

Procedure for Completing the Apartment Interior Inspection:

- ◆ An Apartment Interior Inspection form should be completed for each apartment noting the general condition for each area inspected.
- ◆ If a safety concern is found when inspecting an apartment, the issue should be written in the "Specific Notes" section of the Apartment Interior Inspection Form.
- ◆ The Property Manager or Assistant Property Manager will complete the Resident Inspection Notification Letter with areas that require a resident's attention and leave the letter in the resident's apartment.
- ◆ The box "Left Letter" in the action column of the Apartment Interior Inspection form should be checked beside areas that noted a safety concern that were documented on the Resident Inspection Notification Letter.
- ◆ The Apartment Interior Inspection form should be filed in the resident's file.
- ◆ Property Manager's must notify the District Manager once inspections have been completed. If inspections occur on a monthly basis, the District Manager should be notified monthly. If the inspections occur twice a year, the District Manager should be notified after all units have been inspected each time.
- ◆ District Manager's should keep a log of when inspections have been completed for their properties.

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MAR 11 2016

SC Court of Appeals

SAFETY AND PREVENTATIVE MAINTENANCE INSPECTIONS

The longer a hazardous situation is left uncorrected the greater the percentage of liability that resides with management should an injury occur. Why? In the eyes of the law, 1) if you are aware and do nothing, you are negligent and 2) if you are not aware of a long-time condition you are guilty of failure to maintain the property in a safe condition.

Conducting safety inspections will aid in the reduction of accidents and unsafe work practices, and safeguard against or eliminate them before they can cause personal injury. The inspection will identify existing and potential hazards that require attention. When identifying the hazards, remember to dig beneath the surface to determine the cause of the unsafe condition and to implement a permanent solution rather than a "quick fix."

A preventive maintenance program is not "extra" work; it is part of on-going maintenance of the property. An effective program can save considerable time and money by prolonging the useful life of equipment and fixtures.

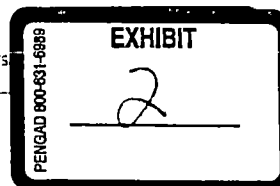
Preventive maintenance is a necessary function to prevent damage or deterioration of equipment or prolong the economic life of equipment or buildings or to increase the efficiency of equipment.

- ◆ In most cases, the expense associated with preventive maintenance is largely labor, whereas, if the preventive maintenance is not performed, premature replacement will be a substantially greater expense. Preventive maintenance actually saves you money.
- ◆ Example, three drops of oil in a re-circulating pump is not very expensive compared to the replacement cost of at least \$150.00.
- ◆ Preventive maintenance allows you to schedule your maintenance activity, rather than reacting to larger problems which require establishing priorities. In essence, it allows you to be proactive on maintenance rather than reactive.
- ◆ Preventive maintenance prolongs the life and efficiency of your equipment.
- ◆ Residents are less inconvenienced. For example, when maintenance goes to each apartment to change a filter, they could also pre-check the air conditioner, which could minimize the chance of future problems. While they are in the apartment, they might find out if there are other items that need repair. The resident is assured that staff really cares about their concerns and scheduling of work can be more efficient.

It is the policy of Berkshire Property Advisors to conduct a comprehensive inspection of every apartment at every community at least twice a year.

11/15/11

Berkshire Property Advisors



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A Property Safety and Preventive Maintenance form will be completed twice a year. The Property Manager and the Maintenance Supervisor will complete the form.

As part of the annual budget process, the Property Manager and District Manager will establish the inspection dates for the upcoming year.

Procedure for Completing the Property Safety and Preventive Maintenance Inspection:

- ◆ When completing the Property Safety and Preventative Inspection form, notes should be written for items that will require a service request to be issued.
- ◆ Once the inspection is complete, service request must be created in One Site Facilities and completed by the maintenance teams.
- ◆ The Property Safety and Preventative Inspection form will need to be typed or scanned and emailed to the District Manager within 30 days of completion.
- ◆ The District Managers will need to keep a log of when inspections have been completed for their properties.
- ◆ A designated person in each region will be responsible for uploading the Property Safety and Preventative Maintenance Inspection forms to the DMS.

FORMS

- ◆ Apartment Interior Inspection
- ◆ Safety and Preventive Maintenance Inspection
- ◆ Resident Inspection Notification Letter



BERKSHIRE PROPERTY ADVISORS, LLC

JOB DESCRIPTION

JOB TITLE: Maintenance Supervisor
DEPARTMENT: Property
LOCATION: Specified property
REPORTS TO: Property Manager
FLSA STATUS: non-exempt
DATE MODIFIED: January 18, 2011

BASIC PURPOSE:

Under the general direction of the Property Manager, the Maintenance Supervisor will own and drive preservation of the property's physical attributes for Berkshire Property Advisors.

ESSENTIAL FUNCTIONS: (These are the main duties/tasks of the position and the important in order to be successful)

- Be responsible for performance of the service team.
- Communicate openly and clearly.
- Positive role model.
- Review and monitor all time by means of time cards, supplemental logs, punch out sheets, service requests, and over-time logs.
- Provide complete support to the property manager and Berkshire Property Advisors in upholding community and corporation standards, policies, and procedures.
- Keep up-to-date and accurate logs and maintain vacancy board and scheduling of preventive maintenance, appliances, smoke detectors, filter changes, HVAC history logs, supplemental sheets, etc.
- Ensure service team members attend required training and assist in on-going training on site.
- Self seek and participate in on-going training/education.
- Schedule, conduct, and document regular meetings including safety meetings with service team members as a group to inform them of policy and procedure changes/ updates that affect them. Ensure that safety measures are enforced.
- Evaluate service team members on a regular basis for positive and negative behavior. Perform team member discussions, warning notices, and performance appraisals with counseling and coaching goals, using the appropriate forms on documentation.
- Brief new service team members on procedures, goals, and the community.
- Instruct team members on maintenance etiquette.
- Check all service team members' tools regularly for ownership and safe working condition, ensure uniform appearance is in accordance with BPA dress code policy, and provide documentation to the property manager.
- Schedule and manage appropriate contracts, i.e.: painting, cleaning company, trash removal, etc.
- Schedule daily activities efficiently, monitoring for quality or quantity.
- Assist in the preparation of long range planning, and make budget recommendations.
- Ensure punch out work is completed in accordance with BPA policies, standards, and punch out sheets.



DEF 000026

- Maintain shop, company equipment, ample supplies, inventory control, and ensure key security.
- Read and interpret prints and specifications.
- Watch for unauthorized vehicles or suspicious persons on the property and report to property authority.
- Maintain fire extinguishers, sprinklers, Range Queens, fire stops and standpipe systems.
- Perform hands-on maintenance as needed, and to further team abilities and knowledge.
- Perform daily morning checks of the overall community appearance, to include a neat and clean appearance, cleaned and painted common areas, and clean and clear windows and balconies.
- Perform service technician responsibilities/tasks to include on-call coverage as necessary.
- Prepared to respond and act in an emergency situation, following corporate/community emergency procedures.
- Perform various other duties as assigned by the property manager.
- On call hours are required.

The Company may revise this job description from time to time as business needs require. It is not intended to be an exhaustive listing of all the functions of the job, nor is to limit the Company right to assign other functions to an employee in this position. This job description does not constitute a written or implied contract of employment.

JOB QUALIFICATION REQUIREMENTS:

Knowledge/Experience:

- Ability to effectively supervise and motivate a team of (5) or more members.
- Good communication skills: interpersonal, written and required documentation.
- A thorough knowledge of each job description, as it pertains to self and service team members.
- A thorough knowledge of interviewing techniques.
- Ability to understand, demonstrate, and ensure team compliance of all necessary national and local building codes, safety codes, labor laws, to include but not limited to safe work practices, Fair Housing, Sexual Harassment prevention, ADA, etc.
- Thorough knowledge, understanding, and compliance with Berkshire Property Advisors standards, policies, procedures, and guidelines to include, but not limited to safety, Fair Housing, OSHA, personnel appearance, maintenance etiquette, and tool requirements.
- Ability to maintain high productivity for effective cost control.
- Knowledge of contract requirements.
- Ability to read and interpret prints and specifications.
- Knowledgeable in boilers and chillers and/or individual HVAC System, as applicable.
- Ability to review service related reports generated through OneSite.
- Thorough knowledge, and understanding of preventive maintenance.

Technical/ Educational Requirements:

- Able to use computers and Berkshire related applications to complete required work according to Berkshire policies and procedures, including Microsoft Office products, OPS, OneSite, Performance Manager and others as required.

Physical Requirements: (amount of standing, walking, sitting, typing, lifting etc)

- Constant need to be on feet.

Revised 1/21/2011

DEF 000027

- Have constant need to perform the following physical activities:

Bend/Stoop/Squat/Kneel	Perform routine maintenance/repairs, pick up tools and needed equipment.
Climb Stairs	Service requests, make-ready needs for 2 nd and 3 rd floor apartments.
Push or Pull	Move equipment, appliances, open and close doors, etc.
Reach Above Shoulder	Perform routine maintenance/repairs, stock and remove equipment, parts, etc.
Climb Ladders	Perform routine maintenance/repairs.
Grasp/Grip/Turning	Handle tools and equipment, perform routine maintenance/repairs.
Finger Dexterity	Handle tools and equipment, perform routine maintenance/repairs.

- Constant need to perform the following physical activities:

Writing	Inventory maintenance, requisition requests, required maintenance reports.
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- Lifting/carrying (supplies, replacement parts, ladders, etc.):

Over 150 lbs.	Rare need
75 - 150 lbs.	Occasional need
25 - 75 lbs.	Frequent need
1 - 25 lbs.	Constant need

NOTE: Lifting and carrying of weights exceeding 50 lbs. is often accomplished with assistance from one or more persons. Examples of heaviest items lifted include washer/dryers, refrigerators, A/C units, abandoned sofas, etc.

Vision Requirements: (Visual needs for the position – color, small details, inspections etc.)

- Constant need to document maintenance and complete forms, review manuals and operating instructions, read cautionary labels, respond to written instruction from staff and residents. Constant need to see small detail when performing maintenance duties.
- Frequent need to see things clearly beyond arm's reach (oversee assistants, observe problems throughout the property).

Hearing Requirements: (Hearing needs for the position –telephone, meetings, etc)

- Constant need to communicate with assistants, resident staff, vendors, and residents. Must use listening skills to diagnose needed repairs, etc.

Speaking Requirements: (Clarity, customer interaction, presentations, etc)

- Constant need to verbally communicate with assistants, resident staff, vendors, and residents.

Driving Requirements: (Driving needs for the position – from property to property, travel, etc)

Revised 1/21/2011

DEF 000028

- Frequent need to utilize personal transportation to pick up replacement parts and supplies from vendors. Rotation "on-call" status may occasionally require expedient travel to assigned property at moment's notice. Pick up and deliveries to the corporate office.
- Must have valid driver's license and automobile insurance coverage.

Reasoning Development: (Low, Medium, High – for ability to apply logical thinking to defined problem solving)

- HIGH. Must be able to apply principles of logical thinking to define problems, collect pertinent data, establish facts, draw valid conclusions, and initiate appropriate course of action. Must effectively convey ideas, images, and goals to a diverse group of personalities.

WORKING ENVIRONMENT: (Indoors, Outdoors, special things to know about job)

- Indoors. Frequently outdoors, all conditions, often for extended periods.
- Occasional exposure to paint fumes, solvents, adhesives, etc. Example: Apartments during/after make-ready.
- Frequent need to work in awkward and confining positions.

I have read this job description, understand it, and am able to perform the essential functions and meet the job requirements of the position. In addition, I have had the opportunity to discuss the job description with my supervisor.

Employee Name:
(Print Name)

Date:

Employee Signature:

Date:

Wigger Law Firm, Inc.

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MAR 11 2016

SC Court of Appeals

Summerville Office:
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Summerville, SC 29483
(843) 851-9900
(843) 851-9044 Fax

March 10, 2016

VIA FEDERAL EXPRESS:

Attn: Deputy Clerk V. Claire Allen
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

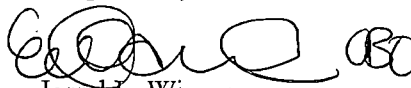
Re: Donna Douglas, Appellant v. Berkshire on St. Ives, Berkshire Property
Advisors, LLC BVF North Cove, LLC, and The Berkshire Group
Appellate Case No.: 2015-01328

Dear Deputy Clerk Allen:

I am writing in response to your correspondence of March 4, 2016 regarding the
above referenced matter. Pursuant to instruction, we have enclosed the requested legible
copies of pages 473-479.

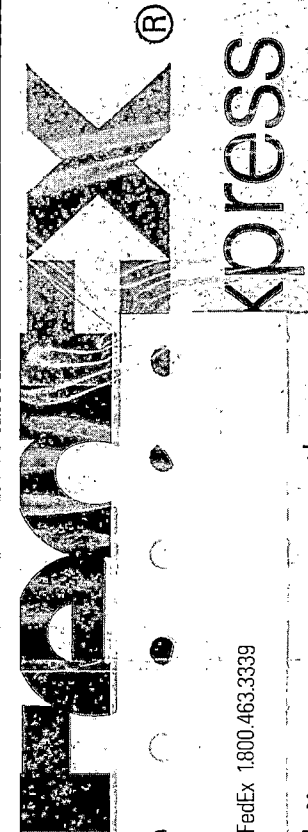
My apologies for the oversight of these illegible documents. Thank you for your
continued assistance and attention to this matter.

Respectfully,


Jarrel L. Wigger

JLW/sah
Enclosures
cc:

James E. Brogdon, III, Esquire
Jessica A. Waller, Esquire
1201 Main Street, Suite 1200
Columbia, SC 29201
Attorneys for Respondent



fedex.com 1.800.GoFedEx 1.800.463.3339

FedEx NEW Package Express US Airbill

FedEx Tracking Number 8081 7987 3588

FedEx TRK# 8081 7987 3588

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1 From [Redacted]

Date 3/11/2016

Sender's Name Jarrel L. Wigger Phone 843 552-9800

Company Wigger Law Firm, Inc

Address 3000 Rivers Avenue, Ste A

City North Charleston State SC ZIP 29406

2 Your Internal Billing Reference D. Douglass

3 To

Recipient's Name V. Claire Allen Phone 803 734-1890

Company SC Court of Appeals

Address 1200 Senate Street

Address [Redacted]

City Columbia State SC ZIP 29201

HOLD Weekday
FedEx location address
REQUIRED, NOT available for
FedEx First Overnight.

HOLD Saturday
FedEx location address
REQUIRED, Available ONLY for
FedEx Priority Overnight and
FedEx 2Day to select locations.

4 Express Package Service * To most locations. *Package up to 150 lbs. For packages over 150 lbs., use the new FedEx Express Freight US Airbill.*

NOTE: Service order has changed. Please select carefully.

Next Business Day

FedEx First Overnight
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Standard Overnight
Next business afternoon.* Saturday Delivery NOT available.

2 or 3 Business Days

FedEx 2Day A.M.
Second business morning.* Saturday Delivery NOT available.

FedEx 2Day
Second business afternoon.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Express Saver
Third business day.* Saturday Delivery NOT available.

5 Packaging * Declared value limit \$500.

FedEx Envelope* FedEx Pak* FedEx Box FedEx Tube Other

6 Special Handling and Delivery Signature Options

SATURDAY Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required
Package may be left without obtaining a signature for delivery.

Direct Signature
Someone at recipient's address may sign for delivery. Fee applies.

Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only. Fee applies.

Does this shipment contain dangerous goods?

One box must be checked.

No Yes As per attached Shipper's Declaration. Yes Shipper's Declaration not required.

Dry Ice
Dry Ice, 9, UN 1845 _____ x _____ kg

Cargo Aircraft Only

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below. Obtain recip. Acct. No.

Sender Acct No. in Section 1 will be billed. Recipient Third Party Credit Card Cash/Check

Total Packages _____ Total Weight _____ lbs. Credit Card Auth. [Redacted]



8081 7987 3588

*Our liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details.

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document here

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