-31-2011, BRIAN KEITH KASETA, LICENSE NO. 2101-076780, EXPIRES 5-31-2009, MOCERI PLUMBING & HEATING INC., SAMUEL T. MOCERI, Q.O., LICENSE NO. 102-117391, REVOKED 1-19-2006, CLINTON TOWNSHIP, MICHIGAN: COMPLAINT NO. 9012

The Board reviewed the hearing report.

**MOTION:** It was moved by Mr. Lewand and supported by Mr. DiStefano, that the following penalty be assessed: Fine of \$200.00 made payable to the State of Michigan and restitution in the amount of \$1,850.00 payable to John & Michele DeDecker within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in 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, in accordance with statutory provisions. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

REMQUEST GROUP LLC, ROBERT ALAN REMINGA, Q.O., LICENSE NO. 2102-180084, EXPIRES 5-31-2009, ROBERT ALAN REMINGA, LICENSE NO. 2105-170587, EXPIRED 5-31-2005, ROBERT ALAN REMINGA, LICENSE NO. 2101-170757, EXPIRED 5-31-2007, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 307568

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 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. Lewand and supported by Mr. Parker 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, in

accordance with statutory provisions. Fine of \$10,000.00 made payable to the State of Michigan and restitution payable to Bernard and Angela Smith by Remquest Group LLC by satisfying judgment entered in 17<sup>th</sup> Judicial District Court on December 18, 2007, Case No. 07-07701-CK, in the amount of \$123,626.15, plus costs, fee, and interest at the statutory rate within sixty (60) days from the date of mailing of the Final Order. 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 307568 and 307569. 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 and restitution are paid in full. The motion carried by unanimous vote.

ROBERT ALAN REMINGA, LICENSE NO. 2101-170757, EXPIRED 5-31-2007, REMQUEST GROUP LLC, ROBERT ALAN REMINGA, Q.O., LICENSE NO. 2102-180084, EXPIRES 5-31-2009, ROBERT ALAN REMINGA, LICENSE NO. 2105-170587, EXPIRES 5-31-2005, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 307569

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 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. Lewand 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, in accordance with statutory provisions. 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. 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 307568 and 307569. 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 and restitution are paid in full. The motion carried by unanimous vote.

GEORGE DAVID ROSIN, DOING BUSINESS AS CTR CONSTRUCTION, LICENSE NO. 2101-144556, EXPIRES 5-31-2011, FREDERIC, MICHIGAN: COMPLAINT NO. 309766

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Parker and supported by Mr. DiStefano that the following penalty be assessed: Fine of \$4,000.00 made payable to the State of Michigan and restitution in the amount of \$7,849.38 payable to Kimberly J. Kosloski 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, in accordance with statutory provisions. 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.

MUIRFIELD HOMES LTD, MARC J. RUBEN, Q.O., LICENSE NO. 2102-088043, EXPIRES 5-31-2009, MUIRFIELD DEVELOPMENT LLC, MARC J. RUBEN, Q.O., LICENSE NO. 2102-162398, EXPIRES 5-31-2009, MUIRFIELD HOMES-WAYNE LLC, MARC J. RUBEN, Q.O., LICENSE NO. 2102-185433, EXPIRES 5-31-2011, MARC J. RUBEN, LICENSE NO. 2101-057434, EXPIRES 5-31-2009, LIVONIA, MICHIGAN: COMPLAINT NO. 303089

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Lewand and supported by Mr. Parker that Complaint Number 303089 be dismissed based on the fact that the Administrative Law Judge didn't find the Respondent in violation of MCL 339.604(c) and (g), MCL 339.2411(2)(m), and Rules 51(4) and 51(5). The motion carried by unanimous vote.

MARC J. RUBEN, LICENSE NO. 2101-057434, EXPIRES 5-31-2009, MUIRFIELD HOMES LTD, MARC J. RUBEN, Q.O., LICENSE NO. 2102-088043, EXPIRES 5-31-2009, MUIRFIELD DEVELOPMENT LLC, MARC J. RUBEN, Q.O., LICENSE NO. 2102-162398, EXPIRES 5-31-2009, MUIRFIELD HOMES-WAYNE LLC, MARC J. RUBEN, Q.O., LICENSE NO. 2102-185433, EXPIRES 5-31-2011, LIVONIA, MICHIGAN: COMPLAINT NO. 303090

The Board reviewed the hearing report.

MOTION: It was moved by Mr. Lewand and supported by Mr. Parker that Complaint Number 303089 be dismissed based on the fact that the Administrative Law Judge didn't find the Respondent in violation of MCL 339.604(c) and (g), MCL 339.2411(2)(m), and Rules 51(4) and 51(5). The motion carried by unanimous vote.

WHITE LAKE BUILDERS INC., RICHARD JOHN STRAUSS, Q.O., LICENSE NO. 2102-162226, SUSPENDED 5-12-2009, MONTAGUE, MICHIGAN: COMPLAINT NO. 311049

The Board reviewed 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, 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, in accordance with statutory provisions. Fine of \$8,000.00 made payable to the State of Michigan and restitution in the amount of \$6,700.00 payable to Marc and Leah Nummerdor 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.

TEKKO ENTERPRISES INC., LEILA MARIE TEKKO, Q.O., LICENSE NO. 2102-155497,  
EXPIRES 5-31-2009, SOUTHGATE, MICHIGAN: COMPLAINT NO. 308472

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. DiStefano that the following penalty be assessed: Immediate revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent upon issuance of the Final Order, in accordance with statutory provisions. Fine of \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$2,000.00, plus \$1,050.00 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.

TOOMS' CONSTRUCTION INC., TOM PRAKOBKIJ, Q.O., LICENSE NO. 2102-167227,  
EXPIRED 5-31-2008, TOOM PRAKOBKIJ, LICENSE NO. 2101-192614, EXPIRES 5-31-2011,  
NEW BALTIMORE, MICHIGAN: COMPLAINT NO. 308590

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly abandonment, failure to account for or remit funds and failing to satisfy judgments/liens), a fine should be imposed.

MOTION: It was moved by Mr. Parker 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, in accordance with statutory provisions. Fine of \$10,000.00 made payable to the State of Michigan and restitution in the amount of \$12,307.41 to satisfy a Claim of Lien for the property of Bruce and Diane Christy payable to Lumber Jack Building Centers 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.

REINER WEDEL CUSTOM HOMES, REINER EDMUND WEDEL, Q.O., LICENSE NO. 2102-  
158220, EXPIRED 5-31-2008, REINER EDMUND WEDEL, LICENSE NO. 2101-137563,  
EXPIRED 5-31-2002, CORUNNA, MICHIGAN: COMPLAINT NO. 307818

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 \$2,000.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order, in accordance with statutory provisions. 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 is paid in full. The motion carried by unanimous vote.

### **STIPULATIONS**

**SCOTT M. FEEHAN, DOING BUSINESS AS FEEHAN AND SON EXCAVATING, LICENSE NO 2101-149450, EXPIRES 5-31-2011, MUIR, MICHIGAN: COMPLAINT NO. 309853**

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. 309853 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to pay full fine amount within sixty (60) days of the date of mailing of the Final Order, fine shall increase to \$3,000.00.
- c. Respondent shall make restitution in the amount of \$9,000.00 by check or money order made payable to Julie Lindsley within sixty (60) days from the date of mailing of the Final Order.
- d. Failure to pay full fine amount within sixty (60) days of the date of mailing of the Final Order shall result in suspension of all licenses of Respondent or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.
- e. Failure to pay full fine within six (6) months shall result in revocation of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

**MOTION:** It was moved by Mr. Lewand and supported by Mr. Parker to accept the stipulation as prepared. The motion carried by unanimous vote.

FIVENSON ENTERPRISES LLC, MARK THOMAS FIVENSON, Q.O., LICENSE NO. 2102-162121, EXPIRED 5-31-2007, MARK THOMAS FIVENSON, LICENSE NO. 2101-162011, EXPIRED 5-31-2005, ANN ARBOR, MICHIGAN: COMPLAINT NO. 309003

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

- a. Respondent's residential builder license number 2102-162121 is immediately revoked. Upon receipt of the Final Order, Respondent shall return any and all pocket and wall licenses to the Department of Energy, 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 \$5,280.00 plus any applicable accrued interest by check or money order made payable to "The State of Michigan," Homeowner Construction Lien Recovery Fund, within sixty (60) days from the date of mailing of the Final Order.
- c. Failure to pay full fine amount within sixty (60) days of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

LEO GELLE CONSTRUCTION CO. INC, MARIO JOHN GELLE, Q.O., LICENSE NO. 2102-164029, EXPIRES 5-31-2009, MARIO JOHN GELLE, LICENSE NO. 2101-188026, EXPIRES 5-31-2011, MACOMB, MICHIGAN: COMPLAINT NOS. 309920 AND 309921

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 Nos. 309920 and 309921 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 Energy, 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 immediate suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

MARIO JOHN GELLE, LICENSE NO. 2101-188026, EXPIRES 5-31-2011, LEO GELLE CONSTRUCTION CO. INC, MARIO JOHN GELLE, Q.O., LICENSE NO. 2102-164029, EXPIRES 5-31-2009, MACOMB, MICHIGAN: COMPLAINT NOS. 309920 AND 309921

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 Nos. 309920 and 309921 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 Energy, 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 immediate suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

JOSEPH EARL HATTER, LICENSE NO. 2101-063275, EXPIRES 5-31-2009, FLINT, MICHIGAN: COMPLAINT NO. 309317

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. 309317 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$8,320.00 to settle the lien by check or money order made payable to Edward Thorton within sixty (60) days of the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license

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

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

SAM JAMES HURLEY, DOING BUSINESS AS REMODELING ONE REMODELING COMPANY, LICENSE NO. 2101-158553, EXPIRED 5-31-2008, RICHLAND, MICHIGAN: COMPLAINT NO. 309746

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. 309746 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to pay fine within six (6) months of the mailing of the Final Order shall result in revocation.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

PERFORMANCE FIBERGLASS INC., JOHN KEVIN JEFFREY, Q.O., LICENSE NO. 2102-180275, EXPIRES 5-31-2011, JOHN KEVIN JEFFREY, LICENSE NO. 2101-190318, EXPIRES 5-31-2011, JOHN KEVIN JEFFREY, LICENSE NO. 2105-122737, EXPIRED 5-31-2006, SHELBY TOWNSHIP, MICHIGAN: COMPLAINT NO. 309995 AND 309996

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. 309995 and 309996 clearly indicated on the check or money order, made payable to the State of Michigan within ninety (90) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Energy, Labor & Economic

Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Respondent shall correct all workmanship violations cited in the Building Inspection Report attached to the complaint as Exhibit 2. Respondent shall have the damaged floor repaired. Respondent shall repair the one window that both parties agree is leaking. Respondent shall rebuild the 2 windows that were not previously rebuilt in the same manner as the rest of the repaired windows. All windows installed by Respondent shall then be re-inspected for satisfaction. All repairs performed must satisfy the building inspector, and proof of compliance shall be in the form of a satisfactory Building Inspection Report or other written correspondence signed by the building inspector. Proof shall be mailed to the Michigan Department of Energy, Labor and Economic Growth, Bureau of Commercial Services, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.
- c. Failure to comply with the terms of the stipulation within ninety (90) days 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.
- d. Failure to comply with the terms of the stipulation within six (6) months shall result in revocation of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

STEVEN J. KEYSOR, DOING BUSINESS AS KEYSOR BUILDERS, LICENSE NO. 2101-132863, EXPIRES 5-31-2011, K & H BUILDERS, STEVEN J. KEYSOR, Q.O., LICENSE NO. 2102-133885, EXPIRED 7-1-1997, HARRISON, MICHIGAN: COMPLAINT NO. 309292

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. 309292 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution by making necessary repairs and/or corrections as required by Louis Denton, Certified Building Official, as set forth in the Building

Inspection Report signed April 2, 2008. Complete repair of New Addition Roofing "sagging in the valley between new addition and old home structure. Repair "rear siding" with new matching material(s). Repair of bathroom window completely. Restitution in the amount of \$300.00 payable to Mr. Richard Croff by certified check. Restitution must be paid no later than sixty (60) days of the date of issuance of the Final Order. An inspection is required by the local building inspector, verifying acceptable code standards met in all corrective repairs as stated.

- c. Failure to comply with the terms of the stipulation within sixty (60) days shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

DAVINCI BUILDERS LLC, SAM LACARIA, Q.O., LICENSE NO 2102-171503, EXPIRES 5-31-2009, LACARIA BUILDING CO. INC., SAM LACARIA, Q.O., LICENSE NO. 2102-109139, EXPIRES 5-31-2011, SAM LACARIA, LICENSE NO. 2101-056341, EXPIRES 5-31-2011, DETROIT, MICHIGAN: COMPLAINT NO. 305478

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. 305478 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make all necessary repairs and/or corrections to all non-compliant grading and drainage issues involving the north wall of the subject-property, including re-grade of the slope of the north wall; installation of window-wells at grade; installation of 1' -2' pea stone at the base of window-wells; and repair of glass-block leakage, as required by John Connolly, Certified Building Official, Dearborn, Michigan, or his substitute or successor, in order to bring about compliance with the Building Inspection Report signed August 21, 2008, and marked as Exhibit 2 of the Department's Formal Complaint, within sixty (60) days from the mailing of the Final Order.
- c. The written approval of John Connolly, or his substitute or successor, of the repairs and/or corrections shall be obtained within (15) days from the (60<sup>th</sup>) day from the mailing date of the Final Order and filed by Respondents with the

Administrative Services Division within fifteen (15) days from the sixtieth (60<sup>th</sup>) day from the mailing of the Final Order.

- d. Failure to make all necessary repairs and/or corrections as specifically determined and required by John Connolly, Certified Building Official, Department of Building & Safety, Dearborn, Michigan, or his substitute or successor, and/or fails to make fine payment within the time-period specified, Respondent shall be fined an additional \$2,000.00 for a possible total of \$2,500.00 in fines.

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

JAMES LEE MEEKHOFF, DOING BUSINESS AS MEEKHOF BUILDERS, LICENSE NO. 2101-084500, EXPIRES 5-31-2009, JAMES L. MEEKHOFF BUILDERS INC., JAMES LEE MEEKHOFF, Q.O., LICENSE NO. 2102-038732, EXPIRED 3-31-1979, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 310454

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

- a. Respondent's license number 2101-084500 for James Lee Meekhoff shall be suspended indefinitely until the Homeowners Construction Lien Recovery Fund is repaid in the total sum of \$82,717.21 collectively for the six (6) complaints. The repayment shall be paid by cashier's check or money order, with Complaint Nos. 310454, 310456, 310555, 310556, 310557 and 310558 clearly indicated on the check or money order, made payable to the State of Michigan. Check or money order shall be mailed to the Department of Energy, 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 within two (2) years shall result in revocation of license No. 2101-084500 issued in the name of James Lee Meekhoff and the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

JAMES LEE MEEKHOFF, DOING BUSINESS AS MEEKHOF BUILDERS, LICENSE NO. 2101-084500, EXPIRES 5-31-2009, JAMES L. MEEKHOFF BUILDERS INC., JAMES LEE MEEKHOFF, Q.O., LICENSE NO. 2102-038732, EXPIRED 3-31-1979, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 310456

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

- a. Respondent's license number 2101-084500 for James Lee Meekhoff shall be suspended indefinitely until the Homeowners Construction Lien Recovery Fund is repaid in the total sum of \$82,717.21 collectively for the six (6) complaints. The repayment shall be paid by cashier's check or money order, with Complaint Nos. 310454, 310456, 310555, 310556, 310557 and 310558 clearly indicated on the check or money order, made payable to the State of Michigan. Check or money order shall be mailed to the Department of Energy, 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 within two (2) years shall result in revocation of license No. 2101-084500 issued in the name of James Lee Meekhoff and the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

JAMES LEE MEEKHOFF, DOING BUSINESS AS MEEKHOF BUILDERS, LICENSE NO. 2101-084500, EXPIRES 5-31-2009, JAMES L. MEEKHOFF BUILDERS INC., JAMES LEE MEEKHOFF, Q.O., LICENSE NO. 2102-038732, EXPIRED 3-31-1979, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 310555

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

- a. Respondent's license number 2101-084500 for James Lee Meekhoff shall be suspended indefinitely until the Homeowners Construction Lien Recovery Fund is repaid in the total sum of \$82,717.21 collectively for the six (6) complaints. The repayment shall be paid by cashier's check or money order, with Complaint Nos. 310454, 310456, 310555, 310556, 310557 and 310558 clearly indicated on the check or money order, made payable to the State of Michigan. Check or money order shall be mailed to the Department of Energy, 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 within two (2) years shall result in revocation of license No. 2101-084500 issued in the name of James Lee Meekhoff and the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

JAMES LEE MEEKHOFF, DOING BUSINESS AS MEEKHOF BUILDERS, LICENSE NO. 2101-084500, EXPIRES 5-31-2009, JAMES L. MEEKHOFF BUILDERS INC., JAMES LEE

MEEKHOFF, Q.O., LICENSE NO. 2102-038732, EXPIRED 3-31-1979, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 310556

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

- a. Respondent's license number 2101-084500 for James Lee Meekhoff shall be suspended indefinitely until the Homeowners Construction Lien Recovery Fund is repaid in the total sum of \$82,717.21 collectively for the six (6) complaints. The repayment shall be paid by cashier's check or money order, with Complaint Nos. 310454, 310456, 310555, 310556, 310557 and 310558 clearly indicated on the check or money order, made payable to the State of Michigan. Check or money order shall be mailed to the Department of Energy, 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 within two (2) years shall result in revocation of license No. 2101-084500 issued in the name of James Lee Meekhoff and the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

JAMES LEE MEEKHOFF, DOING BUSINESS AS MEEKHOF BUILDERS, LICENSE NO. 2101-084500, EXPIRES 5-31-2009, JAMES L. MEEKHOFF BUILDERS INC., JAMES LEE MEEKHOFF, Q.O., LICENSE NO. 2102-038732, EXPIRED 3-31-1979, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 310557

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

- a. Respondent's license number 2101-084500 for James Lee Meekhoff shall be suspended indefinitely until the Homeowners Construction Lien Recovery Fund is repaid in the total sum of \$82,717.21 collectively for the six (6) complaints. The repayment shall be paid by cashier's check or money order, with Complaint Nos. 310454, 310456, 310555, 310556, 310557 and 310558 clearly indicated on the check or money order, made payable to the State of Michigan. Check or money order shall be mailed to the Department of Energy, 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 within two (2) years shall result in revocation of license No. 2101-084500 issued in the name of James Lee Meekhoff and the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

JAMES LEE MEEKHOFF, DOING BUSINESS AS MEEKHOF BUILDERS, LICENSE NO. 2101-084500, EXPIRES 5-31-2009, JAMES L. MEEKHOFF BUILDERS INC., JAMES LEE MEEKHOFF, Q.O., LICENSE NO. 2102-038732, EXPIRED 3-31-1979, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 310558

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

- a. Respondent's license number 2101-084500 for James Lee Meekhoff shall be suspended indefinitely until the Homeowners Construction Lien Recovery Fund is repaid in the total sum of \$82,717.21 collectively for the six (6) complaints. The repayment shall be paid by cashier's check or money order, with Complaint Nos. 310454, 310456, 310555, 310556, 310557 and 310558 clearly indicated on the check or money order, made payable to the State of Michigan. Check or money order shall be mailed to the Department of Energy, 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 within two (2) years shall result in revocation of license No. 2101-084500 issued in the name of James Lee Meekhoff and the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

MAJIC WINDOW COMPANY, BART ALAN RUE, Q.O., LICENSE NO. 2102-138774, EXPIRES 5-31-2011, BART ALAN RUE, LICENSE NO. 2101-190200, EXPIRES 5-31-2011, WIXOM, MICHIGAN: COMPLAINT NO. 309254

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. 309254 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Respondent shall make all necessary repairs and/or corrections to all replacement windows to stop all water infiltration & leakage, including repair and/or correction to cracks in mortar & shifting of surrounding brick caused by window installation, pursuant to the subject 9-27-2006 contract, as specifically identified and required by Frederick Birkam, Certified Building Official, Clinton Township Building Department, or his substitute or successor, as set forth in the Building Inspection Report, filed with the Department and signed April 14, 2008, within sixty (60) days from the mailing date of the Final Order.
- c. The written approval of Frederick Birkam, or his substitute or successor, of the repairs and/or corrections shall be filed by Respondents with the Administrative Services Division within fifteen (15) days from the sixtieth (60<sup>th</sup>) day from the signature date of the stipulation. Proof shall be mailed to the Michigan Department of Energy, Labor & Economic Growth, Bureau of Commercial Services, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909 within seventy five (75) days from the mailing date of the Final Order.
- d. Failure to make all necessary repairs and/or corrections of the April 14, 2008 Inspection Report Violations, Respondent Majic Window Company's license no. 2102-138774, shall be suspended until such time as all of the repairs and/or corrections have been made as identified to the full satisfaction of the local building department.
- e. 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.
- f. Respondent shall be fined an additional \$1,000.00 for per each delay in the payment of fine or performance of repair/correction or obtaining timely building inspection approval or timely filing of the documentation with the Bureau of Commercial Services, Final Order Monitoring, for a possible additional \$4,000.00 in fines, in \$1,000.00 increments.

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

BART ALAN RUE, LICENSE NO. 2101-190200, EXPIRES 5-31-2011, MAJIC WINDOW COMPANY, BART ALAN RUE, Q.O., LICENSE NO. 2102-138774, EXPIRES 5-31-2011, WIXOM, MICHIGAN: COMPLAINT NO. 308666

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. 308666 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Respondent shall make all necessary repairs and/or corrections to all seven (7) inspection report violations, as specifically identified and required by Joe Dimichele, Certified Building Official, Garden City Building Department, or his substitute or successor, as set forth in the Building Inspection Report, filed with the Department and signed February 25, 2008, within sixty (60) days from the mailing date of the Final Order.
- c. The written approval of Joe Dimichele, or his substitute or successor, of the repairs and/or corrections shall be filed by Respondents with the Administrative Services Division within fifteen (15) days from the sixtieth (60<sup>th</sup>) day from the signature date of the stipulation. Proof shall be mailed to the Michigan Department of Energy, Labor & Economic Growth, Bureau of Commercial Services, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909 within seventy five (75) days from the mailing date of the Final Order.
- d. Failure to make all necessary repairs and/or corrections of the February 25, 2008 Inspection Report Violations, Respondent shall pay a liquidated restitution amount of \$5,000.00 to John D. Thomas within sixty (60) days from the date of mailing of the Final Order.
- e. Failure to make all necessary repairs and/or corrections of the February 25, 2008 Inspection Report Violations, within (60) day time period, Respondent Majic Window Company's license no. 2102-138774, shall be suspended until such time as all of the repairs and/or corrections have been made.

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

KENNETH C. SCHWALBACH, LICENSE NO. 2101-036725, EXPIRES 5-31-2011, ESCANABA, MICHIGAN: COMPLAINT NO. 310414

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. 310414 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 Energy, Labor & Economic Growth, Bureau of

Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

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

VAL ARTHUR STRATTON, LICENSE NO. 2103-070333, EXPIRES 5-31-2011, NORTH BRANCH, MICHIGAN: COMPLAINT NO. 310860

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. 310860 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution to the Homeowner Construction Lien Recovery Fund in the amount of \$6,670.00, and litigation costs in the amount of \$560.00, for a total restitution amount of \$7,230.00, by certified check, cashier's check or money order, payable to the State of Michigan within sixty (60) days from the mailing date of the Final Order.
- c. Failure to comply with the terms of the stipulation, by non-payment of any required amounts payable, an additional fine of \$1,000.00 shall be imposed and suspension of Respondent's license no. 2103-070333 and continuing until compliance is made by payment-in-full of the applicable fine plus any/all restitution amount, litigation costs, interest amount, and additional overdue fine amount(s).

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

STEVEN ALAN TOMPKE, DOING BUSINESS AS TOMPKE CONSTRUCTION, LICENSE NO. 2101-103540, EXPIRES 5-31-2009, TOMPKE CONSTRUCTION INC., STEVEN ALAN TOMPKE, Q.O., LICENSE NO. 2102-124697, EXPIRED 5-31-2008, TRAVERSE CITY, LIVONIA, MICHIGAN: COMPLAINT NO. 310662

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. 310662 clearly indicated on the check or money order, made payable to the State of Michigan within ninety

- (90) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution to Michigan Construction Lien Fund, in the amount of \$6,000.00, and litigation costs in the amount of \$878.50 by cashier's check or money order, with compliant No. 310662 clearly indicated on the cashier's check or money order, within sixty (60) days from the mailing date of the Final Order. The check or money order shall be mailed to the Michigan Construction Lien Recovery Fund, Final Order Monitoring, Bureau of Commercial Services, P.O. Box 30018 Lansing, MI 48909.
  - c. Failure to comply with the terms of the stipulation within sixty (60) days shall result in revocation of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

DAVID ALLEN WIETecha, DOING BUSINESS AS NU-WAY CONTRACTORS, LICENSE NO. 2101-161069, EXPIRES 5-31-2009, MOUNT CLEMENS, MICHIGAN: COMPLAINT NO. 309820

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. 309820 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 Energy, Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall correct all remaining workmanship violations cited in the Building Inspection Report (BIR). Item 1 of the BIR shall be repaired or re-hung. Item 4 of the BIR shall be repaired so the stair tread is properly fastened to the stringer. Item 5 shall be re-hung or trimmed if not already corrected. Item 6 of the BIR shall be repaired. All the BIR workmanship violations and the manner of their correction must satisfy the building inspector. Proof of compliance with this stipulation shall be in the form of a satisfactory Building Inspection Report or other written correspondence verifying satisfactory correction of the cited violations signed by the building inspector. Proof shall be mailed to the Michigan

Department of Energy, Labor & Economic Growth, Bureau of Commercial Services, Final Order Monitoring, P.O. Box 30018, Lansing, MI 48909.

- c. Failure to comply with the terms of the stipulation within sixty (60) days 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.
- d. Respondent will not renew his d/b/a Nu-Way Construction and Remodeling Company, filed with the County of Macomb, Office of County Clerk, expiring November 21, 2009 and shall no longer operate under any other name than his own unless he first files a business registration certificate with the Department of Energy, Labor & Economic Growth.

MOTION: It was moved by Mr. Lewand and supported by Mr. Parker 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 September 15, 2009, 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 2:25 p.m.

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Chairperson  
Mark Glynn

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Recording Secretary  
Robin Sirls

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Date