

The South Carolina Court of Appeals Nov 13²⁰¹⁷
P.O. BOX 11629 Columbia South Carolina 29211

appellate Case No: 2017-002243
class Action Filing

Thomas Perriolo Appellate

RECEIVED

v. s

NOV 14 2017

City of Greenville et al

SC Court of Appeals

Defendants

City employees et al jointly - Individuality

May 27th 2016 The honorable long time judge
Mathew Raymond Hurby Jr. issued his order
for the city to comply. Judges order was clear,
I respectfully request this order be filed.

Both Codes' Personal and the city attorney inspected
and investigated - entered home / property

and that there was an apparent denial of access
to city facilities in the past,

and that the judge personally pick me up in his
wifes' car and escorted me to City Hall. He did not
want anyone to see me in his car.

Judge choose to investigate who gave the order to
forbid Thomas Perriolo access to city office and

DOE AND

Senior 2014. Judge Huey Jr. discovered it was Robert Patrick Cole assistant attorney BAR # 11345 and that he was the one who gave the order to my team to stop Ferriolo to enter City office's or call police site me/or something.

The police chief then and now my 2nd filing in second case against the City of Breweil has personally interfered with this case as well as the first case and using his muscle both times with 911 calls.

In 2016 officer Roberto G. Franco a Public information officer was providing me in the first case against the City of Breweil 911 calls to the call center. Capt Miller (chief Miller resigned officer and personally interfered with 911 calls to protect the city, he is entrusted to serve as chief of Police. Chief needs to be investigated.

In 2017 911 calls were placed again to the 911 call center on the 2nd filing of my case against the City of Breweil. This time chief Miller interfered with Public Information officer Johnathon Brogg.

Officer Brogg called me to supply dates and times. He accepted the complaints then called

me, leaving his message on my answer machine that it is in the mail. No mail never come. Police chief was called and never returned my call.

Everything so stated is all of record, 911 call center records, all calls. Chief needs to be investigated.

Police chief Miller has interfered with my case before this court, before other courts of Law in South Carolina and used his personal muscle, two times, (2) times, to do it.

City of Greenville officials violated the Law. Chief Miller is the Law who uses his office of the Law, to protect them. That is not his job.

Two times chief Miller also involved himself with supervisors of 911 call center. This is all well documented in court files.

There has never been Law Enforcement in South Carolina for Thomas Perini, said he accused State Law Enforcement who covered up a murder called Perini's case. S.L.E.D., the department of State Law Enforcement, has no one to investigate themselves. S.L.E.D. was in Judge Hawley's courtroom in my case and that was covered up by the City administration

The Greenville City Council, some peopl. under
the direction of Mayor Knox White, choose to overlook
the first law suits against our City, an allowed
Thousands of Dollars to be paid defense lawyers
in the court of common pleas, The court of appeals
and the Supreme Court of South Carolina, using
tax payers money. What insurance companies
paid this money and how much money did it
cost the tax payers.

How many more thousands of dollars \$\$\$\$
\$\$\$\$\$ are going to be paid
to defense lawyers to defend this law suits, the
second (2nd) time involving the same buddy
Dept person that was involved in the first
Law suits against the City of Greenville.

How much money of tax payers money, as
involved in both Law suits.

Not one City official choose to sit down and
talk about the issues and to try to resolved
and the Court require you to do.

I accuse the City of Greenville administration
of malice of thought and of action.



OK A



City of Greenville

GREENVILLE MUNICIPAL COURT

From the Desk of Matt Hawley

To: Mr. Thomas R. Firriolo
Re: 11 Addie Court
Date: May 27, 2016

Mr. Firriolo:

Please find enclosed a certified copy of an Order I issued this week after continued hemming and hawing about you permit being held up at City Hall. I am informed it is being sent pursuant to the Order and you should be able to complete your project in an unhampered fashion.

Best of Luck in Your Endeavors,

Judge, Municipal Court

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SC Court of Appeals

EXG A

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE) IN THE MUNICIPAL COURT
City of Greenville,)

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v.

NOV 14 2017

Summons Ordinance
No. 16GMS02925
ORDER

Thomas R. Firriolo, SC Court of Appeals

2016 MAY 25 AM 11:33
GREENVILLE MUNICIPAL
COURT

FILED

This matter is before the Court by way of motion for the City Attorney to clarify and finalize a ruling by the Court, dated May 12, 2016. Previously, the City Building Codes Enforcement Office filed the above Summons Ordinance with the Court, prior to the hearing date, the Homeowner, Thomas Firriolo, timely requested a jury trial and the case was separately docketed for that disposition.

Subsequently, the City Attorney issued an Order and Rule to Show Cause to the Homeowner to cease and desist continuing work on an addition. The Homeowner appeared *pro se*, requested more time to prepare; and, the matter was rescheduled. Mr. Firriolo accepted an offer of assistance by court personnel to subpoena witnesses and a pretrial was set. The City Attorney, who had previously attempted to mediate the matter welcomed the Court's intercession.

During the subsequent conference, Mr. Firriolo expressed concern for the ability to comply with the permitting process and an apparent denial of access to city facilities in the past. The court contacted the Codes office and was provided a permit application and again met with the Defendant to complete paperwork. This was reviewed by a Codes representative and the Defendant filed the application with a court escort on April 22, 2016. The City Attorney was notified and consented to a dismissal of the Summons Ordinance, which was entered by the Court on May 12, 2016.

Codes personnel have stated concerns that other work was done by the Homeowner without permits and only came to their attention when Mr. Firriolo complained to Codes Enforcement about shoddy workmanship from an

#1
M...
M...

unlicensed individual who preformed floor refinishing. As a result of the concerns expressed by the Codes personnel, both the Court and City Attorney have viewed the residence and determined that the prior work, performed at unknown dates and times appears to be cosmetic in nature (addition of exterior brick veneer) and/or the enclosure of existing front and rear porches that do not enlarge the residential footprint or add living space as an addition. No obvious defects that would affect the general safety and welfare of the Homeowner and the public.

The Homeowner's efforts appear to be an improvement of the appearance and utilization of his residence performed at previous intervals and unknown times as finances allowed. Further, the Court has been made aware of the financial straits of the Homeowner, the nature and condition of the surrounding properties, and the transitional nature of the neighborhood; from residential to commercial over time. Frankly, this property is located where the furious growth of the City and particularly the Augusta Road area will engulf most if not all of the neighborhood in total redevelopment within the next decade.

After a full review of the concerns expressed by both parties, City and Homeowner, and a review of Municipal and International Codes applicable to the case at bar, the Court finds and concludes that the permit application shall be granted and the permit issued forthwith. The Court further finds and concludes that prior cosmetic enhancements and porch enclosures, while not permitted, are not subject to *post facto* permitting and Building Codes Enforcement are relieved of liability for these items of concern.

IT IS SO ORDERED!

Matthew A. Jolly

Judge, Municipal Court
#2

May 25, 2016
Greenville, SC

~~This is to certify that this is a true copy.~~
~~53-25-2016~~
~~*[Signature]*~~

Clerk Of Court

The South Carolina Court of Appeals
P.O. Box 11629 Columbia South Carolina 29201

Appellate Case No: 2017-002243
class action

The Crime of Tort committing Fraud
malice that can be imagined.
Palmetto Heating & Air LLC in mark holder owner.

Thomas Furiolo appellate
v.s.

Ms Tracy (last name not provided)
Book Keeper / office manager
v.s.

Mr John Horn Director of
Installations manager of
inspections

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Ms Tracy ongoing in 2016 and into 2017
was notice on the ongoing difficulties of heat
strip's staying on - lights - wall outlets would
flicker, buss, electrical buss -
Excess water coming from floor vents.
not enough cooling in heat times
not enough warmer in cold times
my believe is Ms Tracy clearly realized that there
were ongoing safety issues unresolved and
cover up Dangerous issues that needed prompt
attention. page one

Mr John Horn manager of inspections who has inspected several times the electrical wiring, the units, inside the house, underneath the house and at each time, found all his inspections everything is and was working according to the book. He said he is an expert. Intentionally overlooking the dangers

Finally, the State of South Carolina investigators, inspectors examined and inspected the workmanship and all equipment and found out proved they both were wrong. Mr Tracy - Mr John Horn

I continued to maintain that both Mr Tracy and Mr John Horn, willfully and with malice in thought, fraud in thought and both in action, continued to cover up unsafe conditions to the home owner, his pets, his home, his guests/visitors and perhaps the public.

Everything remains as it was installed for more inspections - to my home

Thomas Pierce Appelt from [unclear]

11 ADDIE COURT Screamers S.C. 29605

The South Carolina Court of Appeals Nov 13th 2017
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class action filing

The Crime of Test Committing Fraud
made that can be Imagened

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SC Court of Appeals


Thomas Furiolo appellate

U.S.


Trane Matthew Pritchard
Territory manager

David Crofts
field representative

Matthew Pritchard
Territory Manager



TRANE
1510 Key Road
Columbia, SC 29201
864.209.7850 Mobile
matthew.pritchard@irco.com



Ingersoll Rand.

Both Mr Pritchard and Mr Crofts were
clearly brought to upper management of trane
attention in case # 579929 and Ticket # 686730
before your consumer affairs Deptment.

Both Mr Pritchard & Mr Crofts representing
Trane cover up there investigation to protect
their client Palmetto heating & air LLC Mr Mark
Soldan Owner- there good friend & customer.

Thomas Furiolo 11 address Court Greenville SC 29605-
page one *Thomas Furiolo* end.

The South Carolina Court of Appeals
P.O. BOX 11629 Columbia South Carolina 29201

appellate Case No: 2017-002243
class action

Thomas Furiolo appellate

v. S.

(SHARE) et al.

Individually and jointly

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(SHARE) is Sunbelt Human Advancement
Resources Inc, a South Carolina Corporation
doing business in South Carolina.

Directors are

Rev. Curtis Johnson

Mrs Mary Dickett

The honorable Robert H. Jenkins

Mr James A. Pierce, III

Rev. Leon Pagn

Ann O'Dea

Mrs Ingrid Erwin

Mrs Dorthella Ruffin

The honorable Lynn Ballard

The honorable Xanthene Norris

Mrs Carolyn Goodjoan

page one

Thomas Furiolo

James R. Jackson

Chris Allen

Willis H. Crosby Jr. President/CEO

Tony Bonnist

Pamela Sims

Lisa Cooley Ashmore

Board of Directors 2016.

Each and every one of the honorable board of Directors for (SHARE) were notified ongoing. (SHARE) engaged and hired two (2) contractors. One for new roof - one for (CAHA) central air + heat. They also knew that numerous state of South Carolina building codes were violated.

Each Director have given themselves 'self immunity'. Crimes have been committed.

I respectfully request the names of each Director to this lawsuit.

cc enclosed copies of state inspectors, investigator findings, & so on. Life threatening issues ongoing.

Thomas R. Rivolet, Esq.

11 address court street SC 29605



Henry D. McMaster
Governor

Emily H. Farr
Director

South Carolina
Department of Labor, Licensing and Regulation

Division of Professional and Occupational Licensing
Office of Investigations and Enforcement



110 Centerview Drive
Post Office Box 11329
Columbia, SC 29211-1329
Phone: (803) 896-4470
FAX: (803) 896-4656

Inspection Report

Date: November 6, 2017

To: Palmetto Heating & Air LLC
3974 Highway 153
Greenville SC 29611-7402

From: Thomas Brown, Investigator
Email: Thomas.brown@llr.sc.gov

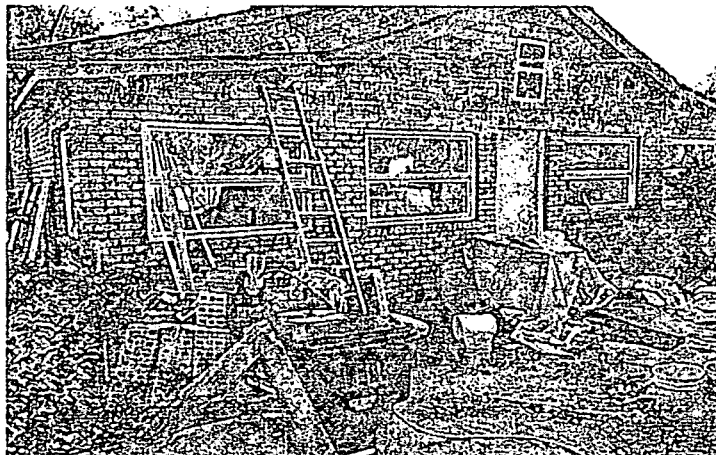
cc: Thomas Firriolo

Case#: 2017-233

Site: 11 Addie Ct
Greenville, SC 29605

Present at Inspection: Thomas Firriolo

The items listed below were observed on Wednesday November 1, 2017, at the site referenced above for the Contractors' Licensing Board. The purpose of the inspection was to determine if codes and/or standards violations exist that may warrant action against Palmetto Heating & Air LLC based upon a complaint filed with this agency. The respondent may address the items found in the report; however, the department must receive the written response which may be sent via e-mail within ten business days of receipt of this notice or no later than November 15, 2017.



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Code/Standards Reference: 2015 IRC

E3702.11 Branch circuits for air-conditioning and heat pump equipment. The ampacity of the conductors supplying multimotor and combination load equipment shall be not less than the minimum circuit ampacity marked on the equipment. The branch-circuit overcurrent device rating shall be the size and type marked on the appliance.

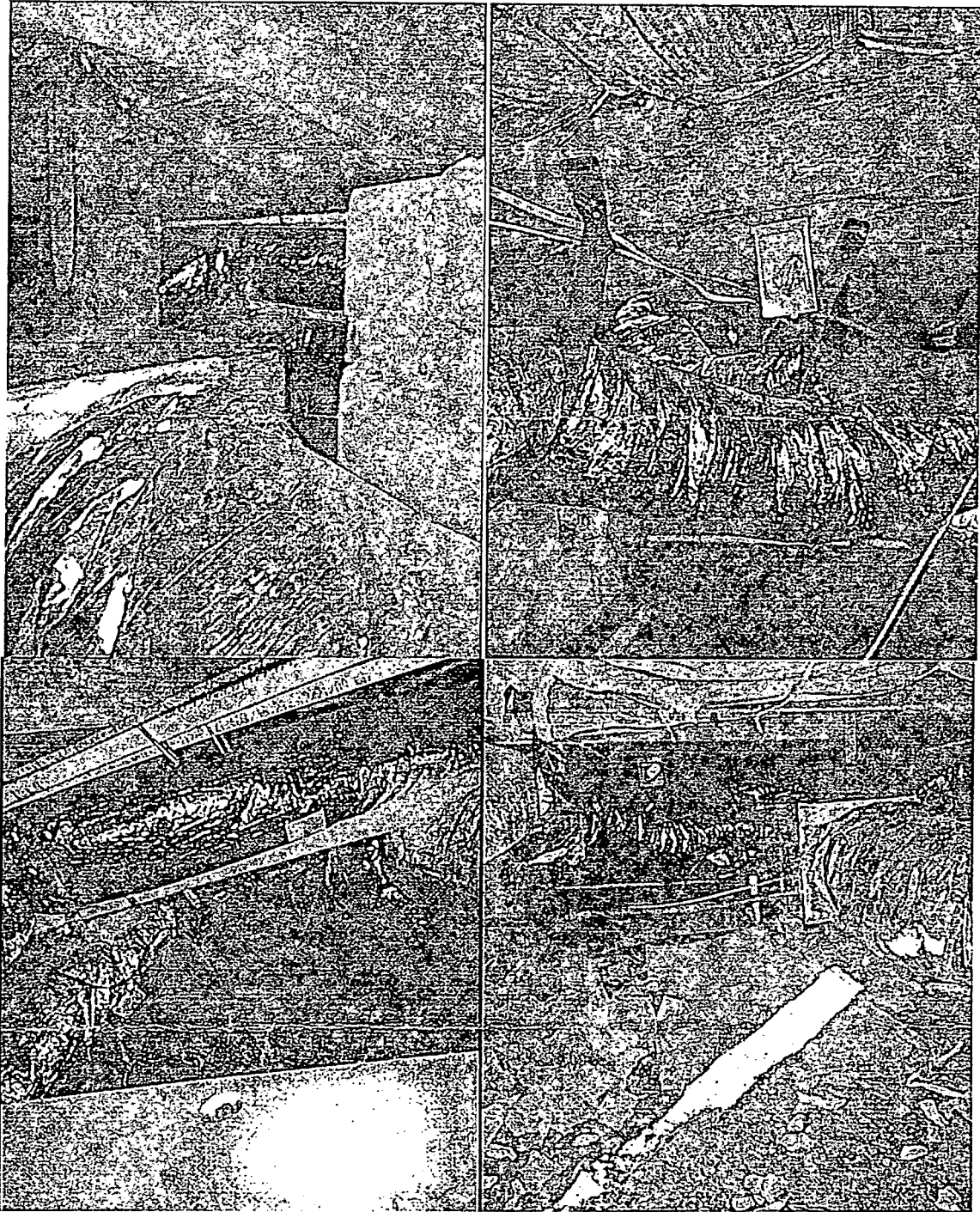
MI305.1.4.3 Electrical requirements.

A luminaire controlled by a switch located at the required passageway opening and a receptacle outlet shall be installed at or near the appliance location in accordance with Chapter 39. Exposed lamps shall be protected from damage by location or lamp guards.

Investigator's Findings: Violation

2. **Complaint:** Ductwork sizing and routing issues

Investigator's Observation: Ductwork as installed is inadequate for the proper distribution of conditioned air and cold air return of same to the unit. There is only one cold air return for 12 floor registers and it is undersized. The flex ducts are kinked as installed and are lying on or near the ground in some places. Several ducts show signs of tearing of the outer foil seal layers at a few places. Insulation seal materials near the register boots have been compromised. There is no vapor barrier in crawlspace. Some registers show signs of excessive moisture due to condensation.



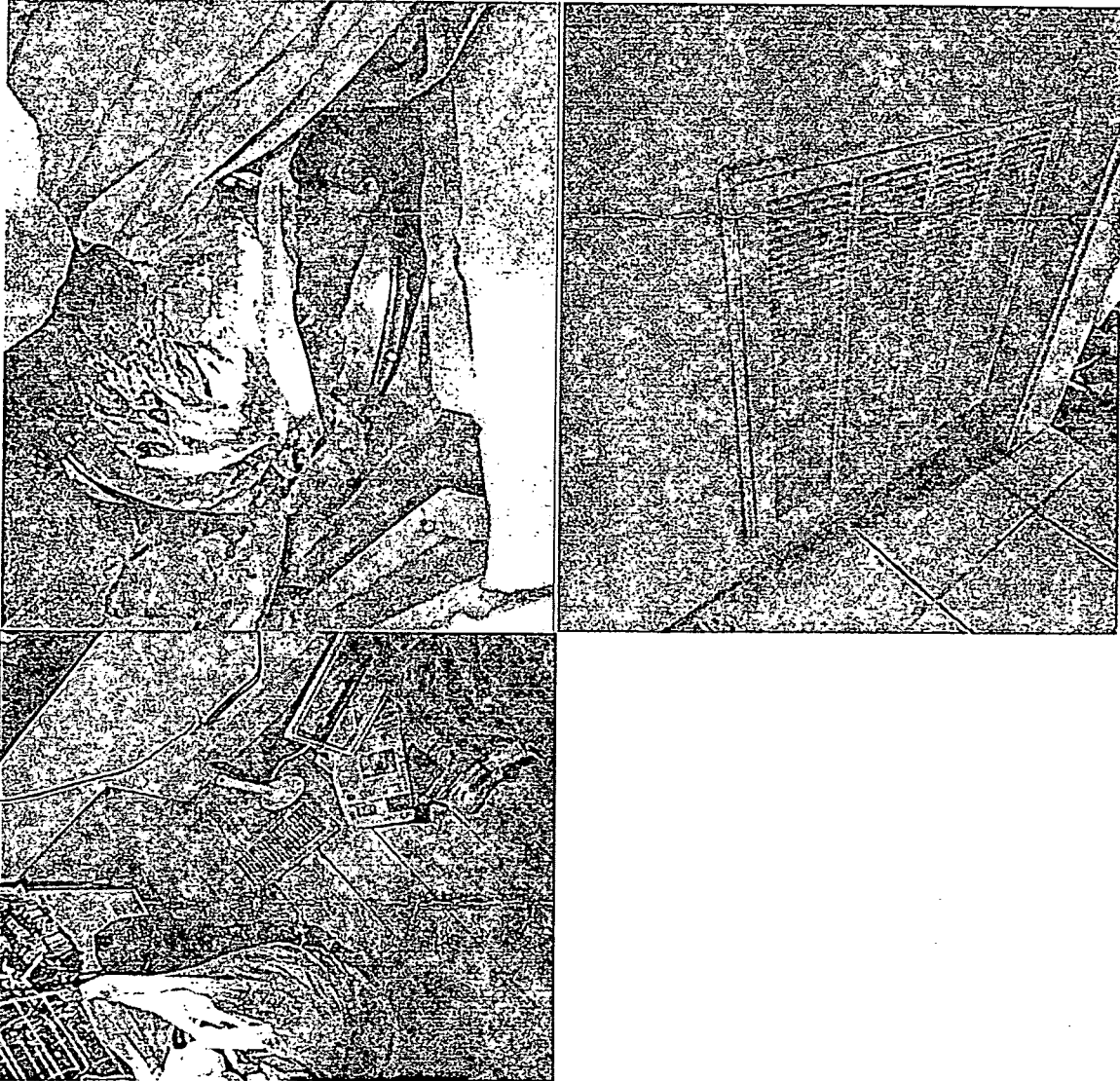
Code/Standards Reference: 2015 IRC M1601.4.7 Factory-made air ducts.

Air ducts shall not be installed in or on the ground, in tile or metal pipe, or within masonry or concrete.

Investigator's Findings: Violation

3. **Complaint:** Cold air return issues and air register issues

Investigator's Observation: Cold air return is undersized and the trunk line is kinked, torn and separated at rivets behind the return in the closet. Contractor has proposed to remedy this situation as addressed in his letter to the complainant after their inspection on August 10, 2017. There are 12 floor registers and only one return.



Code/Standards Reference: 2015 IRC

M1602.2 Return air openings

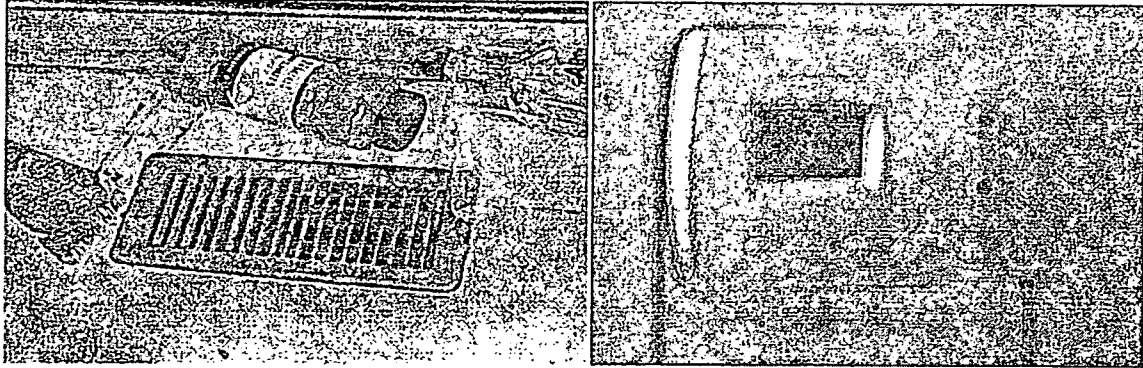
Return air openings for heating, ventilation and air conditioning systems shall comply with all of the following:

Return and transfer openings shall be sized in accordance with the appliance or equipment manufacturers' installation instructions, Manual D or the design of the registered design professional.

Investigator's Findings: Violation

4. **Complaint:** Improper sizing of unit, heat strips always on during heating. When AC operates condensation forms around registers etc.

Investigator's Observation: Unit appears to be properly sized for the home. Issues seem to be involved with the proper circulation of conditioned air through trunk lines and returns. Complainant raised issues about heat strips always being on during heat cycle and a smell of burning coming through the ductwork as they heated. Contractor needs to verify proper operational setup on heat strip activation and any other issues with system as it relates to economical use.



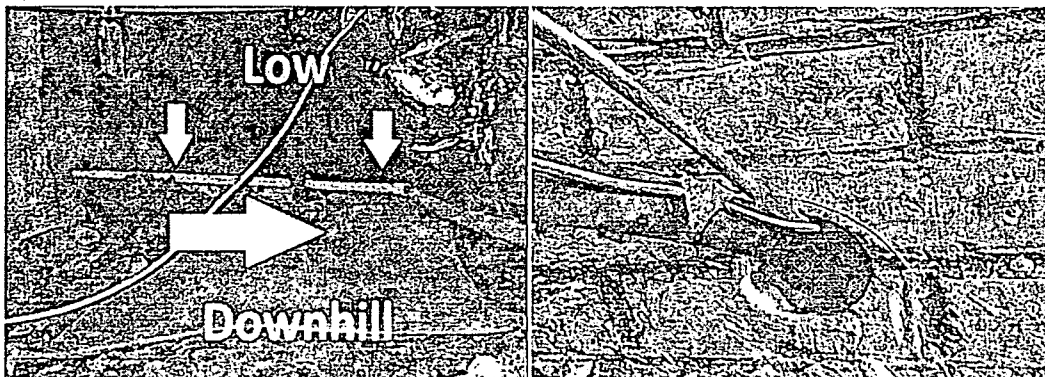
Code/Standards Reference: 2015 IRC M1401.1

Installation. Heating and cooling *equipment* and *appliances* shall be installed in accordance with the manufacturer's instructions and the requirements of this code.

Investigator's Findings: Violation

5. **Complaint:** Improper installation of condensate drain lines

Investigator's Observation: Drain lines have a fall back to unit and are not sealed where they go through the foundation wall.



Code/Standards Reference: 2015 IRC M1411.3 Condensate disposal.

Condensate from cooling coils and evaporators shall be conveyed from the drain pan outlet to an *approved* place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than 1 /8 unit vertical in 12 units horizontal (1-percent slope). Condensate shall not discharge into a street, alley or other areas where it would cause a nuisance.

M1411.3.1 Auxiliary and secondary drain systems.

In addition to the requirements of Section M1411.3, a secondary drain or auxiliary drain pan shall be required for each cooling or evaporator coil where damage to any building components will occur as a result of overflow from the *equipment* drain pan or stoppage in the condensate drain piping. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than 11g unit vertical in 12 units horizontal (1-percent slope).

M2301.2.9 Roof and wall penetrations.

Wall penetrations shall be flashed and sealed in accordance with Chapter 9 of this code to prevent entry of water, rodents and insects.

Investigator's Findings: Violation

6. **Complaint:** No permit pulled authorizing work and no inspection was performed by local Building Officials.

Investigator's Observation: No permit issued as indicated by City of Greenville.

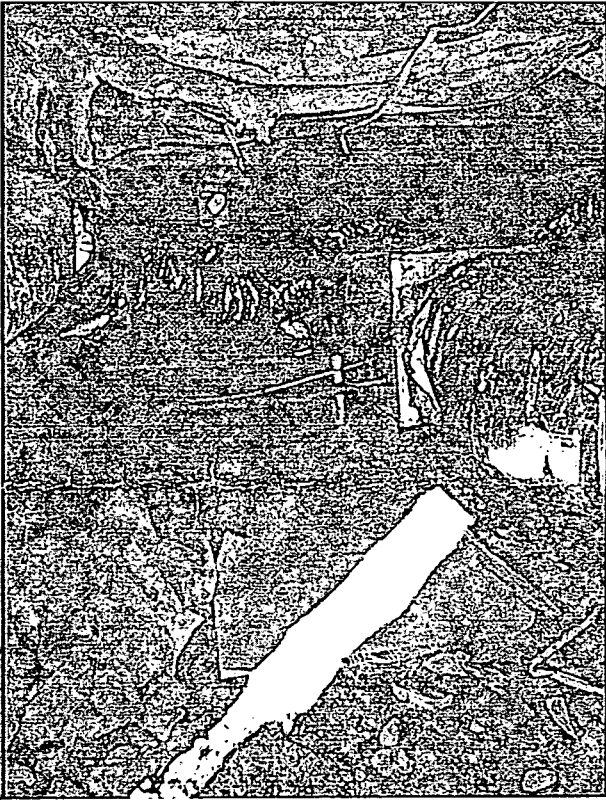
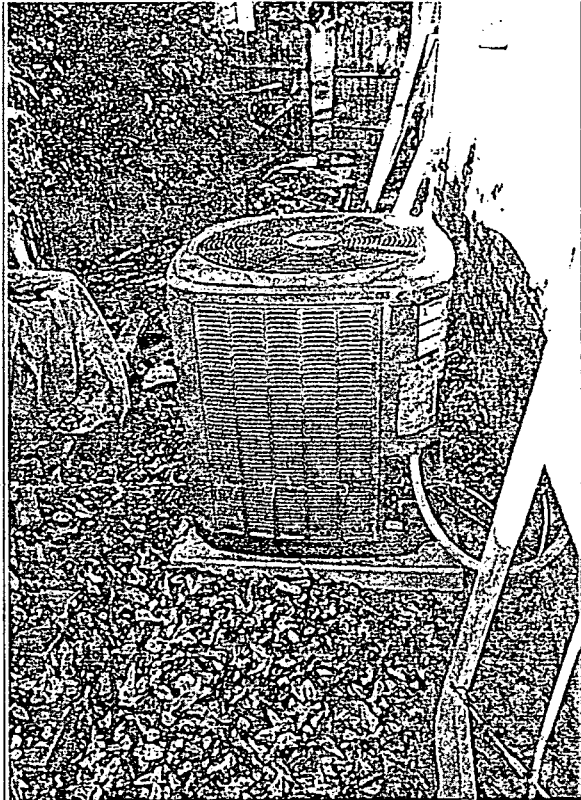
Code/Standards Reference: SC 40-11-110(A)(5)

Failure to obtain a building permit as required by local or state jurisdiction

Investigator's Findings: Violation

6 Violations total

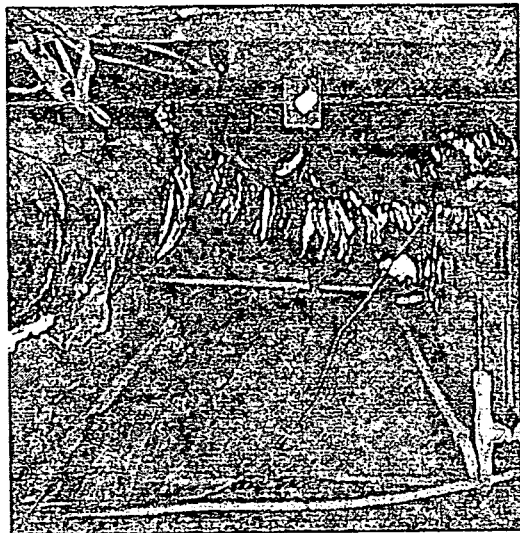
The initial complaint, your response, and the Investigator's findings will be presented to the Investigative Review Committee. The IRC is appointed by the Board and makes recommendation to the Board as to the disposition of complaints and violations of the Practice Act. The IRC will review the case at the next available meeting. The IRC's recommendation for the disposition of this case will then be presented to Board members for their consideration at the next available Board meeting. Should the complaint items cited in this report be resolved by the respondent prior to the IRC's review of the complaint, the IRC may take the actions into consideration as a mitigating factor.



Complaint Items

1. **Complaint:** Electrical work performed to connect the new heat pump/AC is not per code.

Investigator's Observation: The wiring size feeding the disconnect from the distribution is adequate, but the wiring size from the disconnect to the heat pump AC is undersized. Also, there is no service outlet or light installed near unit under house as required by code.



Palmetto Heating & Air, LLC

3974 Highway 153
Greenville, SC 29611
Office: 864.845.1400
Fax: 864.845.1401

Email: contact@palmettoac.com

Mr. Thomas Firriolo
11 Addie Court
Greenville, SC 29605

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Mr. Firriolo,

I am writing you to follow up on our visit to your house located at 11 Addie Court in Greenville on August 10, 2017. I am copying the parties in attendance that day on this correspondence as well. Below is a quick summary of these parties and their roles:

Matt Pritchard – Trane Territory Manager responsible for Palmetto Heating & Air's account

David Crotts – Trane Field Service Representative

John Horn – Palmetto Heating & Air Installation Manager

Mark Golden – Owner – Palmetto Heating & Air

At the beginning of our meeting I asked you to tell me exactly what issues you were having with your system installed for SHARE, on your behalf, by Palmetto. As I understood your explanation, you expressed concern with the following:

1. The sizing of the system relative to the size of your house.
2. The design of the duct system and the airflow to various areas of your house.
3. The sizing of the electrical connections to the system components.
4. The proper operation of the system.

I then asked John Horn and David Crotts to have a look at the systems, as well as the ductwork, and the electrical connections. I also asked that they measure the house including a diagram of the general layout and characteristics. I followed up with David and John later that day at length and spoke with them in great detail about what they found. David and John started the systems and checked the basic operation. Among the operating conditions they observed were the operating pressures of the refrigerant in the system, the amperage draws of the motors and compressor, the temperature drop between the return side and the supply side, and the static pressure inside the duct system. In addition, they inspected the overall condition of the system components and duct system.

Since the on-site visit I have followed up with Matt, David and John to get their assessment regarding the installation. Our collective opinion is that the system components are in good operating condition and were installed in a manner consistent with the manufacturers recommendations.

The duct system that was installed in your house has been tampered with and/or damaged in several areas. David and John have also advised me that the design of the duct system, while functional, is not ideal for equalized air distribution. That duct system was configured by an employee that is no longer with our company, so we are uncertain as to why he chose the approach he took. However, his notes on our original proposal indicated that your crawlspace was extremely cluttered and that cleaning would be required before our technicians could install the system. David and John observed that conditions in the crawlspace are still not good – there are shards of broken glass, metal, etc., as well as constricted areas that would prohibit access for our technicians.

As you are aware, this system was installed for SHARE on your behalf, and it was SHARE that paid Palmetto Heating & Air. Therefore, they are our direct client. We received a fax from you requesting information from us regarding the purchase of the system in which you referenced the Freedom of Information Act. We are not a government agency which that law is specifically applicable to. Further, my Office Manager, Tracie Campbell, tells me that she has already provided you with all the documentation that we typically provide. Again, SHARE is our client. That said, I would suggest you make your request for information to them since they paid for the system on your behalf.

In conclusion, based on the overall circumstances, we are willing to try to help address your concerns with the installation. Specifically, Palmetto Heating & Air will return to your residence at your convenience. Our current installation manager, John Horn, will design a new air distribution configuration (duct system), and we will install it at no cost to you. We will also conduct repairs to the existing ducting and electrical connections that have been modified or damaged since our original installation. Once the new duct system is installed and repairs made, we will verify proper operation of the system including all electrical connections, drains, etc. Given the tone of our conversations on August 10th and circumstance of this installation, we will require you to sign an agreement granting your permission and agreement to the proposed solution to your objections. Please respond and let me know if you are in agreement with our proposed solution. You can contact me at any time on my mobile at 864-444-0933 or you can call the office if you prefer.

Regards,



Mark Golden