



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

September 6, 2023

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

RE: License #: AS330411028
Investigation #: 2023A0783022
Bell Oaks I At Moores River

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 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.

A six-month provisional license is recommended. 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 #:	AS330411028
Investigation #:	2023A0783022
Complaint Receipt Date:	07/10/2023
Investigation Initiation Date:	07/11/2023
Report Due Date:	09/08/2023
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 I At Moores River
Facility Address:	123 Moores River Lansing, MI 48910
Facility Telephone #:	(214) 250-6576
Original Issuance Date:	05/03/2022
License Status:	REGULAR
Effective Date:	03/14/2023
Expiration Date:	03/13/2025
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL

II. ALLEGATION(S)

	Violation Established?
The facility was deemed unsafe and has been pink tagged by the City of Lansing.	Yes

III. METHODOLOGY

07/10/2023	Special Investigation Intake - 2023A0783022
07/11/2023	Special Investigation Initiated – Telephone call to assigned licensing consultant Rodney Gill
07/18/2023	Inspection Completed On-site
07/18/2023	Contact - Face to Face with direct care staff members Ariel Busch and Demarius Similton
07/18/2023	Contact - Face to Face interview with licensed builder Neil Wright
07/18/2023	Contact - Face to Face interview with licensee designee Ken Ogundipe
08/17/2023	Contact - Telephone call made to city of Lansing Code Enforcement Unit
08/17/2023	Contact - Document Received - Rental Inspection Sign and Return Notice for 123 Moores River Drive Lansing MI 48910
08/21/2023	Contact - Telephone call made to Code Enforcement Officer Amy Castillo
08/22/2023	Contact - Telephone call made to Code Enforcement Officer Amy Castillo
08/23/2023	Contact - Telephone call made to Code Enforcement Officer Amy Castillo
08/23/2023	Contact - Document Received - Neil Wright's builder's license
08/24/2023	Contact - Telephone call made to licensee designee Ken Ogundipe

08/24/2023	Contact - Document Received - Written report from licensed builder Neil Wright
08/24/2023	Contact - Document Received - Email from city of Lansing Code Enforcement Officer Amy Castillo
09/01/2023	Contact - Telephone call made to Code Enforcement Officer Tom Barry
09/01/2023	Exit Conference with Ken Ogundipe

ALLEGATION: The facility was deemed unsafe and has been pink tagged by the City of Lansing.

INVESTIGATION:

On July 11, 2023 I received a complaint via centralized intake that stated licensee designee Ken Ogundipe is operating the facility without a valid rental registration and is in multiple violations regarding the plumbing and building safety. The written complaint stated the facility has been deemed unsafe and has been pink tagged. The written complaint stated the facility will be red tagged on July 20, 2023 and the residents will have to be evacuated. The written complaint stated Mr. Ogundipe altered 123 Moores River Dr. Lansing, MI 48910 to accommodate the requirements of a State of Michigan licensed Adult Foster Care Group Homes. The written complaint stated alterations were made to the basement and foundation of the home to install metal framing for walls, the stone foundation on the south side of the home was removed to install a first-floor bathroom, and the living room was framed with drywall to make an additional bedroom. The written complaint stated Mr. Ogundipe was told to obtain a licensed contractor and to pull permits for all alterations but he did not use a licensed contractor, nor did he pull any permits through the city of Lansing.

On July 11, 2023 I spoke to assigned licensing consultant Rodney Gill who stated he completed an onsite inspection at the facility approximately two to three months ago and there was no water in the basement, no resident access to the basement, and that there was nothing throughout the facility that could be deemed unsafe for residents.

On July 18, 2023 I completed an unannounced onsite investigation at the facility and did not note any pink tag nor other documentation from the city indicating the facility had been deemed unsafe. I toured the facility and grounds and did not note anything unsafe for residents. I did not note that the foundation was sinking nor that there was water or visible cracks in the walls in the basement. I spoke to direct care staff members Ariel Busch and Demarius Similton who both told me that the city of

Lansing issued a “pink tag” to the facility for not sending a copy of the building permit that was requested and granted when the additional bedroom and bathroom were built onto the facility. Both staff members told me the pink tag was removed by city officials when the facility landlord submitted a copy of the building permit, which had already been done.

On July 18, 2023 I interviewed licensed builder Neil Wright who stated he is employed by licensee designee Ken Ogundipe to complete repair and carpentry work as needed to the facilities owned and/or operated by Mr. Ogundipe. Mr. Wright assured me that all the repairs required by the city of Lansing were completed and the proper permits were requested and “in place” at the facility located at 123 Moores River Drive in Lansing.

On July 18, 2023 I interviewed licensee designee Ken Ogundipe who stated the facility is a rental property but it is his responsibility per the lease agreement to make all repairs and updates and pay for all permits, etc. that are required as part of that process. Mr. Ogundipe stated all required repairs have already been completed.

On August 17, 2023 I spoke to LaSondra Crenshaw who is a clerk with the Code Enforcement Unit with the city of Lansing. Ms. Crenshaw told me that in February 2023 the property located at 123 Moores River Drive Lansing MI 48910 had a rental inspection and the property owner was given a list of repairs that needed to be made along with a list of contact information for how to get permits for those repairs. Ms. Crenshaw stated as of August 17, 2023 the city of Lansing had received no documentation that the repairs were ever made. Ms. Crenshaw said the facility was due to be “red tagged” or condemned which would force out all the occupants by June 16, 2023 but that step had not yet been taken.

On August 21, 2023 I spoke to Code Enforcement Officer Amy Castillo who stated she was at the facility in February 2023 and provided a written list of repairs that needed to be made by March 27, 2023. Ms. Castillo stated the repairs were not made by March 27, 2023, so an extension was given until June 1, 2023 and then another extension was given until July 17, 2023. Ms. Castillo stated at this time according to policy she needs to condemn the facility which would displace all six residents admitted to the facility. Ms. Castillo stated nobody from the facility has contacted her at all to request more time, provide an update, etc. Ms. Castillo stated a building permit was never applied for and a plumbing permit was applied for but not issued because the fee was never paid and that the permits would have to be issued in addition to the work being completed for Mr. Ogundipe to be in compliance with the city of Lansing. On August 22, 2023 I spoke to Ms. Castillo and she stated that Mr. Ogundipe telephoned her and explained that the facility landlord and Mr. Wright “let things fall through the cracks” and she had heard nothing else. Ms. Castillo stated the status was the same as the day prior. On August 23, 2023 I spoke to Amy Castillo who stated an application for a residential permit was applied for on August 22, 2023 but not issued. Ms. Castillo stated the facility is still not in compliance with city of Lansing Code Enforcement Unit and will be condemned and

all the occupants will be displaced. On August 24, 2024 I received an email from code enforcement officer Amy Castillo that stated Mr. Ogundipe submitted several documents that she needed to review and she would review the documentation by close of business August 25, 2023.

On August 17, 2023 I received a written report from the Economic Development and Planning Code Enforcement Office from the city of Lansing that stated:

“Violation Location: 123 MOORES RIVER DR

Parcel No: 33-01-01-21-378-201

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 107 of the Code of Ordinances. The violations are listed below and must be corrected by the compliance due date.

AREA: Basement NOTE: Some listed corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

INSPECTOR COMMENTS: Construction of walls in the basement without the benefit of a building permit. Sec 304.5 Foundation is deteriorated - bowed - sinking - inadequate.

INSPECTOR COMMENTS: Water is leaking into the basement under the foundation wall. Contact a licensed builder/contractor and submit a written report of the repair required. Permit may be required for foundation repairs.

AREA: Exterior Sec 304.2 Soffit at front entry door is damaged.

Sec 304.7 Eave troughs are clogged.

304.7 Missing downspout extensions to gutter. It is recommended to install downspouts with extensions to divert water at least 3 feet away.

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: missing screens, must be in place and in good repair for dates described above.

AREA: First Floor Sec 403.2 Clean bathroom vent fan cover.

Sec 305.3 Bedroom ceiling off living room is damaged with a hole at the plumbing.

AREA: Second Floor Sec 304.15 SE bdrm door is damaged at the lock set.

Sec 704.1 Lack of hardwired smoke detector with a backup battery. Install properly functioning smoke detector per manufacture specifications. If replacing a Hard-Wired Smoke Detector, it MUST be replaced with a Hard-Wired Smoke Detector.

INSPECTOR COMMENTS: SE bdrm missing the hardwired smoke detector

Inspection Type: Rental Inspection Date: 02/27/2023 Compliance Due Date:

03/29/2023 Failure to comply with the requirements of this notice may result in the issuance of Warning a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation). This dwelling has been declared to have violations Of the Lansing Housing Code defined in section 107 of the Lansing Housing and Premises

Code. If vacant, or should it become vacant before all repairs are completed, then it shall remain vacant until this office has approved all corrections. Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction Violation with Fines: \$500 per day for each violation and may result in the property being vacated by this office.”

On August 24, 2024 I spoke to licensee designee Ken Ogundipe who stated all repairs in the above referenced letter were made by licensed contractor Neil Wright and that Mr. Ogundipe signed the legal affidavit stating such and personally hand – delivered the document to Ms. Castillo. Mr. Ogundipe stated Ms. Castillo requested a written report from Mr. Wright about how the repairs were addressed specifically, and that Mr. Wright would submit that documentation today, which will fulfill the requirements for the city of Lansing to remove the red tag status.

On August 23, 2023 I received a written copy of Neil Wright’s Builder License which expired May 31, 2026.

On August 24, 2023 I received a copy of a written report prepared by Mr. Wright that stated regarding the facility foundation being bowed, deteriorated, sinking and inadequate “the supporting jerks were put in the basement to properly carry the basement load and further prevent bowing and sinking. The cracked walls in the basement were sealed with concrete to prevent basement from continual damage. Construction of wall in the basement was removed. Neil Wright a licensed builder was hired and installed downspouts with extension to divert water at least three feet away as well as cleaning eaves drop that was requested on the notice. These actions have eliminated water leaking into the basement when it rains.”

On September 1, 2023 I spoke to Code Enforcement Officer Tom Barry who stated Amy Castillo was on leave and he took over enforcement of the property at 123 Moores River Drive. Mr. Barry stated Mr. Wright told him that all the work was completed, and all the proper permits were in place however that is incorrect, and the property is currently pink tagged. Mr. Barry stated the plumbing did not pass the city inspection and the building permit is still in review and the items under review are not the issues addressed in the letter submitted by Mr. Wright on August 24, 2023. Mr. Barry stated because none of the concerns documented by the city of Lansing officials are “a life safety issue” and due to the fact that the facility is a licensed adult foster care home the city of Lansing will take action against Mr. Ogundipe with a fine but will not red tag or condemn the home, thereby displacing the residents.

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 Ms. Crenshaw, Ms. Castillo, Mr. Barry, Mr. Wright, Mr. Ogundipe, and written documentation provided by the city of Lansing and Mr. Ogundipe it can be determined that the facility located at 123 Moores River Drive in Lansing was pink tagged in February 2023 and as of the date of this report, months later, Mr. Ogundipe has not taken care of the concerns noted by the city of Lansing and come into compliance with the city of Lansing Code Enforcement Unit.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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

Leslie Herrguth

09/01/2023

Leslie Herrguth
Licensing Consultant

Date

Approved By:

Dawn Timm

09/06/2023

Dawn N. Timm
Area Manager

Date