

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Ex Parte: Alecia Havens

Petitioner,

vs.

State Street Holdings, LLC,

Respondent.

In Re:

AltaMonte Homeowners Association, Inc.,

Plaintiff,

vs.

Alecia Havens,

Defendant

IN THE COURT OF COMMON PLEAS

Case No. 2019-CP-40-03054

ORDER DENYING
DEFENDANT HAVENS'
MOTION TO RECONSIDER

RECEIVED

Aug 09 2021

SC Court of Appeals

(3001-20006)

This is an action to foreclose the lien of AltaMonte Homeowners Association, Inc. The Lis Pendens, Summons and Complaint were filed on June 4, 2019 and Defendant Havens was served at 12300 SW Center St., Apt 10, Beaverton, OR 97005 on June 8, 2019 as shown by the Affidavit of Service filed on July 1, 2019. Defendant Havens did not file an Answer or other responsive pleading to the Summons and Complaint. Thereafter, on October 22, 2019, Plaintiff AltaMonte Homeowners Association, Inc. sent Defendant Havens Notice of Hearing at the service address as shown by the Certificate of Service by Mail filed on October 22, 2019. Defendant Havens did not appear at the merits hearing and the undersigned Master in Equity issued a Master's Report and Judgment of Foreclosure and Sale on November 19, 2019. Thereafter, Plaintiff mailed a copy of the Master's Order to Defendant Havens. The Notice of Sale was published in a

newspaper of general circulation in Richland County once a week for three consecutive weeks. The property that is the subject of this action was sold at public auction to State Street Holdings, LLC (State Street) for \$10,000.00. State Street complied with its bid and a Master in Equity Deed was issued on December 20, 2019 and recorded December 30, 2019 in Book 2457 at Page 2227. On January 17, 2020, Defendant Havens submitted a claim of entitlement to surplus funds.

On February 4, 2020 at approximately 9:00 a.m., State Street and Khan Legacy, LLC (Khan) entered into a Sales Contract for the subject property. Thereafter, Defendant Havens submitted her Motion to Vacate the Sale on February 4, 2020 at 2:11 p.m. The motion was served on State Street by mailing a copy to its Registered Agent on February 10, 2020. A hearing was held on Defendant Havens motion on February 28, 2020.

An Order Denying Alicia Havens' Motion to Vacate Sale was filed on June 12, 2020. Thereafter, Defendant Havens filed a Motion to Reconsider on June 17, 2020. A hearing was held on November 12, 2020.

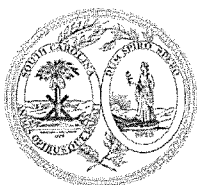
The foreclosure action was served on Alecia Havens by serving a copy of the Summons and Complaint on Victor Soto-Navaro (Navaro) on June 8, 2019 at 10:57 a.m. at 12300 SW Center St., Apt. 10, Beaverton, OR 97005. An Affidavit of Service signed by Doug Isaak, Process Server, (Isaac) was filed on July 1, 2019. Isaak describes Navaro as the Fiance and adult co-residence of Defendant Havens. At the hearing, Defendant Havens appeared and testified that Navaro is a very close friend but denied he was living with her at her place of residence. Defendant Havens also denies that Navaro gave her a copy of the Summons and Complaint. Defendant Havens stated that she had no knowledge of the foreclosure action until her property management company told her the tenant had stopped paying rent in January 2020 due to the foreclosure sale.

CONCLUSION

Defendant Havens failed to respond to the summons and complaint after being properly served by Substitute Service. Defendant Havens also failed to respond to the Notice of Hearing, Notice of Sale, and Notice of Entry of Judgment. Her first appearance in this case was to claim the surplus funds generated by the foreclosure sale. Having found Defendant Havens was properly served, her Motion to Reconsider must be denied.

IT IS SO ORDERED

[Judges signature page to follow]



Richland Common Pleas

Case Caption: Altamonte Homeowners Association Inc vs Alecia Havens

Case Number: 2019CP4003054

Type: Master/Order/Other

It is so Ordered

s/Joseph M. Strickland, 3055