

1983 WL 181928 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 1, 1983

*1 Rick A. Howell

Director

Building Codes and Regulatory Services

Manufactured Housing Section

Division of General Services

300 Gervais Street

Columbia, South Carolina 29201

Dear Rick:

Your letter to Mr. Robert D. Cook dated June 17, 1983, requesting an Attorney General's Opinion as to the meaning of 'consumer', from Section 31-17-10, et seq., and [Regulation 19-425](#), et seq., Code of Laws of South Carolina, 1976, as amended, has been referred to this Office for answer. A definition of 'consumer' is found in volume 16A of Corpus Juris Secundum, 'Consumer', Page 1245—'Consumer . . . specifically, one to whom a retail dealer sells. It has been said that the consumer is the last person to whom property passes in the course of ownership, and that is the test of a retail transaction. . . .'

Commencing with the above definition and reading the Statute, Section 31-17-10 et seq., and [Regulation 19-425](#), and looking at the clear purpose of the Statute, it appears that the best literal meaning of 'consumer' would be: a person who in good faith purchases a manufactured home for purposes other than resale (see Section 31-17-20(m) and Section 31-17-170(2)).

Section 31-17-20 defines manufacturer (d), manufacturer's representative (e), retail dealer (g), and retail salesman (h). It appears from a reading of the above Statute that none of the aforementioned defined would qualify as a consumer by their very definition. It is the opinion of this Office, after a literal review of the Statute and Regulation, that the General Assembly intended that a 'consumer' be a person who in good faith purchases a manufactured home for purposes other than resale.

If this Office may assist further, please advise.

Very truly yours,

Malcolm E. Rentz

Assistant Attorney General

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