

Oct 31 2022

SC Court of Appeals

From: [Ariel Mack](#)
To: [Court Of Appeals Filings](#)
Subject: Return Motion to Dismiss
Date: Monday, October 31, 2022 11:54:53 PM

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THE SOUTH CAROLINA COURT OF APPEALS

On November 1, 2022 the Respondent and their Attorney (Mark W. Buyck) was presented with a hand delivered a copy of the Return to Motion to Dismiss. I Ariel Mack never had a written statement of being added to the lease of Mrs. Rosa Gee (grandmother) but there were several statements given verbally to the Pelican House and Housing that I would be living with my grandmother Rosa Gee. South Carolina law states that any guest residing at the property for more than 14 days in a six month period or spending more than 7 nights consecutively will be considered a tenant. The first statement was verbally made to Sheena Faletti in 2018 when I was added to my grandmother's account at the Pelican House. I had to be added to my grandmother's account in order for the site manager to discuss any payment information Mrs. Gee may owe or anything else involving the guidelines at the Pelican House . My uncle Jerry Gee was living with her full time at the Pelican House until he had to move out. He to was not added to her lease .My grandmother had dementia and needed someone to be over her at all times . I stepped in to take care of all of her, her finances and to maintain her well being and her apartment. I started staying with Mrs. Rosa Gee (grandmother) back and forth from to accommodate her more, to and from her doctors appointment , to take care of her shopping, and to make sure she was taking her all of her medications prescribed from her doctor. In 2020 I completely moved in after she was sexually assaulted. I made an appeal in writing to the site manager Sheena Faletti at the time of the incident and there was nothing done about that assault at the Pelican House in her apartment . I made a police report and spoke with Pamela Stevenson at the Housing of Florence once I realized the site manager was not going to do anything about what I saw happening to my grandmother the night I came over to visit her (see attachment).

A long with completing Rosa's Gee annual recertification form in 2021 from the nursing Carlyle Senior Care of Kingstree , I completed any necessary forms provided to me from the Pelican House. In the Pelican House Apartments DWELLING HOUSE RULES #7 states that "If a resident is expecting guests he/she should meet them in the lobby , at the front door , to let them enter the building . NO unauthorized person should have a key to the Pelican House (in which I Ariel Mack do). Only authorized person (family member or designated person) should have a key. The name or names of those person's who have a key should be given to the manager. *Note -unauthorized means without permission.* The Pelican House will provide reasonable accommodation in rules, policies , practices or services for persons with disabilities where necessary to use and enjoy the dwelling unit.

Therefore I made the Pelican House verbally aware of myself (Ariel Mack) living in the home with my grandmother and neither the site manager Sheena Falletti nor Mindy Martin once spoke of adding me to her lease being that I was already living with her to accommodate her. The Honorable Frank Judge White ordered the tenant in which is myself (Ariel Mack) to pay \$523 for rent on or before the 5th of every month. If I the tenant did not pay rent on or before the 5th of every month then the Pelican House Apartments could evicted me.

Ariel Mack (Pro Se)
PO Box 15094
Florence SC 29506
843-259-2130

3/8/2020

Rosa Gee (Tenant)
300 Conyers Ave Apt 131
Florence SC 29505
843-500-7180
mackonel84@gmail.com

Sheena Falletti
300 Conyers Ave
Florence SC 29505
843-479-2428
Site Manager

RE: Housing Appeal

RECEIVED MAR 09 2020

Date: March 8, 2020

To Sheena Falletti,

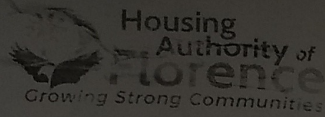
I Rosa Gee am writing this letter to request a fair hearing. My current property manager Sheena Falletti is asking that I relocate from the premises by March 31, 2020. Mrs. Sheena is asking that I relocate due to an incident that occurred on February 5, 2020. An incident in which I was sexually assaulted. My granddaughter Ariel Mack saw the sexual assault and immediately told the site manager. In this fair hearing I request that being as though I was the

victim, those involved with the harassment should be punished and asked to relocate. On the night of February 5, 2020 I was not involved in or apart of any activity that would cause the site manager to want to terminate my lease. I caused no hurt or harm to anyone, but yet someone did in fact harm me. The person that caused harm to me is not a resident of the Pelican House. He was a guest on the premises to one of the other tenants. The question still remains as to how this man ended up in my apartment? There are many tenants that use tools such as screw drivers in order to enter into these individual rooms. My apartment is one that a screw driver can be used to simply open it. I hope justice will prevail in the end and that this letter will change the minds of those wanting to punish an elderly woman for a crime she did not commit.

God Bless,
#Pesa Lee







Housing Authority of Florence
Serving Lakota Crossing Apartments
Post Office Drawer 969 / 400 East Pine Street
Florence, South Carolina 29503
Phone (843) 669-4163 / TTY (800) 877-8339 / Fax (843) 679-2626

July 19, 2021

Rosa Mae Gee
300 CONYERS AVE. APT 131
FLORENCE, SC 29505

This is to advise you that in accordance with the terms of your lease a re-examination or re-determination of your family income has been completed and your rent will be adjusted from

\$206.00 to \$210.00 per month, effective 09/01/2021.

By Reason: annual recertification

Present Family Composition 1 Adults 0 Minors

Amount of Retroactive Due \$0.00

All other covenants, terms and conditions of the Lease remain the same except as to the monthly rental which is adjusted as herein stated.

PELICAN HOUSE WILL PROVIDE REASONABLE ACCOMMODATION IN RULES, POLICIES, PRACTICES OR SERVICES FOR PERSONS WITH DISABILITIES WHERE NECESSARY TO USE AND ENJOY THE DWELLING UNIT. PUBLIC AND COMMON AREAS, EQUAL TO THAT OF A NON HANDICAPPED PERSON.

Sincerely,

Mindy Martin
Site Manager
Housing Authority of Florence



Fax: 843-355-2261

5-11-2021

To: Carlisle Nursing Home
Attn: Ashley

Please call me when you
receive.

Re: Rosa Gee

Pelican House Apartments
300 Conyers Avenue, Florence SC 29505
Phone 843-679-2628

ANNUAL RECERTIFICATION FIRST REMINDER NOTICE
(To be signed by resident & owner/management at recertification)

Resident Name Rosamae Gee
Apt. Number 131 Today's Date 5-1-2021

Dear Resident:

It will soon be time for your annual recertification. You received a notice of your upcoming annual recertification at an interview just less than a year ago.

Paragraph [9] of your lease states that the Department of Housing and Urban Development (HUD) requires that we review your income and family composition every year to determine if you are still eligible to receive assistance paying your rent.

To complete our review of your income and family composition, you must meet with Management at the *Pelican House Office* and supply the required information. Your recertification interview date and time is on may 10th. If you require a different date and time, please call or come by the office to reschedule.

Cooperation with the recertification requirement is a condition of continued program participation. **You must report the required information and provide the required signatures to enable the owner to process your recertification.** If you respond to this notice after 10th may, your lease gives us the right to implement any rent increase resulting from the recertification without providing you a 30-day written notice.

When you attend the interview, you must bring the following information: 1) current proof of income from all sources, 2) last 6 months of checking and/or savings account statements from bank, and 3) proof of medical expenses (pharmacy, doctor visits, insurance) in excess of 3% of your yearly income.

If you fail to respond before Sept, 2021, your tenancy may be terminated.

Sincerely,

Pelican House Management

The Pelican House will provide reasonable accommodations in rules, policies, practices, or services for persons with disabilities where necessary to use and enjoy the dwelling unit, public and common areas, equal to that of a non-disabled person.