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SC Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Bentley Price, Circuit Court Judge

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Case No. 2023-001598

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Karen Oliver

Appellant,

v.

Charleston County Housing and  
Redevelopment Authority

Respondent,

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MOTION FOR SANCTIONS

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Comes now the Appellant with Hallelujahs, requesting sanctions against the Respondent for colluding with their counsel by allowing them to provide the Courts (initially the Court of Common Pleas) with a Motion for Dismissal of Appeal that contained known untruths and dishonest assertions that Essential Services were completed at the Appellant's residence at the time of its submission. Ex. A. Consequently, those Essential Services after over three and a half (3.5) years has still not been taken care of as it was written to defraud the Court. Rule 8.4, RPC 407, SCAR. *Crime or Fraud by Client*. When the aforementioned motion was filed it violated, Rule 4.1 (a) (b) *Truthfulness in Statement to Others*. By submitting the dishonest pleading to the Courts and refusing to correct (not providing all of the Essential Services) the client does not avoid tortious misrepresentation (fraud) by client Rule 1.2 (d), RPC 407, SCAR. Even after it was provided to the Respondent that they made an error by sending the wastewater cleanup

personnel to the wrong address along with the soil tester. They refused to do what a reasonable person would do and correct the error. In retaliation to date the Respondent still refused to comply with S.C. Code § 26-40-440 (5) (1986). *(5) maintain in reasonably good and safe working order and condition all electrical, gas, plumbing, sanitary, heating, ventilating, air conditioning, and other facilities and appliances, including elevators, supplied or required to be supplied by him. Appliances present in the dwelling unit are presumed to be supplied by the landlord unless specifically excluded by the rental agreement. No appliances or facilities necessary to the provision of essential services may be excluded.*

The Respondent's even retaliated against the Appellant not only by not amending the motion. They did not ensure it was truthful by getting the Essential Services completed. Punitive. Even after it was brought to the attorneys' attention. Rule 1.3, RPC, 407 SCAR, *Diligence*. The attorneys' lack of due diligence is another violation of the Rules of Professional Conduct. Ironically, the Appellant is being subjected to the adverse effects of their adverse actions of this lack of diligence.

The lack of Good Faith in the submission by the Respondent and their attorneys is valid cause for sanctions. The attorneys and their client intentionally inflicted distress by the dishonest pleading to the Courts and knowingly retaliated by still not meeting the state requirements for Essential Services to date. The Appellant has endured their continued violation of public policy due to the continuous dishonesty of the Respondent with their attorneys which is the intentional infliction of distress, fraud, and fraudulent misrepresentation. The Respondent has developed a pattern of deceit even to the Courts along with their attorneys. A continued violation of the Appellant's right to due process without undue influence notwithstanding the intentional defrauding of the Court. All violations of Good Faith by Respondent and their attorneys along

with S. C. Code § 15-36-10 (C)(1) (a) (b) (c) (2005). ... An attorney, party, or pro se litigant shall be sanctioned for a frivolous claim or defense if the court finds the attorney, party, or pro se litigant failed to comply with one of the following conditions: (a) a reasonable attorney in the same circumstances would believe that under the facts, his claim or defense was clearly not warranted under existing law and that a good faith or reasonable argument did not exist for the extension, modification, or reversal of existing law; (b) a reasonable attorney in the same circumstances would believe that his procurement, initiation, continuation, or defense of the civil suit was intended merely to harass or injure the other party; or (c) a reasonable attorney in the same circumstances would believe that the case or defense was frivolous as not reasonably founded in fact or was interposed merely for delay, or was merely brought for a purpose other than securing proper discovery, joinder of proposed parties, or adjudication of the claim or defense upon which the proceedings are based. Ex. B.

Unconscionable actions by both Respondents and their attorneys. Carlton Bowers' signature is on the pleading, but Theodore Parker III was advised of the matter and undoubtedly, they should have conferred with their client to ascertain the truth.

July 31, 2025

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

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

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Case No. 2023-001598

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Karen Oliver

Appellant,

v.

Charleston County Housing and  
Redevelopment Authority

Respondent,

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EXHIBITS FOR SANCTIONS

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Exhibit A      Motion signed by Bowers

Exhibit B      Emails with Respondent showing no compliance to the many Essential Service requests

Ex. A  
p. 1 of 7

ELECTRONICALLY FILED - 2023 Mar 16 9:18 AM - CHARLESTON - COMMON PLEAS - CASE#2022CP1004182

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS

CASE NO.: 2022-CP-10-4182

KAREN OLIVER,

Defendant - Appellant,

RESPONDENT CHARLESTON COUNTY  
HOUSING & REDEVELOPMENT  
AUTHORITY'S MOTION AND  
MEMORANDUM IN OPPOSITION TO  
KAREN OLIVER'S APPEAL

vs.

CHARLESTON COUNTY HOUSING  
& REDEVELOPMENT AUTHORITY,

Plaintiff - Respondent.

**I. MOTION**

COMES NOW, CHARLESTON COUNTY HOUSING & REDEVELOPMENT AUTHORITY ("CCHRA"), by and through its attorneys of record, CARLTON D. BOWERS and THEODORE PARKER, III, of the law firm of PARKER NELSON & ASSOCIATES, CHTD., and does hereby respectfully object to Karen Oliver's Appeal and moves to dismiss said appeal as to Respondent, CCHRA, as the claims asserted by Karen Oliver do not support reversal of the Magistrate's ruling.

**II. MEMORANDUM**

Respondent CCHRA submits this memorandum of law in support of the above motion. The claims asserted by Karen Oliver are insufficient to support reversal of the Magistrate's ruling and CCHRA therefore asks that the appeal be denied.

**A. Statement of Facts**

The most recent Residential Dwelling Lease Agreement ("Lease") governing this matter was signed on April 30, 2020 by Karen Oliver for 1945 Ghana Street. Mag. Ret. 32-45. On August 11, 2022 CCHRA filed for an application of ejectment regarding Appellant. Mag. Ret. 1.

The reasons for the application were for failure or refusal to pay rent when due and terms of the Lease were violated. *Id.* Specifically, the application identifies that Ms. Oliver continuously failed to pay rent. Mag. Ret. 3. Under Section 2 of the Lease, Appellant and CCHRA agreed to a rental amount of \$583.00 per month. Mag. Ret. At 31. Section 2(A) states that “rent is due and payable in advance without notice on the first day of each month and is delinquent after the fifth day of each month. Mag. Ret. at 33. The Lease acknowledges that “management shall not terminate or refuse to renew this lease other than for serious or repeated violations of material terms of the lease.” Mag. Ret. 39 (Lease 12(A)). This includes, “failure to make payments due under this lease or to fulfill obligations of resident set forth in this lease or for other good cause.”

lower matter on September 7, 2022. Mag. Ret. at 1.

On September 8, 2022, the Magistrate entered an order of eviction based upon the evidence presented at the Ejectment proceeding. Mag. Ret. 3. The same day, the Appellant filed her appeal with the Circuit Court. See Mag. Ret. at 16. The appeal stopped the writ of ejectment and stayed the lower court case. The Appellant filed an appeal with the Circuit Court on the grounds that the judge refused to listen or view a recording of an interview with CCHRA’s chairman, Mr. Sandino Moses. Mag. Ret. 16. The court below denied use of the video on the grounds that it was not relevant. Plaintiff contends that the video evidence should have been allowed and that the Magistrate Court did not indicate “how videos are to be presented.” Mag. Ret. 16.

As noted in the Magistrate’s Return of October 13, 2022, a bench trial was held in reference to the Application for Ejectment filed by CCHRA. CCHRA appeared at the hearing and presented seven Exhibits regarding the eviction process. The Notice of the hearing gave the

EX. A  
p. 397

Appellant Form SCCA733B which gave notice for the instructions for eviction hearings including “it is the parties’ responsibility to bring any witnesses or other evidence they want the court to consider.” Mag Ret. 1. The Appellant testified that she had suffered loss of enjoyment of the premises and that she was unable to sign a new lease because the property was below industry standard and she was not provided a breakdown of the rent under the reexamination process. Mag. Ret. 3. Appellant admitted that she had “not paid any amount of the rent that was due.” *Id.*

Based upon the documents, the Magistrate made a ruling from the Bench. Mag. Ret. 3. The Magistrate stated that the Appellant’s defenses were raised, but no evidence was provided to validate that CCHRA failed to provide one or more essential service. *Id.* Based upon those findings, the Magistrate entered an Order for eviction.

### **III. LAW AND ANALYSIS**

#### **A. Oliver’s Appeal Should Be Denied**

South Carolina Code of Laws Section 18-7-170 reads “Upon hearing the appeal the appellate court shall give judgment according to the justice of the case, without regard to technical errors or defects which do not affect the merits. In giving judgment, the court may affirm or reverse the judgment of the court below, in whole or in part, as to any or all the parties and for errors of law or fact.”

Judge Waring’s Return correctly summarizes the events that took place leading to the Appellant’s writ of eviction. No errors of law or fact were committed at the Magistrate level hearing. Ms. Oliver fails to identify matters before the court that were an issue at the hearing(s) below. Further, Ms. Oliver only asserts in her appeal that Judge Waring was in error for failing to consider hearsay video evidence. Appellant contends that the judge was in error for failing to

EX. A  
p. 497

allow the evidence based upon relevance. Appellant contends that the video was excluded since CCHRA representatives had no knowledge of the video, making it not relevant. Mag. Ret. at 16.

**B. The Video Was Not Relevant And Was Properly Excluded**

Relevant evidence means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence. S.C.R.E. 401. Evidence which is not relevant is not admissible. S.C.R.E. 402. Evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence. S.C.R.E. 403.

The determination of prejudice must be based on the entire record and the result will generally turn on the facts of each case. *State v. Brooks*, 341 S.C. 57, 533 S.E.2d 325 (2000). Evidence is unfairly prejudicial if it has an undue tendency to suggest a decision on an improper basis, such as an emotional one. *State v. Alexander*, 303 S.C. 377, 401 S.E.2d 146 (1991). A trial judge's decision regarding the comparative probative value and prejudicial effect of relevant evidence should be reversed only in exceptional circumstances. *State v. Hamilton*, 344 S.C. 344, 357, 543 S.E.2d 586, (Ct. App. 2001). Photographs may be allowed if they corroborate testimony but not if they are calculated to arouse the sympathy or prejudice of the jury and should be excluded if they are not necessary to substantiate material facts or conditions. *State v. Brazell*, 325 S.C. 65, 78, 480 S.E.2d 64, 72 (1997).

Appellant intended to introduce video evidence of Chairman of Charleston County Housing and Redevelopment Authority Mr. Sandino Moses regarding evictions during COVID. See Mag. Ret. at 2. The Chairman was interviewed by a local online personality Mr. Quintin Washington. *Id.* Appellant claims that the video was an offer that CCHRA was not going to evict

EX. A  
p. 597

any tenants during COVID, and that Appellant accepted the offer. Mr. Sandino's comments were made regarding those that could not make payments during the pandemic. The Magistrate found that "Landlord/Respondent's objections to relevancy were sustained." Mag. Ret. 2. Therefore, the thirty-six-minute interview was excluded.

Regardless of the video, Ms. Oliver simply withheld rent. Any claim of loss of use or enjoyment was addressed by members of CCHRA and corrected in a timely fashion. Therefore, Ms. Oliver's claims regarding any evidence excluded by the court below would not benefit her claims against CCHRA. Instead, the Magistrate ruled upon the facts before the court, and shielded itself from a video that would have substantially outweighed the issues before the court and would have prejudiced CCHRA.

V. **CONCLUSION**

Ms. Oliver has not provided any evidence supporting reversal of the Magistrate's decision. There are not factual or legal grounds advanced by Ms. Oliver that support reversal. Ms. Oliver's only contention is that a video was improperly excluded as evidence in the matter below. The Magistrate properly excluded the video evidence as overly prejudicial and substantially outweighing the facts of the matter. Based on the foregoing, Ms. Oliver's appeal should be denied.

DATED this 16<sup>th</sup> day of March, 2023.

**PARKER NELSON & ASSOCIATES, CHTD.**

s/Carlton D. Bowers  
Carlton D. Bowers [SC Bar # 101677]  
Theodore Parker, III [SC Bar # 65348]  
320 Broad Street, Suite 240  
Charleston, SC 29401  
Phone: (843) 727-2500  
Fax: (843) 727-2599

EX. A  
p. 697

Email: cbowers@pnalaw.net  
Email: tparker@pnalaw.net

*Attorneys for Plaintiff /Respondent  
Charleston County Housing & Redevelopment  
Authority*

EX. A  
p. 7 of 7

ELECTRONICALLY FILED - 2023 Mar 16 9:18 AM - CHARLESTON - COMMON PLEAS - CASE#2022CP1004182

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 16<sup>th</sup> day of March, 2023, served a copy of **RESPONDENT CHARLESTON COUNTY HOUSING & REDEVELOPMENT AUTHORITY'S MOTION AND MEMORANDUM IN OPPOSITION TO KAREN OLIVER'S APPEAL**, enclosed herein, upon all parties to these matters by delivering a true copy of same via U.S. Mail, addressed as follows:

Karen Oliver  
1945 Ghana Street  
Johns Island, SC 29455  
*Defendant/Appellant Pro Se*

s/Jamie L. Tyson  
An employee of PARKER NELSON & ASSOCIATES, CHTD.

EX. B  
p. 185



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**From:** jahlovefirst@yahoo.com <jahlovefirst@yahoo.com>  
**Sent:** Friday, January 13, 2023 4:36 PM  
**To:** Stephanie Gladden <sgladden@cchra.net>  
**Subject:** Re: 1945 Ghana Street, Johns Island, SC 29455

**SECOND REQUEST DUE TO LACK OF RESPONSE**

Greetings Ms. Gladden,

Please see the email dated December 22, 2022, below.

Thank you,

Karen Oliver

On Thursday, December 22, 2022 at 03:34:36 PM EST, jahlovefirst@yahoo.com <jahlovefirst@yahoo.com> wrote:

Greetings Ms. Gladden,

I am requesting a meeting with CCHRA's legal counsel. I would expect to know a meeting date after the New Year holiday. Also, DHEC came last week for an unannounced visit. During the course of our conversation, I realized that no one ever came to perform any yard work. No one ever came from the soil testing agency. Somethings are amiss even more so than before. Have good and safe holiday season.

843-628-0728

[fscott@cchra.net](mailto:fscott@cchra.net)[www.cchra.net](http://www.cchra.net)EX. B  
p. 2 of 5

**From:** jahlovefirst@yahoo.com <jahlovefirst@yahoo.com>  
**Sent:** Friday, January 20, 2023 3:48 PM  
**To:** Frank Scott <fscott@cchra.net>  
**Cc:** Stephanie Gladden <sgladden@cchra.net>  
**Subject:** Re: 1945 Ghana Street, Johns Island, SC 29455

## Second Requests to F. Scott and Fourth Requests to S. Gladden

Greetings Franklin Scott,

Your refusal to answer my requests for you to look into the matter concerning the continued health and safety issues. I am giving you 24 hours to respond, or I will consider it a willful act of negligence on the part of CCHRA. I have alerted your staff member Stephanie Gladden that no landscaper, nor soil tester came to my residence. However, SCDHEC did return unannounced. I have been victimized by your staff's incompetency rather intentional or not. I had to deal with wastewater for over two months flowing in the immediate back area. The rudeness of your contracted plumbing company. I have had your staff falsely accused me while libel and slandering me to you and others. I have requested to Stephanie Gladden that I would like a meeting with your legal team. I would also like to make this as my official complaint to you and CCHRA for investigation. I will say it again, Stephanie Gladden needs to repent. It may be that you may feel the same sentiments when you honor my requests to investigate this health and safety issue that continues to linger.

I look forward to hearing from you about my requested meeting with your legal counsel. GOD Is On The Move!!!

Karen Oliver  
(843) 303-3410

On Friday, January 13, 2023 at 05:14:26 PM EST, jahlovefirst@yahoo.com <jahlovefirst@yahoo.com> wrote:

Mr. Scott,

Once again, I am dealing with incompetency or just dishonesty. No landscaper or soil tester came to my residence. SCDHEC did show up unannounced, but no other entity. Please see my requests made to Stephanie Gladden who has not honored my requests. It is time for her to repent. GOD Is On The Move!

Thank you,

Karen Oliver

----- Forwarded Message -----

**From:** jahlovefirst@yahoo.com <jahlovefirst@yahoo.com>  
**To:** Stephanie Gladden <sgladden@cchra.net>

EX. B p. 3 of 5

been resolved well before now it has been 6 soon to be 7 months. Again, it breaches your own words to me and HUD. Your agency misrepresented the information provided to SCDHEC and others.

On purpose for GOD

Karen Oliver

On Friday, February 3, 2023 at 10:50:10 AM EST, jahlovefirst@yahoo.com <jahlovefirst@yahoo.com> wrote:

Greetings Franklin Scott,

I am submitting this to you in an attempt to ascertain the results of the request for an investigation into why there was no landscaping work or soil testing done as claimed by Stephanie Gladden. Today makes two weeks since the request was made to you and to date, I have not received the results. As this concerns a health and safety issue that has been ongoing since September 5, 2022, and it is February 2, 2023. It is 6-7 months and still no final resolution. How cumbersome could it be to determine whether or not Stephanie Gladden did as she claimed in having the landscaper and soil tester come to perform the contracted work at my residence? I can make this guarantee you that they did not. So, gaslighting and dishonesty won't work. I have experienced cruel and unusual punishment from an agency which proffers that it cares about the health and safety conditions of its properties managed. Your own words from your letter to me has even been compromised/breached by the lack of follow thru that was offered. I accepted in good faith that you would honor your words that you even sent to HUD.

I am also requesting the results of the investigations that you were supposed to have completed into the Retaliation and Intimidation that I reported to you in May 2022. Since then, I have experienced many defamations through libel and slander. Perjury and both negligent and fraudulent misrepresentations. Your staff did not follow CCHRA's policies and procedures in more than one area.

Please provide me with your legal representative's contact information. I look forward to hearing from you with the aforementioned requested items within 24 hours as it has been an unreasonable passage of time without proper action taking place under your leadership all to which I made you knowledgeable of continuously. The Cease and Desist that was sent to CCHRA (Board, Franklin, Sanders, Gladden) continues to be violated.

On Purpose for GOD

Karen Oliver

On Friday, January 20, 2023 at 04:25:59 PM EST, Frank Scott <fscott@cchra.net> wrote:

Good afternoon, thank you for speaking with me regarding your concerns today. The matters stated below will be investigated and we will work to correct the deficiencies as they are identified. Thank you and have a great weekend. Sincerely,

Franklin Scott  
Chief Executive Officer  
Charleston County Housing and Redevelopment Authority  
2106 Mount Pleasant Street , Charleston SC 29403

P. 4/5

This report presents our understanding of the project, a summary of our observations, an evaluation of the data, and our professional opinions/general recommendations.

**DATA COLLECTION AND OBSERVATIONS**

During our observations of the exterior of the structure at the subject site, we were specifically investigating the soils in the back yard of the subject site. VCS collected soils to be analyzed in accordance with method SM 9221 A.3/9221. The sample was collected and taken to Access Analytical in Irmo South Carolina to be analyzed. The soil samples were collected and transported to Access Analytical in Irmo, South Carolina on the same day of collection to be analyzed within the appropriate testing time allowed. Table 1 below indicates a reporting limit for Fecal Coliform of 3 MPN/gm using the method. The soils collected at the rear of the home had a level of 311 MPN/gm which is orders of magnitude higher than the reporting limit.

**Table 1: Fecal Coliform**

Parameter	Result	Reporting Limit	Units
Fecal Coliform	311	3	MPN/gm

**PROFESSIONAL OPINIONS AND RECOMMENDATIONS**

VCS applied the Scientific Method and recognized the need as requiring soil testing to determine if fecal coliform was present in the rear of the home from a septic release. VCS collected data relative to the septic release in the rear of the subject site.

VCS did encounter soil samples with fecal coliform levels indicative of soil impact from human waste. The result was several orders of magnitude above the reporting limit. Removal of the soil above and around the septic tank will likely need to take place in order to repair or replace the septic tank in the rear of the home. The area of the soils around the septic tank should be removed and replaced with a minimum 6-inch new soil cap after the repair or replacement of the septic tank.

**REPORT QUALIFICATION**

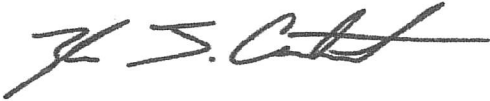
Our evaluation of the observations is based on our understanding of the site and project information and the data obtained in our assessment. The general conditions utilized in our evaluation are based on interpolation of composited data and our observations. In evaluating the field and collected data, we examined previous correlations between data in conditions similar to those at this site. The discovery of any site or conditions during site activities, which deviate from the data outlined in this assessment, should be reported to us for our evaluation. This cause and origin assessment was performed using the degree of skill and care ordinarily exercised under similar conditions by reputable members of VCS's profession practicing in the same or similar locality at the time of performance. No other warranty, express or implied, is made or intended and the same are specifically disclaimed.

Our report is intended for the addressee only and is based on agreed on contract including the included Terms and Conditions. Others may not rely on this report without first entering into a written agreement with VCS to define the Terms and Conditions of reliance.

**CLOSING**

VCS appreciates the opportunity to have provided you with our mold consulting services. We would be glad to discuss any of the results contained in this report, at your convenience. If there are any questions concerning this report or results, please contact us.

Sincerely,  
**Volkmar Consulting Services, LLC**



Tyler J. Armentrout  
Engineering Technician



Thomas E. Volkmar, PE  
President/Principal Engineer  
SC Professional Engineer Registration 27827

Attachments:  
Certificate of Analysis  
Chain of Custody