

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
S. Phillip Lenski, Administrative Law Judge

**RECEIVED**

JUL 22 2019

SC Court of Appeals

Case Nos. 14-ALJ-17-0601-CC,  
14-ALJ-17-0602-CC  
Appellate Case No: 2017-000569

Fairfield Waverly, LLC, ..... Respondent,

v.

Dorchester County Assessor, ..... Appellant.

and

GS Windsor Club, LLC, ..... Respondent,

v.

Dorchester County Assessor, ..... Appellant.

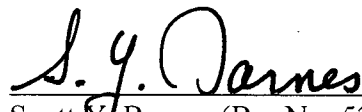
**MOTION FOR LEAVE TO FILE AN AMICUS CURIAE BRIEF  
OF SOUTH CAROLINA ASSOCIATION OF REALTORS®**

Pursuant to Rule 213, SCACR, the South Carolina Association of REALTORS® requests leave to submit an amicus curiae brief. As allowed by the rule, the proposed brief is conditionally filed with this motion.

Formed in 1948, the South Carolina Association of REALTORS® is a nonprofit organization formed to represent the interests of commercial realtors in South Carolina. The organization has over 23,602 members located throughout the state. The organization has filed this motion and presented this brief because it understands that the Department of Revenue

("Department") has instructed all of the individual county tax assessors to apply its interpretation of S.C. Code Ann. § 12-37-3135, and the organization believes the Department's interpretation is inconsistent with the purpose of the statute. Given the statewide ramifications of the issue presented here, the South Carolina Association of REALTORS® seeks leave to file the attached short brief.

Respectfully submitted,



---

Scott V. Barnes (Bar No. 528)  
Sarah P. Spruill (Bar No. 68337)  
Haynsworth Sinkler Boyd, P.A.  
134 Meeting Street, 3<sup>rd</sup> Floor  
Charleston SC 29401  
Phone: 843-722-3366  
Fax: 843-722-2266

Attorney for Amicus Curiae  
South Carolina Association of REALTORS®

Charleston, South Carolina  
July 19, 2019

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
S. Phillip Lenski, Administrative Law Judge

Case Nos. 14-ALJ-17-0601-CC,  
14-ALJ-17-0602-CC  
Appellate Case No: 2017-000569

**RECEIVED**  
JUL 22 2019  
SC Court of Appeals

Fairfield Waverly, LLC, ..... Respondent,

v.

Dorchester County Assessor, ..... Appellant.

and

GS Windsor Club, LLC, ..... Respondent,

v.

Dorchester County Assessor, ..... Appellant.

**PROOF OF SERVICE**

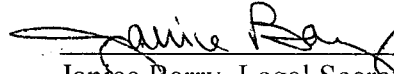
I certify that I have served the *Motion for Leave to File an Amicus Curiae Brief of the South Carolina Association of REALTORS®* and the *Amicus Curiae Brief of the South Carolina Association of REALTORS®* on all attorneys of record by depositing copies of the same in the United States Mail, postage prepaid, on July 19, 2019, addressed to:

Andrew T. Shepherd  
Hart Hyland Shepherd, LLC  
P.O. Box 130  
Summerville, SC 29484

John G. Frampton  
Dorchester County  
201 Johnston Street  
St. George, SC 29477

Marcus Dawson Antley, III  
Jason Phillip Luther  
South Carolina Department of Revenue  
P.O. Box 12265  
Columbia, SC 29211-9979

Burnet Rhett Maybank, III  
James Peter Rourke  
Nexsen Pruet, LLC  
P.O. Drawer 2426  
Columbia, SC 29202-2426



---

Janise Barry, Legal Secretary  
HAYNSWORTH SINKLER BOYD, P.A.  
P.O. Box 2048  
Greenville, SC 29602

**HAYNSWORTH  
SINKLER BOYD**

HAYNSWORTH SINKLER BOYD, P.A.  
134 MEETING STREET, 3<sup>RD</sup> FLOOR  
P.O. BOX 340 (29402)  
CHARLESTON, SOUTH CAROLINA 29401  
MAIN 843.722.3366  
FAX 843.722.2266  
www.hsblawfirm.com

SCOTT Y. BARNES  
DIRECT 843.720.4458  
sbarnes@hsblawfirm.com

July 19, 2019

**RECEIVED**

JUL 22 2019

**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Fairfield Waverly, LLC v. Dorchester County Assessor and GS Windsor Club, LLC v.  
Dorchester County Assessor; Case Nos. 14-ALJ-17-0601-CC, 14-ALJ-17-0601-CC  
Appellate Case No.: 2017-000569

Dear Ms. Kitchings:

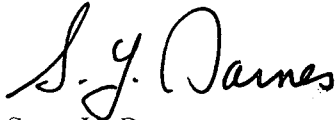
Enclosed please find an original and seven (7) copies of South Carolina Association of REALTORS®'s Motion for Leave to File an *Amicus Curiae* Brief, proposed Amicus Brief, and Proof of Service, together with a check for \$50.00.

I have also enclosed the original and (16) copies of the *Amicus Curiae* Brief for conditional filing in the event the Motion for Leave is granted. Please return the extra clocked copies of both the Motion and the Brief to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance. Please call me if you have any questions.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.



Scott Y. Barnes

SYB/jmb  
Enclosures

cc: Andrew T. Shepherd  
Hart Hyland Shepherd  
Burnet Rhett Maybank, III  
James Peter Rourke  
John G. Frampton  
Jason Phillip Luther  
Marcus Dawson Antley, III



U.S. POSTAGE >> PITNEY BOWES



ZIP 29601 \$ 008.30<sup>0</sup>  
02 4W  
0000355738 JUL 19 2019

**RECEIVED**  
JUL 22 2019  
SC Court of Appeals

**HAYNSWORTH  
SINKLER BOYD**

P.O. BOX 2048  
GREENVILLE, SOUTH CAROLINA 29602-2048

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211