



Date: February 1st, 2026

Subject: PA 407 Rule 131 (2) Memo

To: LARA/Bureau of Construction Codes

From: Professional Code Services LLC (PCS LLC)

Proposed action: Strike Rule 131 (2) in its entirety

PCS LLC Proposed Language:

~~**(2) Complaints submitted must include documents that outline the payment terms including down payment and subsequent payments, type and amount of work to be done, a license number, change orders, and completion and satisfaction of the work.**~~

Justification: This rule requires documents to include a statement of "completion and satisfaction of the work." The execution of such a document puts the owner/agent in a vulnerable position to claim approval of work that they may not have the expertise to evaluate. Such a document could be used in a court of law to exempt, or argue exemption from liability for a service provider, in the event of any future legal proceedings seeking relief from the service provider for unfulfilled contract obligations or substandard performance. Such a document could be used to argue that cause of action for such recourse was "waived." Further, considering the proposed change to Rule 115 (3) of this rule set which we oppose as well, the creation of such a document has not previously been a requirement, and may not be available for existing/forthcoming situations which may arise at a time after such a rule is adopted. It is our position that the requirement of such a document, as a condition for acceptance of a complaint by the department, stands as arbitrary and capricious by failing to consider important factors and/or weigh unintended legal consequences per the APA - MCL 24.306(1) (e)

Petitioner: *Matthew A. Gay*

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