



General and Mechanical Contractor Information for Better Compliance

General And Mechanical Contractor License Requirements



If an entity or individual in this state is engaging in regulated general or mechanical commercial construction work in an amount exceeding \$5,000, which includes the total cost of construction for the project, a general or mechanical contractor license issued by the South Carolina Contractors' Licensing Board is required. The total cost of construction is defined by the total cost of labor, profit and materials, regardless of who pays for the materials. A licensed general or mechanical contractor may engage in commercial and residential construction. If a contractor is solely engaging in residential construction, he/she must be licensed or registered by the South Carolina Residential Builders Commission and cannot perform regulated general or mechanical construction work in excess of \$5,000.

A general or mechanical contractor performing residential work must comply with the Contractors' Licensing Board licensing law, not the Residential Builders Commission statutes. The statutes regulating general and mechanical contractors are found in General and Mechanical contracting statutes, Sections 40-11-5 through 40-11-430 of the 1976 South Carolina Code of Laws, as amended. The regulations are found in Sections 29-1 through 29-10. Definitions for the different types of work regulated are found in 40-11-410. Section 40-11-430 relates to issuing building permits. Section 40-11-360 relates to situations not requiring licensure. Disciplinary actions are found in Section 40-11-110. Section 40-11-340 states an entity licensed under Section 40-11-410(1)(2) and (3) may act as the sole prime general contractor on a project if 40 percent or more of the total cost of construction falls

————— *General and Mechanical Contractor Compliance Information Continued on page 4 & 5*

Burglar and Fire Alarm Licensing in South Carolina



The regulation of burglar alarm system businesses was introduced in 1986 under Act Number 512 and became effective July 1, 1987. The new law requires any entity that engages in burglar alarm work to have a burglar alarm license issued by the South Carolina Contractors' Licensing Board. The requirement to have a fire alarm license became effective on January 1, 1993, under Act Number 360. This legislation required licensure for burglar and fire alarm work with limited provisions for enforcement.

The alarm statutes were totally revised under Act 367, which became effective January 1, 2001. The revised statutes provided a list of 24 grounds for the Board to use to take disciplinary action against anyone in violation of the alarm statutes. In addition, the Act provided the Board with the ability to issue a fine up to \$5,000 for each violation of the statutes. The department was given the authority to issue a citation in the amount of \$500 for each violation and issue a Cease and Desist Order (C&D) for licensed and unlicensed persons

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South Carolina Department of Labor, Licensing and Regulation



The "Contractors' Review" is a publication of the S.C. Contractors' Licensing Board and the South Carolina Department of Labor, Licensing and Regulation. It is distributed three times annually to licensees, building officials, architects, awarding authorities and various federal, state and local government officials. Suggestions for articles in this newsletter are welcome. Send written notification to Board Administrator Ron Galloway, or call him at (803) 896-4686.

BOARD MEMBERS

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Greenwood

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Columbia

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TELEPHONE NUMBERS

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License Renewal for Fire Sprinkler Contractors for 2004-2005

All 2003-2004 South Carolina Fire Sprinkler Contractor licenses issued by this Board will expire at midnight July 31, 2004. A 2004-2005 renewal application will be mailed to each fire sprinkler licensee during the month of June. The renewal fee is \$100, which includes one qualifier. All additional qualifiers must pay \$100 each. Please include your Certificate of Insurance with the renewal form that lists the South Carolina Contractors' Licensing Board as the certificate holder.

Renewal applications received after July 31, 2004, cannot be accepted, per statute. The application will be returned to the

applicant, and the licensee must complete an original application and pay the original application fee of \$250 in order to receive the fire sprinkler contractor license.

Grandfather qualifier certification cards that are not renewed by midnight July 31 will expire and cannot be renewed without the NICET Level 3 certification.

In the event you do not receive your renewal application by July 5, 2004, please call the Board's fire sprinkler licensing section and ask for a duplicate fire sprinkler renewal application. The Board's telephone number is (803) 896-4624 or (803) 896-4686.

Administrator's Corner

The following is a clarification as to when an entity may bid concrete or structural framing work. If either type of work exceeds \$5,000 and the entity performing the work is the prime contractor for the work to be performed and the work is not ancillary to the construction of a building, a general contractor license with either a concrete or structural framing classification must be obtained. A prime contractor is an entity that has a contract directly with the owner to perform the work. Ancillary is defined as being auxiliary or subordinate.

A general contractor with a building classification may perform this type work if the work is ancillary to a building in which the prime contractor has a contract to construct. He/she may not bid concrete or structural framing work if the work is not ancillary or subordinate to any type of building construction, which the contractor may legally construct.

Ron Galloway

2004 Board Meeting

Date	Time	Location	Room #
April 15	10 a.m.	Kingstree Building, Synergy Office Park 111 Columbia, S.C.	
July 15	10 a.m.	Kingstree Building, Synergy Office Park 111 Columbia, S.C.	
October 21	10 a.m.	Kingstree Building, Synergy Office Park 111 Columbia, S.C.	

Clarification for Hiring Unlicensed Contractors



A licensed general or mechanical contractor may utilize the services of unlicensed subcontractors to perform work within the limits of the licensee's license group

and license classification or sub-classification, in accordance with Section 40-11-270(C) of the 1976 Code of Laws of South Carolina, as amended.

Section 40-11-270(C) expressly provides that licensees may utilize the services of unlicensed subcontractors to perform work within the limits of the licensee's license group and license classification or sub-classification, provided the licensee provides supervision. The licensee is fully responsible for any violations of the chapter resulting from the actions of unlicensed subcontractors performing work for the licensee. Therefore, in accordance with Section 40-11-270(C), subcontractors working for a licensed general or mechanical contractor

who provides supervision are not required to be licensed in order to engage in construction that is within the licensee's classification and group limitation, regardless of whether the amount of each individual's portion of the project exceeds \$5,000.

The statutory authority to utilize unlicensed subcontractors is vested in licensed general or mechanical contractors under Section 40-11-270(C), as mentioned above. Consistent with general contract law, an unlicensed subcontractor may utilize another unlicensed subcontractor to fulfill the contractual obligation to perform the work for the licensee, unless the contract expressly prohibits such action. Consequently, a licensee would have to refer to the contract to determine whether a right exists under its terms to reject other unlicensed persons employed by the subcontractor to fulfill the contract. Only a court has jurisdiction to enforce the provisions of a contract.

A licensed general or mechanical contractor may not utilize an unlicensed

subcontractor to perform work that is outside the licensee's classification or group limitation. Section 40-11-270(C) authorizes unlicensed persons to perform work that is within the limitations of the licensee's license group or classification or sub-classification, provided the licensee provides supervision. Therefore, if the work is outside the authorized scope of authorized practice for the licensee, an unlicensed subcontractor may not perform the work if a license is otherwise required. See Section 40-11-30, which prohibits unlicensed practice. A contractor with a properly awarded contract for a project may hire properly licensed subcontractors for work not within the license classification of the bid holder. Example: A general contractor with a building classification to build a building may subcontract mechanical work or other work not covered under the licensee's license classification that exceeds \$5,000 for each classification of regulated work, provided the work is subcontracted to a properly licensed contractor.

Bugular and Alarm Information *Continued from page 1*

in violation of the law, which included hiring or aiding and abetting an unlicensed contractor. If the C&D is violated, the department may refer the matter to an Administrative Law Judge for consideration of a possible \$10,000 fine and/or imprisonment. The fine for each violation of unlicensed activity, if submitted through a magistrate or solicitor, went from \$500 to \$5,000.

Recently an issue concerning the use of registered employees came before the department. The following paragraph is a clarification for the registration of employees.

Burglar alarm business employees who have access to burglar alarm records or have information pertaining to a burglar alarm system that could compromise the system or who perform any activity or work which involves the set-up, installation or connection to a burglar alarm system in any manner at a client's address must be registered with the Board under the burglar alarm license belonging to the business engaging in work pertaining to an alarm

system. The employee may be full time or part time and issued an IRS Form W-2 for wage withholding or an IRS Form 1099 for compensation as an independent contractor or employee (contract employee).

Licensees are reminded that they are fully responsible for the actions of regular and contract employees who represent one or more alarm businesses. An employee selling burglar alarm systems for more than one licensee must be registered with all burglar alarm businesses that the employee represents. Registered contract employees may not indicate to prospective customers that he/she is a burglar alarm entity, which is offering free burglar systems or installation or activation of a burglar alarm system and will have a licensed burglar business to install the system. Such conduct is engaging in the burglar alarm business and requires licensure. Offers to sell, install or activate a burglar alarm system must be made in the name of the licensed burglar alarm business in which the registered contract represents.

If a licensee has branch offices, each branch office must have a primary qualify-

ing party assigned to that office and also have a license number assigned to that office. Please refer to Section 40-79-220(A) of the Code of laws of South Carolina, as amended, for further clarification. The requirements for registered employees are found in Section 40-11-220 (C).

A copy of the alarm statutes may be obtained from the Board's Web site, www.lir.state.sc.us/POL/Contractors, download Chapter 79, Burglar and Fire Alarm Statutes, laws/policies, Code of Laws, or call the office for a copy, (803) 896-4686. Burglar and fire alarm licensees may also be found on the Board's Web site.

In conclusion, current actions the Board may take against a licensee include license cancellation, suspension, revocation or restriction of the authorization to practice or the issuance of a fine or citation. Anyone aware of an entity or individual that is in violation of the contracting laws in this state may anonymously contact the department and report the violation. All reports of violations of the alarm statutes have been and will be addressed upon receipt.

General and Mechanical Compliance Information *Continued from page 1*

General And Mechanical Contractor License Requirements

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A general or mechanical contractor performing residential work must comply with the Contractors' Licensing Board licensing law, not the Residential Builders Commission statutes. The statutes regulating general and mechanical contractors are found in General and Mechanical contracting statutes, Sections 40-11-5 through 40-11-430 of the 1976 South Carolina Code of Laws, as amended. The regulations are found in Sections 29-1 through 29-10. Definitions for the different types of work regulated are found in 40-11-410. Section 40-11-430 relates to issuing building permits. Section 40-11-360 relates to situations not requiring licensure. Disciplinary actions are found in Section 40-11-110. Section 40-11-340 states an entity licensed under Section 40-11-410(1)(2) and (3) may act as the sole prime general contractor on a project if 40 percent or more of the total cost of construction falls under one or more of the licensee's license or sub-classifications. A properly licensed mechanical contracting entity must have 51 percent of its license sub-classification in a construction project to be listed as the sole prime contractor.

General And Mechanical Contractor License

A general and mechanical contractor license is in the form of a small wallet-size card. The wallet card lists the contractor's

name and address, abbreviated license classifications and monetary group limitations per project. This is the actual commercial contractor license. The wallet card lists the date the license was issued and the date it expires.

Qualifying Party Certificate Of Achievement

A Certificate of Achievement is issued to an individual and indicates the examination(s) the individual has passed which enables the individual to be a qualifying party for the licensee. The qualifying party Certificate of Achievement indicates the individual is qualified to enable a contracting entity to engage in certain regulated construction. The Qualifying Party Certificate of Achievement is not a license. The business has the license, not the qualifying party. In order to qualify for examination, the qualifying party must have two years of experience within the last five years in the classification in which he/she is applying. A municipal business licensing office and the building officials' office should not issue a business license or building permit based upon a wall certificate or certificate of achievement.

If a qualifying party does not qualify, a contracting business regulated by the Board within four years of passing the required examinations, he/she will lose qualifying party qualifications. If a qualifying party leaves the employment of the licensee and does not qualify another licensee for four consecutive years, the licensee will lose his/her qualifying party qualifications and must pass the required exams to qualify for another licensee. If the qualifying party leaves the employment of the entity, both the entity and qualifying party must notify the department in writing within 15 days of departure. If the department is not notified within 15 days, the entity's license will be immediately cancelled. If proper notification is made, the license remains in good standing for 90 days until the entity can get another qualifying party to qualify the entity to engage in business.

General And Mechanical Monetary License Group Limitations Per Project

All general and mechanical contractors

are issued a license classification based upon the type of regulated work in which the contractor is qualified and has received a license for a particular scope of regulated work. General and mechanical contractors are also issued a group limitation for each separate project. This means the contractor is limited to a certain dollar value per project. This dollar value limitation is based upon the minimum net worth of the entity as established in Section 40-11-260.

The total dollar value per project may not exceed the contractor's group limitation for groups #1 through #4. Group #5 contractors are not limited to a dollar value per project. Group #5 is unlimited in the amount of work that the contractor may perform.

In order to determine if a contractor is within its designated monetary group limitation, the total cost of construction for the work to be performed, which includes the total cost of labor, profit, and material, is within the licensee's group limitation. This group limitation is determined by the financial net worth of the **entity seeking licensure**. The net worth is determined by submitting a financial statement at the time of licensure or during license renewal. The licensee may never go below its required net worth. If the licensee goes below the required net worth for the group limitation assigned to the license, the licensee must notify the department immediately. The licensee's group limitation will be reassigned to the proper group limit based upon the submittal of a new financial statement. Please refer to Section 40-11-260 for explicit details.

License group limitations are listed on backside of the contractor's license wallet card along with the abbreviation of the classification(s) of work the contractor may perform.

Contractor Classifications

Definitions for the different classifications of work regulated are found in Section 40-11-410.

(A) A **general contractor's license** is limited to four major classifications. They are building, highway, public utility, and specialty. Under these classifications, there are 26 sub-classifications.

Have You Moved?



It is the responsibility of the licensees to keep the board office aware of current address and telephone information. When these changes occur, please notify this office immediately.

Please submit the following information:

Date: _____

Name of Licensee: _____

Old Address: _____

New Address: _____

Old Phone Number: _____

New Phone Number: _____

Signature: _____

General and Mechanical Compliance Information *Continued from page 4*

(1) The building classification is the only major classification that has two different examinations, the limited and unlimited building exam.

(a) The general contractor limited building exam allows a contractor to apply for a contractor license to build structures from the ground up or perform renovation work and make additions to existing structures. New construction from the ground up and additions for these structures is limited to three stories in height. Renovations to existing buildings do not have a height restriction. If a contractor wants to engage in work in excess of three stories in height, the unlimited general contractor exam must be taken.

(b) The general contractor unlimited building exam allows a contractor to apply for a contractor license to build structures from the ground up or perform renovation work or make additions to existing structures, regardless of the height.

(B) A **mechanical contractor's license** has six major classifications. The mechanical classifications are: plumbing, heating, electrical, lightning protection, air conditioning and packaged equipment.

Performing Contracting Work

An individual or entity may not perform or offer (submit a bid in any form) to perform regulated general or mechanical contracting work for which the total cost of construction is greater than \$5,000. (See Section 40-11-30.) If regulated commercial work is \$5,000 or less, state law does not require a license. However, a municipality or county may adopt an ordinance requir-

ing a contractor to have a license for commercial work regardless of the cost of the project.

A subcontractor performing work for a general or mechanical contractor is not required to have a license if the work performed falls within the general or mechanical contractor's license classification(s). The licensed contractor hiring an unlicensed subcontractor must supervise and be responsible for the sub's work. Please refer to Section 40-11-270 for further clarification.

Section 40-11-340 states that an entity licensed under Section 40-11-410(1)(2) and (3) may act as the sole prime general contractor on a project if 40 percent or more of the total cost of construction falls under one or more of the licensee's license or sub-classifications. A properly licensed mechanical contracting entity must have 51 percent of its license sub-classification in a construction project to be listed as the sole prime contractor.

General and mechanical contractors must advertise and engage in regulated contracting work in the exact name that appears on the entities' contractor license. Failure to do so may result in a \$500 citation.

It is unlawful for a licensed contractor to bid in any name other than the exact name that appears on its contractor license card. If the contractor bids in another name, bids over the group monetary limitation, or outside the classification in which the contractor is licensed, the licensee is subject to disciplinary action under

Sections 40-11-110 and/or 40-11-370. Section 110 also provides a list of possible violations of the contracting statutes.

If an improperly licensed contractor is found on a project, the contractor may be issued a fine and required to leave the project and not return. This can cause problems for the contractor and the owner and can be very costly to both. The owner may be issued a fine for hiring an unlicensed contractor and may have to find another contractor to finish the remaining construction.

It is unlawful for an owner, a construction manager, a prime contractor, or any other entity with contracting or hiring authority on any construction project to divide work into portions so as to avoid the requirements of the state contracting statutes. The department is authorized to issue a Cease and Desist Order (C & D) to anyone for contracting without a proper contractor license. If an individual or entity receiving a Cease and Desist Order fails to stop the contracting work after the issuance of a C & D, the matter may be referred to an Administrative Law Judge for a possible fine of up to \$10,000 and/or imprisonment.

Copies of the contracting statutes regulated by the Board, are available at the Board's Web site, www.llr.state.sc.us/POL/Contractors. Please refer to the Code of Laws and Regulations (Practice Act). Licensee look-up, which allows you to look up the name or license number of general and mechanical contractors licensed with the Board also is on the Web site.

Employers Beware!



Employers in South Carolina are required to post two employment notices from the South Carolina Department of Labor, Licensing and Regulation in a place or places where employees can see them. These posters are: OSHA (Occupational Safety and Health) and the Labor Law Abstract (Payment of Wages, Child Labor, Right-to-Work).

Three other state agencies also require employment postings: the Employment Security Commission's "Workers Pay No Part of the Cost for Job Insurance" (UCI 104) and "If You Become Unemployed (UCI 105)"; the Workers' Compensation Commission's "Workers Comp Works For You"; and the Human Affairs Commission's "Equal Opportunity is the Law".

Due to budget constraints, LLR is no longer printing these posters. They can be downloaded from this site.

Currently, the following agencies are still printing the posters in an all-in-one format:

- S.C. Employment Security Commission, (803) 737-2474,
www.sces.org
- S.C. Human Affairs, (803) 737-7800 or 1-800-521-0725,
www.state.sc.us/schac
- S.C. Workers' Compensation Commission, (803) 737-5700,
www.wcc.state.sc.us

Fax-on-Demand for Forms

You can obtain forms and other information about the South Carolina Contractors' Licensing Board through the Fax-on-Demand system. You will not have to wait for information to come in the mail. Applications are available at the touch of a button and can be sent by fax directly to you. The system is voice activated. Call 24 hours a day toll free, 1-888-269-7646 and select option number 4 for the Contractors' Licensing Board. Follow the instructions, and state what documents you need.

Recent Disciplinary Actions

Cease and Desist Orders

The following individuals and/or entities were issued a Cease and Desist Order for performing contracting work without a proper contractor license, certification or registration or exceeding it's the contractor license classification or other reasons:

- Gladney Painting and Thomas Gladney, Columbia, S.C.
- Alpine Electrical Service nad Ivan Richardson, Camden, S.C.
- Feltman and Associates and Dean Feltman, Charleston, S.C.
- Mechanical Jobbers Marketing Inc., and Jerry Trevino, Stone Mountain, GA
- A to Z Glass and Home Repairs, Myrtle Beach, S.C.
- Liberty House Builders and Eddie Hudson, Ashville, N.C.
- Concentric Project Controllers, Inc., and Randy Cameron, Florence, S.C.
- Richard's Construction Company, Woodruff, S.C.
- Carolina Construction Specialties, Inc. and Nathan Hughes, Orangeburg, S.C.
- Cool Aid Heating & Air Conditioning and Sherry Hering, Charleston, SC. Repsondent exceeded its mechanical contractor license group number 4 limitation of \$125,000 for HVAC work on a project in North Charleston, S. C. Fine was \$1,000.
- Hill Plumbing Camden, S.C.
- G & G Maintenance, and Roger Grier, Darlington, S.C.
- Kary Edwards Painting and Kary Edwards, Bowman, S.C.
- T J S Home Improvement and Larry Sanders. Columbia, S.C.
- Delfino Home Services, Westminster, S.C.
- Dalby & Associates and Richard Dalby, Charlotte, N.C.
- T H Douglas, Gray Court, S.C.
- R T D Associates, Mt. Pleasant, S.C.
- Johnson Sandblasting and John Johnson, Mullins, S.C.
- 7 Fold Protective Services, Inc. and William T. Bullard, North Myrtle Beach, S.C.
- Carolina Industrial Services, and William B. Dollar, Sumter, S.C.
- Fox Interiors and Paul Fox, Brooklet, GA
- Omega Steel, Inc and Wayne Wheeler, Bloomingdale, GA
- Purvis Painting and Ralph Purvis, Burton, S.C.
- PCS Premier Construction Specialties and Michael Graham, Myrtle Beach, S.C.
- R. Irvin Shuler Builders, Santee, S.C.
- G & G Maintenance and Roger Grier, Darlington, S.C.
- Best Price Security Systems Brokerage, LLC and Raymond Glover

Citations Issued *Continued page 7*

- Robert Allen Black, Sr. Town and State Missing Here
- Aycock Lightning Protection Company, Inc., and Michael York, Sumter, S.C. Respondent submitted a bid for roofing work in Sumter, S.C. without being properly licensed.
- Daniel Baxley, Georgetown, S.C. Respondent engaged in electrical work in Hemingway without being properly licensed.
- Care Free Plumbing and Fred Howard, Summerville, S.C. Respondent exceeded their group number 4 mechanical contractor license.
- A & B Plumbing, N. Charleston, S.C. Respondent offered to perform plumbing work without having a plumbing license.
- R.P. Ridgil Plumbing Company, Ladson, S.C. Respondent submitted a bid in excess of their mechanical contracting license.
- Champion Services, Inc., and John Worden. Respondent submitted a bid for roofing work without being properly licensed.
- Gilstrap Roofing, Inc., and Charles Gilstrap, Greenville, S.C. Respondent performed roofing work on a commercial building and did not have a license to perform the work.
- Youmas Heating and Air Conditioning and Willie Youmas, N. Charleston, S.C. Respondent submitted a bid in excess of their mechanical contracting license.
- Myatt & Bates Heating & Air Corporation, Charleston, S.C. Respondent submitted a bid in excess of their mechanical contracting license.
- Starr Services and Henry Wade, Charleston, S.C. Respondent submitted a bid in excess of their mechanical contracting license.
- Master Mechanical Services, Inc and Fred Wilson, St. Stephen, S.C. Respondent submitted a bid in excess of their mechanical contracting license.
- Lorenz Electrical Services and John Lorenz, Charleston, S.C. Respondent submitted a bid in excess of their mechanical contracting license.
- Zack Smith Paving and Sealcoat, West Columbia, S.C. Respondent engaged in asphalt paving work in Chapin, S.C. without being properly licensed.
- Spruill Design, LLC, Charleston, S.C. Respondent submitted a bid for a

metal building without being properly licensed.

- Advanced Services and Danny Brown, Landrum, S.C Respondent performed HVAC work and did not have a proper license.

Citations Issued

The following individuals and/or entities were issued a citation by the department for violation of he contracting statutes and agreed to pay a fine:

- KAL Industrial Services and Joey Herring, Augusta GA. Respondent engaged in regulated construction work and did not have a license to perform the work. Fine was \$500.
- Associated Contractors and Henry Glover, Columbia, S.C. Respondent exceeded their general contractor license monetary group limitation. Fine was \$500.
- TQM Roofing and Richard Brazell, Statesville, S.C. Respondent engaged in regulated construction work and did not have a license to perform the work. Fine was \$500.
- NTEC Systems, LLC and Thomas Pontero, Marietta, GA. Respondent engaged in regulated roofing construction work and did not have a license to perform the work. Fine was \$500.
- Young's Painting Service and Michael Young, Columbia, S.C. Respondent exceeded their general contractor license monetary group limitation. Fine was \$500.
- Richard's Construction, Inc., Woodruff, S.C. Respondent exceeded their general contractor license monetary group limitation. Fine was \$500.
- Mallard Marine Construction, Inc., and Walt Braswell, Hilton Head, S.C. Respondent exceeded their general contractor license monetary group limitation. Fine was \$500.
- Simon and Watson, Charlotte, N.C. Respondent hired an unlicensed contractor to perform regulated HVAC work that required a contractor license. Fine was \$500.
- Perigo Heating and Air Conditioning, Mt. Holly, N.C. Respondent performed regulated HVAC work that required a license and did not have a proper license to engage in the work. Fine was \$500.

Consent Orders and/or Fines Paid

The following individuals or entities agreed to a Consent Order for violation of the contracting statutes:

- Robert Brockmeier, Campobello, S.C. Respondent hired two unlicensed contractors to perform regulated construction work on a restaurant located in Inman, S.C. Respondent performed work as a qualifying party for two licensed entities; both actions are in violation of the contracting statutes. Fine was \$5,000.
- Darr Construction Co., Trinity, N.C. Respondent divided a regulated contraction project into portions to evade its group # 4 financial limitation of \$750,000. The project was in the dollar amount of \$2,085,000 and located in Clover, S.C. Fine was \$5,000.
- Carolina Security and Wiring, LLC, Greensboro, N,C. Respondent's employee unknowingly performed work out of the employee's residence that could have been determined to be a branch office, which required licensure. Respondent agreed to pay a \$250 Consent Order.
- Southern Quest Construction, Inc., and Billy Snell, Jr., Dothan Alabama. Respondent hired an unlicensed contractor to perform regulated construction that required a contractor license. Fine was \$1,300.
- Rehab Builders Inc., and Charles Lipsky, Winston-Salem, N.C. Respondent entered into a contract with a sub-contractor to perform work that exceeded the sub's license group limitation and divided regulated construction work into portions to evade requirements for proper licensure. Fine was \$4,600.
- Arrow Builders and Bill Kenneally, Hubbard, Ohio, Respondent performed a commercial up fit on a regulated construction project located in Columbia, S.C. and did not have a contractor license to perform the work. Fine was \$2,000.
- Southern Coastal Maintenance Company, Inc. and Edward McDonnell, Murrell's Inlet, S.C. Respondent performed HVAC work on a regulated construction project and did not have a proper license to perform the work. Fine was \$500.
- Fred's Construction Management and Fred Whitmire, Gray Court, S.C. Respondent used the qualifying party certification of Robert Brockmeir to

Citations Issued *Continued page 8*

obtain a contractor license when Brockmeir was not a full-time employee as required under the contracting statutes. Fine was \$5,000.

- Carolina Construction Specialties, Inc., and Nathan Hughes. Respondent performed regulated general contracting work with an expired license. Fine was \$3,700.
- Rich Home Security and Elizabeth Rich, Swansea, S.C. Respondent performed burglar alarm installation for two projects and did not have an alarm license to perform the work. Fine was \$1,000.
- Pye Barker Fire and Safety, Inc., Kennesaw, GA. Respondent performed an inspection on a fire sprinkler system and did not have a fire sprinkler license to perform an inspection. Fine was \$250.
- Perrigo Heating and Air Conditioning, Mt. Holly, S.C. Respondent does not have a license to perform HVAC work in Clover, S.C. and borrowed the license of another contractor to engage in the work. Fine was \$5,000.
- Dalby and Associates and Richard Dalby, Charlotte, N.C. Respondent engaged in interior renovation work for a motel located in Florence, S.C., and did not have a license to perform the work. Fine was \$1,900.
- Fox Interiors and Paul Fox, Brooklet, GA. Respondent engaged in interior renovation work for a school project located in Beaufort, S.C., and did not have a license to perform the work. Fine was \$900.
- G & G Maintenance and Roger Grier, Darlington, S.C. Respondent engaged in metal installation work at the Maytag plant in Florence, S.C., and required a structural shape's license and did not have a license to perform the work. Fine was \$1,000.
- Diversified Fire Protection, Wilmington, N.C. Respondent submitted three shop drawings to the State Fire Marshal's Office, and the shop drawings did not have the required signature of the individual that prepared the drawings. Fine was \$500.
- Mock Plumbing and Mechanical, Inc and Jack Coohy, Savannah, GA. Respondent aided and abetted three unlicensed contractors by hiring the contractors to perform work that required a state contractor license. Fine was \$2,000.
- Omega Steel and Wayne Wheeler, Boomingdale, GA. Respondent engaged in metal installation work at

a school in Beaufort, S.C., and required a structural shapes license and did not have a license to perform the work. Fine was \$700.

- Shaw Electric Repair, Gilbert, S.C. Respondent engaged in regulated electrical work in Lexington, S.C., and did not have a license to perform the work. Fine was \$1,000.
- Ronald E. Yarborough, Tega Cay, S.C. Respondent engaged in a project that exceeded his general contractor group #3 monetary limitation of \$350,000. Fine was \$3,000.
- Alpine Electric and Ivan Richardson, Camden, S.C. Respondent submitted a bid for regulated electrical work in Kershaw County, S.C., and did not have a license to perform the work. Fine was \$500.
- Smarr Heating and Air Conditioning, Great Falls, S.C. Respondent allowed an unlicensed contractor to use the Respondent's license to engage in regulated electrical work. Fine was \$5,000.
- Feltman and Associates and Dean Feltman, Charleston, S.C. Respondent engaged in a roofing project that exceeded their general contractor license group #4 monetary limitation of \$750,000. Fine was \$2,000.
- Best Mechanical and Doug Tench, Seneca, S.C. Respondent abandoned a construction project in Spartanburg and failed to timely notify the Board of filing Chapter 7 bankruptcy as required by statute and abandoned and defaulted the HVAC project for the Student Life Building at Spartanburg Technical College located in Spartanburg, S.C. Respondents voluntarily surrendered their mechanical contractor license and qualifying party certificate.
- BEMCO, Charleston, S.C. The licensee had joint examinees as the qualifying parties for the entity. One examinee was no longer associated with the entity, and the entity failed to have to a proper qualifying party to remain in business. Fine was \$5,000.
- Robert Allen Black, Sr., Rock Hill, S.C. Respondent engaged in mechanical construction work in a name other than the exact name that appears on his license. Fine was \$500.
- Kary Edwards Painting, Harleyville, S.C. Respondent submitted a bid that exceeded its group number one general contractor license. Fine was \$500.
- 7 Fold Protective Services and William T. Bullard, N. Myrtle Beach,

S.C. Respondents engaged in burglar alarm work and did not have a proper license to perform the work. Fine was \$500.

- R. Irvin Builders, Santee, S.C. Respondent submitted a bid to engage in general contracting work without a building classification. Fine was \$500.
- Pyramid Construction, Inc., Easley, S.C. Respondent divided mechanical contracting work in portions to avoid hiring licensed contractors to perform the work. Fine was \$500.
- S & T Roofing & Scott McPherson, Ladson, S.C. Respondent submitted a bid for roofing work in Summerville, S.C. and did not have a proper license to bid the work. Fine was \$1000.
- Anderson Mechanical and Tim Vickery, Spartanburg, S.C. Respondent submitted a bid for HVAC work in Anderson, S.C. and was not licensed to perform the work. Fine was \$500.
- Nick Blackhurst d/b/a William Nicholas Blackhurst, Lexington, S.C. Respondent failed to respond to complete repairs on a residence in the time frame as agreed to with the department. Fine was \$500.
- BKF Builders and Brian Black, Taylors, S.C. Respondent failed to respond to complete repairs on a residence in the time frame as agreed to with the department. Fine was \$500.
- BKF Builders and Brian Black, Taylors, S.C. Respondent failed to respond to complete repairs on a residence in the time frame as agreed to with the local building official. Fine was \$1,000.
- Purvis Painting and Ralph Purvis, Burton, S.C. Respondent performed general contracting work on a project in Beaufort, S.C. and did not have a proper license to perform the work. Fine was \$1,400.
- Rogers Industrial Contractors, Inc., and Leonard Rogers, Hemingway, S.C. Respondent aided and abetted unlicensed contractors by hiring the contractors to perform regulated mechanical work that required licensure. Fine was \$5,000.
- Gilstrap Roofing, Inc., and Charles Gilstrap, Greenville, S.C. Respondent performed roofing work on a commercial building in Easley, S.C., and did not have a license to perform the work. Fine was \$900.

Citations Issued *Continued page 9*

- American Electrical Services, Inc., and Robert Armstrong, Summerville, S.C. Respondent exceeded the scope of electrical work permitted within the mechanical contractor electrical classification. Fine was \$1,500.
 - Youmas Heating and Air Conditioning, North Charleston, S.C. Respondent exceeded its mechanical contractor license monetary group limitation. Fine was \$1,000.
 - Lorenz Electrical Services, Charleston, S.C. Respondent exceeded its mechanical contractor license monetary group limitation. Fine was \$1,000.
 - Myatt & Bates Heating & Air Corporation, Charleston, S.C. Respondent exceeded its mechanical contractor license monetary group limitation. Fine was \$1,000.
 - Emerald Plumbing, Greenwood, S.C. Respondent aided and abetting an unlicensed contractor to perform contracting work when the subcontractor did not have a proper license to perform regulated work. Fine was \$500.
 - J M J Masonry, Walhalla, S.C. Respondent exceeded its general contractor license monetary group limitation. Fine was \$5,000.
 - T W J Electrical Contractors, Inc., Graniteville, S.C. Respondent aided and abetted an unlicensed contractor to perform contracting work by loaning its license to an unlicensed contractor which enabled the unlicensed contractor in the performance of regulated work. Fine was \$5,000.
 - Morris Construction Company, Inc., and Harry Holsberg, Greenville, S.C. Respondent failed to disclose in its 2003 mechanical renewal contractor application of any final judgments and liens filed against the licensee. Fine was \$500.
 - Care Free Plumbing and Fred Howard, Summerville, S.C. Respondent exceeded its mechanical contractor license monetary group limitation. Fine was \$1,000.
 - A & B Plumbing and Mark Seprish, Mt. Pleasant, S.C. Respondent submitted a bid for plumbing work in Charleston, S.C. and was not licensed to perform the work. Fine was \$1,000.
 - Plyler Construction and Donald Plyler, Jefferson, S.C. Respondent performed substandard work on a residential structure. Fine was \$1,500.
 - Harris Builders & Development, Catawba, S.C. Respondent failed to state on its general contractor license renewal application that the Respondent had an outstanding lien or judgment filed against Harris Builders. Fine was \$500.
 - Beaver Mechanical and John Beaver, Hilton Head, S.C. Respondent entered into a joint venture bid and was not licensed to enter into a joint venture bid. Fine was \$2,180.
 - A American Electric, Inc., and Zollie Byrd, Ravenel, S.C. Respondent performed HVAC work and did not have a proper license to perform the work. Fine was \$1,250.
 - Richard Hardee Masonry and Richard Hardee, Conway, S.C. Respondent performed renovation on an existing building and did not have a proper general contractor license to perform the work. Fine was \$1,200.
 - Precision Roofing and Mike Dunn. Respondent performed roof work and was not properly licensed. Fine was \$800.
- Board Final Orders**
- Chris Gibson, Charleston, S.C. Respondent failed to make the required disclosures in his 2001 and 2003 renewal application of all final judgments, liens, arrest warrants, and indictments filed against him. The Board revoked his general and mechanical contractor license and qualifying party certificate and issued a \$5,000 fine.
 - Payne-Adams Construction, Inc., and Jessie P. Adams and Armani Construction, Columbia, S.C. Respondent failed to make the required disclosures in his 2001 and 2003 renewal application of all final judgments, liens, arrest warrants, and indictments filed against the licensee. Respondent failed to provide the department with financial statements of Payne-Adams Construction, Inc. as requested by the department. Respondent failed to correct code violations as required by Richland County. The Board revoked the licensee's general and mechanical contractor license and qualifying party certificate belonging to Jessie Adams and issued a \$5,000 fine.
 - Parsons Energy and Chemicals, Reading, PA. Respondent failed to obtain a construction manager registration prior to entering into an agreement to provide construction management services. Fine was \$5,000. A fine of \$1,000 was issued to pay for the cost of the hearing and investigation.
 - Coastline Marine Construction and Jason Bower, Murrells Inlet, S.C. Respondent performed substandard work and engaged in incompetence by installing a seawall without having adequate knowledge and training in the installation of vinyl seawalls. The Board suspended the general contractor license belonging to Coastline Marine Construction for six months and issued a civil penalty in the amount of \$2,500.
 - Bruce Watts, Pawley's Island, S.C. Respondent failed to disclose three liens on his 2001 renewal application. Fine was \$500.
 - Best Electric Service and James Tokunaga, Columbia, S.C. Respondent failed to disclose in his 2000 mechanical contractor application all final judgments and liens filed against the licensee and failed to respond to a directive by the department to provide requested information. The Board suspended the license belonging to Best Electric Service and issued a \$5,000 fine.
 - S & T Heating, Electric & Plumbing, Laurens, S.C. Respondent agreed to surrender its license prior to appearing before the Board for charges filed against its license for incompetence.
 - Boyce & Boyce Inc., and Robert Boyce, Florence, S.C. Respondent were charged with incompetence and failed to make repairs to a residential structure as required by an Horry County Building Code Official. The general contractor license belonging to Boyce & Boyce Inc., was revoked and was issued a \$1,000 fine.
 - BFC Construction Inc., and John Luther, Greenville, S.C. Respondent performed substandard work on a residence and made repairs as approved by the Board. Fine was \$2,000. Licensee was also issued a fine of \$1,020 for the cost of the hearing.

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