

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

**In the matter of:**

**Ortho S Pool Jr.  
Custom Roofing & Painting  
1604 Adger Road  
Columbia, SC 29204-3301**

**License No. GC-**

**Case No. 2006-23**

**Respondents**

**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. On or about April 18, 2005 the Respondent engaged in a contract with P. Y. Lowrance to replace old existing skylights and re-roof the old existing roof with a new roof at 9 Possum Run Road, Columbia, SC 29223. Since the installation of the new skylights and new roof there has been a leak allowing water to drip to the floor.
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) 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 Respondent's license shall be suspended indefinitely pending receipt of proof that Respondent has resolved the complaint pending with the South Carolina Contractors' Licensing Board. Once the

corrections are made, Respondent's license will be re-instated 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 \$1,500.00 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.
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**


22 August 2007  
Date

  
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Lewis M. Caswell, Chairman

I CONSENT:

  
\_\_\_\_\_  
Custom Roofing & Painting and  
Ortho S Pool Jr., Respondents

Aug 20, 07  
Date

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

8/21/07  
Date

