

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

**In the Matter of:
RODNEY COX,
d/b/a Cox Construction,
License No. CLG.103760 GC,**

Respondent.

**OIE Case # 2007-5
OGC File # 08-0021**

CONSENT AGREEMENT

BY AGREEMENT of the State of South Carolina, Contractors' Licensing Board (hereinafter "the Board") and the above-named Respondent, the following disposition of this matter is entered pursuant to § 1-23-320(f) of the South Carolina Administrative Procedures Act (APA), S.C. Code Ann. § 1-23-10, *et seq.* (1976, as amended).

The Board has personal jurisdiction over Respondent and jurisdiction over the subject matter in this case pursuant to S.C. Code Ann. § 40-1-115 (1976, as amended).

FINDINGS OF FACT

1. At the time of this incident Respondent was licensed as a general contractor. Respondent admits that the Board has personal jurisdiction over the Respondent and jurisdiction over the subject matter in this case.
2. Respondent admits that he engaged in a contract by signing a blank permit application that an unlicensed party, Tracy Irby, used to pull a permit and perform construction work at 1615 Troy Atkinson Road, Mullins, South Carolina.
3. Respondent admits that he provided fraudulent information on his October 2008 renewal application for licensure by failing to disclose a judgment entered against him in April of 2008. Respondent denied having any judgments, claims, or liens entered against him or his companies within the past 10 years.
4. Respondent waives any further findings of fact in this matter.

CONCLUSIONS OF LAW

1. Respondent admits that his actions in this matter are in violation of the laws governing contracting in this State, in that he:
 - a. aided and abetted an unlicensed entity to evade the provisions of this chapter, combined or conspired with an unlicensed entity and allowed his license to be used by an unlicensed entity, in violation of S.C. Code Ann. § 40-11-110(A)(9) (1976, as amended), and
 - b. engaged in fraud or deceit in obtaining a license or certification, in violation of S.C. Code Ann. § 40-11-110(A)(4) and § 40-1-110(a) (1976, as amended).
2. Respondent waives any further conclusions of law with respect to this matter.

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

1. Respondent is hereby issued a public reprimand.
1. The Respondent's license to practice in this State is suspended for a period of one (1) year; however, said suspension is stayed upon Respondent's fulfillment of the following conditions:
 - a. Respondent shall pay a civil penalty totaling Twenty-five Hundred (\$2,500.00) Dollars within sixty (60) days of the execution of this Agreement. The civil penalty is not deemed paid until received by the Board; and
 - b. Respondent's license shall be suspended for six (6) months followed by a six (6) month period of probation, commencing on the date of the execution of this Agreement. Should Respondent commit any license law violations during this period, his license may be immediately suspended pending a hearing, which could result in further disciplinary action against Respondent.
2. Respondent has full knowledge that Respondent 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 Respondent voluntarily relinquishes any right to judicial review of Board action(s) which may be taken concerning any related matters.
3. 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

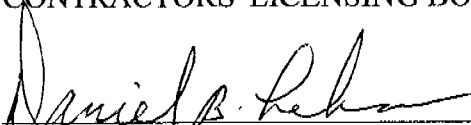
Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter.

4. Respondent understands and agrees that if this Consent Agreement is approved, it shall become a public document under the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-10, *et seq.*, as amended.
5. It is understood and agreed that if Respondent fails to meet the conditions agreed to in this Consent Agreement, Respondent's license may be immediately suspended pending compliance. Non-compliance may result in further discipline. Any license law violations by Respondent constitute a failure to meet the conditions of this Consent Agreement.
6. This Consent Agreement shall take effect immediately upon acceptance by the Board.

AND IT IS SO AGREED.

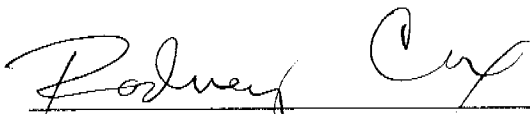
SOUTH CAROLINA DEPARTMENT OF
LABOR, LICENSING & REGULATION
CONTRACTORS' LICENSING BOARD

6/22/09, 2009



DANIEL B. LEHMAN,
CHAIRMAN OF THE BOARD

WE CONSENT:



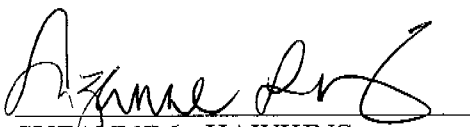
RODNEY COX, RESPONDENT

June 11, 2009



ELIZABETH DALZELL, ESQUIRE
ATTORNEY FOR RESPONDENT

June 11, 2009



SUZANNE L. HAWKINS,
ATTORNEY for the S.C. Dept. of
Labor, Licensing & Regulation

June 11, 2009