

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

**In the matter of:**

**Denny's Construction Incorporated  
26 A John Galt Road  
Beaufort, South Carolina 29906**

**License # GC-112997**

**Case 2008-180**

**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. Respondent admits that on or about November 1, 2006, his license lapsed when he failed to submit his renewal application and required fees. Respondent's license was re-instated on January 12, 2007.
3. Respondent admits that he continued to engage in General Contracting during the period that his license was lapsed.
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 §40-11-250 (A) (1976, as amended). 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, suspended for a period of not less than one (1) year and Respondent must pay a civil penalty of \$500.00. The suspension and the civil penalty may be stayed and the license placed on probation for a period of not less than two (2) years with the following conditions:
  - a. Respondent shall pay a Civil Penalty of \$500.00 within thirty (30) days of the effective date 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. It is understood and agreed that if Respondent fails to meet the conditions agreed to in this Consent Agreement, Respondent's license may be administratively suspended pending compliance. Non-compliance may also result in further discipline. Any license law violations by Respondent 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 immediately upon acceptance by the Board.

AND IT IS SO ORDERED.

SOUTH CAROLINA CONTRACTORS' LICENSING BOARD

5/12/09  
Date

Daniel B. Lehman  
Daniel B. Lehman, Chairman

I CONSENT:

[Signature]  
Denny's Construction Incorporated, Respondent

3-26-09  
Date

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

5/4/08  
Date