

STATE OF SOUTH CAROLINA)
COURT OF APPEALS)
)
KIMBERLY MINICK AND)
LATIF MINICK,)
Appellants)
)
v.)
)
MEYBOHM REAL ESTATE,)
Respondent.)

Case No 2023-001107

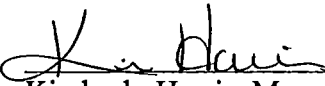
RECEIVED
OCT 17 2023
SC Court of Appeals

AFFIDAVIT OF RESPONDENT

NOW COMES the undersigned deponent, being duly sworn, and hereby provides this affidavit in reference to the above styled action.

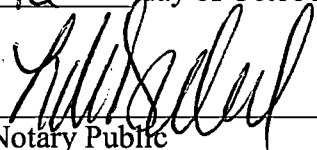
1. My name is Kimberly Harris. I am over the age of eighteen (18) years old, am competent in all respects, and have personal knowledge of the facts contained herein.
2. I am a manager with the Meybohm Property Management, a department of Meybohm, LLC and am personally familiar with the above referenced matter, the facts contained herein as well as the pending appeal of the appellants.
3. Pursuant to the lease agreement, the Appellants, Kimberly and Latif Minick, are required to pay rent in the amount of \$1,595.00 on the first day of each month.
4. Appellants currently owe respondents \$13,114.50 in rent, late fees, and legal fees. A current ledger is attached as Exhibit A showing the breakdown of charges and payment history.
5. Appellants have not paid rent for July, August, September or October of 2023.
6. The Appellants lease expired on February 28, 2023.
7. Prior to the failure to pay rent, on December 19, 2022, Appellants were given 60 days' notice to vacate the property at the expiration of the lease on February 28, 2023. A copy of the letter sent is attached as Exhibit B.

8. Respondent began the process to file an application for ejectment in Midland Valley Summary Court in January for failure to pay rent. A hearing was held March 23, 2023. The judge gave the tenants until March 31st to bring their rent current or a setout would be scheduled.
9. On March 24, 2023 Appellants filed an appeal with the Aiken County Court of Common Pleas. A hearing was held on June 14, 2023.
10. On July 5, 2023, the judge in the matter, J. Cordell Maddox, Jr. issued an Order denying the Appellants' appeal and affirming the findings of the Magistrate Court.
11. On July 10, 2023, my attorney contacted the Magistrate Court in response to a message I received from the court to put the eviction in motion. The court responded that they would post a 24-hour notice that morning.
12. On July 11, 2023 we received notice from the South Carolina Court of Appeals that the Appellants were appealing the Order.
13. On September 29, 2023 we received an Order dismissing the case due to several deficiencies.
14. On October 4, 2023, Appellants filed a Motion to Reinstate and Deficiency correction. Further Affiant sayeth not.



Kimberly Harris, Manager
Meybohm Property Management
Affiant

Sworn to and subscribed before me this
16 day of October, 2023.



Notary Public



Tenant Ledger

Tenants: Latif J. Minick

Mobile: (803) 341-1315

Unit: --

Property: 5209 Pleasant Pointe Drive - 5209 Pleasant Pointe Drive Warrenton, SC 29851

Status: Evict

Move in date: 03/02/2022

Move out date: --

Lease Expiration: 02/28/2023

Rent: 1,595.00

Deposit Paid: 1,595.00

Date	Payer	Description	Charges	Payments	Balance
Starting Balance					0.00
02/24/2022		Application Fee	45.00		45.00
02/24/2022	Bobby E. Robinson	Credit Card Payment (Reference #EF65-DE60)		45.00	0.00
02/26/2022		Security Deposits Held - Move In Charge: Security Deposits Held	1,595.00		1,595.00
02/26/2022	Latif J. Minick	ACH Payment (Reference #94C2-D470)		1,595.00	0.00
03/01/2022		Lease Preparation Fee - Lease Prep Fee	100.00		100.00
03/02/2022		Rental Income - Move In Charge: Rent	1,595.00		1,695.00
03/02/2022	Latif J. Minick	ACH Payment (Reference #FF62-02B0)		1,695.00	0.00
03/25/2022	Latif J. Minick	ACH Payment (Reference #8865-1790)		700.00	-700.00
03/25/2022	Latif J. Minick	ACH Payment (Reference #08C1-27B0)		669.00	-1,369.00
04/01/2022		Rental Income - April 2022 - Prorated Rent	1,544.00		175.00
04/05/2022	Latif J. Minick	ACH Payment (Reference #C37F-CDF0)		175.00	0.00
04/12/2022		Plumbing - #67970-1	110.00		110.00
04/12/2022		Janitorial Expense - Reimbursement For Cleaning	-175.00		-65.00
04/12/2022		Payment (Reference #28152) Reimbursement For Cleaning		-175.00	110.00
04/24/2022	Latif J. Minick	ACH Payment (Reference #5F00-FEF0)		1,595.00	-1,485.00
05/01/2022		Rental Income - May 2022 - Rent	1,595.00		110.00
05/06/2022		Late Fees - Late Fee for May 2022	159.50		269.50
06/01/2022		Rental Income - June 2022 - Rent	1,595.00		1,864.50
06/02/2022	Latif J. Minick	ACH Payment (Reference #01E4-ACE0)		1,595.00	269.50
07/01/2022		Rental Income - July 2022 - Rent	1,595.00		1,864.50
07/06/2022		Late Fees - Late Fee for Jul 2022	159.50		2,024.00
07/06/2022	Latif J. Minick	ACH Payment (Reference #9AE3-FCE0) Reversed by NSF		2,183.50	-159.50
07/11/2022	Latif J. Minick	NSF reversal receipt for Reference #9AE3-FCE0		-2,183.50	2,024.00
07/11/2022		Returned Check Fee - NSF Charge	30.00		2,054.00
07/18/2022		Late Fees - Late Fee Credit/Removed per LD	-159.50		1,894.50
07/18/2022	Latif J. Minick	Payment (Reference #MO's) June Rent, July Rent		1,794.00	100.50
07/18/2022	Latif J. Minick	Payment (Reference #19-411269799) July Rent and NSF Fee		100.50	0.00
07/28/2022	Latif J. Minick	Payment (Reference #19-411269892) August Rent		500.00	-500.00
07/28/2022	Latif J. Minick	Payment (Reference #19-411269890) August Rent		500.00	-1,000.00
07/28/2022	Latif J. Minick	Payment (Reference #19-411269891) August Rent		500.00	-1,500.00
07/28/2022	Latif J. Minick	Payment (Reference #19-411269893) August Rent		95.00	-1,595.00
08/01/2022		Rental Income - August 2022 - Rent	1,595.00		0.00
08/01/2022		Rent Processing Fee - July Rent Processing Fee	10.00		10.00

Tenant Ledger

Date	Payer	Description	Charges	Payments	Balance
08/01/2022		Rent Processing Fee - August Rent Processing Fee	10.00		20.00
09/01/2022		Rental Income - September 2022 - Rent	1,595.00		1,615.00
09/06/2022		Late Fees - Late Fee for Sep 2022	159.50		1,774.50
09/20/2022	Bobby E. Robinson	Payment (Reference #0000327705) September Rent		1,774.50	0.00
10/01/2022		Rental Income - October 2022 - Rent	1,595.00		1,595.00
10/03/2022		Rent Processing Fee - September Rent Processing Fee	10.00		1,605.00
10/06/2022		Late Fees - Late Fee for Oct 2022	159.50		1,764.50
10/10/2022	Latif J. Minick	Payment (Reference #19-434698187) October Rent		264.50	1,500.00
10/10/2022	Latif J. Minick	Payment (Reference #19-434698185) October Rent		500.00	1,000.00
10/10/2022	Latif J. Minick	Payment (Reference #19-434698184) October Rent		500.00	500.00
10/10/2022	Latif J. Minick	Payment (Reference #19-434698186) October Rent		500.00	0.00
11/01/2022		Rental Income - November 2022 - Rent	1,595.00		1,595.00
11/06/2022		Late Fees - Late Fee for Nov 2022	159.50		1,754.50
11/07/2022		Rent Processing Fee - Oct Rent Processing Fee	10.00		1,764.50
11/16/2022		Legal Expenses - Attorney Fee	240.00		2,004.50
11/16/2022		Legal Expenses - Dispossess Fee-SC	55.00		2,059.50
11/21/2022	Latif J. Minick	Payment (Reference #MO's) Nov Rent and Fees		2,060.00	-0.50
12/01/2022		Rental Income - December 2022 - Rent	1,595.00		1,594.50
12/06/2022		Rent Processing Fee - November Rent Processing Fee	10.00		1,604.50
12/06/2022		Late Fees - Late Fee for Dec 2022	159.50		1,764.00
12/16/2022	Latif J. Minick	Payment (Reference #22-006332851) December Rent		764.00	1,000.00
12/16/2022	Latif J. Minick	Payment (Reference #22-006332850) December Rent		1,000.00	0.00
01/01/2023		Rental Income - January 2023 - Rent	1,595.00		1,595.00
01/05/2023		Rent Processing Fee - December Rent Processing Fee	10.00		1,605.00
01/06/2023		Late Fees - Late Fee for Jan 2023	159.50		1,764.50
01/17/2023		Legal Expenses - Attorney Fee	240.00		2,004.50
01/17/2023		Legal Expenses - Dispossess Fee-SC	55.00		2,059.50
02/01/2023		Rental Income - February 2023 - Rent	1,595.00		3,654.50
02/06/2023		Late Fees - Late Fee for Feb 2023	159.50		3,814.00
03/01/2023		Rental Income - March 2023 - Rent	1,595.00		5,409.00
03/06/2023		Late Fees - Late Fee for Mar 2023	159.50		5,568.50
03/21/2023		Legal Expenses - Legal Admin Fee	200.00		5,768.50
04/01/2023		Rental Income - April 2023 - Rent	1,595.00		7,363.50
04/06/2023	Latif J. Minick	Payment (Reference #7946) April Rent (Paid by True North Church)		1,000.00	6,363.50
04/06/2023	Latif J. Minick	Payment (Reference #22-030632435) April Rent		595.00	5,768.50
05/01/2023		Rental Income - May 2023 - Rent	1,595.00		7,363.50
05/06/2023		Late Fees - Late Fee for May 2023	159.50		7,523.00
05/23/2023		Legal Expenses - Attorney Court Fee	200.00		7,723.00
05/23/2023	Latif J. Minick	Payment (Reference #0988000384) May Rent and Late Fee (Paid by G. Hatcher)		1,754.50	5,968.50
05/23/2023		Rent Processing Fee - April Rent Processing Fee	10.00		5,978.50
05/23/2023		Rent Processing Fee - May Rent Processing Fee	10.00		5,988.50
06/01/2023		Rental Income - June 2023 - Rent	1,595.00		7,583.50
06/05/2023	Latif J. Minick	Payment (Reference #8202) June Rent (Paid by True North Church)		1,595.00	5,988.50
06/05/2023		Rent Processing Fee - June Rent Processing Fee	10.00		5,998.50

Tenant Ledger

Date	Payer	Description	Charges	Payments	Balance
07/01/2023		Rental Income - July 2023 - Rent	1,595.00		7,593.50
07/06/2023		Late Fees - Late Fee for Jul 2023	159.50		7,753.00
07/28/2023		HVAC Repair - 027434	98.00		7,851.00
08/01/2023		Rental Income - August 2023 - Rent	1,595.00		9,446.00
08/06/2023		Late Fees - Late Fee for Aug 2023	159.50		9,605.50
09/01/2023		Rental Income - September 2023 - Rent	1,595.00		11,200.50
09/06/2023		Late Fees - Late Fee for Sep 2023	159.50		11,360.00
10/01/2023		Rental Income - October 2023 - Rent	1,595.00		12,955.00
10/06/2023		Late Fees - Late Fee for Oct 2023	159.50		13,114.50
Total					13,114.50

Meybohm, LLC
4424 Evans to Locks
Evans, GA 30809

01/06/2023

Latif J. Minick
Bobby E. Robinson
5209 Pleasant Pointe Drive
Warrenville, SC 29851

Per your lease agreement, rent payments are due in our office on the first day of each month and rent payments not paid in full by 8:30am on the sixth of the month are late. According to our records, your rent is now overdue. We must insist that payments be made within the terms and conditions of your lease. Please include the late penalty with your payment as your account has been charged with this amount. Please understand partial payments will not be accepted.

You have until **Close of Business (5:00 pm) Monday, January 16th, 2023** to make full payment. If **full** payment, **to include late fees and any other balance due on the account**, is not received in our office by this date and time, we will immediately proceed with dispossession. **Partial payments will not be accepted.** Dispossession leads to eviction. If you have any questions, please contact your property manager.

The total amount due is \$1,764.50

Thank you for your prompt attention!

Thank you,

Meybohm Property Management

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served a copy of the foregoing "AFFIDAVIT OF RESPONDENT" upon the below-named parties by depositing a true and accurate copy of the same into the United States Mail, with proper postage affixed and addressed as follows:

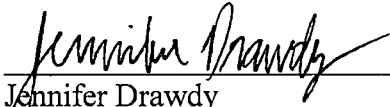
Kimberly Minick
Latif Minick
5209 Pleasant Pointe Drive
Warrenville, SC 29851

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OCT 17 2023

SC Court of Appeals

This 16th day of October, 2023.



Jennifer Drawdy
Paralegal to Attorney
Scott J. Klosinski

KLOSINSKI OVERSTREET, LLP
1229 Augusta West Parkway
Augusta, GA 30909-6593
(706) 863-2255

October 16, 2023

SC Court of Appeals
ATTN: Danesha M. Staley
1220 Senate Street
Columbia, SC 29201

RECEIVED
OCT 17 2023
SC Court of Appeals

Re: Kimberly Minick and Latif Minick v. Meybohm Real Estate
Affidavit of Respondent

Dear Ms. Staley:

Please find enclosed for filing with the court an Affidavit of Respondent with exhibits. I am including a copy of the Affidavit to stamp as filed and return to me in the enclosed, self-addressed, stamped envelope. Any questions, please let us know. Thank you for your assistance in this matter.

Sincerely,



Jennifer Drawdy
Paralegal to Attorney
Scott J. Klosinski

Enclosures: Affidavit of Respondent with Exhibits
Photocopies of Affidavit of
Envelope

View/Print Label

1. **Ensure there are no other shipping or tracking labels attached to your package.** Select the Print button on the print dialogue box that appears. Note: If your browser does not support this function, select Print from the File menu to print the label.

2. **Fold the printed label at the solid line below.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. GETTING YOUR SHIPMENT TO UPS

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Customers without a scheduled Pickup




- Schedule a Pickup on [ups.com](https://www.ups.com) to have a UPS driver pickup all of your packages.
- Take your package to any location of The UPS Store®, UPS Access Point(TM) location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. To find the location nearest you, please visit the 'Locations' Quick link at [ups.com](https://www.ups.com).

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<p>VALERIE SHAW 706-863-2255 KLOSINSKI OVERSTREET, LLP 1229 AUGUSTA WEST PKWY AUGUSTA, GA 30909</p> <p>SHIP TO: ATTN: DENESHA M. STALEY SC COURT OF APPEALS 1220 SENATE STREET COLUMBIA SC 29201</p>	<p>LTR</p> <p>1 OF 1</p> <p>SC 292 9-01</p> 	<p>UPS NEXT DAY AIR</p> <p>TRACKING #: 1Z 350 04R 01 9087 5507</p> <p>1</p> 	<p>BILLING: P/P</p> <p>Reference # 1: 23-0360</p> <p>XOL23.10.13 NV45 42.0A 10/2023*</p> 
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SC Court of Appeals