

**STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT**

Demesvar Delva,)
)
 Appellant,)
 vs.)
)
 South Carolina Department of)
 Employment and Workforce and Beaufort)
 Housing Authority,)
)
 Respondents.)

Docket No. 16-ALJ-22-0473-AP

ORDER

RECEIVED

JUL 24 2017

SC Court of Appeals

STATEMENT OF THE CASE

This matter comes before the South Carolina Administrative Law Court (“the ALC” or “the Court”) pursuant to an appeal filed by Demesvar Delva (“Appellant”) from a decision of the South Carolina Department of Employment and Workforce’s (“the Department’s”) Appellate Panel. The Appellate Panel held Appellant was disqualified from receiving unemployment benefits for twenty weeks, with a corresponding monetary reduction, upon finding he was discharged for misconduct connected to his employment with Beaufort Housing Authority (“Employer”). The ALC has jurisdiction to hear this matter pursuant to section 41-35-750 of the South Carolina Code (Supp. 2016). Upon consideration of the briefs and Record, the Appellate Panel’s decision is affirmed.¹

BACKGROUND

Appellant worked for Employer from March 17, 2007 to September 14, 2016, most recently as a maintenance foreman. On September 14, 2016, Appellant was discharged due to three tenant complaints. Following his termination, Appellant filed a claim for unemployment benefits with the Department on September 19, 2016. After conducting a fact-finding review, a Department claims adjudicator issued a decision on October 5, 2016 finding Appellant was discharged for misconduct under section 41-35-120(2)(a) of the South Carolina Code. The claims adjudicator further determined Appellant was disqualified from receiving benefit payments for twenty weeks and his maximum benefits would be reduced by twenty times his weekly benefit amount. On October 13, 2016, Appellant filed a Notice of Appeal with the

¹ This case was decided without oral argument pursuant to SCALC Rule 39.

FILED

JUL 12 2017

SC ADMIN. LAW COURT