



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
ACTING DIRECTOR

September 12, 2023

Phillip New  
604 Crestview Drive  
Corunna, MI 48817

RE: License #: DF780412724  
Investigation #: 2023D0498011  
New Daycare

Dear Mr. New:

I conducted a special investigation because the child care licensing division received a complaint against your facility that related to licensing rules or law. The allegations were related to the following:

R 400.1921	Water hazards; water activities.
R 400.1932	Home maintenance and safety.

The details of the allegations are in the attached report. To investigate the allegations, I completed an onsite inspection on 07/26/2023. I interviewed the licensee and parents.

As a result of this investigation, I found the following violation(s):

<b>R 400.1932</b>	<b>Home maintenance and safety.</b>
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I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 9/26/2023. You can use our [corrective action plan](#) form or create your own.

If you need help writing the corrective action plan, please contact me. If you do not send a corrective action plan, you may face disciplinary action. The corrective action plan must include the following:

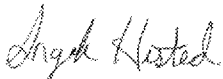
- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

	Yes	No
A rule or law violation was found and a serious injury or death occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A rule or law violation was found and abuse and/or neglect of a child occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This report and any related corrective action plans must be filed in your licensing notebook. This report and any related corrective action plans will be online for parents to review under the [Statewide Search for Licensed Child Care Centers and Homes](#).

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,



Angela Histed, Licensing Consultant  
 Bureau of Community and Health Systems  
 611 W. Ottawa Street  
 P.O. Box 30664  
 Lansing, MI 48909  
 (248) 917-1607

Enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CHILD CARE LICENSING BUREAU  
SPECIAL INVESTIGATION REPORT**

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	DF780412724
<b>Investigation #:</b>	2023D0498011
<b>Complaint Receipt Date:</b>	07/24/2023
<b>Investigation Initiation Date:</b>	07/26/2023
<b>Report Due Date:</b>	09/22/2023
<b>Licensee Name:</b>	Phillip New
<b>Licensee Address:</b>	604 Crestview Drive Corunna, MI 48817
<b>Licensee Telephone #:</b>	(989) 251-2455
<b>Administrator:</b>	N/A
<b>Licensee Designee:</b>	N/A
<b>Name of Facility:</b>	New Daycare
<b>Facility Address:</b>	604 Crestview Drive Corunna, MI 48817
<b>Facility Telephone #:</b>	(989) 251-2455
<b>Original Issuance Date:</b>	08/04/2022
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	02/04/2023
<b>Expiration Date:</b>	02/03/2025
<b>Capacity:</b>	6
<b>Program Type:</b>	CHILD CARE FAMILY HOME (CAPACITY 1-6)

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
There is no lock on the gate of the pool.	No
Children are playing on the top deck of the house with no railing.	Yes

**III. METHODOLOGY**

07/24/2023	Special Investigation Intake; 2023D0498011
07/26/2023	Special Investigation Initiated - On Site From 11:58 am-1:15 pm; I interviewed Phillip New
08/30/2023	Contact - Telephone call made; I interviewed Child B's father via telephone.
08/30/2023	Contact - Telephone call made; I interviewed Child A's mother.
08/30/2023	Exit Conference with Phillip New.
08/30/2023	Inspection Completed-BCAL Sub. Compliance

**ALLEGATION: There is no lock on the gate of the pool.**

**INVESTIGATION:** On 07/26/2023, I made an onsite inspection at Phillip New's home. Prior to going into the home, I walked over and checked the pool area. The gate on the door to enter the pool area was locked with a small metal padlock that secured the door closed. When speaking to Mr. New, he stated that at his renewal inspection on March 6, 2023, his lock had fallen off and he could not find it but then found it in the yard right next to the door. Mr. New stated he has had a lock on it since this day and makes sure it is locked at all times the children are not in the pool.

On 08/30/2023, I spoke to Child A's Mother and Child B's Father via phone, and both stated they have no concerns with Mr. New and the children swimming in the pool. Both feel the area is always safe and secure when the children are not swimming.

<b>APPLICABLE RULE</b>	
<b>R 400.1921</b>	<b>Water hazards; water activities.</b>
	<b>(1) A licensee shall ensure that barriers exist to prevent children from gaining access to any swimming pool,</b>

	<b>drainage ditch, well, natural or constructed pond, or other body of open water located on or adjacent to the property where the child care home is located. These barriers must be a minimum of 4 feet in height and appropriately secured to prevent children from gaining access to such areas.</b>
<b>ANALYSIS:</b>	Mr. New had a padlock on the gate going to the pool. It was locked and secured at the time of the inspection.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:** Children are playing on the top deck of the house with no railing.

**INVESTIGATION:** On 07/26/2023, during my onsite inspection, Mr. New stated that the house is still under construction due to a fire a couple years prior. The large porch on the main level of the home was completed recently. There is a stairway on the outside of the house that leads to the porch, and there is a large table on it. Currently, the porch does not have a railing on any of the four sides.

Mr. New stated that the contractors have to come back and finish the railing. He stated that the children do go up there to eat but do not play in this area. Mr. New stated the children are between 9-12 years of age and he thought it was okay to just eat up there. Mr. New was advised that he could not use the porch until the railing is up and secured. He agreed to this and stated the children will no longer go up there.

<b>APPLICABLE RULE</b>	
<b>R 400.1932</b>	<b>Home maintenance and safety.</b>
	<b>(3) All steps, stairs, porches, and elevated structures to which children in care have access must be protected to prevent falls and must be free of ice and snow accumulation.</b>
<b>ANALYSIS:</b>	The porch on the upper level of the home did not have the railing up on 07/26/2023. Mr. New stated that he would not use the porch until the railing is up.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**IV. RECOMMENDATION**

Upon receipt of an acceptable Corrective Action Plan, I recommend no change to the status of the license.

*Angela Histed*

09/12/2023

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Angela Histed  
Licensing Consultant

Date

Approved By:

*Jacquelin Sharkey*

09/12/2023

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Jacquelin Sharkey  
Area Manager

Date