

1974 S.C. Op. Atty. Gen. 203 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3814, 1974 WL 21320

Office of the Attorney General

State of South Carolina

Opinion No. 3814

June 27, 1974

***1 In Re: Residential Home Builders, Effective Date of Act 4.1333 for Those Already Engaged in Home Building**

Honorable John T. Watkins
Executive Secretary
S. C. Residential Home Builders Commission
Airport Executive
1801 Charleston Highway
Cayce, South Carolina 29033

Dear Mr. Watkins:

You have inquired whether or not persons already engaged as home builders as defined in the subject Act may continue for a period of one year without a residential home builder's license under provisions of Section 7 of the Act. The pertinent language of Section 7 reads:

All residential home builders shall be required to be licensed by the commission annually under the provisions of this act except that any person engaged in residential home building on or before the effective date of this act shall be duly licensed by the commission, without examination, after paying the required annual fee by submitting to the commission within a period of twelve months after such commission is established the following: . . .

It is the opinion of this Office that such builders must be licensed by the Commission before they may lawfully engage in home building as defined in the Act. Section 7 does nothing more than to require the Commission to license such home builders as provided by subparagraphs (a) and (b) of the Section. In other words, the so-called 'grandfather' language quoted above permits licensing under Section 7 rather than Section 8, but it does not permit such persons to engage in home building without a license after July 1, 1974.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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