

1972 WL 25497 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 24, 1972

***1 Re: Contractors Licensing Law**

City Manager
P. C. Box 4026
Anderson, S. C. 29621

Dear Sir:

You have requested that this office forward you an official opinion relating to the practice of breaking an apartment complex or project into two or more parts for the express purpose of avoiding the statutory prohibitions regarding mechanical contracting.

It is the opinion of this office that to break project into two or more parts for the specific purpose of allowing an unlicensed contractor to do by piecemeal what he could not do as a whole would be in violation of the law. This opinion is based upon the fact that the term 'undertaking' as used within the contractors' statutes has been judicially construed to be the entire project, [Creech v. S. C. Public Service Authority, et al., 200 S.C. 127, 20 S.E.2d 645](#). The term 'undertaking' therefore includes the entire building project, and it is that project which is looked to in determining if the laws relating to constructing in this State are being violated.

I trust this will be sufficient to answer the question which you posed. If we may be of any further assistance, please do not hesitate to call or write.

Very truly yours,

Timothy G. Quinn
Assistant Attorney General

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