

STATE OF SOUTH CAROLINA

COUNTY OF YORK

Impact Change,

Plaintiff,

v.

Shenequel McKnight,

Defendant.

IN THE COURT OF COMMON PLEAS
SIXTEENTH JUDICIAL CIRCUIT

C.A. No.: 2025-CP-46-04411

ORDER FOR DEFAULT JUDGEMENT

RECEIVED

Oct 19 2026

SC Court of Appeals

A hearing was held on September 10, 2026, to determine damages on Defendant's Counterclaim for which Plaintiff had been declared in default. Donovan Stelzner appeared for Plaintiff and Denise Gregory appeared for Defendant. The procedural history of this matter is important to the ultimate findings by the Court. Impact Change filed an eviction against McKnight in Magistrate's Court on October 6, 2025. McKnight filed an "Answer for Rule to Vacate" on November 7, 2025. The Magistrate issued an Order on November 7, 2025, finding that McKnight's answer raised equitable claims on the subject property and the matter was transferred to Circuit Court. On November 17, 2025, McKnight filed an "Answer, Counterclaim, Defense, and Demand for Jury Trial" asserting a claim for retaliatory eviction under S.C. Code Section 27-40-910. On April 7, 2026, Impact Change filed an Answer to Counterclaims. On April 16, 2026, McKnight filed a Motion for Entry of Default and Default Judgment, Motion to Strike Plaintiff's Untimely Reply to Counterclaims and an "Amended Answer, Affirmative Defenses, Counterclaims and Demand for Jury Trial". The Motion for Entry of Default came before Judge Milton Kimpson at a hearing on August 12, 2026, who ruled that Impact Change was in Default on McKnight's Counterclaim asserted in her November 17, 2025 pleading, but that the additional pleading filed on April 16, 2026, was "a nullity and has no effect" (See Form 4 issued August 26, 2026, and formal order issued August 31, 2026). Therefore, regardless of the issues presented at the hearing on September 10, 2026, the only matter properly before the Court is the claim for retaliatory

eviction set forth in McKnight's Counterclaim filed on November 17, 2025. Since Impact Change was found to be in default, all allegations of McKnight's Counterclaim are deemed to have been admitted except the amount of damages. See Rule 8(d), SCRPC and *Wells Fargo Bank, N.A. v. Marion Amphitheatre, LLC*, 408 S.C. 87 (Ct App 2014) Further, Impact Change's role in the damages hearing was limited to cross-examination and objection to the Plaintiff's evidence. See *Limehouse v. Hulsey*, 404 S.C. 93 (S.C. 2013).

Under S.C. Code Section 27-40-910, if the landlord's conduct is found to be retaliatory, then the tenant is entitled to the remedies provided in Sec 27-40-660 which allows the tenant to "recover an amount equal to three months' periodic rent or twice the actual damages sustained by him, whichever is greater and reasonable attorney's fees. Additionally, this statute provides that "if the rental agreement is terminated the landlord shall return the security..."

So, the Court must analyze the actual damages established by McKnight and compare to the monthly rental. In the Counterclaim, McKnight alleges damages for "the loss of \$5,550 in deposits and rent, spoiled food and personal property, moving expense, emotional distress, and other consequential damages" and the prayer for relief seeks "compensation for emotional distress, loss of wages, and related harms." At the hearing, McKnight testified generally about each of these damages, but never established a basis for actually determining damages. Therefore, the Court must base its finding of actual damages on the first option for rent. The rental agreement that was placed into evidence for 1022 Henderson Street, set the monthly rental at \$1550 per month with \$4000 paid as a security deposit. Therefore, rent for 3 months would be \$4650. In addition, McKnight would be entitled to a return of her security deposit of \$4000. The total for rent and security deposit is \$8650 which the Court finds is greater than the actual damages established by McKnight. The referenced statute also provides for the recovery of reasonable attorney's fees. The Court has reviewed the Affidavit of Attorney's fees filed by McKnight's attorney which asserts a substantial amount. A good portion of the fees relate to matters related to the Amended Counterclaim which the Court had previously ruled to be void. The Court must also consider the

amount of the recovery and the nature of the action. Based on all of these considerations, the Court finds that \$4500, more than 50% of the recovery, is reasonable for attorney's fees in this matter. Therefore, the Court awards a judgment in favor of McKnight against Impact Change of \$13,150.00.

The initial Application for Ejectment contained a claim for past due rent. The action for eviction is moot since Defendant has vacated the premises, but the past due rent was not before the Court on Defendant's Motion and this Order does not necessarily negate that claim. Thus, this Order would not end the case if the Plaintiff wants to proceed on this additional claim. The Court does note that the findings in this Order would make it difficult for the Plaintiff to proceed on its claim, but the prolonging of the agony of this matter is up to the Plaintiff and its counsel.

It is so Ordered.

E-Signature of Judge Gravely to follow

Impact Change

Shenequel McKnight

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: The Court

Attorney for : ☐ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☐ ends ☒ does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Shenequel McKnight	Impact Change	\$13,150
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

[illegible]



York Common Pleas

Case Caption: Impact Change VS Shenequel Mcknight
Case Number: 2025CP4604411
Type: Order/Judgment and Form 4

So Ordered

s/ Honorable Perry H. Gravely, #2755
