

**From:** Daniel DeSantis <ddesantis@eagleviewcap.com>  
**Sent:** Wednesday, January 15, 2025 2:59 PM  
**To:** Court Of Appeals Filings  
**Cc:** Stephanie Adams; Keanah Johnson  
**Subject:** Bond Hearing regarding Eagleview 3430 East vs. Kevin Smith  
**Attachments:** Informal Hearing Final Decision Kevin Smith.docx

**RECEIVED**  
**Jan 15 2025**  
**SC Court of Appeals**

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To whom it may concern,

My name is Dan DeSantis and I am the property owner of 3430 East apartments in Columbia, South Carolina. I am emailing today to discuss a current case involving a Kevin Smith, who is a resident at this property.

Recently, a rent bond hearing took place with Judge Coble at Circuit Court where Mr. Smith's rent bond was adjusted up to the full monthly rent amount owed. (previously Columbia Housing Authority was paying a portion of his rent. However, his voucher has been recently revoked due to his noncompliance of the lease as illustrated in the attached hearing notes)

Given Mr. Smith's history of appealing judicial decisions, and attempting to drag out these eviction proceedings, I am emailing the court to state what is true and accurate, despite what Mr. Smith may allege.

More specifically, I expect Mr. Smith to reach out to the court alleging that his voucher is in abatement due to the condition of his unit, which is factually incorrect as the evidence attached states that his voucher was in fact pulled due to his bad behavior and noncompliance. I also expect him to allege that his apartment is in uninhabitable conditions, which is also incorrect. Mr. Smith has consistently not allowed our maintenance staff or external vendors to enter his apartment, despite significant attempts often resulting in law enforcement's presence, due to his aggressive behavior towards our staff. Recently, Mr. Smith stated that he was forced to stay in a hotel due to the condition of his apartment, however, when asked to provide evidence of such, he was unable to. Additionally, despite continuously claiming to be a "dying, disabled homebound veteran" we have daily video evidence of him wandering the property without the use of any mobility assistance devices, cursing obscenities at our staff and other residents again often involving law-enforcement. I would be happy to provide any of this evidence at your request.

I will simply close with the request that the inaccurate comments that Mr. Smith may attempt to inject into the court's decision, be taken with a grain of sand. Our company and our properties continuously strive to help veterans and those needing affordable housing, and the time that we have taken to address the multitude of appeals, hearings, etc. have severely impacted our ability to assist the other residents and those needing assistance at this property. We appreciate your consideration in this manner, and I thank you personally for taking the time to read this. If you have any questions, my phone number and email is below, I would welcome the chance to further discuss this.

Best regards,

Dan DeSantis  
Managing Partner  
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### Summary of Events regarding Kevin Smith---

- Initial eviction was filed on August 5, 2024 (**2024CV4010502547**) for multiple lease violations. The second eviction (**2024CV4010502902**) was filed on September 6, 2024 for non-payment of September rent. The cases were combined and Mr. Smith requested a jury trial, sending the case from Dutch Fork Magistrate to Central Court. Pending the jury trial a bond hearing was scheduled for September 16, 2024 with Judge Scott at Dutch Fork Magistrate. At the hearing Mr. Smith was given a rent bond of \$223, due on the 1st of each month.
- On October 18, 2024 a motion hearing was held with Judge Scott at Central court at Mr. Smith's request. Mr. Smith was requesting his bond be reduced significantly due to 3 days he claims he was without water. Mr. Smith claims we intentionally turned his water off. We presented the water usage chart for his building as well as the fact there is only one cut off for the entire building, therefore making it impossible to only turn Mr. Smith's water off. Judge Scott agreed, however, he agreed to lower his bond by \$4.00 for that month only. That payment of \$218.50 was to be paid that day (10/18/24) by 5pm.
- On October 21, 2024 we were informed by the court that Mr. Smith had not made his payment of \$218.50 and therefore the writ of possession was filed. The same day Mr. Smith filed an Appeal at Circuit Court (**2024CP4006261**) and the Writ of Possession was called back.
- On October 29, 2024 a restraining order was granted against Mr. Smith for the harassment of the property's owner including threatening to come to his home.
- On December 13, 2024 a hearing was held with Columbia Housing Authority where the decision was made to revoke Mr. Smith's Housing Choice Voucher due to repeated violations of his lease. His voucher will expire on January 23, 2025.
- Mr. Smith was instructed by the court that he had until December 31, 2024 to pay his \$150.00 appeal filing fee. He failed to pay and therefore his appeal was dismissed on January 3, 2025.
- We believed that since the appeal was dismissed we should have been able to proceed with filing the writ. However, Judge Scott decided that since Mr. Smith was caught up on his rent bond payments there was no reason to allow a writ to be filed.

- On January 7, 2025, after Mr. Smith failed to pay his January rent bond, the writ of possession was once again filed. Mr. Smith was served his 24 notice to vacate and Richland County Sheriff's Department was scheduled to arrive Monday January 13, 2025 to oversee the "set out" process. While attempting to begin this process, we were informed by Mr. Smith that the eviction had been "stayed" and he wasn't going anywhere.
- In the mean time Mr. Smith has refused entry to us, and/or our vendors on the following dates: 8/2/24, 8/5/2024, 10/2/24, 10/4/24, 10/11/24, 10/14/24, and each time pest control has attempted entry which is quarterly.
- Also during these last months, we have been subjected to ongoing harassment to include threats of showing up at our homes, vulgar name calling, unwanted and inappropriate sexual comments, belligerent behavior to include disturbing other tenants as well as harassing prospective tenants when visiting the property. Mr. Smith has threatened to intentionally destroy the apartment unit and can be seen and heard on camera saying so. **Yesterday on January 13, 2025 Mr. Smith can be seen and heard on camera threatening to "blow away" our maintenance staff, and today January 14th, Mr. Smith was verbally assaulting the US postal service worker while she was trying to deliver mail, which required police intervention once again.**

