



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

September 12, 2023

Kehinde Ogundipe
Eden Prairie Residential Care, LLC
G 15 B
405 W Greenlawn
Lansing, MI 48910

RE: License #: AS330410063
Investigation #: 2023A0783028
Bell Oaks at Lyons

Dear Mr. Ogundipe:

Attached is the Special Investigation Report for the above referenced facility. Due to the physical plant violations identified in the report, a six-month provisional license is recommended and a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

If you do not contest the issuance of a provisional license, you must indicate so in writing; this may be included in your corrective action plan or in a separate document. If you contest the issuance of a provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you contest the issuance of a provisional license, you must still submit an acceptable corrective action plan.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Herrguth".

Leslie Herrguth, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 256-2181

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	AS330410063
Investigation #:	2023A0783028
Complaint Receipt Date:	08/23/2023
Investigation Initiation Date:	08/23/2023
Report Due Date:	10/22/2023
Licensee Name:	Eden Prairie Residential Care, LLC
Licensee Address:	G 15 B 405 W Greenlawn Lansing, MI 48910
Licensee Telephone #:	(214) 250-6576
Administrator:	Kehinde Ogundipe
Licensee Designee:	Kehinde Ogundipe
Name of Facility:	Bell Oaks at Lyons
Facility Address:	1435 Lyons Ave Lansing, MI 48910
Facility Telephone #:	(214) 250-6576
Original Issuance Date:	04/20/2023
License Status:	TEMPORARY
Effective Date:	04/20/2023
Expiration Date:	10/19/2023
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
The facility is red tagged by the city of Lansing and the residents will have to vacate by August 25, 2023.	Yes

III. METHODOLOGY

08/23/2023	Special Investigation Intake - 2023A0783028
08/23/2023	Special Investigation Initiated – Telephone call with representative from city of Lansing
08/25/2023	Contact - Telephone call made to city of Lansing Code Enforcement Officer Jacob Odom
08/25/2023	Contact - Document Received - Written report from city of Lansing Code Enforcement Office
08/28/2023	Contact - Telephone call made to licensed builder Neil Wright who is employed by the licensee
08/28/2023	Inspection Completed On-site
08/28/2023	Contact - Face to Face interview with direct care staff member Kendra Rimer
09/05/2023	Contact - Telephone call made to city of Lansing Code Enforcement Officer Jacob Odom
09/12/2023	Contact - Telephone call made to city of Lansing Code Enforcement Officer Jacob Odom
09/12/2023	Contact - Telephone call made to licensee designee Ken Ogundipe
09/12/2023	Exit Conference with Ken Ogundipe

ALLEGATION:

The facility is red tagged by the city of Lansing and the residents will have to vacate by August 25, 2023.

INVESTIGATION:

On August 23, 2023 I received a telephone call from a Complainant who stated the city of Lansing had the property red tagged and all the residents would be forced to vacate the facility by August 25, 2023. Complainant said the information was relayed by another person.

On August 23, 2023 I contacted the Code Enforcement Unit at the city of Lansing and the representative that answered the call confirmed that the property located at 1435 Lyons Avenue in Lansing MI was red tagged meaning there should be no occupants in the home and it had been red tagged since 2019.

On August 25, 2023 I spoke to city of Lansing Code Enforcement Officer Jacob Odom who stated he was assigned to the property located at 1435 Lyons Avenue in Lansing. Mr. Odom stated the property was red tagged in 2019 during a safety inspection for a long list of violations. Mr. Odom stated the licensee neglected to apply for the proper permits and inspections and the city of Lansing Code Enforcement Office was not aware there were occupants in the home. Mr. Odom said if the police get dispatched to the property for any reason and see that it is red tagged they would require the occupants to vacate the property. On September 5, 2023 I spoke to Jacob Odom who stated no progress had been made by the licensee to apply for the proper permits and inspections and that the property was still red tagged. On September 12, 2023 I spoke to Jacob Odom who stated no progress had been made by the licensee to apply for the proper permits and inspections and that the property was still red tagged and residents could be displaced at any time.

On August 28, 2023 I notified licensee designee Ken Ogundipe that the facility was red tagged and requested that he resolve the issue by September 1, 2023.

On August 28, 2023 I spoke to licensed builder Neil Wright who is employed for the licensee and responsible for making repairs at the facility and also for applying for all required permits and inspections. Mr. Wright stated a plumbing inspection was scheduled for August 28, 2023 and all the required permits were applied for.

On August 25, 2023 I received a written report from the Economic Development & Planning Code Enforcement Office – City of Lansing dated December 23, 2019 that stated, “At the request of LPD a Safety Inspection was performed on this Dwelling in the presence of owner Roberto Reyes. Due to the amount of clutter and debris in the dwelling I was not able to do a complete inspection. Please contact Officer Jacob Odom at 483-4378 to schedule a complete inspection; all corrections must be

completed before any further occupancy of the dwelling will be allowed. Inspection was conducted by consent of owner Roberto Reyes.

AREA: Basement

Sec 603.1 Furnace is inoperable. Lack of heating facilities capable of maintaining a room temperature of sixty eight degrees Fahrenheit at a point three feet above the floor in all habitable rooms.

Sec 604.2 Fuses may be over sized for existing wiring. Have a qualified electrical contractor, that is registered with the City of Lansing, install properly sized type "S" fuses and submit written verification to the Code Compliance Officer.

Sec 108.1.3 Electrical service is off. Inoperable light fixtures, switches and outlets. INSPECTOR COMMENTS: Owner removed all fuses from service panel.

Sec 604.3 Outlets at light fixtures must be removed.

Sec 604.3 Light fixture is loose - missing - damaged - inoperable.

Sec 704.1 Smoke detector is inoperable/missing.

Sec 504.1 Water heater installed. Permit for water heater installation has not been issued and lacks inspection and approval by the City of Lansing Plumbing Inspector. You must have a licensed plumbing contractor pull a plumbing permit, check the installation, make any corrections and then; contact Building Safety at 483-4355 for final inspection and approval.

Sec 505.4 Temperature relief valve at water heater is missing.

Sec 308.1 Accumulation of trash - debris - combustibles - feces - soiled clothing - deteriorated furniture - deteriorated appliances in basement.

Sec 307.1 Handrail is missing loose - damaged - improperly installed.

Sec 604.3 Cover plates missing and or damaged at outlets - switches.

AREA: Exterior

Sec 307.1 Handrail is missing loose - damaged - improperly installed.

Sec 308.1 Accumulation of trash - debris - combustibles - feces - soiled clothing - deteriorated furniture - deteriorated appliances in yard.

AREA: First Floor

Sec 304.15 All windows and exterior doors, including storm windows and doors, shall be weather-tight and in good repair. During the months of May through October, every opening directly from a dwelling unit to outdoor space shall have supplied screens and self-closing device, and every window or door with openings to outdoor space, used or could be used for ventilation, shall likewise be supplied with screens. All screen doors and screens shall be in good repair.

INSPECTOR COMMENTS: Cracked glass window in living room

Sec 604.3 Cover plates missing and or damaged at outlets - switches.

Sec 305.3 Wall and/or ceiling covering is loose and hanging - deteriorated and/or damaged.

Sec 604.3 Light fixture is loose.

Sec 307.1 Lack of guardrail at the open side of stairs.

Sec 308.1 Accumulation of trash - debris - combustibles - feces - soiled clothing - deteriorated furniture - deteriorated appliances throughout the dwelling.

SEC 305.3 Uncleanliness - Decay of surfaces within a dwelling that is likely to cause sickness or disease and render air, food or drink unwholesome or detrimental to the health of humans. All floors, walls, ceilings windows, doors, cabinets,

countertops, plumbing fixtures and appliances must be cleaned and maintained in a sanitary condition.

Sec 108.1.2 Extension cords used excessively - fastened to structure.

Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars.

AREA: Second Floor

Sec 308.1 Accumulation of trash - debris - combustibles - feces - soiled clothing - deteriorated furniture - deteriorated appliances throughout the dwelling.

Sec 404.4.5 Sleeping rooms in attic do not meet code. Ceiling height is less than 7' and/or lacks an appropriate window or exterior door approved for emergency egress or rescue which is operable from the inside to provide a full clear opening without the use of separate tools. (Existing egress or rescue windows must have a minimum net clear opening of five square feet, with a minimum net clear opening height dimension of twenty-two inches and a maximum sill height of forty-eight inches.)

The use of this area as a sleeping room must be authorized by the Building Board of Appeals.

Sec 307.1 Handrail is missing loose - damaged - improperly installed.

Sec 108.1.2 Extension cords used excessively - fastened to structure.

Sec 704.1 Smoke detector is inoperable/missing.”

On August 28, 2023 I conducted an unannounced onsite investigation at the facility and observed that the furnace was functioning properly, the smoke detectors were in all required areas and functioning properly, the stairs had guardrails on both sides, there were no extension cords in use, the attic was locked and no used as a sleeping area, there was no trash or debris inside nor outside the home, no deteriorated appliances, no feces, the home was clean and sanitary, and the window glass was not cracked in the living room.

On August 28, 2023 I interviewed direct care staff member Kendra Rimer who said the home was condemned, or red tagged prior to the licensee purchasing the home and after he purchased it, it was remodeled, but it was never inspected by the city of Lansing.

On September 12, 2023 I spoke to licensee designee Ken Ogundipe who stated there are “plumbing issues” at the facility and the work is “about to be finished” but acknowledged that it remains red tagged at this time. Mr. Ogundipe stated all the issues have been corrected as he renovated the home when he purchased it, and he was unaware that the proper permits and inspections had not occurred with the city of Lansing, and he is doing his best to expedite correcting the red tag as soon as possible.

APPLICABLE RULE	
R 400.14403	Maintenance of premises.
	(1) A home shall be constructed, arranged, and maintained to provide adequately for the health, safety, and well-being of occupants.
ANALYSIS:	Based on statements from Complainant, Mr. Odom, Mr. Rimer, and Mr. Ogundipe as well as written documentation received from the city of Lansing, I determined that the property located at 1435 Lyons Avenue in Lansing MI is presently red tagged by the city of Lansing and has been since 2019. Mr. Ogundipe has made no progress at all to correct this issue since I notified him of the concern on August 28, 2023 according to Mr. Odom.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan and due to the severity of the physical plant violations, I recommend the issuance of a six-month provisional license.

Leslie Herrguth

09/12/2023

Leslie Herrguth
Licensing Consultant

Date

Approved By:

Dawn Timm

09/12/2023

Dawn N. Timm
Area Manager

Date