

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
BEFORE THE CONTRACTORS' LICENSING BOARD**

In the matter of:

**Action Building Co. Inc. of the Upstate
225 Walnut Hill Lane
Spartanburg, SC 29302**

License # GC-15071

Case 2008-295

Respondent

CONSENT AGREEMENT

By agreement of the State Contractors' Licensing Board (the Board) and the above-named Respondent, the following disposition of this matter is entered pursuant to the provisions of S.C. Code of Laws §1-23-320(f) (1976, as amended) of the South Carolina Administrative Procedures Act:

FINDINGS OF FACT

1. At the time of the incident respondent was licensed as a general contractor. The Board has jurisdiction over the Respondent and the subject matter herein.
2. In September of 2006 the Respondent engaged in construction of a residential structure at 991 Nantahala Drive, Lexington, SC, it was observed during an inspection the rear deck required repair, proof of fastening of water lines in the upstairs bathroom not provided concerning the water hammering issue and cracks in the grout lines of the father-in-law bathroom.
3. Respondent waives any further findings of fact with respect to this matter.

CONCLUSIONS OF LAW

Respondent admits that the Respondent's action in this matter is in violation under SC Code of Laws §40-11-110(A) (2) (1976, as amended). Respondent waives any further conclusions of law with respect to this matter.

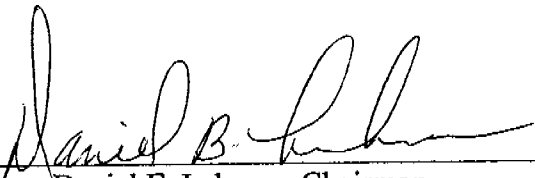
THEREFORE, IT IS ORDERED WITH RESPONDENT'S CONSENT THAT:

1. Respondent's license shall be publicly reprimanded, suspended for a period of not less than one (1) year. The suspension may be stayed and the license placed on probation for a period of not less than one (1) year with the following conditions:
 - a. Respondent shall pay a Civil Penalty of \$500.00 within thirty (30) days of the effective date of this agreement. Said penalty shall not be deemed paid until received by the Board in the form of a money order or cashier's check.
2. It is understood and agreed that if Respondent fails to meet the conditions agreed to in this Consent Agreement, Respondent's license may be administratively suspended pending compliance. Non-compliance may also result in further discipline. Any license law violations by Respondent constitute a failure to meet the conditions of this Consent Agreement.
3. Respondent has full knowledge that he has the right to a hearing and to be represented by counsel in this matter, and freely, knowingly, and voluntarily waives such rights by entering into this Consent Agreement. Respondent understands and agrees that by entering into this Consent Agreement he voluntarily relinquishes any right to judicial review of Board action(s) which may be taken concerning any related matters.
4. Respondent understands and agrees that this Consent Agreement will not become effective unless and until approved by the Board. Respondent understands and agrees that this Consent Agreement, if approved, will be disseminated as a public action of the Board in the manner provided by law. Respondent understands and agrees that if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter.
5. Pursuant to the South Carolina Freedom of Information Act, this Consent Agreement, with attachments, is a public document.
6. This Consent Agreement shall take effect immediately upon acceptance by the Board.

AND IT IS SO ORDERED.

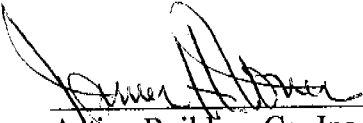
SOUTH CAROLINA CONTRACTORS' LICENSING BOARD

6/30/09
Date



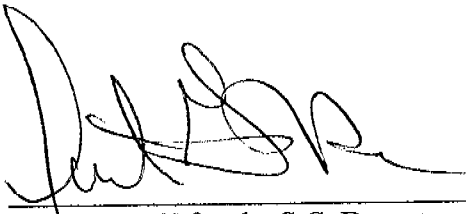
Daniel B. Lehman, Chairman

I CONSENT:



Action Building Co. Inc. of the Upstate, Respondent

6/22/09
Date



ATTORNEY for the S.C. Department
of Labor, Licensing & Regulation

6/24/09
Date