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SC Court of Appeals

**FORM 13
BRIEF OF THE APPELLANT**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
[In the Supreme Court]

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas
Roger M. Young, Sr.
Trial Court case No. 2020CP0800267

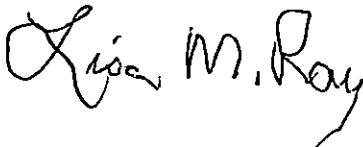
Case No. 2020-000629

Jacquetta Elias, as representative
Of Parkway Village Apartments,

Respondent,
775 Sangaree Parkway Blvd.
Summerville, SC 29486

Lisa Michelle Ray

Appellant



(Mailing address)

PO Box 62

Goose Creek, SC 29445

(Physical address)

775 Sangaree Parkway Blvd., APT 5C

Summerville, SC 29486

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STATEMENT OF ISSUES ON APPEAL

1. Ms. Ray was told by Trudy Huber (Parkway Village Apartments Resident Coordinator), on 1/10/20 that she could be late with her payment, but would have to pay late fees. Unfortunately, Ms. Huber did not attend my initial court appearance, and thus her statements could not be used. We need to bring Trudy Huber to a court appearance, so that she can confirm what she has previously stated. See Document #1, transcript from earlier court appearance and Audio CD, for additional information.
2. There were an additional fifteen (15) people who were late with their payments, and each one of them was allowed to make their payment, without being evicted. Ms. Ray should have the same opportunity as the other apartment tenants. This information was not available during her earlier court appearance. We need to be able to obtain the records from Parkway Village, to confirm this information. See Document #1, transcript from earlier court appearance and Audio CD, for additional information.

STATEMENT OF THE CASE

On January 10, 2020 Ms. Ray received a notice that her rent was late (due on the 5th of the month). On that date she went in to the office and talked to Trudy Huber (apartment complex coordinator), explaining that she did not have all of her rent money at that time. Trudy told her that she could just pay a late fee of \$5 plus \$1/day, with no mention of any eviction. However, Ms. Ray received an eviction notice on January 14th, 2020. On February 3, 2020 she paid her January rent. Ms. Ray then proceeded to pay her February and March rent on time (they were not late). Since March, she has also attempted to pay her monthly rent every month, but each check was returned to her by Jacquetta Elias (Parkway Village manager). All of the funds for the payments, are available, so that the payments can be made, when they are ready to be accepted by the apartment management.

ARGUMENTS

By Parkway Village Apartments accepting Ms. Ray's January, February, March rent payments, we feel that the original eviction notification should be removed. See Document #2 for rent payment information.

CONCLUSION

Since that January month, all monthly rental payments have been paid, through the date of this request. They began returning checks on April 2020, with a letter of refusal, but continue to charge a late fee for those months (even though the checks were presented to them, on time). Ms. Ray has been saving money that they are returning, with the intent on paying them, once the eviction process has been stopped. She has been searching for alternative housing, but with the end of the moratorium on evictions, combined with the unfortunate fact that there are many people without a place, there is no place within her financial means available to stay. If this eviction is allowed, HUD will then have documentation showing the eviction, which will make it difficult for her to qualify and obtain future HUD housing (which is all that she can afford to pay for). Since she is disabled (see Document #3 for initial letter from her Dr. indicating her physical limitations), with no family able to take her in, Ms. Ray will have no place to live if evicted, and will become homeless.

We feel that since they have nothing really to gain from evicting her, combined with her ability to pay rent, there is no reason for an eviction. We are requesting a "Stay of Eviction" that would remain in place, as long as she continues to make my monthly rental payments.

Respectively submitted

September 2, 2021

Lisa Michelle Ray
775 Sangaree Parkway Blvd.
Summerville, SC 29486

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SC Court of Appeals

FORM 7

**PROOF OF SERVICE OF A NOTICE OF APPEAL
THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]**

**APPEAL FROM BERKELEY COUNTY
South Carolina Court of Common Pleas
Berkeley County Summary Magistrate Court
Honorable Judge Roger M. Young
Berkeley County, SC
Appellate case number 2020 000 6 2 9**

Jacquetta Elias, as representative
Of Parkway Village Apartments,

Respondent,
775 Sangaree Parkway Blvd.
Summerville, SC 29486

Lisa Michelle Ray

Appellant

(Mailing address)

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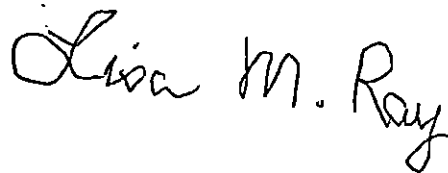
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Summerville, SC 29486

PROOF OF SERVICE

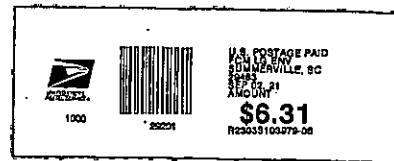
I certify that I have served the Notice of Appeal to all respondents by depositing a copy via USPS, postage prepaid, on September 2nd, 2021, addressed to Jacquetta Elias, Parkway Village Apartments, and to the State of South Carolina Court of Appeals, case number 2020-00629.

Appeal from Berkeley County South Carolina, Court of Common Pleas, case number 2020-CP 0800267

September 2, 2021 - Lisa Michelle Ray
PO Box 62
Goose Creek, SC 29445



LISA RAY
PO Box 62
GOOSE CREEK SC 29445



SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET
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