

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

**In the Matter of:
BETHEL CONSTRUCTION CO., INC,
License No.CLG.15999.CG,**

**and RODY EGISTER, JR.,
(Qualifying Party for
Bethel Construction of SC),
License No.CQG.12602, and**

License No.CCM.228G,

Respondent.

OIE Case # 2005-225

CONSENT AGREEMENT

By agreement of the 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. The Respondent admits that the Board has jurisdiction over this matter, and that Respondent is licensed by the Board in the State of South Carolina, and was so licensed at all times relevant to the matters asserted in this case.
2. The Respondent admits that he was the general contractor for a City of Hartsville Byerly Park Sports Complex project which consisted primarily of a field house with offices, concessions, and restrooms with showers.
3. The Respondent admits he did not properly supervise the project in question and as a result is in violation of S.C. Code Section 40-11-110(A) (2).
4. The Respondent waives any further findings of fact with respect to this matter.

CONCLUSIONS OF LAW

1. The Respondent admits that his actions in this matter are in violation of S.C. Code Ann. §40-11-110(A) (2) (1976, as amended) in that the Respondent's conduct amounts to negligence, incompetence, and/or misconduct.
2. The Respondent waives any further conclusions of law with respect to this matter.

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

1. The Respondent's license shall be, and hereby is, publicly reprimanded.
2. The Respondent's license to practice in this State is suspended for a period of one (1) year, however said suspension is hereby immediately stayed upon the following conditions:
 - a. Respondent shall pay a civil penalty totaling Five Hundred (\$500.00) Dollars within thirty (30) days of the execution of this Agreement. The civil penalty is not deemed paid until received by the Board.
 - b. Respondent's license shall be in a probationary status for one year beginning on the date of the execution of this Agreement.
3. The Respondent agrees that if he fails to timely meet the conditions agreed to in this Consent Agreement, the Board shall immediately administratively suspend Respondent's license until further Order of the Board.
4. The Respondent understands and agrees that any license law violation during the period of probation will constitute a violation of this Order.
5. The Respondent has full knowledge that he has the right to a hearing and to be represented by counsel in this matter at any hearing, and freely, knowingly, and voluntarily waives such rights by entering into this Consent Agreement. The 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.
6. The Respondent understands and agrees that this Consent Agreement will not become effective unless and until approved by the Board. The 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. The 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.

7. Pursuant to the South Carolina Freedom of Information Act, this Consent Agreement is a public document.
8. This Consent Agreement shall take effect immediately upon receipt by the Respondent or his counsel.

AND IT IS SO ORDERED.

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

9/15/09
DATE

Daniel Lehman
DANIEL LEHMAN, CHAIRMAN

I CONSENT:

Rody Egister
RODY EGISTER, Respondent

8/25/09
Date

Brian P. Robinson
BRIAN ROBINSON
ATTORNEY for Respondent

8/28/09
Date

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

9/19/09
Date

CERTIFICATION BY MAIL

This is to certify that the undersigned has this date served this Consent Agreement in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party (ies) or their attorney (s), to the following address: 151 Meadow Lake Dr, Columbia SC 29203

This 22 day of Sept. 2009
By: Linda R. Sumner Ford Admin Asst.
Linda R. Sumner Ford