

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

In the matter of:

**Apex Builders LLC
215 Pliney Circle
Simpsonville, SC 29681**

License No. GC 108596

Case No. 2007-30

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 July of 2005 the Respondent engaged in a contract with John & Christine Visser to renovate a structure with damages from a flood at 107 Wolf Creek Court, Greenville, SC.
3. An inspection revealed that there were gaps in mitered joints, unfinished joints in walls and ceiling, insulation was missing in areas in the underside of flooring and many areas on the floors and walls where paint had spilled.
4. 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) and that the conduct in this matter constitutes sufficient grounds disciplinary or corrective action. Respondent waives any further conclusions of law with respect to this matter.

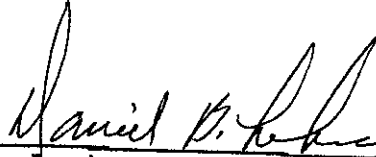
THEREFORE, IT IS ORDERED WITH RESPONDENT'S CONSENT THAT:

1. Respondent's license shall be publicly reprimanded and suspended for a period of one (1) year. The suspension may be stayed and placed on probation for a period of not less than one (1) year with the following conditions:
 - a. Respondent shall pay a penalty of \$500.00 within 30 days after receipt 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.
 - b. Respondent shows proof that he has resolved the complaint pending with the South Carolina Contractors' Licensing Board by making all necessary repairs.
2. Respondent agrees that if he fails to meet the conditions agreed to in this Consent Agreement, the Board may immediately suspend Respondent's licenses pending a hearing, which may result in further discipline. Any license law violations by Respondent during any period of probation 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 upon approval of the Board and the service upon Respondent or Respondent's counsel.


AND IT IS SO ORDERED.

SOUTH CAROLINA CONTRACTORS' LICENSING BOARD

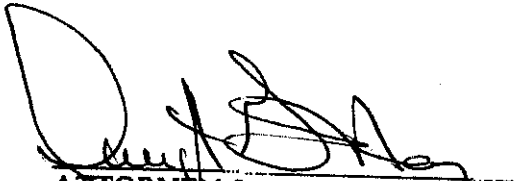
1/23/08
Date


Lewis M. Caswell, Chairman
Daniel B. Lehman

I CONSENT:


Apcx Builders LLC, Respondent
By Michael C. Pinckney

10 JAN 2008
Date

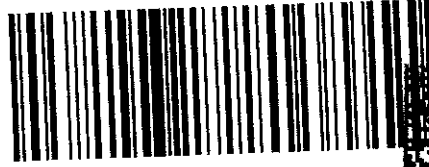

ATTORNEY for the S.C. Department
of Labor, Licensing & Regulation

1/28/08
Date



Division of Legal Services
 Office of Investigations and Enforcement
 110 Centerview Drive
 Post Office Box 11329
 Columbia, SC 29211-1329

CERTIFIED MAIL™



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Scanner

**RETURN RECEIPT
 REQUESTED**

CONTAINING ORIGINAL

RECEIVED

2008 FEB 19 AM 3

LLR DIV OF LEGAL SVCS

19/11/08

FIRST NOTICE
1-29-08

SECOND NOTICE
2-5-08

RETURNED
2-13-08

292111329

Apex Builders
 215 N Pliny Circle
 Simpson

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RETURN TO SENDER
 ATTEMPTED - NOT KNOWN
 UNABLE TO FORWARD

BC: 29211132929 *0554-06193

