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Mar 17 2025

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2023-001598

Karen Oliver

Appellant,

v.

Charleston County Housing and
Redevelopment Authority

Respondent,

RESPONSE TO RESPONDENT'S MOTION TO DISMISS

Come now the Appellant with Hallelujah and response to the Respondent's motion to dismiss that claims violation of Rule 260. The Appellant did not violate this rule. The Appellant was and still is not in control of the U.S. Postal Service. The time period that the Respondent is questioning is the busiest time of the year for the U.S. Postal Service. Couple that with the fact that the Johns Island Post Office has been understaffed. Postal staff have made that known along with social media post from citizens. The expectations of having items delivered as if it was not the busy holiday season is unreasonable. Every reasonable person who uses the postal service during this time of year comes to expect some type of delay. The Respondents are being unreasonable. If the Respondents did not receive it until after they came from the holiday that is not the fault of the Appellant. The rule informs you to place the material in the mail with the proper postage and that is what took place. There is no violation. If items cross in the mail then,

that is not of the fault of the Appellant. Johns Island Post Office has been short of staff and it was their busiest time period for the mail and travel. Given that many people use that time period to take off work many won't see an item until they return usually the beginning of the new year January 2. Or if there are skeleton crews as they often are before, during and sometimes after (for those who could not take off earlier) that includes both state and federal the average reasonable person expects to some version of a wait or delay. It is beyond the Appellant's control. Even when checking the Respondent's motion to dismiss via U.S. Postal Service Certified Mail 9402 6118 9876 5451 8632 61 there is a notification of delay in service. Therefore, the U.S. Postal Service has delays regardless for various reasons. Exhibit 1. The Appellant will try gain the approval to share a heads up notice of understaffing and unpredictable delivery times due to privacy concerns of personal info. The warning was fair and accurate.

Proof of Service isn't when it is filed it is when it is served. If the Court was the same local area as the Respondent and Appellant then their comparison would have teeth, but it doesn't. The Respondent is grasping at straws.

The Appellant was prevented by the Respondent from having the choice to go to another location in the county or another township for another post office or off Johns Island to a another service provider. Due to the continued violation of the S.C. Code of Laws 27-40-220 *Obligation of good faith*, 27-40-440 *landlord maintain premises*, 27-40-910 *Retaliatory conduct prohibited*, the Appellant is still recovering from lingering injury from the accident. Not having all Essential Services met causes stress from the serious and immediate threats at the Appellant's residence that causes more difficulties with recovery. Even though the Respondent's attorney willfully provided that all (Essential Services) were done to the courts which is a violation of the Rules of Professional Conduct and state laws. It is more reasonable to know that if the Appellant did not

have to step on boards to gain access to the laundry room and other items and equipment to not step in the immediate backyard area where wastewater cleanup has not taken place for almost three (3) years prior with snakes having been killed in the process with other Essential Services for over 3 years. Exhibit 2. Possibly, the Appellant would have been able to go to another location without having to drive the distance in pain and under the stress of retaliatory efforts by the Respondent. The Appellant still receives eviction notices from the Respondent even with the Bond to Stay Order to which the Respondent is in violation. Exhibit 3. The Appellant is notifying the Court that continued retaliatory measures – lack of maintaining of Essential Services and the Bond to Stay Order continued to be ignored. Since the Respondent has open this door the enclosed Request for Production and Interrogatories are being asked to be met by the Respondent within 30 days of receipt not filing of this response to the motion to dismiss.

The S.C. Rule of Civil Procedures (hereinafter, SCRCPP) were formulated not having in mind that an officer of the Court would provide untruths (pattern developed) and the basic tenets of the state laws would not be followed. The Respondent has made it clear that they will not abide by the laws for health and safety for the Appellant. While the SCRCPP were not written for any party to have to abide in serious and immediate threat to health and safety conditions then try to use it against the party. Again, the Appellant did not violate Rule 260. The Respondent was and still are violating state laws and the Rules of Professional Conduct. Ten years no one could come to our residence for the holidays due to these continued violations something they have control of unlike the mail service now.

/s/ Karen Oliver
Karen Oliver, Pro Se
1945 Ghana Street
Johns Island, S.C. 29455
(843) 303-3410

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Charleston County Housing and
Redevelopment Authority

Respondent,

REQUEST FOR PRODUCTION

TO: RESPONDENT AND THEIR ATTORNEY:

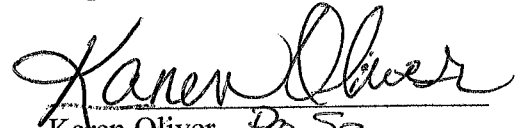
Pursuant to Rule 34 of the *South Carolina Rules of Civil Procedures*, the Plaintiff request that the Defendant produce and permit the Plaintiff inspect and/or copy each of the following documents and/or materials within thirty (30) days from the date of service of this at a place, time, and date convenient to both parties:

1. Respondent's policy/procedures for providing Essential Services and repairs (include timeframe). Please include any changes/revisions in the past 5 years and notice of communication of the changes that were provided to the tenants of any parts of this policy/procedure.

2. Respondent's proof of maintenance services (non-fraudulent proof) that was provided to the Appellant's residence that finally completed the task of wastewater treatment and cleanup in the immediate backyard after being sent to the wrong address in December 2022 by the Respondent.

March 15, 2025
Charleston, South Carolina

Respectfully submitted,


Kaken Oliver *PO Se*
1945 Ghana Street
Johns Island, SC 29455
(843) 485-8065

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Respondent,

INTERROGATORIES

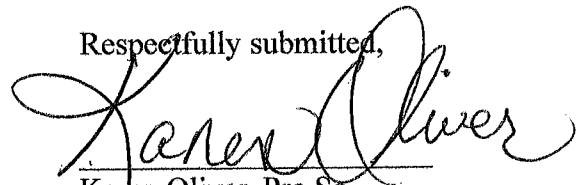
TO: RESPONDENT AND THEIR ATTORNEY:

You are hereby notified to answer under oath, pursuant to Rule 33(b) of the *South Carolina Rules of Civil Procedure*, the following Interrogatories and to serve your answers to these Interrogatories upon the undersigned attorney within thirty (30) days of service thereon:

1. Set forth who provided the information that the Essential Services were *all* completed that was recorded for the record to the lower court?
2. Set forth did the Appellant at any time ask for the Respondent to follow the Bond to Stay Order and stop with the notices threatening evictions?
3. Set forth how did the Respondent respond to the Appellant's request, if there were any, to follow the Bond to Stay and stop the notices threatening evictions?

March 15, 2025
Charleston, South Carolina

Respectfully submitted,

A handwritten signature in black ink that reads "Karen Oliver". The signature is written in a cursive style with a large, decorative initial "K".

Karen Oliver, Pro Se
1945 Ghana Street
Johns Island, SC 29455
(843) 303-3410

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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2023-001598

Karen Oliver

Appellant,

v.

Charleston County Housing and
Redevelopment Authority

Respondent,

EXHIBITS FOR RESPONSE TO MOTION FOR DISMISSAL

- Ex. 1 Respondent's U.S. Postal Service Receipt of Certified Mail 9402611898765451863261
- Ex. 2a Email showing landscaper was sent to wrong address
- Ex. 2b Soil tester's page showing tester was sent to the wrong address
- Ex. 2c Picture of initial wastewater spillage shown to magistrate 9/7/22
- Ex. 2d Picture of wastewater spillage expanding before repair
- Ex. 2e Current state of untreated or uncleaned wastewater area with boards to step on to access laundry room view one
- Ex. 2f Current state of untreated or uncleaned wastewater area with leaves and snakes having been killed at laundry room view two
- Ex. 2g Current state of untreated or uncleaned wastewater area with leaves and snakes having been killed at laundry room view three
- Ex. 2h SCDHEC Notice of Unpermitted/Unapproved Domestic Wastewater Discharge 11/2/22

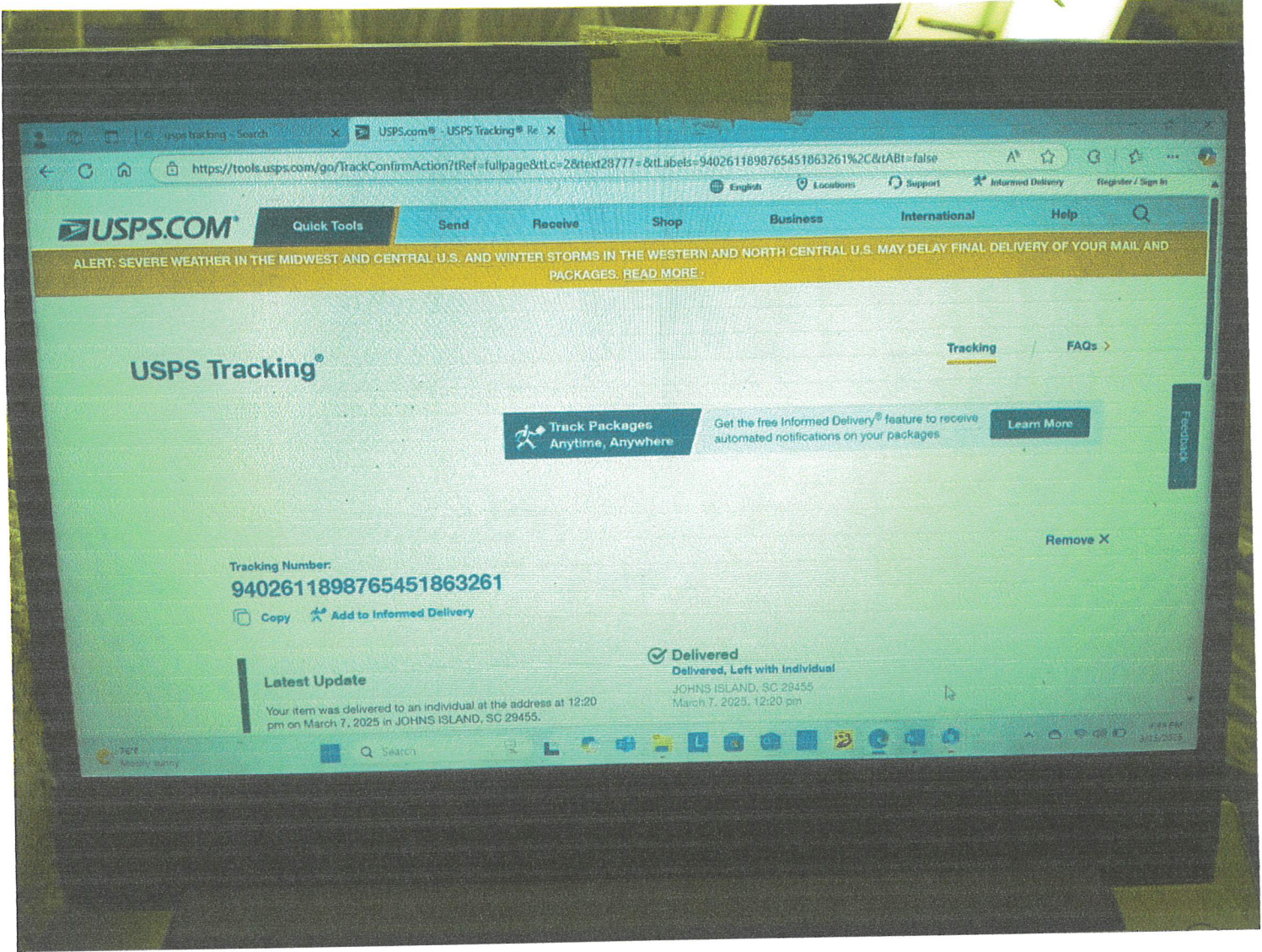
Ex.3 Respondent's current letter violating the Bond to Stay

Respectfully submitted,

March 16, 2024
Charleston, South Carolina

/s/Karen Oliver
Karen Oliver, Pro Se
1945 Ghana Street
Johns Island, SC 29455
(843) 303-3410

Ex. 1



USPS.COM

Quick Tools

Send

Receive

Shop

Business

International

Help

ALERT: SEVERE WEATHER IN THE MIDWEST AND CENTRAL U.S. AND WINTER STORMS IN THE WESTERN AND NORTH CENTRAL U.S. MAY DELAY FINAL DELIVERY OF YOUR MAIL AND PACKAGES. READ MORE

USPS Tracking

Tracking

FAQs

Track Packages
Anytime, Anywhere

Get the free Informed Delivery[®] feature to receive automated notifications on your packages.

[Learn More](#)

Feedback

Tracking Number:
9402611898765451863261

Copy Add to Informed Delivery

Remove X

Latest Update

Your item was delivered to an individual at the address at 12:20 pm on March 7, 2025 in JOHNS ISLAND, SC 29455.

Delivered
Delivered, Left with Individual
JOHNS ISLAND, SC 29455
March 7, 2025, 12:20 pm

Ex 12a

Find messages, documents, photos or people Advanced

Compose

Back Forward Reply Archive Move Delete Spam

- Inbox 11K
- Unread
- Starred
- Drafts 8
- Sent
- Archive
- Spam
- Trash
- Less
- Views Hide
- Photos
- Documents
- Emails to myself
- Subscriptions
- Receipts
- Credits
- Travel
- Folders Hide
- + New Folder

1924 Ghana Street, Johns Island, SC 29455

Yahoo/Inbox



Stephanie Gladden
sgladden@cchra.net
+ Add to contacts



Stephanie Gladden



Mon, Nov 28, 2022 at 4:29 PM

From: sgladden@cchra.net
To: jahlovetfirst@yahoo.com
Cc: Frank Scott, Dusenbury, Debra M

Good afternoon,

Concept Landscaping will be out tomorrow to rake the leaves in the backyard.

Thank you,
Stephanie N. Grant-Gladden, PHM
Public Housing Manager
Charleston County Housing & Redevelopment Authority
2106 Mt. Pleasant Street
Charleston, SC 29403
(843) 628-4176 (direct)
(843) 297-1770 (cell)
sgladden@cchra.net (email)
www.cchra.net (website)

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December 20, 2022

Ms. Stephanie N. Grant-Gladden
Charleston County Housing & Redevelopment Authority
2106 Mt. Pleasant Street
Charleston, South Carolina 29403
Transmitted via email: sgladden@cchra.net

Subject: Report of Environmental Soil Sampling
1924 Ghana Street
Johns Island, South Carolina 29455
VCS Project Number 22-3300

Dear Ms. Gladden:

We are pleased to submit this report of our environmental soil sampling at the subject site. The purpose of this phase of our professional services was to investigate the soil after a reported release from a septic tank located in the rear of the home by analytical testing of the soil.

PROJECT INFORMATION

Volkmar Consulting Services, LLC (VCS) understands that you reported that there was a septic release from a septic system located at the rear of the home. You also asked that we perform soil sampling to evaluate if fecal coliform is present in the soil of the subject site. Fecal coliform is indicative of human waste and is not a result of other fecal type materials and would likely be related to impact to materials from a septic release. We were requested to investigate the soil using the analytical techniques and to provide our general professional opinions. It should be noted that our testing was limited to the evaluation of the fecal coliform in the rear of the home near the reported septic system.

The subject site is located at 1924 Ghana Street in Johns Island, South Carolina.

Mr. Tyler Armentrout of VCS visited the site on December 7, 2022. During the site visit, we observed the exterior of the structure and the rear yard. VCS observed and collected photographs of noteworthy observations of the subject site and of the testing.



View of the area of the yard in the rear of the home.



Another view of the yard in the rear of the home.

Find messages, documents, photos or people Advanced ▾

Compose



20220906_085307.jpg

- Inbox 11K
- Unread
- Starred
- Drafts 8
- Sent
- Archive
- Spam
- Trash
- ^ Less
- Views Hide
- Photos
- Documents
- Emails to myself
- Subscriptions
- Receipts
- Credits
- Travel
- Folders Hide
- + New Folder

Septic Tank 2 Yahoo/Sent ☆

 **AFW ISAIAH** Tue, Sep 6, 2022 at 9:16 AM ☆

From: slimshady968.io@gmail.com
To: jahlovefirst@yahoo.com



20220906_0... .jpg
1.6MB



 **jahlovefirst@yahoo.com** Mon, Apr 22 at 12:23 PM ☆

From: jahlovefirst@yahoo.com
To: koliver01@live.com

Hide original message

----- Forwarded Message -----
From: AFW ISAIAH <slimshady968.io@gmail.com>
To: "jahlovefirst@yahoo.com" <jahlovefirst@yahoo.com>
Sent: Tuesday, September 6, 2022 at 09:16:53 AM EDT
Subject: Septic Tank









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Exhibit 2h



Notice of Unpermitted/Unapproved Domestic Wastewater Discharge

Bureau of Environmental Health Services

Property Owner: Charleston County Housing and Redevelopment Authority

Tenant's Name (if applicable): _____

Site Address: 1445 Gibson St, Johns Island, SC 21155

Date of Investigation: 11/21/22 Time of Investigation: 12:00 PM

Department staff conducted an investigation at the above address. During the investigation, Department staff observed:
At the rear of the house there is a noticeable area of standing water that appears to be wastewater. Tenant states issue has been going on since September. Property owner has been notified by the tenant of the septic system malfunction, but system continues to malfunction even after repairs by septic contractor were attempted to be made.

The Department identified:

- Unpermitted discharges of domestic wastewater and/or sewage into the environment are occurring.
Corrective action required: The discharge must be eliminated through repairs or by vacating the residence(s)/ structure(s). If sewer is available, the site must be connected to sewer.
- Occupied dwellings or other structures lack an approved means of wastewater treatment and disposal.
Corrective action required: The dwelling(s)/structure(s) must be relocated or vacated until connected to sewer, or if sewer is not accessible, they should be connected to a Department-permitted and approved onsite wastewater system.

- Section 48-1-90 (a) of the Pollution Control Act states:**
"It shall be unlawful for any person, directly or indirectly, to throw, drain, run, allow to seep or otherwise discharge into the environment of the State organic or inorganic matter, including sewage, industrial wastes and other wastes, except as in compliance with a permit issued by the Department."
 - Regulation 61-56, Onsite Wastewater Systems, states:**
Section 301: *"No septic tank effluent or domestic wastewater or sewage shall be discharged to the surface of the ground or into any stream or body of water in South Carolina without an appropriate permit from the Department."*
 - Section 103.1 (1):** *"Each dwelling, business, or other structure occupied for more than two (2) hours per day shall be provided with an approved method for the treatment and disposal of domestic wastewater."*
 - Section 103.1 (4):** *"The property owner shall be required to properly operate and maintain in good working order all onsite wastewater system(s) and their parts and to comply with all terms and conditions of a previously issued permit. System parts may include, but are not limited to, sealed watertight tanks, lid(s), piping, aggregate, pump, and pump components."*
- Note:** Permits for new onsite wastewater systems will not be issued where a wastewater treatment facility (i.e., sewer) is accessible for connection. Repairs or replacement of failing onsite wastewater systems is not allowed where sewer is available for connection.

The conditions described are not permitted by the Department. You are hereby given **5 calendar days** (by 11/10/2022) to eliminate the unpermitted discharge/ unapproved method of domestic wastewater disposal as described above. Failure to complete any necessary repairs and eliminate the discharge(s) by 11/10/2022 may result in the Department taking enforcement action. If you have any questions, please contact me by telephone at (843) 753-3150 or by e-mail at Fincham@dhec.sc.gov.

SCDHEC Inspector: (Print) [Signature] Date: 11/21/22

Owner/ Tenant: _____ Date: _____

- Owner/Tenant refused to sign. Notice was left with occupant. Copies of this notice sent by USPS First-Class.
- Owner/Tenant not on site. Notice was left _____. Copies of this notice sent by USPS First-Class.

Personal information provided on this form is subject to public scrutiny or release.

Distribution: Top - Department Middle - Owner/Responsible Party Bottom - Tenant/Occupant



Charleston County Housing and Redevelopment Authority
2106 Mt. Pleasant Street, Charleston, South Carolina 29403
(843) 722-1942 Fax (843) 577-8825 TDD (800) 735-2905



**Agency Award of
Excellence**

03/10/2025

Karen Oliver
1945 Ghana Street
Johns Island, SC 29455

NOTICE OF TERMINATION FOR NONPAYMENT OF RENT AND/OR OTHER CHARGES
Amount Due: \$26,985.00

This notice of termination has been brought about because our records show that your account is unpaid and is now delinquent. You have failed to make payments on or before the due date, which is considered a serious violation of the material terms of your lease agreement.

You have failed to comply with the terms and provisions of your dwelling lease with the Charleston County Housing and Redevelopment Authority (CCHRA). As a result, we are terminating your lease **effective 04/10/2025 and you MUST VACATE THE PREMISES ON OR BEFORE 04/10//2025 AND RETURN YOUR KEYS TO THE PROPERTY MANAGER ON OR BEFORE 04/10/2025,** for the following reason(s):

Paragraph 1. By signing this lease Tenant agrees to all terms and conditions of this lease.

Paragraph 2. Tenant agrees to pay a rent per their lease agreement on the first day of the month.

Paragraph 7.X: Resident agrees to pay when due all charges due under this lease.

Paragraph 12.A: Management shall not terminate or refuse to renew this lease other than for serious or Repeated violations of material terms of the lease such as:

1. Failure to make payments due under this lease or to fulfill obligations of resident set forth in this lease or for other good cause.

If you have already made your payment, we would appreciate this being brought to our attention. If payment has not been made, we encourage you to take care of this matter immediately to avoid losing your home. Please remember to add the appropriate late fee(s) when mailing payments or using the drop box.