

1978 WL 35061 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 25, 1978

*1 James A. Morkosky
Executive Director
Department of Licensing and Regulation
One South Calvert Street
Baltimore, Maryland 21202

Dear Mr. Morkosky:

In your letter dated August 18, 1978 you inquired as to whether or not the State of South Carolina has a Home Improvement Law and as to whether or not a test is required as to the law and an individual's competence to perform home improvement work. Please be advised that while this State has no home improvement law as such nor does it license individuals to perform home improvement work in special categories, the State does license contractors and residential home builders. By definition a general contractor is one who for a fixed price, commission, fee or wage undertakes or offers to undertake the construction or superintending of construction of any building, highway, sewer, grading, improvement, reimprovement, structure, or part thereof, when the cost of the undertaking is thirty thousand dollars or more. (Section 40-11-10)

By definition a residential home builder is defined as one who constructs a residential building or structure for sale or who, for a fixed price, commission, fee or wage, undertakes or offers to undertake the construction, or superintending of the construction, of and building or structure which is not over three floors in height and which does not have more than sixteen units in the apartment complex, or the repair, improvement or reimprovement thereof, to be used by another as a residence when the cost of the undertaking exceeds ten thousand dollars. (Section 40-59-10)

I am enclosing copies of the State statutes and rules and regulations pertaining to contractors and residential builders.

With best wishes, I am
Very truly yours,

Charles H. Richardson
Assistant Attorney General

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