

1983 S.C. Op. Atty. Gen. 134 (S.C.A.G.), 1983 S.C. Op. Atty. Gen. No. 83-82, 1983 WL 142751

Office of the Attorney General

State of South Carolina

Opinion No. 83-82

October 28, 1983

*1 Mr. John T. Watkins

Director

South Carolina Residential Home Builders Commission

2221 Devine Street, Suite 312

Columbia, South Carolina 29205

Dear John:

You have inquired as to whether a real estate owner can build a house for sale or rent on his property without either being a licensed builder himself or having a licensed builder construct the house. I call your attention to [§ 40-59-10 S.C. Code ANN.](#) which provides in part:

Nothing herein shall prevent any person, or his agents, from performing these acts on his own residence or on his other real estate holdings. [Emphasis added].

From the context of the statute cited, the 'acts' to which reference is made are all the acts or undertakings set forth in the same statute to define 'residential home builder.'

From my reading of [§ 40-59-10 S.C. CODE ANN.](#), I am of the opinion that a property owner does not have to be licensed himself nor have his agents licensed by your agency for any residential home building, repairs, improvements or reimprovements thereof on either his own residence or on his other real estate holdings.

Sincerely,

W. Joseph Isaacs

Assistant Deputy Attorney General

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