

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CANNABIS REGULATORY AGENCY

In the Matter of

Tama Ventures LLC  
dba Herbology Cannabis Co. Ypsilanti  
License No.: AU-R-000993

ENF No.: 24-00340

\_\_\_\_\_/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On May 16, 2024, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the adult-use marijuana retailer establishment license (AU-R-000993) of Tama Ventures, LLC dba Herbology Cannabis Co. Ypsilanti (Respondent) under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951 *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated Mich Admin Code, R 420.104(3)(b), R 420.207(1), R 420.207(4)(b), R 420.207(6)(d)(i), R 420.207(6)(d)(ii), R 420.207(6)(d)(iii), R 420.207(6)(d)(iv), R 420.207(6)(d)(v), R 420.207(6)(d)(vi), R 420.207(6)(d)(vii), R 420.207(6)(e), R 420.207(7)(e), R 420.207(9)(g), and R 420.505(2).

The executive director reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the formal complaint. Therefore, the executive director finds that all of the allegations contained in the formal complaint are true and that Respondent violated Mich Admin Code, R 420.104(3)(b), R 420.207(1), R 420.207(4)(b), R 420.207(6)(d)(i), R 420.207(6)(d)(ii), R 420.207(6)(d)(iii), R 420.207(6)(d)(iv), R 420.207(6)(d)(v), R 420.207(6)(d)(vi), R 420.207(6)(d)(vii), R 420.207(6)(e), R 420.207(7)(e), R 420.207(9)(g), and R 420.505(2).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of fifteen thousand and 00/100 dollars (\$15,000.00). This fine shall be paid within 30 days of the effective date of this order by check, money order, or online through Accela Citizen Access (ACA). Instructions on how to make online payments can be found under the Tips for Licensees bulletin section at [www.michigan.gov/cra](http://www.michigan.gov/cra). Check or money orders shall be made payable to the State of Michigan with enforcement number "24-00340" and license number "AU-R-000993" clearly displayed on the check or money order. Respondent shall mail the fine to Department of Licensing and Regulatory Affairs, Cannabis Regulatory Agency, PO BOX 30205, Lansing, Michigan 48909.
2. If Respondent fails to timely comply with the terms of this order, Respondent's license shall be suspended until compliance is demonstrated.
3. Unless otherwise specified in this order, Respondent shall direct any communications to the CRA that are required by the terms of this order to [CRA-CSS@michigan.gov](mailto:CRA-CSS@michigan.gov).
4. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
5. If Respondent violates any term or condition set forth in this order, Respondent shall be subject to fines and/or other sanctions under section 7(1)(c) of the MRTMA, MCL 333.27957, and Mich Admin Code, 420.808.
6. Upon timely compliance of the terms of this order by Respondent, the matters set forth in the formal complaint shall be deemed resolved and closed subject to this Consent Order.

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This order shall be effective 30 days after the date signed by the CRA's executive director or his designee, as set forth below.

CANNABIS REGULATORY AGENCY

Signed on: 11/20/2024

By: Brian Hanna Digitally signed by: Brian Hanna  
DN: CN = Brian Hanna email =  
hannab@michigan.gov C = US O = CRA OU = CRA  
Date: 2024.11.20 15:17:55 -05'00'

Brian Hanna, Executive Director  
or his designee  
Cannabis Regulatory Agency

STIPULATION

The parties stipulate to the following:

1. The facts alleged in the formal complaint are true and constitute a violation of the administrative rules promulgated under the MRTMA.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MRTMA, administrative rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the CRA to prove the violations set forth in the formal complaint by presentation of evidence and legal authority, and to present a defense to the violations.
3. The parties considered the following in reaching this agreement:
  - a. Respondent was approved by the CRA to make home deliveries as of March 4, 2024.
  - b. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
4. The CRA's centralized services director or her designee must approve this proposed agreement before it is forwarded to the CRA's executive director or his designee for review and issuance of the above consent order. The parties

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reserve the right to proceed to an administrative hearing without prejudice to either party, should the CRA's centralized services director, executive director, or their designees reject the proposed consent order.

By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:

AGREED TO BY:

Digitally signed by Sara Hernandez  
DN: CN = Sara Hernandez email =  
shernandez51@michigan.gov C = US O = CRA OU = LARA  
Date: 2024.11.15 07:32:25 -0500  
Sara Hernandez

  
\_\_\_\_\_

Sara Hernandez, CSD Director  
or her designee  
Cannabis Regulatory Agency

Tarek Jaward, Authorized Officer  
on behalf of Respondent  
Tama Ventures, LLC

Dated: 11/15/2024

Dated: 11.14.2024

  
\_\_\_\_\_

Nickolas Calkins, P79512  
Attorney for Respondent

Dated: 11.14.2024

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CANNABIS REGULATORY AGENCY

In the Matter of

Tama Ventures LLC  
dba Herbology Cannabis Co. Ypsilanti  
License No: AU-R-000993

ENF No: 24-00340

FORMAL COMPLAINT

The Cannabis Regulatory Agency (CRA) files this formal complaint against Tama Ventures LLC dba Herbology Cannabis Co. Ypsilanti (Respondent) alleging upon information and belief as follows:

1. The CRA is authorized under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951, *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MRTMA and the administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MRTMA or administrative rules.

2. Section 8(1)(d) of the MRTMA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marijuana establishment operations.

FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE CRA

3. Respondent holds an active state license under the MRTMA to operate an adult use retailer establishment in the state of Michigan.

4. Respondent operated at 915 West Michigan, Ypsilanti, Michigan, 48917, at all

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times relevant to this complaint.

5. Following an investigation, the CRA determined that Respondent violated the MRTMA and/or administrative rules promulgated thereunder as set forth below:

- a. On February 13, 2023, a CRA Regulation Officer (RO) conducted an onsite visit at Respondent's establishment.
- b. During the visit, the CRA RO discovered that Respondent was not approved for home delivery but found that Respondent was making home deliveries to customers.
- c. The CRA RO made the discovery by reviewing Respondent's point of sale (POS) system. When the CRA RO was reviewing receipts, the CRA RO noticed that when the manifest numbers and sale receipt numbers were uploaded to the system, it linked those numbers to home delivery sales.
- d. On April 2, 2024, a CRA RA (Regulation Agent) contacted Respondent's attorney, N.C., to discuss the unauthorized home deliveries.
- e. On April 17, 2024, N.C. provided an excel sheet that showed all the unauthorized home deliveries made by Respondent. Home delivery records were kept on excel sheet and nothing was entered into the statewide monitoring system (Metrc).
- f. The excel sheet showed that Respondent had completed 321 unauthorized home deliveries.
- g. Respondent did not have a standard operating procedure nor did they have any customer consent or acknowledgement while making these deliveries.
- h. Respondent did not have any records of the vehicle being used for home deliveries.
- i. Respondent did not have permission or approval to conduct home deliveries and was conducting home deliveries from October 18, 2023, up until February 14, 2024.

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### **Count I**

Respondent's actions as described above in paragraphs c and e demonstrate a violation of Mich Admin Code R 420.104(3)(b) which states a marihuana retailer shall comply with all of the following: (b) accurately enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

### **Count II**

Respondent's actions as described above in paragraphs b, f and, i demonstrate a violation of Mich Admin Code R 420.207(1) which states a marihuana sales location licensee may engage in the delivery of a marihuana product for sale or transfer to marihuana customers upon approval by the agency of the licensee's delivery procedures.

### **Count III**

Respondent's actions as described above in paragraph b demonstrates a violation of Mich Admin Code R 420.207(4)(b) which states the marihuana sales location shall create a marihuana delivery procedure that is subject to inspection and examination including, but not limited to, record keeping and tracking requirements.

### **Count IV**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(d)(i) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (d) Maintenance of the following records for any motor vehicle used for marihuana delivery and the making of the records available to the agency upon request: (i) vehicle make.

### **Count V**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(d)(ii) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (d) Maintenance of the following records for any motor vehicle used for marihuana delivery and the making of the records available to the agency upon request: (ii) vehicle model.

### **Count VI**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(d)(iii) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (d) Maintenance of the following records for any motor vehicle used for marihuana delivery and the making of the records available to the agency upon request: (iii) vehicle color.

### **Count VII**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(d)(iv) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (d) Maintenance of the following records for any motor vehicle used for marihuana delivery and the making of the records available to the agency upon request: (iv) vehicle identification number.

### **Count VIII**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(d)(v) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (d) Maintenance of the following records for any motor



vehicle used for marihuana delivery and the making of the records available to the agency upon request: (v) license plate make.

### **Count IX**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(d)(vi) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (d) Maintenance of the following records for any motor vehicle used for marihuana delivery and the making of the records available to the agency upon request: (vi) vehicle registration.

### **Count X**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(d)(vii) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (d) Maintenance of the following records for any motor vehicle used for marihuana delivery and the making of the records available to the agency upon request: (vii) proof of vehicle insurance.

### **Count XI**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(6)(e) which states a marihuana sales location shall maintain records of all of the following that must be made available to the agency upon request: (e) documentation that the marihuana customer has consented to the marihuana delivery of the marihuana product. The consent must include an acknowledgement by the marihuana customer for the release of information necessary in fulfilling the home delivery.

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### **Count XII**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(7)(e) which states a marihuana delivery employee shall carry a physical or electronic copy of all of the following information and shall make these records available to the agency upon request: (e) A copy of the marihuana sales location marihuana delivery log as required in subrule (13) of this rule.

### **Count XIII**

Respondent's actions as described above in paragraph h demonstrate a violation of Mich Admin Code R 420.207(9)(g) which states before leaving the marihuana sales location, the marihuana delivery employee must have a delivery inventory ledger, which may be maintained electronically, of all marihuana products provided to him or her.

### **Count XIV**

Respondent's actions as described above in paragraph c and e demonstrate a violation of Mich Admin Code R 420.505(2) which states a marihuana sales location shall enter all transactions, current inventory and other information required by these rules in the statewide monitoring system. The marihuana sales location shall maintain appropriate records of all sales or transfers under the acts and these rules and make available to the agency upon request.

THEREFORE, based on the above, the CRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

Pursuant to Mich Admin Code, R 420.704(2), any party aggrieved by an action of the CRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted

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to the CRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

Respondent also has the right to request a compliance conference under Mich Admin Code, R 420.704(1). A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the MRTMA and/or the administrative rules. A compliance conference request must be submitted to the CRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods:

By Mail: Department of Licensing & Regulatory Affairs  
Cannabis Regulatory Agency  
P.O. Box 30205  
Lansing, Michigan 48909

In Person: Department of Licensing & Regulatory Affairs  
Cannabis Regulatory Agency  
2407 North Grand River  
Lansing, Michigan 48906

By Email: [CRA-LegalHearings@michigan.gov](mailto:CRA-LegalHearings@michigan.gov)

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter.

**CONTINUED ONTO NEXT PAGE**

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Questions about this complaint should be directed to the Cannabis Regulatory Agency's legal section at (517) 284-8599 or [CRA-LegalHearings@michigan.gov](mailto:CRA-LegalHearings@michigan.gov).

Dated: 5/16/2024

By: Alyssa A. Grissom

Digitally signed by Alyssa A. Grissom  
Date: 2024.05.16 16:10:54 -04'00'

Alyssa A. Grissom  
Legal Section Manager  
Cannabis Regulatory Agency

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