

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
Case No.: 2025-002087**

Appeal from the Court of Common Pleas
Seventh Judicial Circuit
Spartanburg County
Trial Court Case No.: 2025-CP-42-04002

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Nov 21 2025
SC Court of Appeals

NOTICE OF APPEAL AND REQUEST FOR RELIEF BASED ON MATERIAL INEQUITY AND SUBSIDY MISMANAGEMENT

COMES NOW the Appellant, McIntyre, Sylecia T., pursuant to South Carolina Appellate Court Rule 203 and S.C. Code Ann. § 18-3-30, and hereby gives notice that she appeals to the South Carolina Court of Appeals from the final order issued by the Honorable Durham Cole, Jr., Appellate Judge, entered in the Court of Common Pleas for Spartanburg County.

1. Matters Appealed

Notice is hereby given that the undersigned appeals the ruling(s) and judgment(s) rendered by the Spartanburg County Magistrate Court and Court of Common Pleas, including but not limited to:

Denial of statutory and injunctive relief;

Improper consideration or omission of timely tender and fiduciary performance;

Procedural errors, including adjudication outside the scope of subject-matter jurisdiction;

Lack of judicial notice of landlord's default, mismanagement of funds, and disregard of grievance procedures.

2. Administrative Irregularities for Review

a. RD-3560 Compliance Failure:

The landlord acknowledged subsidy status but failed to apply the cap income rule for 'very low' income as the reflected statement made by the landlord on the certification or provide documentation of denial. USDA-RD policy requires either approval or waitlist placement. The 1% mortgage benefit was retained, yet tenant was forced to pay full alleged rent.

b. Omission of Utility Subsidy from Ledger Records:

Landlord admitted to receiving a \$150 utility subsidy. However, internal ledgers presented during early hearings falsely reflected "none" under Housing Assistance Payments, omitting the subsidy and inflating the tenant's obligations beyond USDA limits. Current payments are over 500x the allowed 30% income cap based on \$2,500 verified annual income.

c. Tender of Alleged Rent to Magistrate Court (Aug–Oct):

Appellant timely tendered tenant-level payments to the Magistrate Court for the non-verified, alleged rental amount. Said tenders were never formally reconciled with adjusted subsidized calculations. The landlord has yet to provide a verified ledger or proof of actual net rent due. This is a matter of equity, not fixed decimal figures.

d. Habitability Violations and Diminution of Services:

Refrigerator has remained non-functional for months, affecting food safety;
Multiple door malfunctions violating privacy and personal safety;
Water damage, possible mold exposure due to flooding on move-in;
Ongoing unauthorized entry and access violations;
Destruction of personal property and children's items during unlawful lockout.

e. Willful Neglect of Essential Services:

Despite being custodian over utility subsidy payments, landlord failed to pay water utility, leading to multiple shutoffs, including one within the past 2 weeks. This constitutes willful administrative negligence and a breach of obligation under the South Carolina Residential Landlord and Tenant Act.

f. Fee Schedule Enforcement

A Fee Schedule was served following continued negligence and abuse. The landlord's failure to respond triggered acquiescence under notice and opportunity standards. Appellant reserves the right to enforce said terms under private and public law, following prior submission of Notice of Willful Administrative Negligence.

PRAYER FOR RELIEF

Appellant respectfully requests that the Court of Appeals:

1. Accept this Notice of Appeal and initiate full review of:

All administrative violations

Equity-based redress and accounting errors

Misuse of subsidy and unjust enrichment

2. Issue a ruling or interim order stating:

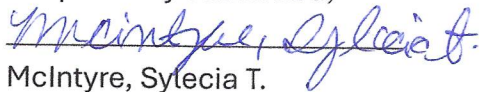
Monthly rent shall be \$0.00 pending further review;

No bond, back rent, or ongoing payments are to be enforced until full USDA-RD compliance is documented.

3. Direct full review and remand, or in the alternative, vacate judgment due to administrative fraud and statutory negligence.

4. Affirm that no verified denial of rental assistance or itemized accounting was ever received, despite landlord admissions and RD policy.

Respectfully submitted,



McIntyre, Sylecia T.

Agent for the Principal

1855 E Main St, Ste 14-219

Spartanburg, SC 29307

864-788-3274

Date: November 20, 2025

CERTIFICATE OF SERVICE

I, McIntyre, Sylecia, Agent for Principal, hereby certify that on this 20, day of November 2025, I served the following documents:

- **NOTICE OF APPEAL**

By depositing a true and correct copy of each document in the United States Postal Service/UPS for regular delivery, properly addressed to:

Cassidy Coates Price, P.A.
Attn: Ross Plyler & Tiffany H.
1052 N. Church St.
Greenville, SC 29601-1639

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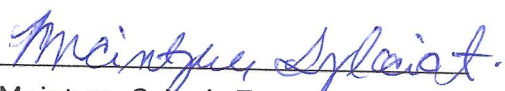
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Service was completed in good faith pursuant to the South Carolina Rules of Civil Procedure.

I further certify that the above service constitutes full and proper notice to the opposing party.

Respectfully Submitted,


McIntyre, Sylecia T

Agent for Principal

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Spartanburg, SC 29307

(864) 788-3274

Special Appearance Only