

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

**In the Matter of:**

**Joe A. Daves, Sr., and  
J & A Construction Company, Inc. of SC  
2681 Hwy 324  
York, SC 29745**

**License# G-15240**

**Case # 2005-126**

**Respondent**

**CONSENT AGREEMENT**

By agreement of the South Carolina 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. 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. Respondents submitted a bid for asphalt paving work in the amount of \$316,030.65 that was in a name other than the exact name that appears on the license issued to them and which was outside of their general contractors building (group four) license classification of grading, water and sewer lines. The bid was submitted in the name of York Asphalt Services, Inc. and was submitted to Bill White in the York County Purchasing Department, on or about June 2, 2005, for the project known as the 2004-2005 York County C-Fund Resurfacing Project.
3. Respondents further waive any further findings of fact with respect to this matter.

**CONCLUSIONS OF LAW**

Respondent further admits that as a result of the previous admissions herein, Respondent has violated S.C. Code of Laws Sections 40-11-370(B) and 40-11-110(A)(21) (1976, as amended). Respondent hereby waves any further conclusions of law with respect to this matter.

**THEREFORE, IT IS ORDERED WITH RESPONDENTS' CONSENT THAT:**

1. Respondent shall pay a Civil Penalty of \$3,700 within 15 days from the date of the Board's action on 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. Failure to comply with this requirement within the prescribed time shall automatically result in the immediate temporary suspension of Respondent's license until such time as full compliance has been made by Respondent.
2. Respondents shall not engage in any general contracting project within this state that is in a name other than the exact name that appears on the license issued and that is outside of their general contractors group four building license classification of grading and water and sewer lines until properly licensed by the Board.
3. Should Respondent fail to comply with any of the provisions of this Consent Agreement, Respondent's license may be immediately temporarily suspended until further Order of the Board following hearing into the matter.
4. 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 Order. Respondent understands and agrees that by entering into this Consent Order he voluntarily relinquishes any right to judicial review of Board action(s) which may be taken concerning any related matters.
5. 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.
6. Pursuant to the South Carolina Freedom of Information Act, this Consent Agreement, with attachments, is a public document.
7. This Consent Agreement shall take effect immediately upon receipt by Respondent or his counsel.

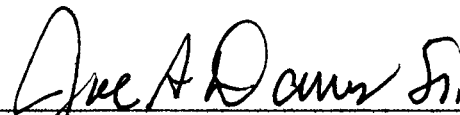
AND IT IS SO ORDERED.

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

8-3-05, 2005

  
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Joe Chandler, Chairman

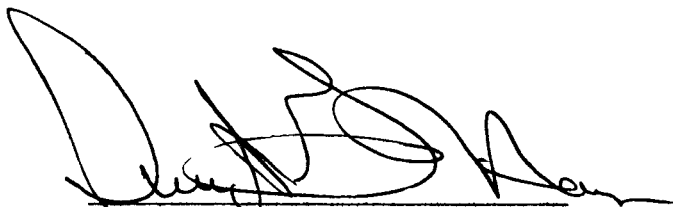
WE CONSENT:

  
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Joe A. Daves, Sr., and  
J & A Construction Company, Inc. of S.C.  
RESPONDENTS

7-26-05  
\_\_\_\_\_  
Date

\_\_\_\_\_  
WITNESS OR ATTORNEY

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
ATTORNEY FOR THE BOARD

7/26/05  
\_\_\_\_\_  
Date