

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.2006 Maintenance of court action; allegation and proof of licensure; failure to make restitution.

Sec. 2006.

(1) A person, a qualifying officer, a licensee, or an agent for a licensee under this article shall not bring or maintain an action in a court of this state for the collection of compensation for the performance of an act or contract for which licensure is required under this article without alleging and proving that the person, qualifying officer, licensee, or agent was licensed under this article during the performance of the act or contract. A person who has utilized the services of a person engaging in or attempting to engage in an occupation regulated under this article or using a title designated by this article without being licensed by the department may bring an action in a court of competent jurisdiction, or offer as a counterclaim to an action brought by an unlicensed person, for a refund of compensation after deducting the value of the goods or services retained by the person.

(2) If the department suspends a license for failure to make restitution, in whole or in part, the restitution in the form of repair or remedial corrective work shall be performed by a person appropriately licensed under this article and shall be paid for by the licensee.

History: Add. 2008, Act 319, Eff. Mar. 31, 2009

Compiler's Notes: Former MCL 339.2006, which pertained to application for licensure, was repealed by Act 463 of 1988, Eff. Sept. 1, 1989

Popular Name: Act 299