

RESIDENTIAL BUILDERS
COMMISSION
Synergy Business Park
110 Centerview Drive
Kingstree Building
Columbia, South Carolina 29210
Wednesday, October 12, 2022

NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting.

Called to Order:

Timothy W. Roberts, Chairman, called the regular meeting of the Residential Builders Commission to order at 10:06 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, and James Graves.

Timothy W. Roberts, Chairman, announced that public notice of the meeting was properly posted on the bulletin boards at the main entrance of the Kingstree Building and by notice mailed to all requesting persons, organizations and news media in accordance with § 30-4-80 of the South Carolina Freedom of Information Act.

Approval of Agenda:

MOTION:

Mr. Bailey made a motion to approve the October 12, 2022 Residential Builders Commission Meeting Agenda. Mr. Graves seconded the motion, which carried unanimously.

Approval of Minutes for the September 14, 2022 Meeting:

MOTION:

Mr. Graves made a motion to approve the September 14, 2022 minutes. Mr. Bailey seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Earl McLeod, Mrs. Christy Rhyne, and Mr. Bryan Dowd were absent.

MOTION:

Mr. Bailey made a motion to approve the absent members. Mr. Dillard seconded the motion, which carried unanimously.

Chairman's Remarks:

Timothy W. Roberts

Chairman Roberts announced that the handling of business will be out of order as it is on the Agenda.

Initial Applications:

Ryan Powell Haag

The Commission held an application review regarding Ryan Powell Haag. Mr. Haag appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to approve Mr. Haag to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Richard Earl Gray Jr

Mr. Gray did not attend and requested to be rescheduled. The Commission did not take any action.

Homayoon Feiz

The Commission held an application review regarding Homayoon Feiz. Mr. Feiz appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Feiz to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Joseph Dechiaro

The Commission held an application review regarding Joseph Dechiaro. Mr. Dechiaro appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to approve Mr. Dechiaro to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Donnovan Lawrence Ledford

The Commission held an application review regarding Donovan Lawrence Ledford. Mr. Ledford appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Ledford to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Mati Karni

The Commission held an application review regarding Mati Karni. Mr. Karni appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Karni to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Marc Antoine Desrivieres

The Commission held an application review regarding Marc Antoine Desrivieres. Mr. Desrivieres appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Desrivieres to sit for the exam. Mr. Graves

seconded the motion, which carried unanimously.

Erin Shannon Wiggins

The Commission held an application review regarding Erin Shannon Wiggins. Mr. Wiggins appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to approve Mr. Wiggins to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Christopher Malstaff

The Commission held an application review regarding Christopher Malstaff. Mr. Malstaff appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to approve Mr. Malstaff to sit for the exam. Mr. Bailey seconded the motion, which carried unanimously.

Robert Mario Brian Walker

The Commission held an application review regarding Robert Mario Brian Walker. Mr. Walker appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to approve Mr. Walker to sit for the exam. Mr. Bailey seconded the motion, which carried unanimously.

Brandon Roland Allard

The Commission held an application review regarding Brandon Roland Allard. Mr. Allard appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Allard to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Blake Jonathan Pantuck

The Commission held an application review regarding Blake Jonathan Pantuck. Mr. Pantuck appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Pantuck to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Brandon Jeffrey Woods

The Commission held an application review regarding Brandon Jeffrey Woods. Mr. Woods appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Woods to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Dewayne Sykes

The Commission held an application review regarding Dewayne Sykes. Mr. Sykes appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Graves made a motion to approve Mr. Sykes to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Thomas D Zupan

The Commission held an application review regarding Thomas D Zupan. Mr. Zupan appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Zupan to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Naser S Jaber

The Commission held an application review regarding Naser S Jaber. Mr. Jaber appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Jaber to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

William J Riebe

The Commission held an application review regarding William J Riebe. Mr. Riebe appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Riebe to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Sergey Anatolievich Latyshev

The Commission held an application review regarding Sergey Anatolievich Latyshev. Mr. Latyshev appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Latyshev to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Megan Nicole Gilbert

The Commission held an application review regarding Megan Nicole Gilbert. Ms. Gilbert appeared before the Commission and waived her right to counsel.

MOTION:

Mr. Bailey made a motion to approve Ms. Gilbert to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Jason R Kimes

The Commission held an application review regarding Jason R Kimes. Mr. Kimes appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Kimes to sit for the exam. Mr. Graves seconded the motion, which carried unanimously.

Carlisle Johnson Floyd

Mr. Floyd did not attend and requested to be rescheduled. The Commission did not take any action.

Austin James Sarte

Mr. Sarte did not attend and requested to be rescheduled. The Commission did not take any action.

James Kelvin Ginn

The Commission held an application review regarding James Kelvin Ginn. Mr. Ginn appeared before the Commission, with counsel, Steven Schusterman.

MOTION:

Mr. Dillard made a motion to deny Mr. Ginn renewal of his Residential Builders license until a payment plan was agreed upon for the outstanding judgment. Mr. Bailey seconded the motion, which carried unanimously.

Request to Waive 12-Month Waiting Period After 3 Exam Fails (BM&L Exam):

William Crabtree

The Commission held an application review hearing regarding William Crabtree. Mr. Harris appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to deny Mr. Crabtree's request to waive the 12-month waiting period after 3 exam fails. Mr. Bailey seconded the motion, which carried unanimously.

Hearing Officer Recommendations:

Robert Elam, Office of Disciplinary Counsel

Mr. Elam presented the report to the Commission.

1. Tamiym Fox

Mr. Bailey, who served as the hearing officer, recused himself.

Executive Session

MOTION:

Mr. Dillard made a motion to go into Executive Session for legal advice. Mr. Graves seconded the motion, which carried unanimously.

Return from Executive Session

MOTION:

Mr. Dillard made a motion to return from Executive Session. Mr. Graves seconded the motion, which carried unanimously.

MOTION:

Mr. Dillard made a motion to modify the Hearing Officer's Recommendation by reducing the fine to \$5000, due within 90 days, and no revocation of license. Mr. Graves seconded the motion, which carried unanimously.

Final Order Hearings Report on Accepted Hearing Officer Recommendations:

Rowland Alston, Office of Disciplinary Counsel

Mr. Alston presented the report to the Commission.

1. *Brendon Kerley 2020-735*
2. *Aron Middleton 2020-880; 2020-903*

Mr. Bailey, who served as the hearing officer, recused himself.

MOTION:

Mr. Dillard made a motion to approve the report. Mr. Graves seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

Janet Baumberger, Administrator for the Residential Builders Commission

Mrs. Baumberger had no remarks.

When would a deck be considered structural and require a builder:

A Residential Specialty Contractor with a classification of carpentry, may build a deck of any square footage up to thirty inches above grade in height. Any deck over thirty inches above grade in height would be considered structural and would require a Residential Builder to perform or supervise the work.

Board Information:

1. **ODC Report:**

Rowland Alston, Office of Disciplinary Counsel

Mr. Alston presented the ODC status report. He reported the number of cases as of September 28, 2022.

As of September 28, 2022:

Open Cases – 213, Pending Hearings & Agreements – 92, Pending Closure – 1, Closed* – 13, Appeals – 2

***Closed since last report – 13, Closed since 1/1/2022 - 47**

2. **OIE Report:**

Todd Bond, Office of Investigations and Enforcement

Mr. Bond presented the OIE report. He reported the number of Investigations as of October 12, 2022.

As of October 12, 2022:

Complaints Received – 846; Active Investigations – 190; Closed Cases – 677

New Business:

Todd Bond, Office of Investigations and Enforcement

Mr. Bond presented the Resolution Guidelines report.

1. Resolution Guidelines

MOTION

Mr. Bailey made a motion to approve the IRC Resolution Guidelines. Mr. Dillard seconded the motion, which carried unanimously.

Building Official Law Manual and Owner-Builder Flyer:

The Commission was provided background information regarding these recent publications and considered potential actions to clarify the law for building officials and owner builders.

Old Business:

None.

Public Comments:

Ms. Sophia Apostolopolus and her attorney, Ms. Abby Krysak, provided comments regarding her experience with licensee, Mr. James Kelvin Ginn.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, November 9, 2022 at 10:00 am.

Adjournment:

Mr. Graves made a motion to adjourn the Residential Builders Commission Meeting. Mr. Bailey seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:59 p.m.

NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting.