

1983 WL 181905 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 2, 1983

***1 Re: Owner/Builder Exemption to Contractors' Licensure Requirements**

Mr. M. W. Sams, Jr.
Marion Sams General Construction
P. O. Box 329
Walterboro, SC 29488

Dear Mr. Sams:

I have tried to return your telephone calls several times, but have been unable to reach you. I am generally in the office receiving and making telephone calls between 8:00 and 9:00 in the morning and after 5:00 in the afternoon. I have reviewed your letter and discussed the Owner/Builder Exemption with members of the Contractors' Licensing Board. In order to better answer your inquiry, I am forwarding the March 29 opinion concerning the Colleton County Building Ordinance, together with your letter, to Mr. Errol Catoe, Executive Director of the Contractors' Licensing Board, and the two of us will forward to you, as soon as possible, a policy statement.

The Colleton County Building Ordinance itself, under Section 3, allows an owner to perform any kind of construction, alteration or repair on his own property, irrespective of intended use. However, bear in mind that the South Carolina Contractors' Licensing Board [Regulation 29-40](#) has been interpreted by the Board to bar an owner from constructing a building for commercial or any other use which is to be offered for sale, lease or rent by the owner/builder within one year, and such an owner would be subject to prosecution under the licensing law statute.

Sincerely,

Judith Evans Finuf
Assistant Attorney General

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