

1978 WL 34945 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 19, 1978

\*1 Mr. Ryan Johnson  
Deputy Commissioner  
South Carolina Real Estate Commission  
2221 Devine Street—Suite 530  
Columbia, South Carolina 29205

Dear Mr. Johnson:

You requested an opinion whether the Real Estate Commission would be justified in refusing to renew the license of a broker who is appealing an adverse ruling of the Real Estate Commissioner revoking his license. It is our opinion that the Commission is not justified in refusing to renew the license.

There is no provision of state law which provides a grounds for the Commission's refusing to renew the license of a licensee upon proper application. See, [§ 40-57-150\(2\), SOUTH CAROLINA CODE](#), 1976, and R 105-24 REAL ESTATE COMMISSION REGULATIONS. To refuse to renew this broker's license now would be improper in that it would attempt to accomplish indirectly what is not permitted under [§ 40-57-220, SOUTH CAROLINA CODE](#), 1976, namely, to revoke a license pending appeal.

Sincerely yours,

David C. Eckstrom  
Staff Attorney

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