

GRETCHEN WHITMER GOVERNOR STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

MARLON I. BROWN, DPA ACTING DIRECTOR

December 12, 2023

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

> RE: License #: AS330410063 Investigation #: 2024A0466004 Bell Oaks at Lyons

Dear Mr. Ogundipe:

Attached is the Special Investigation Report for the above referenced facility. Due to the additional physical plant violations identified in the report, a written corrective action plan is required and a second provisional recommendation is recommended. 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 second 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) 284-9727.

Sincerely,

Julie Ellens

Julie Elkins, Licensing Consultant Bureau of Community and Health Systems 611 W. Ottawa Street P.O. Box 30664 Lansing, MI 48909

enclosure

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

#### I. IDENTIFYING INFORMATION

| . IDENTIFYING INFORMATION      |                                    |
|--------------------------------|------------------------------------|
| License #:                     | AS330410063                        |
|                                |                                    |
| Investigation #:               | 2024A0466004                       |
|                                |                                    |
|                                | 40/47/0000                         |
| Complaint Receipt Date:        | 10/17/2023                         |
|                                |                                    |
| Investigation Initiation Date: | 10/17/2023                         |
|                                |                                    |
|                                | 40/40/0000                         |
| Report Due Date:               | 12/16/2023                         |
|                                |                                    |
| Licensee Name:                 | Eden Prairie Residential Care, LLC |
|                                |                                    |
|                                | 0.45 D                             |
| Licensee Address:              | G 15 B                             |
|                                | 405 W Greenlawn                    |
|                                | Lansing, MI 48910                  |
|                                |                                    |
| Licence Televisere #           | (214) 250 6570                     |
| Licensee Telephone #:          | (214) 250-6576                     |
|                                |                                    |
| Administrator:                 | Kehinde Ogundipe                   |
|                                |                                    |
|                                | Kabinda Onundina                   |
| Licensee Designee:             | Kehinde Ogundipe                   |
|                                |                                    |
| Name of Facility:              | Bell Oaks at Lyons                 |
|                                |                                    |
| Facility Address:              | 1435 Lyons Ave                     |
| Facility Address.              |                                    |
|                                | Lansing, MI 48910                  |
|                                |                                    |
| Facility Telephone #:          | (214) 250-6576                     |
|                                |                                    |
| Original lasuanas Datas        | 04/20/2023                         |
| Original Issuance Date:        | 04/20/2023                         |
|                                |                                    |
| License Status:                | 1ST PROVISIONAL                    |
|                                |                                    |
| Effective Date:                | 09/19/2023                         |
|                                |                                    |
|                                |                                    |
| Expiration Date:               | 03/18/2024                         |
|                                |                                    |
| Capacity:                      | 6                                  |
| σαματιτή.                      | U                                  |
|                                |                                    |
| Program Type:                  | DEVELOPMENTALLY DISABLED           |
|                                | MENTALLY ILL                       |
|                                |                                    |

## II. ALLEGATION:

|  | Violation<br>Established? |
|--|---------------------------|
| Licensee designee lacks financial and administrative capability to operate Bell Oaks at Lyons. | Yes                       |
| Additional Findings  | Yes                       |

## III. METHODOLOGY

| 10/17/2023 | Special Investigation Intake-2024A0466004.   |
|------------|--|
| 10/17/2023 | Special Investigation Initiated – Letter Complainant.  |
| 10/18/2023 | Contact- Document received- Eden Prairie Bank Statements.  |
| 10/18/2023 | Contact- Document received email from licensing consultant Frodet Dawisha.   |
| 10/23/2023 | Contact- teams meeting with Kennedy Shannon Attorney for Eden<br>Prairie Residential Care, LLC, & Bede Obasi, CFO Eden Prairie<br>Residential Care, LLC interviewed. |
| 10/27/2023 | Inspection Completed On-site.  |
| 10/30/2023 | Contact- Telephone call made to LaSandra Brinshaw, clerk from the Office of Code Enforcement.  |
| 10/30/2023 | APS Referral.  |
| 12/01/2023 | Contact- teams meeting with licensee designee Kehinde Ogundipe and Kennedy Shannon.  |
| 12/05/2023 | Contact- Email from licensee designee Kehinde Ogundipe.  |
| 12/06/2023 | Contact- Email from Kennedy Shannon.   |
| 12/06/2023 | Contact- telephone call APS Jimmie Harris.   |
| 12/08/2023 | Exit Conference with licensee designee Kehinde Ogundipe.   |
|            |  |

# ALLEGATION: Licensee designee lacks financial and administrative capability to operate Bell Oaks at Lyons.

#### **INVESTIGATION:**

On 10/17/2023, Complainant reported that Eden Prairie Residential Care LLC was recently investigated by the Department of Labor (DOL) and based on their findings licensee designee Kehinde Ogundipe has been ordered to pay \$1.8 million in back wages. Complainant reported that 45 paychecks went out last week to staff, but checks bounced due to insufficient funds. Complainant reported that on Friday 10/13/2023, there was a deposit of over \$280,000 by CMH which would cover all staff wages, but as of this morning, \$30,000 was withdrawn by licensee designee Kehinde Ogundipe who then informed the accountant to wait until this Friday, 10/20/2023 to pay staff which is a pattern that continues to occur with licensee designee Ogundipe.

On 10/23/23 a video conference was conducted, via Microsoft Teams, with the Eden Prairie Chief Financial Officer, Bede Obasi, and Eden Prairie attorney, Kennedy Shannon. Mr. Obasi reported that he has been hired as the accountant for the Eden Prairie Residential Care LLC organization. He reported that Eden Prairie Residential Care LLC has six bank accounts that he has been given access to in terms of viewing transactions and transferring money between these accounts. He reported that he does not have any access to make payments from these accounts. Mr. Obasi reported that the checking and savings accounts under number "442" are controlled by Kehinde Ogundipe, and the checking and savings accounts under the number "078" are controlled by Mr. Ogundipe's brother, Dayo Ogundipe. Mr. Obasi reported that in June 2023 it was identified that Kehinde Ogundipe and Dayo Ogundipe were overspending the amount of money that was being deposited into these business accounts, which was resulting in bounced payroll checks for employees due to non-sufficient funds. He reported that he advised that they needed to open separate subaccounts in both "442" and "078" that were designated as payroll accounts where they could ensure the correct amount of money was available to pay the employees without having payroll checks declined by banks. Mr. Obasi confirmed that Kehinde Ogundipe and Dayo Ogundipe were previously writing payroll checks before they had sufficient funds available in the accounts for the checks to clear. Mr. Obasi reported that as recently as two weeks prior to 10/23/23 there was an issue with payroll checks being "held" due to lack of funding available in the payroll subaccounts. Mr. Obasi reported that he does not have knowledge of all Eden Prairie Residential Care LLC business transactions and has only been given access to these six accounts. He reported that recently he was informed that there were additional bank accounts open for the Eden Prairie Residential Care LLC business through a Lake Trust Credit Union. He reports he had no knowledge of these accounts or their holdings. Mr. Obasi reported, "Ken (Kehinde Ogundipe) runs business in silos." He reported that it is difficult to assist with managing the finances when Kehinde Ogundipe is not always honest about how the money is being managed/spent. Mr. Obasi reported that to maintain adequate funds in the payroll subaccounts he would watch the accounts "like a hawk" and guickly transfer

deposits made into the other accounts, into the payroll accounts before Kehinde Ogundipe could spend the money. Mr. Obasi reported that having adequate funding in payroll accounts was a continuous problem and he encouraged Kehinde Ogundipe to open a line of credit to use in the payroll accounts as backup to prevent payroll checks from bouncing in the future. Mr. Obasi reported that Kehinde Ogundipe did open a line of credit and instead used the money to acquire additional properties to open more adult foster care facilities. He reported that this money received from the line of credit was never deposited into the payroll accounts. Mr. Obasi reported that he has advised Kehinde Ogundipe that he is "growing too fast" in terms of the Eden Prairie Residential Care LLC business and wanting to open more adult foster care homes. He reported that he has advised Kehinde Ogundipe to stop acquiring properties and focus on the ones he currently has licensed. Mr. Obasi reported that Kehinde Ogundipe does not listen to this advice and instead makes his own decisions and continues to acquire properties with the plan of opening more adult foster care facilities. Mr. Obasi was asked about whether the currently licensed facilities have had any issues with their utility bills being paid each month. Mr. Obasi stated he had no knowledge of any licensed facilities that were in danger of utilities not being paid or had received shut off notices. He reported to his knowledge this has not occurred. Mr. Obasi reported that Kehinde Ogundipe has an "irrational impulse for growth" despite advice from himself and Ms. Shannon. Mr. Obasi confirmed that Eden Prairie Residential Care LLC has been fined by the Federal Department of Labor and is expected to pay \$1.8 million to settle this issue. It was reported that Kehinde Ogundipe was paying all employees a salary and he should have been paying them hourly wages and overtime wages. Mr. Obasi reported that they are trying to work out a payment arrangement with the DOL and they hope this settlement will be reached within the next two weeks.

During Microsoft Teams meeting on 10/23/23, Ms. Shannon reported that she is the attorney for the Eden Prairie Residential Care LLC organization. She reported that Kehinde Ogundipe has been investigated by the Federal Department of Labor for inappropriately classifying hourly employees as salaried employees. She reported that he has been fined and currently has been issued a fine of \$1.8 million to pay to the federal government. Ms. Shannon reported that Kehinde Ogundipe was not paying a minimum wage or overtime wages to his direct care staff as he had improperly classified them as salaried staff. She reported that they are currently trying to arrange a payment plan with the federal government. Ms. Shannon reported that many of the Community Mental Health contracts Kehinde Ogundipe has in place are pulling their residents from his adult foster care facilities due to increasing number of special investigations from Licensing & Regulatory Affairs (LARA), Adult Protective Services (APS), and Office of Recipient Rights (ORR). Ms. Shannon advised that at this time the DOL wants Kehinde Ogundipe to pay 25% of the \$1.8 million and the rest within six months. She reported that there is a 3.5% interest rate tacked on for each month the full payment is not made. Ms. Shannon reported that she has advised Kehinde Ogundipe to stop acquiring new properties as this is not advisable considering the current fine he owes. Ms. Shannon reported that Kehinde Ogundipe is not following her advice and continues to work toward purchasing new

properties. She reported, "I personally do not see Eden Prairie surviving another six months." Ms. Shannon reported that to her knowledge the vehicles used at the current licensed properties, for resident transport, are registered and insured with the State of Michigan. She further reported that she has experienced her own issues with payroll checks from Eden Prairie either bouncing or being held by the bank due to non-sufficient funds to process the payroll checks.

On 10/27/2023, I conducted an unannounced investigation and I interviewed direct care worker (DCW) and house manager Kendra Rimer who reported that she has worked at Bell Oaks at Lyons since July 2023 and that she is a salary employee who typically works 50-70 hours a week. DCW Rimer reported that Bell Oaks at Lyons is the only Eden Prairie Residential Care LLC facility that she works for. DCW Rimer reported she has not had any issues with her paycheck bouncing or not being able to cash it. DCW Rimer reported she was unaware as why they facility was "red tagged." DCW Rimer reported that there was a city inspection scheduled for next week (last week of October 2023).

I interviewed DCW Teri Young who reported that she has worked for Eden Prairie Residential Care LLC since February 2023 and she has worked at multiple licensed AFC facilities Bell Oaks at Lyons. DCW Young reported that she has never had an issue with a bounced check or difficulty cashing her check. DCW Young reported that she is paid hourly and works 40 hours a week even though she is willing to work overtime. DCW Young reported that the facility lacks basic supplies such as paper towels, adequate linens and towels. DCW Young reported that there are only 1 set of sheets per bed and there are not enough towels for the residents to all shower on the same day without the towels being washed. DCW Young reported that the facility currently has four residents.

I interviewed DCW Marlow Harris who reported he has worked at multiple Eden Prairie Residential Care LLC locations including Bell Oaks at Lyons. DCW Harris reported that he has never had an issue with a bounced paycheck or difficulty cashing his check. DCW Marlow reported that the facility is currently low on groceries and bed linens. DCW Marlow reported that some residents refuse to use bed linens and that others use towels and then throw them away. DCW Harris reported that they used to have adequate supplies and back up supplies but that the stock has run low and has not been replenished especially towels for showering. DCW Harris reported that the facility currently has four residents.

When I entered the home, I saw exposed pipes in the ceiling of the kitchen in two separate areas where the dry wall had been removed. The kitchen did contain sparse groceries which consisted of frozen chicken, frozen pork, French fries, frozen vegetables, condiments, milk, bologna, butter, sour cream, eggs, tortillas, apples, oranges and fresh vegetables. There was also a cabinet of non-perishable items such as rice, soup, canned vegetables, etc..

On 12/1/23 a video conference was conducted via Microsoft Teams with Kehinde Ogundipe, Eden Prairie Residential Care LLC Executive Vice President & Corporate Council, Kennedy Shannon, & Adult Foster Care Licensing Consultants, Johnnie Daniels, Julie Elkins, Jennifer Browning, Jana Lipps. Kehinde Ogundipe reported that he would like to defer any guestions regarding the DOL investigation to Ms. Shannon. Kehinde Ogundipe reported that there is a meeting scheduled to speak with the DOL regarding a payment plan arrangement for the \$1.8 million he was fined by the DOL for improperly coding direct care staff as salaried workers. He confirmed that he has been fined this amount and will be talking with DOL on 12/4/23 to discuss final payment arrangements. Kehinde Ogundipe reported that he feels comfortable and confident that he will be able to make the payments and continue to run the Eden Prairie organization with no disruptions to the care of the current residents at the facility. Kehinde Ogundipe reported that this facility is not in danger of losing funding or being closed at this time. Kehinde Ogundipe reported that the utility bills at the facility have been paid and will continue to be paid through automatic withdrawals from the Eden Prairie Residential Care LLC business account. Kehinde Ogundipe did not share the terms of the settlement agreement between Eden Prairie organization and DOL on this date.

During video conference on 12/1/23 Ms. Shannon reported that she and Kehinde Ogundipe have a planned meeting on 12/4/23 with the DOL to discuss and finalize a payment play for the \$1.8 million fine that Eden Prairie organization has been issued. Ms. Shannon reported that she would be able to produce a written document to Ms. Elkins by 12/5/23 which will address the finalized payment plan with DOL. Ms. Shannon reported that she believes the payment plan will be over a period of three years, with monthly installments being made. She reported that there will be a considerable down payment required. Ms. Shannon confirmed that the \$1.8 million fine was company wide and includes every adult foster care facility that falls under the Eden Prairie Residential Care LLC name, which includes this AFC facility. Ms. Shannon also reported that Eden Prairie Residential Care LLC has switched to a new payroll system, ADP, and she feels confident in this system resolving their previous payroll issues. She reported that they have not experienced any recent difficulties with direct care staff payroll checks being held for non-sufficient funds. Ms. Shannon reported that the previous payroll issues occurred about six months ago and impacted about 20 – 25% of the direct care staff Eden Prairie employed at the time. Ms. Shannon reported that any current issues direct care staff have experienced with their payroll checks have been determined to be user error due to the new ADP payroll system that was initiated recently. Ms. Shannon reported that these issues are being resolved with individual direct care staff members as they occur.

On 12/6/23 I received email correspondence from Ms. Shannon regarding the settlement agreement with the DOL for Eden Prairie organization. Ms. Shannon reported through this email the settlement agreement as follows:

• "Initial Payment Commitment: We have agreed to an initial down payment of approximately \$277,000.00, which is scheduled for April 1, 2024.

•Structured Monthly Payments: Subsequent to the initial payment, we will fulfill our obligation through monthly installments of around \$45,000.00, spanning over three years. Staring June 1, 2024."

Ms. Shannon further reported in this email correspondence that she feels this settlement agreement will not impede Eden Prairie Residential Care LLC's "operational capacity."

| APPLICABLE RULE |   |
|-----------------|---|
| R 400.14201     | Qualifications of administrator, direct care staff, licensee,<br>and members of the household; provision of names of<br>employee, volunteer, or member of the household on parole<br>or probation or convicted of felony; food service staff.   |
|                 | (2) A licensee shall have the financial and administrative capability to operate a home to provide the level of care and program stipulated in the application.   |
| ANALYSIS:       | Based upon the interviews conducted with Kehinde Ogundipe,<br>Ms. Shannon, and Mr. Obasi, it can be determined that licensee<br>designee Kehinde Ogundipe has, in fact, been fined \$1.8 million<br>from the Federal Department of Labor due to improper<br>classification of direct care staff members as salaried workers,<br>and not paying appropriate hourly and overtime wages.<br>Licensee designee Kehinde Ogundipe has reached a settlement<br>agreement with the DOL that requires a monthly payment of<br>\$45,000 for the next three years. Direct care staff members<br>reported having experienced difficulties with receiving payroll<br>checks due to non-sufficient funds within the past six months.<br>As a result of these findings, it can be determined that licensee<br>designee Kehinde Ogundipe has demonstrated that he lacked<br>the financial and administrative capability to operate the Eden<br>Prairie Residential Care LLC organization which includes the<br>operation and management of this facility. |
| CONCLUSION:     | VIOLATION ESTABLISHED   |

# **ADDITIONAL FINDINGS:**

## **INVESTIGATION:**

On 10/27/2023, I conducted an unannounced investigation and there was no resident record for Resident A. DCW Rimer reported that Resident A was recently sent to the hospital via emergency medical service and that the entire resident record was given to the emergency medical personal and sent to the hospital with him. DCW Rimer confirmed that there were no records available to review for Resident A as she did not have any paper copies of the documents nor any electronic back up of the file.

| APPLICABLE RULE |   |
|-----------------|---|
| R 400.14316     | Resident records.   |
|                 | (4) A licenses shall semalate and meintain in the           |
|                 | (1) A licensee shall complete, and maintain in the          |
|                 | home, a separate record for each resident and shall provide |
|                 | record information as required by the department.           |
|                 | resident record shall include, at a minimum, all of the     |
|                 | following information:                                      |
|                 | (a) Identifying information, including, at a                |
|                 | minimum, all of the following:                              |
|                 | (i) Name.   |
|                 | (ii) Social security number, date of birth, case            |
|                 | number, and marital status.                                 |
|                 | (iii) Former address.                                       |
|                 | (iv) Name, address, and telephone number of the             |
|                 | next of kin or the designated representative.               |
|                 | (v) Name, address, and telephone number of the              |
|                 | person and agency responsible for the resident's placemen   |
|                 | in the home.  |
|                 | (vi) Name, address, and telephone number of the             |
|                 | preferred physician and hospital.                           |
|                 | (vii) Medical insurance.                                    |
|                 | (viii) Funeral provisions and preferences.                  |
|                 | (ix) Resident's religious preference information.           |
|                 | (b) Date of admission.                                      |
|                 | (c) Date of discharge and the place to which the            |
|                 | resident was discharged.                                    |
|                 | (d) Health care information, including all of the           |
|                 | following:  |
|                 | (i) Health care appraisals.                                 |
|                 | (ii) Medication logs.                                       |
|                 | (iii) Statements and instructions for supervising           |
|                 | prescribed medication, including dietary supplements and    |
|                 | individual special medical procedures.                      |
|                 | (iv) A record of physician contacts.                        |
|                 | (v) Instructions for emergency care and advanced            |
|                 | medical directives.   |
|                 | (e) Resident care agreement.                                |
|                 | (f) Assessment plan.  |
|                 | (g) Weight record.  |
|                 | (h) Incident reports and accident records.                  |
|                 | (i) Resident funds and valuables record and                 |
|                 | resident refund agreement.                                  |
|                 | (j) Resident grievances and complaints.                     |

|             | (2) Resident records shall be kept on file in the home for 2 years after the date of a resident's discharge from a home.          |
|-------------|---|
| ANALYSIS:   | At the time of inspection, the documents required to be present<br>in Resident A's resident record were not available for review. |
| CONCLUSION: | VIOLATION ESTABLISHED   |

## **INVESTIGATION:**

On 10/27/2023, I conducted an unannounced investigation and walked through the facility. The bathrooms did not contain paper towel or any individual towels for handwashing. DCW Rimer, DCW Young and DCW Harris reported that the facility did not have any paper towel or individual hand towels to put in the bathroom. I observed no paper towel or individual hand towels in the facility. I observed six bath towels and three face cloths available for resident use.

| APPLICABLE RULE |  |
|-----------------|--|
| R 400.14401     | Environmental health.  |
|                 | (8) Hand-washing facilities that are provided in both the kitchen and bathroom areas shall include hot and cold water, soap, and individual towels, preferably paper towels. |
| ANALYSIS:       | At the time of the unannounced investigation bathrooms did not contain paper towel or any individual towels for handwashing.   |
| CONCLUSION:     | VIOLATION ESTABLISHED  |

## INVESTIGATION:

On 10/27/2023, I conducted an unannounced investigation. As I entered the facility to the left of the front door on the siding of the house was a red tag that stated, "UNSAFE DO NOT ENTER." The red tag was issued by the Economic Development and Planning Office of Code Enforcement. It stated, "In accordance with Chapter 1460 of the Codified Ordinances of Lansing and Section 108.1 of International Property Maintenance Code (IPMC), this building is deemed unlawful/UNSAFE. It is a misdemeanor to occupy or allow a person or pet to occupy this structure or to deface/remove this notice. The penalties for these violations are \$500.00 fine and/or 90 days in jail. Pursuant to section 111.1 of the IPMC, you have the right to appeal this notice of violation. Any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate." This was dated "10/12/2023" by Code Enforcement Officer "J. Odom."

Licensee designee Kehinde Ogundipe came to the facility while I was there. He did not enter the facility. Licensee designee Kehinde Ogundipe reported that despite the red tag being adhered to the facility that the residents were allowed to occupy and habitant the residence because the city is backed up to give permits. Licensee designee Kehinde Ogundipe referred me to contact Eden Prairie employee, Neil Wright who is overseeing the building projects and reported that he could provide needed information.

When I entered the home I saw exposed pipes in the ceiling of the kitchen in two separate areas where the dry wall had been removed.

On 10/30/2023, I interviewed LaSandra Brinshaw from the Office of Code Enforcement who reported that no one should be living at 1435 Lyons Ave Lansing, MI 48910. Ms. Brinshaw reported that there is a "long list of repairs needed and no one from the LLC has been in contact with the office since June 2023."

On 12/06/2023, Mr. Wright reported that all trades and licensed contractors have had all permits filed and a final inspection was scheduled for 12/8/23. Mr. Wright reported that all the items on this list from the previous investigation #2023A078028 have been fully completed however they have not been inspected or approved by the city. Mr. Wright provided a screen shot of a computer which showed that a final inspection request was completed for 1435 Lyons Ave with a requested date of 12/8/2023. No other dates or information could be derived from what was provided.

SI #2023A0783028 dated 09/12/2023 established rule violation of Rule # 400.15403 (1) due to the property located at 1435 Lyons Avenue in Lansing is presently red tagged by the city of Lansing and has been red tagged since 2019. Licensee designee Kehinde Ogundipe submitted a corrective action plan dated 9/18/2023 which documented:

"Eden Prairie and its licensed builder is currently working with the city of Lansing to resolve all the issued identified by the city of Lansing code enforcement and obtain all necessary permits as soon as possible. Eden Prairie continues to communicate with Mr. Odom, the city of Lansing code officer to advise him of the progress resolving the compliance issued identified in this violation. The licensed builder that is working on resolving the issues identified with this violation continues to work expeditiously to resolve the violation. The time frame indicated in this plan is the projection to receive feedback from the city of Lansing code enforcement that the red tag will be removed."

The corrective action plan signed by licensee designee Kehinde Ogundipe on 09/18/2023 documented that Eden Prairie accepted the provisional license on 9/18/2023 and the corrective action plan documented a completion time frame of the red tag by 11/18/2023.

On 12/08/2023, I conducted an interview with licensee designee Kehinde Ogundipe who reported that they have completed everything that the city of Lansing cited on this property. Licensee designee Kehinde Ogundipe reported that licensed builder, Mr. Wright confirmed that yesterday. Licensee designee Kehinde Ogundipe reported that they have turned in the requested architectural information that the city of Lansing and have licensed Mechanical, Electrical, and Plumbing personnel ready to request for permits and inspections on what they need to do to be in compliance as soon as possible and when the architectural drawings are approved by the city of Lansing. Licensee designee Kehinde Ogundipe reported after passing all the licensed contractor jobs then we can schedule final inspection of the home and hopefully the rental certificate will be issued and the red tag will be removed. Licensee designee Kehinde Ogundipe reported understanding of the importance of needing to remove the red tag as quickly as possible. Licensee designee Kehinde Ogundipe reported that they are waiting for the city of Lansing to complete their inspections and have experienced a significant amount of delay from the city of Lansing Building Department because of loss of employees and shortage of inspectors. Licensee designee Kehinde Ogundipe reported that the compliance officer that was in charge of this red tag, Mr. Odom had moved on from the city of Lansing and currently there is no new compliance officer appointed yet. Licensee designee Kehinde Ogundipe reported he cannot give a date when the final inspection will be completed for the removal of the red tag. Licensee designee Kehinde Ogundipe reported that to remove the red tag the rental certificate needs to be issued which they are also pursuing. Licensee designee Kehinde Ogundipe reported that all as been applied and paid for and now they are waiting to hear back from the city.

| APPLICABLE RULE |   |
|-----------------|---|
| R 400.15403     | Maintenance of premises.  |
|                 | (1) A home shall be constructed, arranged, and<br>maintained to provide adequately for the health,<br>safety, and well-being of occupants.  |
| ANALYSIS:       | During the onsite investigation, I observed exposed pipes in the kitchen ceiling along with the continuation of the red tag on the outside of the property with a new date of 10/12/2023. Licensee Designee Kehinde Ogundipe provided documentation that a final inspection request was submitted to the City of Lansing on 12/08/2023. |
| CONCLUSION:     | <b>REPEAT VIOLATION ESTABLISHED.</b> [Reference SIR # 2023A0783028 dated 09/12/2023 and CAP 9/18/2023.]   |

On 12/08/2023, I conducted an exit conference with licensee designee Kehinde Ogundipe who agreed under the circumstances a second provisional is "understandable."

## IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan and due to additional physical plant violations, I recommend a second provisional license.

July Ellers

12/08/2023

Julie Elkins Licensing Consultant Date

Approved By:

12/12/2023

Dawn N. Timm Area Manager Date