

Policy and procedure on revocation of ABL/MBL designations

A person who has received the Accreditation in Business Licensing designation or the Masters in Business Licensing designation or both (“a designee”) may, at any time, voluntarily relinquish his/her ABL or MBL designation(s).

The ABL/MBL Committee of the South Carolina Business Licensing Officials Association can revoke an ABL or MBL designation(s). The grounds for revocation are

- (1) conviction of a crime of moral turpitude under state or federal law
- (2) conviction of a crime under state or federal law, arising out of the designee’s performance or non-performance of professional duties
- (3) willful disobedience of any state or local law relating to business licensing
- (4) significant adverse disciplinary or employment action (such as, suspension, termination, demotion or transfer) by the employer against the designee, arising from the designee’s performance or nonperformance of professional duties, or
- (5) a breach of the ABL Code of Ethics, arising in the designee’s performance or non-performance of professional duties.

A person who has relinquished (or had revoked) his/her ABL or MBL designation(s) cannot use the designation(s) in any manner. The person shall not represent to any person, organization, employer or potential employer that he/she is the recipient of such designation(s).

A designee has the duty to self-report to the ABL/MBL Committee or its chair the occurrence of a ground for revocation. Any person, organization or employer may report to the ABL/MBL Committee or its chair the occurrence, or possible occurrence, of a ground for revocation involving a designee. Any reports received by committee members are forwarded to the chair.

After receiving the report, the chair appoints an ABL/MBL Committee member, who has no economic or personal interest in the outcome, to investigate the report. After investigating the report and related circumstances, the committee member should expeditiously advise the chair in writing whether the report is sufficiently verifiable as accurate and appropriate to warrant a revocation hearing. The chair informs the committee of the investigator’s findings.

The investigator cannot participate as a decision-maker in the committee’s consideration of the investigator’s opinion or as a decision-maker in any subsequent hearing involving the matter. Any committee member with direct economic or personal interest in the hearing’s outcome is disqualified as well from participating in the deliberation process. The committee may accept or reject the investigator’s opinion or may request further investigation.

If the committee decides to take further action, the committee will notify the designee of its decision and provide the designee with a copy of the report of the occurrence (or possible) occurrence of a revocation ground and the opinion of the investigator. The committee will schedule a hearing to receive/consider witness testimony and evidence. The designee has the right to appear at the hearing, to be represented by another person (including an attorney), to examine the evidence, to cross-examine any witnesses, and to present evidence and witnesses. The formal rules and law of evidence will not apply, but the committee will use them as a guide toward the full and fair development of the facts. The committee will give the testimony and

evidence the weight and effect it determines appropriate. No recording or transcript of the hearing shall be made. At the conclusion of the hearing, the committee will determine, by majority vote of those members participating in the hearing, whether or not to revoke the designation(s).

If the majority votes to revoke the designation, the majority prepares and signs a written opinion that sets out its findings and conclusions. Any committee member disagreeing with the majority may prepare a written minority opinion. The committee will provide the written opinion(s) to the designee.

A revocation decision is final and binding unless the designee, within five days of receiving the majority opinion, appeals the decision in writing to the committee chair. The designee appeals the decision to the board of the SC Business Licensing Officials Association. The chair provides the board a copy of the appeal, the written majority opinion, any written minority opinions and a copy of any written documents considered by the committee at the hearing.

The board's review is on the record of those written materials. The board, in its sole discretion, may schedule a hearing to receive oral argument only as a part of its review. Any board member who is a member of the committee cannot participate as a decision-maker in the board's review. The only issue before the board is whether the evidence supports the decision or the decision is plainly erroneous. By majority vote of those board members participating in the review, the board either affirms or reverses the committee's decision. The board's decision is final.