

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

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

**BOARD MEETING MINUTES**

**September 9, 2008**

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 September 9, 2008, at the Department of Labor & Economic Growth, Bureau of Commercial Services, 2501 Woodlake Circle, Second Floor, Room 1, Okemos, Michigan. The Board meeting was called to order by Chairperson Mark Glynn at 9:05 a.m.

**ROLL CALL**

Present:	Gary August	Member
	Frank DiStefano	Member
	Mark Glynn	Chairperson
	James Haeussler	Member
	Marilyn Lane	Member
	Kevin Lewand	Member
	Anthony Parker	Vice Chairperson
Absent:	Jennifer Schoats-Flack	Member
Staff:	Gloria Keene	Licensing Administrator
	Linda Clewley	Assistant Licensing Administrator
	Robin Sirls	Recording Secretary
	Joyce Karr	Director, Licensing Division
	Katherine Kakish	Attorney General's Office
	Steve Gobbo	Director, Legal Affairs Division
	Barrington Carr	State Administrative Manager
	James Nelson	Legal Unit Support Manager
	Shannon Bush	Regulation Manager, Detroit
Visitors:	Keith Arthur Groenewoud	Petitioner
	Toni Groenewoud	Visitor
	Raymond George Hezs	Petitioner
	Starr Weaver	Visitor
	Tammy D. Marshall	Petitioner
	Dean Edward Guoan	Petitioner
	Kevin Peter Olender	Petitioner
	Patrick McFadden	Attorney for Kevin Olender
	Julie Krohta	Attorney for Christopher Kalicki
	Paul Edward Griggs	Petitioner
	Steven R. Swick	Petitioner
	Emil John Wolfe III	Petitioner

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

#### **Additions:**

Petitioner 4-I            Raymond Stephen Swiercz

### **APPROVAL OF MINUTES FROM JULY 15, 2008**

MOTION:     It was moved by **Ms. Lane** and supported by **Mr. Haeussler** that the minutes from the meeting held July 15, 2008 be approved once a correction is made on page 4 to Mr. Powell's last name. The motion carried by unanimous vote.

### **PETITIONS**

#### **KEITH ARTHUR GROENEWOUD**

The Board received a petition for review of the Department's denial of an individual residential builder license application received June 21, 2007. 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. Groenewoud 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 upheld the Department's denial on the basis that (1) although the denial was not based upon the convictions alone, the criminal offenses were reasonably related to the practice of residential building, (2) sufficient evidence/length of rehabilitation was not presented, and (3) the consequences and nature of the offense distinctly bear upon the ability of a licensee to deal in an open, honest, and fair manner with the public. However, the Board did direct the staff to hold the examination scores valid until September 9, 2009. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

#### **DEAN EDWARD GUOAN**

The Board received a petition for review of the Department's denial of an individual residential builder license application received February 28, 2007. The Department denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Guoan addressed the Board.

MOTION:     It was moved by **Mr. Parker** and supported by **Mr. Haeussler** 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.

RAYMOND GEORGE HEZS

The Board received a petition for reinstatement of an individual residential builder license from Raymond George Hezs. Mr. Hezs' individual license was revoked on January 17, 1990 due to two Final Orders issued by the Board. Mr. Hezs has complied with the Final Orders. Mr. Hezs addressed the Board.

MOTION: It was moved by Mr. Lewand and supported by Mr. August that, after careful consideration of the written petition and oral presentation, the Board agreed to grant reinstatement on the basis that sufficient evidence had been shown that he is likely to serve the public with competence and in conformance with all other requirements prescribed by law, rule, or an order of the Department or Board. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

CHRISTOPHER KALICKI

Mr. Kalicki appeared as a petitioner at the November 13, 2007 Board meeting where the Board moved to uphold the Department's denial. The Department had denied the license on the basis of a lack of financial stability, as evidenced by a recent credit report. Mr. Kalicki filed an appeal in Circuit Court, where the parties agreed to have the Board again review the matter. Therefore, the Board was asked to reconsider the petition for review.

MOTION: It was moved by Mr. August and supported by Mr. Haeussler that, after careful consideration of the written petition and oral presentation by Mr. Kalicki's attorney, Julie Krohta, the Board moved that the grounds for previous denial are reversed, as long as he reapplies to the Department and meets all current licensing requirements. The requirements include 60 hours of approved prelicensure education, submitting a new license application to the Department with the required application fee, meeting the requirement for good moral character and financial stability, along with submitting any other required documents requested. In regards to the requirement of financial stability, all of the accounts shown on his personal credit report, that will be obtained by the Department upon receipt of a new application, must be in good standing, including Barclays Bank of Delaware and Discover Card and/or their assignees. If the Barclays Bank of Delaware and/or Discover Card and/or any of their assignees remain as derogatory accounts, Mr. Kalicki must provide a \$50,000 cash or surety bond that is acceptable to the Department until the aforementioned debts are reconciled.

The Department concurred with the Board's decision.

TAMMY D MARSHALL

The Board received a petition for review of the Department's denial of an individual residential builder license application received February 7, 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. Ms. Marshall addressed the Board.

MOTION: It was moved by Mr. August 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.

JAMES E. MEDACCO (MUSCHIGON CONSTRUCTION LLC)

The Board received a petition for review of the Department's denial of limited liability company residential builder license application received October 22, 2007. The Department denied the license on the basis of a lack of good moral character for Emil John Wolfe, as evidenced by a relevant criminal conviction history report. Mr. Wolfe 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. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

KEVIN PETER OLENDER

The Board received a petition for review of the Department's denial of an individual residential builder license application received December 12, 2007. 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. Olender and Patrick McFadden, his attorney, 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. The motion carried by unanimous vote.

The Department concurred with the Board's decision.

PAUL EDWARD GRIGGS (P. GRIGGS CONSTRUCTION LLC)

The Board received a petition for review of the Department's denial of limited liability company residential builder license application received April 7, 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. Griggs, and Steven Ray Swick, addressed the Board.

MOTION: It was moved by **Mr. August** 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 Board would like to note their decision was based upon the fact that Mr. Swick is working with a licensed builder, and is not a threat to the public.

The Department concurred with the Board's decision.

### RAYMOND STEPHEN SWIERCZ

The board received a petition for reinstatement of an individual residential builder license from Raymond Stephen Swiercz. Mr. Swiercz's individual license was revoked on September 24, 1981 due to a Final Order issued by the Board. Mr. Swiercz was not present.

MOTION: It was moved by **Mr. Haeussler** and **Mr. Lewand** that, after careful consideration of the written petition, the Board agreed to grant reinstatement on the basis that sufficient evidence had been shown that he is likely to serve the public with competence and in conformance with all other requirements prescribed by law, rule, or an order of the Department Board. The motion carried by unanimous vote. Mr. Haeussler abstained.

The Department concurred with the Board's decision.

### HEARING REPORTS

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

Z & F BUILDING COMPANY, PASHKO M. BERISHAJ, Q.O., LICENSE NO. 2102-169215, EXPIRED 5-31-2006, WASHINGTON TOWNSHIP, MICHIGAN: COMPLAINT NO. 304151

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. Haeussler** and supported by **Mr. Parker** that the following penalty be assessed: Immediate revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent upon issuance of the Final Order. Fine of \$8,000.00 made payable to the State of Michigan and restitution in the amount of \$89,671.89 payable to Gloria J. Washington 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.

WILLIAM JOSEPH BLONDHEIM, LICENSE NO. 2101-155841, EXPIRES 5-31-2009, FRASER, MICHIGAN: COMPLAINT NO. 300563

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly failure to file assumed name and aiding or abetting unlicensed person), 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. Haeussler** that the following penalty be assessed: Fine of \$5,000.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote.

MASTERCRAFT ESTATES, KURT ERNEST DEMING, Q.O., LICENSE NO. 2102-125429, EXPIRES 5-31-2011, KURT ERNEST DEMING, LICENSE NO. 2101-189517, EXPIRED 5-31-2011, FREELAND, MICHIGAN: COMPLAINT NO. 304224

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. Haeussler** and supported by **Mr. August** that the following penalty be assessed: Fine of \$500.00 made payable to the State of Michigan and restitution in the amount of \$8,435.00 payable to Keith and Nichol Krupp within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

DANNELL WESLEY DICKENSON, DOING BUSINESS AS DICKENSON CONSTRUCTION, LICENSE NO. 2101-127174, EXPIRES 5-31-2011, PEWAMO, MICHIGAN: COMPLAINT NO. 303604

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. August** and supported by **Mr. Parker** that the following penalty be assessed: Fine of \$1,000.00 made payable to the State of Michigan and restitution in the total amount of \$14,296.76 payable to Lowell and Starr Weaver within sixty (60) days from the date of mailing of the Final Order. If Respondent signs an authorization to release the \$3,000.00 in the escrow account to the homeowners, he may deduct \$3,000.00 from the total amount of restitution. Failure to comply with the Final Order will result in suspension of any and all licenses held by the Respondent. The Respondent may not serve as the

Qualifying Officer of any corporate entity when their individual license is suspended. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

JEFFREY G. DOMPIERRE, LICENSE NO. 2105-136735, REVOKED 9-12-2007, FARMINGTON HILLS, MICHIGAN: COMPLAINT NOS. 305110 AND 305109

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

MOTION: It was moved by **Mr. August** and supported by **Mr. DiStefano** that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$9,000.00, plus \$2,100.00 in litigation costs payable to the Homeowner Construction Lien Recovery Fund within sixty (60) days from the date of mailing of the Final Order. 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 305110 and 305109. 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.

JEFF DOMPIERRE CONSTRUCTION GROUP LLC, MARC POULIOT, Q.O., LICENSE NO. 2104-160547, REVOKED 9-4-2007, FARMINGTON HILLS, MICHIGAN: COMPLAINT NOS. 305109 AND 305110

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

MOTION: It was moved by **Mr. August** and supported by **Mr. DiStefano** that the following penalty be assessed: Immediate revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent upon issuance of the Final Order. Fine of \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$9,000.00, plus \$2,100.00 in litigation costs payable to the Homeowner Construction Lien Recovery Fund within sixty (60) days from the date of mailing of the Final Order. 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 305110 and 305109. 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.

CHAD DEKON DOUGLAS, LICENSE NO. 2101-160075, EXPIRED 5-31-2006, DOUGLAS BUILDERS & REMODELING LLC, CHAD DEKON DOUGLAS, Q.O., LICENSE NO. 2102-169446, EXPIRED 5-31-2006, BELDING, MICHIGAN: COMPLAINT NO. 305543

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly 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. August** and supported by **Mr. DiStefano** that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$20,000.00, plus \$1,606.50 in litigation costs payable to the Homeowner Construction Lien Recovery Fund within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

WOLVERINE CUSTOM HOMES LLC, DALE KENNETH DUBEY, Q.O., LICENSE NO. 2102-155515, EXPIRED 5-31-2007, WOLVERINE HOMES INC., DALE KENNETH DUBEY, Q.O., LICENSE NO. 2102-184235, EXPIRES 5-31-2011, DALE KENNETH DUBEY, LICENSE NO. 2101-186629, EXPIRES 5-31-2011, WOLVERINE, MICHIGAN: COMPLAINT NO. 307068

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. August** and supported by **Mr. DiStefano**, that the following penalty be assessed: Fine of \$2,500.00 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, 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.

CANYON CONSTRUCTION INC., JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-065315, EXPIRES 5-31-2011, FALZETTA & SONS LTD, JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-061050, EXPIRES 5-31-2009, FALZETTA BUILDING CO INC, JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-039705, EXPIRED 5-31-1996, CAPITOL HOMES INC, JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-008785, EXPIRED 3-31-1976, JOHN FALZETTA, LICENSE NO. 2101-003992, EXPIRES 5-31-2009, MACOMB TOWNSHIP, MICHIGAN: COMPLAINT NOS. 303051 AND 303052

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. Parker** and supported by **Mr. Haeussler**, that the following penalty be assessed: Fine of \$1,500.00 made payable to the State of Michigan and restitution in the amount of \$11,280.00 payable to Mark MacDonald within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 303051 and 303052. 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.

JOHN FALZETTA, LICENSE NO. 2101-003992, EXPIRES 5-31-2009, CANYON CONSTRUCTION INC., JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-065315, EXPIRES 5-31-2011, FALZETTA & SONS LTD, JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-061050, EXPIRES 5-31-2009, FALZETTA BUILDING CO INC, JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-039705, EXPIRED 5-31-1996, CAPITOL HOMES INC, JOHN GI FALZETTA, Q.O., LICENSE NO. 2102-008785, EXPIRED 3-31-1976, MACOMB TOWNSHIP, MICHIGAN: COMPLAINT NOS. 303051 AND 303052

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. Parker** and supported by **Mr. Haeussler**, that the following penalty be assessed: Fine of \$1,500.00 made payable to the State of Michigan and restitution in the amount of \$11,280.00 payable to Mark MacDonald within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order will result in suspension of any and all licenses held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is suspended. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 303051 and 303052. 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.

NEUMANN HOMES OF MICHIGAN LLC, DENNIS STEPHEN BAILEY, Q.O. (2/1/2006-2/16/2007), JEROMY WADE GRIFFITH, Q.O. (5/7/2007-9/27/2007), LICENSE NO. 2102-179554, INTUITIVE MARKETING LLC, JEROMY WADE GRIFFITH, LICENSE NO. 2102-176099, EXPIRED 5-31-2008, JEROMY WADE GRIFFITH, LICENSE NO. 2101-189663, EXPIRES 5-31-2011, TROY, MICHIGAN: COMPLAINT NO. 306584

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. August** and supported by **Mr. DiStefano**, that the following penalty be assessed: Immediate revocation of all licenses issued to Neumann Homes of Michigan LLC. Neither Dennis Stephen Bailey or Jeromy Wade Griffith was found responsible; therefore, their licenses should not be affected. Fine of \$5,000.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine is paid in full. The motion carried by unanimous vote. Mr. Haeussler abstained.

MICHAEL WAYNE HANSELMAN, LICENSE NO. 2101-152172, EXPIRED 5-31-2008,  
MICHAEL WAYNE HANSELMAN, LICENSE NO. 2105-150773, EXPIRED 5-31-2001,  
CHARLEVOIX, MICHIGAN: COMPLAINT NO. 305929

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

MOTION: It was moved by **Mr. Parker** and supported by **Mr. DiStefano**, that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$5,000.00 made payable to the State of Michigan and restitution in the amount of \$6,803.00 payable to James and Kathryn Slough within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

DANIEL CHARLES MARSHALL, LICENSE NO. 2101-138730, EXPIRED 5-31-2008, Jafa  
CEMENT INC, DANIEL CHARLES MARSHALL, LICENSE NO. 2102-103415, EXPIRED 5-31-  
2002, PORTAGE, MICHIGAN: COMPLAINT NO. 305050

The Board reviewed the hearing report and determined that, after reviewing the record, the fine should be lower than the amount recommended in the hearing report based on the fact that the Respondent had satisfied a major portion of the judgment.

MOTION: It was moved by **Mr. Haeussler** and supported by **Mr. DiStefano** that the following penalty be assessed: Fine of \$500.00 made payable to the State of Michigan and restitution by satisfying the judgment entered in the 8<sup>th</sup> Judicial District Court on April 18, 2006, for Kelly Williams, in the amount of \$887.67 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 held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. No application for licensure, relicensure, or

reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

KENNETH PAUL MELNIK, LICENSE NO. 2101-146478, EXPIRES 5-31-2009, BIRCH RUN, MICHIGAN: COMPLAINT NO. 307754

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

MOTION: It was moved by **Mr. Haeussler** and supported by **Mr. August** that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$30,000.00 (total fine) was based on assessing the maximum \$10,000.00 fine for three (3) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution in the amount of \$15,000.00 payable to Raymond Rocha 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.

AMERICAN HOMECRAFTORS, INC., BRETT CHARLES MORTON, Q.O., LICENSE NO. 2102-000047, REVOKED 9-18-2007, ADVANCED WINDOW SYSTEMS INC., BRETT CHARLES MORTON, Q.O., LICENSE NO. 2102-177367, EXPIRES 5-31-2011, VINYLAST INC. BRETT CHARLES MORTON, Q.O., LICENSE NO. 2102-017435, EXPIRED 5-31-2004, BRETT CHARLES MORTON, LICENSE NO. 2101-064661, EXPIRES 5-31-2011, HOLT, MICHIGAN: COMPLAINT NO. 301115

The Board reviewed the hearing report and determined that because of the severity of the offenses (particularly abandonment and failing to satisfy judgements/liens, unpaid bills), 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: Continued revocation of any and all licenses, including licenses issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent. Fine of \$10,000.00 made payable to the State of Michigan and restitution by satisfying judgment entered in 55<sup>th</sup> Judicial District Court on January 23, 2006, Case No. 05-002863-SC-D55, for Gwendoline Imes, in the amount of \$1,569.37, plus costs, fees, and interest at the statutory rate within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

ANTHONY I REYNOLDS, DOING BUSINESS AS REYNOLDS CONCRETE CONTRACTOR, LICENSE NO. 2101-155946, EXPIRED 5-31-2001, SWARTZ CREEK, MICHIGAN: COMPLAINT NO. 306123

The Board reviewed the hearing report.

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

STRATFORD PLACE DEVELOPERS LLC, ABDULHADI T. SHAMAMIT, Q.O., LICENSE NO. 2102-169365, SUSPENDED 5-31-2008, ARCHCON MANAGEMENT INC., ABDULHADI T. SHAMAMIT, Q.O., LICENSE NO. 2102-154370, SUSPENDED 12-4-2007, ARCHON MGMT INC., ABDULHADI T SHAMAMIT, Q.O, LICENSE NO. 2102-093760, SUSPENDED 12-4-2007, ABDULHADI TAYSEER SHAMAMIT, LICENSE NO. 2101-092896, SUSPENDED 5-31-2008, YPSILANTI, MICHIGAN: COMPLAINT NOS. 304500 AND 304501

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. Haeussler** and supported by **Mr. August** that the following penalty be assessed: Fine of \$1,500.00 made payable to the State of Michigan and restitution in the amount of \$4,095.00 payable to Barbara Eddins 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 issued to a corporate entity and the individual license(s) held by the Qualifying Officer of the Respondent. It is also the intent of the Board that the fine and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 304500 and 304501. 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.

ABDULHADI TAYSEER SHAMAMIT, LICENSE NO. 2101-092896, SUSPENDED 5-31-2008, STRATFORD PLACE DEVELOPERS LLC, ABDULHADI T. SHAMAMIT, Q.O., LICENSE NO. 2102-169365, SUSPENDED 5-31-2008, ARCHCON MANAGEMENT INC., ABDULHADI T. SHAMAMIT, Q.O., LICENSE NO. 2102-154370, SUSPENDED 12-4-2007, ARCHON MGMT INC., ABDULHADI T SHAMAMIT, Q.O, LICENSE NO. 2102-093760, SUSPENDED 12-4-2007, YPSILANTI, MICHIGAN: COMPLAINT NOS. 304500 AND 304501

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. Haeussler** and supported by **Mr. August** that the following penalty be assessed: Fine of \$1,500.00 made payable to the State of Michigan and restitution in the amount of \$4,095.00 payable to Barbara Eddins 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 held by the Respondent. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. 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 304500 and 304501. 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.

JOHN RICHARDS DEVELOPMENT CORP. JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-064955, EXPIRED 5-31-2008, JOHN RICHARDS BLOOMFIELD CORP., JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-077955, EXPIRED 5-31-2008, JOHN RICHARDS BIRMINGHAM CORP., JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-077954, EXPIRED 5-31-2005, JRH TURTLE LAKE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159259, EXPIRED 5-31-2008, BELLE MAISON AT TURTLE LAKE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181615, EXPIRED 5-31-2007, JOHN RICHARDS HOMES BUILDING CO. LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159260, EXPIRED 5-31-2008, AUTUMN PARK LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-153608, EXPIRED 5-31-2007, 250 MARTIN INVESTMENTS LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-166503, EXPIRED 5-31-2008, JOHN CHARLES SHEKERJIAN, LICENSE NO. 2101-110074, EXPIRES 5-31-2009, JOHN RICHARDS HOMES SIGNATURE SERIES LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-119782, EXPIRED 5-31-2007, JOHN RICHARDS OAKHURST LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159387, EXPIRED 5-31-2008, JHR COBBLESTONE BUILDERS LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-153435, EXPIRED 5-31-2005, JRH COBBLESTONE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159386, EXPIRED 5-31-2008, JRH OAKHURST BUILDERS LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-153437, EXPIRED 5-31-2005, JRH-PARK SOUTH LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-163117, EXPIRED 5-31-2007, PINE LAKE ASSOCIATES, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-078963, EXPIRED 5-31-2005, SC AUTUMN PARK LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181618, EXPIRED 5-31-2007, SC PARKVIEW LLC, JOHN SHEKERJIAN, Q.O., LICENSE NO. 2102-181620, EXPIRED 5-31-2007, SC SALINE VALLEY LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181621, EXPIRED 5-31-2007, SC STONEBRIDGE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181622, EXPIRES 5-31-2009, SC WESTRIDGE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181617, EXPIRES 5-31-2009, SIGNATURE COMMUNITIES LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181616, EXPIRED 5-31-2007, BIRMINGHAM, MICHIGAN: COMPLAINT NOS. 304733 AND 303142

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly fraud, deceit or dishonesty in occupation, abandonment, and failing to satisfy judgments/liens, unpaid bills), 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. Fine of \$30,000.00 (total fine) was based on assessing the maximum \$10,000.00 for (3) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution by satisfying judgment entered in 6<sup>th</sup> Judicial District Court on November 9, 2005, Case No. 05-067822-CZ, for Katikineni and Praveena Kumar, in the amount of \$280,643.53, plus costs, fees, 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 and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 304733 and 303142. 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. Mr. Haeussler abstained.

AUTUMN PARK LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-153608, EXPIRED 5-31-2007, JOHN RICHARDS DEVELOPMENT CORP. JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-064955, EXPIRED 5-31-2008, JOHN RICHARDS BLOOMFIELD CORP., JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-077955, EXPIRED 5-31-2008, JOHN RICHARDS BIRMINGHAM CORP., JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-077954, EXPIRED 5-31-2005, JRH TURTLE LAKE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159259, EXPIRED 5-31-2008, BELLE MAISON AT TURTLE LAKE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181615, EXPIRED 5-31-2007, JOHN RICHARDS HOMES BUILDING CO. LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159260, EXPIRED 5-31-2008, 250 MARTIN INVESTMENTS LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-166503, EXPIRED 5-31-2008, JOHN CHARLES SHEKERJIAN, LICENSE NO. 2101-110074, EXPIRES 5-31-2009, JOHN RICHARDS HOMES SIGNATURE SERIES LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-119782, EXPIRED 5-31-2007, JOHN RICHARDS OAKHURST LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159387, EXPIRED 5-31-2008, JHR COBBLESTONE BUILDERS LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-153435, EXPIRED 5-31-2005, JRH COBBLESTONE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-159386, EXPIRED 5-31-2008, JRH OAKHURST BUILDERS LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-153437, EXPIRED 5-31-2005, JRH-PARK SOUTH LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-163117, EXPIRED 5-31-2007, PINE LAKE ASSOCIATES, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-078963, EXPIRED 5-31-2005, SC AUTUMN PARK LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181618, EXPIRED 5-31-2007, SC PARKVIEW LLC, JOHN SHEKERJIAN, Q.O., LICENSE NO. 2102-181620, EXPIRED 5-31-2007, SC SALINE VALLEY LLC, JOHN C.

SHEKERJIAN, Q.O., LICENSE NO. 2102-181621, EXPIRED 5-31-2007, SC STONEBRIDGE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181622, EXPIRES 5-31-2009, SC WESTRIDGE LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181617, EXPIRES 5-31-2009, SIGNATURE COMMUNITIES LLC, JOHN C. SHEKERJIAN, Q.O., LICENSE NO. 2102-181616, EXPIRED 5-31-2007, BIRMINGHAM, MICHIGAN: COMPLAINT NOS. 304733 AND 303142

The Board reviewed the hearing report and determined that, because of the severity of the offenses (particularly fraud, deceit or dishonesty in occupation, abandonment, and failing to satisfy judgments/liens, unpaid bills), 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. Fine of \$30,000.00 (total fine) was based on assessing the maximum \$10,000.00 for (3) violations found by the Administrative Law Judge made payable to the State of Michigan and restitution by satisfying judgment entered in 6<sup>th</sup> Judicial District Court on November 9, 2005, Case No. 05-067822-CZ, for Katikineni and Praveena Kumar, in the amount of \$280,643.53, plus costs, fees, 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 and restitution be assessed one time in order to satisfy Final Orders issued for Complaint Numbers 304733 and 303142. 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. Mr. Haeussler abstained.

ROBERT JAMES VADEN, LICENSE NO. 2101-155484, EXPIRED 5-31-2007, BRIGHTON, MICHIGAN: COMPLAINT NO. 308343

The Board reviewed the hearing report.

MOTION: It was moved by **Mr. Lewand** and supported by **Mr. DiStefano** that the following penalty be assessed: Immediate revocation of any and all licenses held by the Respondent upon issuance of the Final Order. The Respondent may not serve as the Qualifying Officer of any corporate entity when their individual license is revoked. Fine of \$10,000.00 made payable to the State of Michigan and restitution by satisfying judgment entered in 22<sup>nd</sup> Judicial District Court on March 28, 2007, Case No. 05-1194-CK, for David and Grayce Galiyas, in the amount of \$14,953.00, plus costs, fees, and interest at the statutory rate within sixty (60) days from the date of mailing of the Final Order. No application for licensure, relicensure, or reinstatement shall be considered until fine and restitution are paid in full. The motion carried by unanimous vote.

## **STIPULATIONS**

### **DARWYN JOHN ABERLY, LICENSE NO. 2101-130731, EXPIRES 5-31-2009, CRYSTAL FALLS, MICHIGAN: COMPLAINT NO. 84698**

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

- a. Respondent shall pay a fine in the amount of \$750.00. Fine shall be paid by cashier's check or money order, with Complaint No. 84698 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$454.00 by check or money order, made payable to Dennis Paulin within sixty (60) days from 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 **Ms. Lane** to accept the stipulation as prepared. The motion carried by unanimous vote.

### **BRYANT CUSTOM HOMES INC., IAN G. BRYANT, Q.O., LICENSE NO. 2102-144848, SUSPENDED 7-30-2008, BRYANT DEVELOPMENT CO., IAN G. BRYANT, Q.O., LICENSE NO. 2102-177389, SUSPENDED 7-30-2008, IAN GERRIE BRYANT, LICENSE NO. 2101-130387, SUSPENDED 7-30-2008, TRAVERSE CITY, MICHIGAN: COMPLAINT NO. 92946**

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

- a. Respondent shall make restitution in the amount of \$78,520.00 (this includes the arbitration award of \$74,744.95, administrative fees and compensation to the arbitrator in the amount of \$1,700.00 and costs of \$150.00, plus an award of attorneys fees of \$1,925.55 as awarded by the Court) by check or money order, made payable to Rex and Sheryl Willis within sixty (60) days from the date of mailing of the Final Order.
- b. Failure to make restitution within sixty (60) days of the mailing of the Final Order, a fine in the amount of \$2,000.00 shall be due in addition to the restitution. Fine shall be paid by cashier's check or money order, with Complaint No. 92946 clearly

indicated on the check or money order, made payable to the State of Michigan within ninety (90) days of the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

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

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

DACO CONSTRUCTION, DOING BUSINESS AS INNER CITY CONSTRUCTION CO. INC., FLOYD DAVIS JR., Q.O., LICENSE NO. 2102-123300, EXPIRED 5-31-2005, DACO CONSTRUCTION INC., FLOYD DAVIS JR., Q.O., LICENSE NO. 2102-173435, EXPIRES 5-31-2009, FLOYD DAVIS JR., LICENSE NO. 2101-186750, EXPIRES 5-31-2011, SOUTHFIELD, MICHIGAN: COMPLAINT NO. 302116

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

- a. Respondent shall pay a fine in the amount of \$2,500.00 only in the event that the restitution amount is not paid within twenty-four (24) months of mailing of the Final Order. Fine shall be paid by cashier's check or money order, with Complaint No. 302116 clearly indicated on the check or money order, made payable to the State of Michigan. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$16,400.00 by check or money order, made payable to Villa Pointe Condominiums, c/o Alexander Zelmanski & Lee, PLLC, in \$700.00 increments for a period of twenty-four (24) months starting from the date of mailing of the Final Order. On the twenty-fourth month, the check shall be in the amount of \$300.00.
- c. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

AARON RAYMOND DUVAL, LICENSE NO. 2101-172389, EXPIRED 5-31-2009, CLAWSON, MICHIGAN: COMPLAINT NO. 308547

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. 308547 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$947.50 by check or money order, made payable to Mary Ann Dadich within sixty (60) days from the date of mailing of the Final Order.
- 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. If Respondent fails to pay the fine or restitution within sixty (60) days from the date of mailing of the Final order, the fine shall increase to \$1,000.00.
- e. Failure to comply with the terms of the Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent.

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

GARY EDWARD ELLEFSON, LICENSE NO. 2101-110322, EXPIRED 5-31-2007, SOUTHGATE, MICHIGAN: COMPLAINT NO. 306171

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 \$100.00. Fine shall be paid by cashier's check or money order, with Complaint No. 306171 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.

- b. Respondent shall make restitution in the amount of \$400.00 by check or money order, made payable to Albert J. Maywood within sixty (60) days from the date of mailing of the Final Order.
- c. Failure to comply with the terms of the stipulation within sixty (60) days from the date of mailing of the Final Order 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. If Respondent fails to comply with the terms of the stipulation within sixty (60) days from the date of mailing of the Final Order, the fine shall increase to \$5,000.00.
- e. Failure to comply with the terms of the Stipulation within six (6) months 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 or registration renewal and denial of future applications for licensure until compliance is made with the terms of the stipulation.

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

BRADFORD W. GLASSON, LICENSE NO. 2101-051292, EXPIRES 5-31-2009, SUNRISE HOMES INC., BRADFORD W. GLASSON, LICENSE NO. 2102-052952, EXPIRES 5-31-2009, COMMERCE, MICHIGAN: COMPLAINT NO. 307671 AND 307664

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. 307664 and 307671 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.
- c. Failure to comply with the terms of the Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent.

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

SUNRISE HOMES INC., BRADFORD W. GLASSON, LICENSE NO. 2102-052952, EXPIRES 5-31-2009, BRADFORD W. GLASSON, LICENSE NO. 2101-051292, EXPIRES 5-31-2009, COMMERCE, MICHIGAN: COMPLAINT NO. 307664 AND 307671

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. 307664 and 307671 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.
- c. Failure to comply with the terms of the Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent.

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

MICHAEL CARY GOODMAN, LICENSE NO. 2101-058322, EXPIRES 5-31-2009, STYLUS I BUILDERS INC., MICHAEL C. GOODMAN, Q.O., LICENSE NO. 2102-108751, EXPIRED 5-31-2007, BATH AND KITCHEN DESIGN GALLERY LLC, MICHAEL C. GOODMAN, Q.O., LICENSE NO. 2102-184564, EXPIRED 5-31-2008, SOLAR SASH OF MICHIGAN INC., MICHAEL C. GOODMAN, Q.O., LICENSE NO. 2102-083591, EXPIRED 5-31-1991, FRASER, MICHIGAN: COMPLAINT NOS. 302233 AND 302232

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 Nos. 302232 and 302233 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of

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

- b. Failure to comply with the terms of the stipulation 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.
- c. If Respondent fails to comply with the terms of the stipulation within sixty (60) days from the date of mailing of the Final order, the fine shall increase to \$5,000.00.
- d. Failure to comply with the terms of the Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent.

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

STYLUS I BUILDERS INC., MICHAEL C. GOODMAN, Q.O., LICENSE NO. 2102-108751, EXPIRED 5-31-2007, MICHAEL CARY GOODMAN, LICENSE NO. 2101-058322, EXPIRES 5-31-2009, BATH AND KITCHEN DESIGN GALLERY LLC, MICHAEL C. GOODMAN, Q.O., LICENSE NO. 2102-184564, EXPIRED 5-31-2008, SOLAR SASH OF MICHIGAN INC., MICHAEL C. GOODMAN, Q.O., LICENSE NO. 2102-083591, EXPIRED 5-31-1991, FRASER, MICHIGAN: COMPLAINT NOS. 302233 AND 302232

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 Nos. 302232 and 302233 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation 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.
- c. If Respondent fails to comply with the terms of the stipulation within sixty (60) days from the date of mailing of the Final order, the fine shall increase to \$5,000.00.

- d. Failure to comply with the terms of the Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent.

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

TODD ERIC GUSTAFSON, DOING BUSINESS AS GUSTAFSON CONSTRUCTION, LICENSE NO. 2101-178289, EXPIRES 5-31-2011, PERKINS, MICHIGAN: COMPLAINT NO. 308007

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. 308007 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

RICHARD MALCOLM HARDIN, DOING BUSINESS AS HARDIN CONSTRUCTION, LICENSE NO. 2101-090468, REVOKED 5-21-2008, ORTONVILLE, MICHIGAN: COMPLAINT NO. 297696

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

- a. Respondent's license shall be immediately revoked.
- b. Failure to comply with the terms of the stipulation within sixty (60) days of the date of mailing of the Final Order shall result in suspension or continued suspension of all licenses or registrations of Respondent 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 **Ms. Lane** to accept the stipulation as prepared. The motion carried by unanimous vote.

PETER M. KEELER, DOING BUSINESS AS KEELER CONSTRUCTION, LICENSE NO. 2101-105067, EXPIRES 5-31-2011, MILAN, MICHIGAN: COMPLAINT NO. 304567

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. 304567 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation within sixty (60) days of the date of mailing of the Final Order shall result in suspension or continued suspension of all licenses or registrations of Respondent or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.
- c. Failure to comply with the terms of the stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation or continued revocation of all licenses or registrations 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 **Ms. Lane** to accept the stipulation as prepared. The motion carried by unanimous vote.

DAVID ADAM LANE, JR., DOING BUSINESS AS KURTZ KOUNTRY LANE BUILDERS, LICENSE NO. 2101-148678, EXPIRED 5-31-2002, STATE WIDE WINDOW COMPANY INC., DAVID ADAM LANE, JR., Q.O., LICENSE NO. 2102-105554, CLOSED 6-12-1998, CRYSTAL FALLS, MICHIGAN: COMPLAINT NO. 11199

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. 11199 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation within sixty (60) days of the date of mailing of the Final Order shall result in suspension or continued suspension of all licenses or registrations of Respondent 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 **Ms. Lane** to accept the stipulation as prepared. The motion carried by unanimous vote.

GLEN R. SCHLEEDE, LICENSE NO. 2101-077454, EXPIRES 5-31-2009, YPSILANTI, MICHIGAN: COMPLAINT NO. 304828

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 \$1,500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 304828 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 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 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 **Ms. Lane** to accept the stipulation as prepared. The motion carried by unanimous vote.

ERIC STEVEN NEWBERG, DOING BUSINESS AS A & G BUILDERS, LICENSE NO. 2101-131127, EXPIRES 5-31-2009, THOMPSONVILLE, MICHIGAN: COMPLAINT NO. 305370

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

- a. Respondent shall pay a fine in the amount of \$2,500.00. Fine shall be paid by cashier's check or money order, with Complaint No. 305370 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

HOMETOWNE BUILDING COMPANY LLC, PATRICK T. O'LEARY, Q.O. (6/22/2005-PRESENT), MATTHEW FLEISCHMANN THURBER, Q.O. (12/1/1995 – 6/22/2005) LICENSE NO. 2102-129671, EXPIRES 5-31-2009, HALL ROAD LLC, PATRICK O'LEARY, Q.O., LICENSE NO. 2102-160198, EXPIRED 5-31-2008, HBC PRAIRIE VIEW LLC, PATRICK T. O'LEARY, LICENSE NO. 2102-183167, EXPIRED 5-31-2008, HOMETOWNE/FRANKLIN FARMS LLC, PATRICK T. O'LEARY, LICENSE NO. 2102-135656, EXPIRED 5-31-1999, HOMETOWNE/HEATHERWOOD LLC, PATRICK T. O'LEARY, Q.O., LICENSE NO. 2102-152510, HOMETOWNE/PINE RIDGE LLC, PATRICK T. O'LEARY, Q.O., LICENSE NO. 2102-142661, EXPIRED 5-31-1998, NORTHPOINTE TOWNHOMES LLC, PATRICK T. O'LEARY, Q.O., LICENSE NO. 2102-159394, EXPIRED 5-31-2008, PINE FOREST HOMES LLC, PATRICK T. O'LEARY, Q.O., LICENSE NO. 2102-151467, EXPIRED 5-31-2004, PATRICK T. O'LEARY, LICENSE NO. 2101-117235, EXPIRED 5-31-1998, FRANKLIN, MICHIGAN: COMPLAINT NO. 306548

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. 306548 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation within sixty (60) days of the date of mailing of the Final Order shall result in suspension or continued suspension of all licenses or registrations of Respondent or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.
- c. Failure to comply with the terms of the stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation or continued revocation of all licenses or registrations 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. DiStefano** to accept the stipulation as prepared. The motion carried by unanimous vote. Mr. Haeussler and Mr. Parker abstained.

DAVID A. SOSNOWSKI, DOING BUSINESS AS SOSNOWSKI CONSTRUCTION, LICENSE NO. 2101-106774, SUSPENDED 4-17-2000, DAVID A. SOSNOWSKI, LICENSE NO. 2101-

061180, SUSPENDED 4-17-2000, SOSCO INC., DAVID A. SOSNOWSKI, Q.O., LICENSE NO. 2102-094973, SUSPENDED 4-17-2000, WATERFORD, MICHIGAN: COMPLAINT NO. 85851

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

- a. Respondent shall make restitution in the amount of \$1,750.00 by check or money order, made payable to the Homeowner Construction Lien Recovery Fund.
- b. On September 20, 2007, the Department received payment from Respondent in the amount of \$18,442.71, which included: the initial lien payout; the litigation costs; and the accrued statutory interest.
- c. 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. 85851 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- d. Failure to comply with the terms of the Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent.

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

STRAIGHT FORWARD HOME INSPECTION AND CONSTRUCTION LLC, DAVID BRIAN SWIHART, Q.O., LICENSE NO. 2102-179925, EXPIRES 5-31-2009, ROSCOMMON, MICHIGAN: COMPLAINT NO. 308745

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. 308745 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

ROBERT ALLEN TWARDECKI, DOING BUSINESS AS EXCLUSIVE RESTORATION, LICENSE NO. 2101-101326, EXPIRES 5-31-2011, STERLING HEIGHTS, MICHIGAN: COMPLAINT NO. 307620

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. 307620 clearly indicated on the check or money order, made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order. Check or money order shall be mailed to the Department of Labor & Economic Growth, Bureau of Commercial Services, Administrative Services Division, P.O. Box 30018, Lansing, MI 48909.
- b. Respondent shall make restitution in the amount of \$5,750.00 by check or money order, made payable to Denise R. Baines within sixty (60) days from the date of mailing of the Final Order.
- 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. Failure to comply with the terms of the Stipulation within six (6) months of the date of mailing of the Final Order shall result in revocation of all licenses of Respondent.

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

GREAT LAKES INVESTMENT & BUILDING INC., GARY L. WITT, Q.O., LICENSE NO. 2102-170775, EXPIRED 5-31-2007, GARY LEE WITT, LICENSE NO. 2101-048165, EXPIRES 5-31-2011, GL WITT INC, GARY L. WITT, Q.O., LICENSE NO. 2102-050860, EXPIRED 5-31-1999, GL WITT AND SONS INC., GARY LEE WITT, Q.O., LICENSE NO. 2102-123044, EXPIRED 5-31-2003, MID MICHIGAN CUSTOM HOMES INC., GARY LEE WITT, Q.O., LICENSE NO. 2102-151448, EXPIRED 5-31-2004, SHELBY TOWNSHIP, MICHIGAN: COMPLAINT NOS. 307311 AND 307312

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

- a. Respondent shall make restitution in the amount of \$5,500.00 by check or money order, made payable to Mike and Amy DeSantis, within two (2) years from the

date of mailing of the Final Order. Respondent agrees to make these payments in increments of \$229.17 on the fifteenth day of each month for twenty-four consecutive months. Failure to pay the monthly amount within fifteen (15) days of the due date and owing shall be considered a default under the terms of the agreement.

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

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

GARY LEE WITT, LICENSE NO. 2101-048165, EXPIRES 5-31-2011, GREAT LAKES INVESTMENT & BUILDING INC., GARY L. WITT, Q.O., LICENSE NO. 2102-170775, EXPIRED 5-31-2007, GARY LEE WITT, LICENSE NO. 2101-048165, EXPIRES 5-31-2011, GL WITT INC, GARY L. WITT, Q.O., LICENSE NO. 2102-050860, EXPIRED 5-31-1999, GL WITT AND SONS INC., GARY LEE WITT, Q.O., LICENSE NO. 2102-123044, EXPIRED 5-31-2003, MID MICHIGAN CUSTOM HOMES INC., GARY LEE WITT, Q.O., LICENSE NO. 2102-151448, EXPIRED 5-31-2004, SHELBY TOWNSHIP, MICHIGAN: COMPLAINT NOS. 307311 AND 307312

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

- a. Respondent shall make restitution in the amount of \$5,500.00 by check or money order, made payable to Mike and Amy DeSantis, within two (2) years from the date of mailing of the Final Order. Respondent agrees to make payments in increments of \$229.17 on the fifteenth day of each month for twenty-four consecutive months. Failure to pay the monthly amount within fifteen (15) days of the due date and owing shall be considered a default under the terms of the agreement.
- b. Failure to comply with the terms of the stipulation shall result in suspension of all licenses of Respondent (individual and/or corporate) or in the denial of any license renewal or future application for licensure until compliance is made with the terms of the stipulation.

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

#### **ITEMS FOR CONSIDERATION FROM VISITORS**

None

**ITEMS FOR CONSIDERATION FROM BOARD MEMBERS OR DEPARTMENT**

None

**NEXT MEETING DATE**

The next regularly scheduled meeting of the Residential Builders and Maintenance and Alteration Contractors Board will be held on November 18, 2008, Room 1, at 9:00 a.m.

**ADJOURNMENT**

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

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Chairperson  
Mark Glynn

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Recording Secretary  
Robin Sirls

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Date