

COURT OF APPEALS OF GEORGIA

RETURN NOTICE

February 2, 2015

To: Mr. D. Lucks, 5661 Cumberland Drive, Savannah, Georgia 31405

Case Number: _____ Lower Court: _____ County Superior Court _____

Court of Appeals Case Number and Style: _____

Your document(s) is (are) being returned for the following reason(s).

- There is no case pending in the Court of Appeals of Georgia under your name.
- A Notice of Appeal is filed with the clerk of the trial court and not with the Court of Appeals of Georgia. See OCGA §5-6-37. Once the trial court clerk has received and filed the Notice of Appeal, the trial court clerk will prepare a copy of the record and transcripts as designated by the Notice of Appeal and transmit them to this Court. Once the Notice of Appeal is docketed in the Court of Appeals of Georgia, a Docketing Notice with the Briefing Schedule and other important information is mailed to counsel for the parties or directly to the parties, if the parties are representing themselves. You do not need to provide this Court with a copy of the Notice of Appeal you filed with the superior court.
- The Notice of Appeal must include a proper Certificate of Service. A Certificate of Service must show service to the opposing counsel and contain the counsel's full name and complete mailing address. The opposing counsel must actually be served with a copy of your filing.
- An Application for Writ of Habeas Corpus should be filed in the superior court of the county in which you claim you are illegally detained. An appeal from a denial of an Application for Writ of Habeas Corpus is to the Supreme Court and not the Court of Appeals.
- An Application for Writ of Mandamus should be filed in the superior court of the county official whose conduct you intend to mandate. An appeal from a denial of an Application for Writ of Mandamus is to the Supreme Court and not the Court of Appeals.
- Your appeal was disposed by opinion (order) on _____. The Court of Appeals _____ . The remittitur issued on _____ divesting this Court of jurisdiction. The case decision is therefore final.
- Your mailing/documents indicate that you intended to file your papers in another court rather than the Court of Appeals of Georgia. The address of the Clerk of the _____ is: _____
- If an attorney has been appointed for you and you are concerned with the representation provided by that attorney, you should address that issue to the trial court. As long as you are represented by an attorney, you cannot file pleadings on your own behalf. Your attorney must file a Motion to Withdraw as Counsel and it must be granted, before you can file your own pleadings in this Court.
- A request for an out-of-time appeal should be made to the trial court from which you are appealing. If your motion is denied by the trial court, you can file an appeal of that decision by filing a Notice of Appeal with the clerk of the superior court.
- I have enclosed a copy of the Rules of the Court of Appeals of Georgia, as well as, a copy of the Citizen's Guide for your review.



**A CITIZEN'S GUIDE
TO
FILING APPEALS
IN THE
COURT OF APPEALS
OF GEORGIA**

August 2012



2014

Georgia Court of Appeals

R U L E S

Last Update: October 21, 2014

TO: Whom it may concern

FROM: D.Lucks #912-335-7447

RECEIVED IN OFFICE
2015 JAN 30 PM 3:16

GLENN W. BERT ALTERNATE ADMINISTRATOR
STATE OF GA

I returned from a wonderful vacation with my family and the immediate family since the passing of our mother and the kids grandmother & great grandmother, on or around Sept. 23 2013 and found the notice that my aunt was speaking about laid on the sofa (by auntie) that read out by Sept 30 2013, when I inquired about this letter their was no call returns so I proceeded to follow the letter of the notice, as trying to navigate my new adventure for an apartment on very short notice I run through hell (NOT RENTING, NEXT YEAR, WAITING LIST) no hope felt like gone with the wind (no plantation) good deal my apartment(bad deal) never brought this upon myself. After much searching(hoping&praying) I receive a call an apt.(1 bedroom) but an apt. no less, I went from DEPRESSION (the three (3) stages of Depression , ANGER felt like destroying the old apt. maybe the rental office their property then came Depression and doudt (QUESTIONING MY FAITH FEELING HOPELESS & AT FAULT) I ask the question WHY? And wonder WHY? Is it regenterfacation since Scad just built a new school on 52 st.& Montgomery or WHY? Would this Renee bring my life to a sudden halt (FROM SUGAR TO SHIT). We ask WHY did man want to fly or WHY man cannot walk on the moon, we accomplished both of those ideas and now we as humans don't wonder we accomplished those thoughts but I'm still bothered with WHY? Me, my aunt tells me they wanted their apt. back and that's that no explaining WHY?. Being legally DISABLE we should have some RIGHTS... Now comes the loneliness which I'm fighting now checking phone numbers to call back not answering knocks on the door sitting and eating in the dark in front of the boob tube(t.v.) until sat 12 2013 want nothing less but to be left ALONE questioning how easy it was to go from SUGAR to SHIT to ask WHY? When I leave this tiny apt. it is at night (DARK) so no one can see my true pain wearing abeared looking like gentle ben (mountain man) and agonizing more that I did'nt answer my brothers phone call (moving) when he and his family was only 20 miles from savannah(auntie wanted them to come too her) with this attitude and me moving and no where for them to sleep I ignored my BLOOD I bragged about my apt. in savannah , I felt GUILTY&HURT because my brothers and his family did'nt treat my family any less. When auntie ask what am I doing trying to grow a beared I lie and tell her I'm getting ready for winter, (sav. Has no winter) hiding my PAIN... Now with Bullshit going on around me now my car (vechicle) is stolen right out the parking lot of Montgomery landings, (last seen sun13 2013 at 7:30 p.m. so it had to happen mon. 14 2013 call police tues 15 2013 and insurance company (make reports /both) even call and ask management while auntie is listening in management knows nothing (what they say) call again while lady friend is listening in same talk they would get back to me(STILL WAITING) since tues.15 2013 I'm A YOUNG BLACK MAN WHOSE FAMILY SURVIVED SLAVERY , THIS TO SHALL PASS... with all this said and done there was NO reason for my FORCED EVICTION your agency only harmed my family where I was only 5min.away walking and 2min. away driving but the safe haven was I lived so close that I was my aunt's only safety net if any one of them heard a bump in the night or GOD forbids illness happens and joy does'nt come in the morning they are both in their ages (aunt dot 90)&(aunt betty late 80's and heavy). Eventhough my ORIGINAL LEASE states oct 15 ms. Hernandez kept bringing it closer to the beginning of any month because when they give me my security deposit it will only be from the middle of the month...

MR.D.LUCKS
(OVER)



100220110002

NOTICE OF NON-RENEWAL

TO: *David Lucks*

DATE: **8/30/13**

Address: 714 W.57th Street #203

Savannah, GA 31405

You are advised that your residency and/or lease if applicable, will not be renewed. You must vacate the premises on or before **October 1, 2013**. In the event that you do not vacate the premises by said date, legal action may be taken in which you may be held liable for holdover (double) rent, damages, court costs and attorneys' fees.

A handwritten signature in cursive script that reads 'Renee Hernandez'.

Renee Hernandez

Owner/Agent Signature and Printed Name

Montgomery Landing

Property/Company Name

714 W. 57th Street, Savannah, GA 31405

Property/Company Address

(912)495-0655

Telephone Number

IN THE MAGISTRATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

DAVID LUCKS
10714 ABERCORN EXT. #15C
SAVANNAH, GA 31419

Plaintiff,

VS

MONT. LANDINGS, AMBLE INC,
HERNANDEZ, SANGARIDES
714 W. 57TH ST, SAV., GA 31405

Defendant.

FILED IN OFFICE
APR - 7 2014
MAGISTRATE COURT OF
CHATHAM COUNTY

Civil Action No.: MGCV 1318047

AMENDMENT

The Plaintiff in the above-styled action hereby amends the amount claimed due in his/her Statement of Claim from \$3,250.00 to \$15,000.

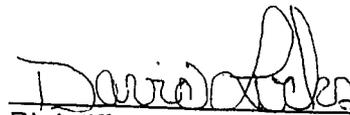
This 7 day of APRIL, 2014.


Plaintiff

CERTIFICATE OF SERVICE

This is to certify that I have this day served the other party in this case, or his/her attorney in the foregoing matter, with a copy of this pleading by depositing the same in the United States mail in a properly addressed envelope with adequate postage thereon.

This 7 day of April, 2014.


Plaintiff

Georgia
Department of COMMUNITY AFFAIRS
DCA Form
Complaint Register

Name of Complainant (Person or organization) DAVID LUCKS Home Phone 902-335-1441

Street Address 74 W 57th St #203 Work Phone

City, State, Zip code SAVANNAH GEORGIA 31405

E-Mail Address NYUCK@MERRY LANDINGS MANAGEMENT/G.D.C.A Mobile Phone

Against whom is this complaint being filed? GEORGIA DEPT OF COMMUNITY AFFAIRS Contact Number if known

Name of organization or company 74 W 57th St /

Street Address SAVANNAH GA 31405 /

City, State, Zip code

Program (check all that apply)
 A. Low Income Housing Tax Credit B. TCP
 C. HOME resident D. NSP
 E. Exchange

Date of Alleged Discrimination

DCA reviews only LIHTC, HOME program and Safety & Health violations.
 Tenant/Landlord assistance should be directed to:
 Tenant-Landlord Law: 404-463-1596 or 800-369-4706;
<http://www.dca.state.ga.us/housing/housingdevelopment/programs/downloads/landlord/lsrtagrmt.html>
 Atlanta Legal Aid-www.atlantalegalaid.org. Telephone: 404-524-5811. Cobb 770-528-2565 or
 Gwinnett: 678-376-4545; Seniors: 404-657-9915 Toll 1-888-257-9519; Fair Housing: bpeasant@gcoo.state.ga.us or www.metrofairhousing.com

Check appropriate box, if any box in this area is checked this may be a landlord/Tenant issue see above

A. Late rents dispute F. Management refuse to extend rent due date.
 B. Eviction Notice/violation of policy G. Loss of job (tenant).
 C. Other tenant complaint H. Management refuses to accept rent payment/s after due date.
 D. Refusal to comply to program requirements I. Management refuses to recertify tenant because of violation/s.
 E. Fees dispute within lease. J. Other (please specify _____)

The Georgia Fair Housing Act prohibits discrimination in housing and housing-related activities because of a person's race or color, religion, sex, national, familial status, or disability. If you think fair housing rights have been violated you may write fax, or telephone the Georgia Commission on Equal Opportunity (GCEO) with your complaint. In order for the GCEO to have jurisdiction to investigate, complaints must be filed within one year-365 calendar days of the alleged discrimination. Georgia Commission on Equal Opportunity. Tel 800-473-OPEN; Atlanta 404-656-1736; Fax 404-656-4399. Se Habla Espanol. Fair housing complaints can be filed with HUD by telephone (1-800-669-9777), mail, <http://www.hud.gov/complaints/housediscrim.cfm>.

Please provide as much information as possible below (attach additional sheets if needed).

Sept 13, 2013

I SPOKE WITH MY THIS EVENING AND SHE INFORMED ME THAT THERE WAS AN EVICTION NOTICE ON MY DOOR (SUNDAY SEPT 8, 2013) AND I HAD TO ANSWER IT BY OCT 2, 2013. SINCE I BEEN OUT OF STATE I HAVE PAID MY RENT CALLED LENDING IT FROM OUT OF STATE. THIS IS JUST ANOTHER RACIST HARASSMENT PLOY BY THE NEW COLCA GUARD, THIS IS THE FIRST RACIST PLOY BY THEM I WAS HANDED COURT PAPERS FOR REASONS I STILL CANNOT UNDERSTAND MANAGEMENT NEVER SHOWED (TOLD THEY CALLED IT OFF) WHAT IF I Hired A LAWYER? MANAGEMENT PUTS A HUGE SIGN IN THE ENTRANCE AS WE ROLL IN READING RENT IS DUE NOW SHOWING BLACK FOLKS ARENT RESPONSIBLE RACIST HARASSMENT. EVER FOR STICKERS ON MY CAR TO HAVE IT TOWED (TOWED) WHEN I CONFRONTED MANAGEMENT AND EXHAIMED TO THEM THAT I HAVE THE PARKING STICKER AND SHOULD BE ABLE TO PARK IN ANY PARKING SPACE IN THE COMPLEX THEY REPLY THEY DONT USE THAT ONE ANYMORE I REPLY WHERE DO I GET THE NEW ONE (STILL WAITING) BLATANT HARASSMENT (RACIST) AND WHERE WAS YOUR AGENCY NEVER SEEN HEARD OF YOU UNTIL THIS INDICATION THE PEOPLE IN THE COMPLEX SHOULD KNOW THERE IS AN AGENCY THAT WE CAN CALL UPON WHEN MANAGEMENT THROWS THESE RACIST ANTICS SINCE WE DONT KNOW WHAT THE HEADQUARTERS IS LOCATED OR ANY PHONE NUMBERS...



FALSE ALARM

Savannah-Chatham Metropolitan Police

130607156

Supplement No
ORIG



201 Habersham Street
Savannah, GA 31412
Nature of Call
FALSE ALARM

Reported Date
06/07/2013

Officer
BAKER, ASKISI

PHONE (912) 651-6675

FAX (912) 651-6683

Administrative Information

Agency Savannah-Chatham Metropolitan Police				Report No 130607156	Supplement No ORIG	Reported Date 06/07/2013	Reported Time 14:27
CAD Call No 131581078	Status False Alarm	Nature of Call 8858					
Location 714 W 57TH ST #203				City SAVANNAH	ZIP Code 31405	Rep Dist 5370D	
Area 67	Beat 323B	From Date 06/07/2013	From Time 14:27	Officer 11961/BAKER, ASKISI			Assignment CENTRAL
Entered by 11961	Assignment CENTRAL	RMS Transfer Successful	Prop Trans Stat Successful	Report Title FALSE ALARM			
Approving Officer 1445		Approval Date 06/08/2013		Approval Time 10:40:07			

Person Summary

Invl	Invl No	Type	Name	MNI	Race	Sex	DOB
BUS	1	I	ADT	970736			
OTH	1	I	LOBAUGH, ALEX	933066	B	M	

FALSE ALARM

130607156

Supplement No
ORIG

Savannah-Chatham Metropolitan Police

BUSINESS INVOLVED IN INCIDENT 1: ADT

Involvement	BUSINESS INVOLVED IN INCIDENT		Invl No	1	Type	Individual
Name	ADT		MNI	970736	PRN	1343891
Type	WORK/BUSINESS		Address			City
			714 W 57TH ST #203			SAVANNAH
State	ZIP Code	Date				
GEORGIA	31405	06/07/2013				
Phone Type	Phone No	Date				
WORK	(877) 238-7730	06/07/2013				

OTHER 1: LOBAUGH, ALEX

Involvement	Invl No	Type	Name			MNI	Race	Sex
OTHER	1	Individual	LOBAUGH, ALEX			933066	BLACK	MALE
DOB	Age	Juvenile?	PRN					
	29	No	1343892					
Type	Address		City					
WORK/BUSINESS	714 W 57TH ST #203		SAVANNAH					
State	ZIP Code	Date						
GEORGIA	31405	06/07/2013						
Phone Type	Phone No	Date						
CELL	(912) 495-0655	06/07/2013						

Narrative

Sir/Ma'am on the listed date and time I responded to the listed location in reference to an alarm. Upon arrival I was approached by Mr. Lobaugh, the maintenance man, who stated that he was doing scheduled maintenance in #203 and caused the alarm to be activated. He had keys to the apartment and unlocked the door so that I could enter. Once inside I walked through and nothing seemed to be out of place or missing. There were two flat screen televisions inside the home. I took Mr. Lobaugh's information and this report was filed.

INCIDENT REPORT-NO CRIME

Savannah-Chatham Metropolitan Police

130613046

Supplement No
ORIG



201 Habersham Street

Savannah, GA 31412

Nature of Call
FALSE ALARM

Reported Date
06/13/2013

Officer
MOORE, CODY

PHONE (912) 651-6675

FAX (912) 651-6683

Administrative Information

Agency Savannah-Chatham Metropolitan Police				Report No 130613046	Supplement No ORIG	Reported Date 06/13/2013	Reported Time 10:16
CAD Call No 131640659	Status REPORT TAKEN	Nature of Call 8858					
Location 714 W 57TH ST #203				City SAVANNAH	ZIP Code 31405	Rep Dist 5370D	
Area 67	Beat 323B	From Date 06/13/2013	From Time 10:16	Officer 11418/MOORE, CODY			Assignment CENTRAL
Entered by 11418	Assignment CENTRAL	RMS Transfer Successful	Prop Trans Stat Successful	Report Title INCIDENT REPORT-NO CRIME			
Approving Officer 4683		Approval Date 06/13/2013	Approval Time 13:01:48				

INCIDENT REPORT-NO CRIME
Savannah-Chatham Metropolitan Police

130613046

Supplement No
ORIG

Narrative

On 06/13/2013 at approximately 1016 hours I responded to 714 W 57th St. apt # 203 for the report of an alarm. Upon arrival I made contact with the apartment manager who stated that they made entry into the apartment to spray for bugs and accidentally set off the alarm.

Event History Report

S# H032009838
All

Dates 06/01/2013 00:00 to 06/27/2013 23:59
Event Class All Reporting Group All

Corp Account# All On Test? B
Affiliation All In Service? Y

Open/Close? N

Zone	Operator	Event	Description	Zone Comment	Additional Info	User	Comment
3	WNP	1580	BA-2WAY VOICE BA	Address 714 W 57TH ST APT 203	SAVANNAH, GA 31405-3198		Listen-In Pending
2	WNP	AA	OA-Acct Access RE:SI				
LF	WNP	1580	BA-2WAY VOICE BA	fnt dr			
	WNP	SI154	IN-LISTEN IN START				Shell# 02 Slot# 09 Dial: 30741
	WNP	TWVF	OA-2WAY CALL FAILED				Priority: 0 Alarm Delay: 0
	WNP	4053	OA-Answr Mach-Msg				Premise
	WNP	4053	OA-Answr Mach-Msg				BETTY SHAW
	WNP	4020	OA-Dialing AHJ				PD SAVANNAH CHATHAM
	WNP	4060	OA-Notify PD				PD SAVANNAH CHATHAM
3	CIR132		RE-RESTORE INTERIOR LIVING ROOM MOTION				Confirmation
2	CIR134		RE-RESTORE ENT/EXIT fnt dr				
LF	WNP	SI154	IN-LISTEN IN START				
	WNP	ND	OA-Dispt AHJ no ref#				Shell# 02 Slot# 09 Dial: 30741
	WNP	4054	OA-Answered				OPERATOR 11767
	WNP	ALRSUP	IN-Alarm Suppressed				female states that Wesley Lucks is not avail
	WNP	FCS	OA-Full Clear Suppress				Added: Jun 7 2013 2:29PM - Jun 7 2013 3:29PM (2.3)
	MAO	IBC	OA-INBOUND CALL				FCLR Priority: 0 Alarm Delay: 0
E406		CIE406	CA-RECD AUTH'D CODE				betty shaw return call
3	WLC	1580	BA-2WAY VOICE BA	LIVING ROOM MOTION			
2	WLC	AA	OA-Acct Access RE:SI				Listen-In Pending
LF	WLC	1580	BA-2WAY VOICE BA	fnt dr			
	WLC	SI154	IN-LISTEN IN START				Listen-In Pending
	WLC	TWVF	OA-2WAY CALL FAILED				Shell# 20 Slot# 12 Dial: 30469
	WLC	4053	OA-Answr Mach-Msg				Priority: 0 Alarm Delay: 0
	WLC	4053	OA-Answr Mach-Msg				Premise
	WLC	4020	OA-Dialing AHJ				BETTY SHAW
	WLC	4060	OA-Notify PD				PD SAVANNAH CHATHAM
3	CIR132		RE-RESTORE INTERIOR LIVING ROOM MOTION				Confirmation
2	CIR134		RE-RESTORE ENT/EXIT fnt dr				
LF	WLC	SI154	IN-LISTEN IN START				
	WLC	ND	OA-Dispt AHJ no ref#				Shell# 10 Slot# B2 Dial: 30323
	WLC	4053	OA-Answr Mach-Msg				op 10983
	WLC	FCS	OA-Full Clear Suppress				WESLEY LUCKS
	WLC	ALRSUP	IN-Alarm Suppressed				FCLR Priority: 0 Alarm Delay: 0
	UVJ	IBC	OA-INBOUND CALL				Added: Jun 13 2013 10:07AM - Jun 13 2013 11:07AM (2.3)
E406		CIE406	CA-RECD AUTH'D CODE				David Lucks with cr permissions stated that the alarm system went off and he did not receive a call. history shows that an attempted to call numbers on the contact list
2	4E0	ONTEST	OA-Place on Test				
		1580	BA-2WAY VOICE BA	fnt dr			

Cat: 2 dalmult Expires: 06/19/2013 14:06:00 All Zones
Listen-In Pending

Unit 203

Service request

Montgomery Landing

714 W 57th St
Savannah, GA 31405-3150
(912) 495-0655

1701-1
Status: In progress
Created by: Renee Hernandez
Submitted: 06/04/2013 12:23PM
Printed: 06/04/2013 12:24PM

Location: Unit 203

Location information

David M Lucks

714 W 57th St #203
Savannah, GA 31405-3150
(912) 335-7447

Days occupied: 1707 Number of requests: 3

Floor plan: 2BR 2BA Garden 60%

Scheduling Information

Assigned to: Unassigned
Priority: Within 1 day, weekdays only
PTE: Enter by appointment only
Date/time preferred:
Date/time scheduled:
Complete SR by: 06/05/2013 05:00 pm

Request details

Entry notes: No Pet Warnings, No Additional Comments

Issue location:

Issue description: Inspection, Other - Please see comments

Parts and equipment needed: -

Work notes:

Service comments: DCA

*Replace smoke det. in guest BR

Actions performed (check all that apply) :

Unit inspected

Building inspected

Property inspected

Grounds inspected

Not inspected-pets

Not inspected-key

Not inspected-other reason

Other - Please see completion notes

Other, please see comments

Other actions performed:

Start time	End time	Charge	Status

Parts used

Service request # 1701-1
Location Unit 203
Assigned to Unassigned

Due to an emergency, the maintenance staff entered your apartment

Replaced Guest smoke detector

Signed Tush/larry Date completed 6/7/2013

MANAGEMENT#

Montgomery Landing

Unit 203

Service request

714 W 57th St
Savannah, GA 31405-3150
(912) 495-0655

1886-1
Status: In progress
Created by: Renee Hernandez
Submitted: 06/17/2013 3:24PM
Printed: 06/17/2013 3:25PM

Location: Unit 203

Location information

David M Lucks

714 W 57th St #203
Savannah, GA 31405-3150
(912) 335-7447

Days occupied: 1720 Number of requests: 6

Floor plan: 2BR 2BA Garden 60%

Scheduling information

Assigned to: Unassigned
Priority: Within 3 days, weekdays only
PTE: Enter by appointment only
Date/time preferred:
Date/time scheduled:
Complete SR by: 06/18/2013 05:00 pm

Request details

Entry notes: No Pet Warnings, No Additional Comments

Issue location:

Issue description: Range, Other - Please see comments

Parts and equipment needed: -

Work notes:

Service comments: DCA INSPECTION FINDING

*Oven is dirty

Actions performed (check all that apply)

- Cleaned range
- Range-shut off gas
- Replaced range
- Repl. range burner drip pan
- Repl. range burner element
- Replaced range filter
- Replaced range starter/igniter
- Replaced range thermostat
- Repair range gas line/fitting
- Other - Please see completion notes
- Other, please see comments

Other actions performed:

Start time	End time	Charge	Status

Parts used

Due to an emergency, the maintenance staff entered your apartment

Service request # 1886-1
Location Unit 203
Assigned to Unassigned

Please clean oven

MIKE REELEY

Signed MANT MAURICE DAVIS Date completed 6/18/2013

GA DEPT-DAVIS STATE-MERRICK
 REG-STATE V.P. (DENV) BATES - 877-204-1194
 DCA#800-359-4103
 C.P.H. (51-8660)
 404-671-1717
 404-671-1717
 404-671-1717

FACTUAL BACKGROUND

Ambling Management Company, LLC ("Ambling"), manages the apartment community known as Montgomery Landing (the "Community"). Co-Defendants Renee Hernandez and Andy Tsangarides were formerly employees of Ambling. The Community is an affordable housing community under the Low Income Housing Tax Credit laws, which require that all residents certify their income and eligibility each year to renew their leases for the following year.

Plaintiff entered into a lease for an apartment at the Community dated October 15, 2012, which lease terminated on September 30, 2013 (attached). Section 10 of the lease makes it clear that Plaintiff must recertify his eligibility to live at the Community 90 days before the expiration of his lease. Plaintiff was given notice on July 1, 2013, and on August 1, 2013 and again on September 1, 2013 that he must certify his income and eligibility prior to October 1, 2013, and the failure to do so would prevent Ambling from entering into a new lease with him. After Plaintiff failed to recertify his eligibility, Ambling sent Plaintiff a notice of non-renewal of his lease for his failure to recertify, and advised him that he must vacate his apartment on or before October 1, 2013. These notices are attached.

Ambling did not evict Plaintiff; Plaintiff moved out of his apartment at the Community on October 10, 2013. Plaintiff previously paid \$250.00 as a security deposit. Plaintiff owed Ambling \$331.19 at the time of his move out, so Ambling retained his entire security deposit and provided him with a detailed written notice explaining why the security deposit had been retained, which was sent to his last known address.

FACTUAL BACKGROUND

Ambling Management Company, LLC ("Ambling"), manages the apartment community known as Montgomery Landing (the "Community"). Co-Defendants Renee Hernandez and Andy Tsangarides were formerly employees of Ambling. The Community is an affordable housing community under the Low Income Housing Tax Credit laws, which require that all residents certify their income and eligibility each year to renew their leases for the following year.

Plaintiff entered into a lease for an apartment at the Community dated October 15, 2012, which lease terminated on September 30, 2013 (attached). Section 10 of the lease makes it clear that Plaintiff must recertify his eligibility to live at the Community 90 days before the expiration of his lease. Plaintiff was given notice on July 1, 2013, and on August 1, 2013 and again on September 1, 2013 that he must certify his income and eligibility prior to October 1, 2013, and the failure to do so would prevent Ambling from entering into a new lease with him. After Plaintiff failed to recertify his eligibility, Ambling sent Plaintiff a notice of non-renewal of his lease for his failure to recertify, and advised him that he must vacate his apartment on or before October 1, 2013. These notices are attached.

Ambling did not evict Plaintiff; Plaintiff moved out of his apartment at the Community on October 10, 2013. Plaintiff previously paid \$250.00 as a security deposit. Plaintiff owed Ambling \$331.19 at the time of his move out, so Ambling retained his entire security deposit and provided him with a detailed written notice explaining why the security deposit had been retained, which was sent to his last known address.



November 25, 2013



DAVID LUCKS

10714 ABERCORN ST APT 15C
SAVANNAH GA 31419-1425

ILN: F3190517987271

Dear Postal Customer:

A copy of the money order per your PS Form 6401 Money Order Inquiry is below.

		POSTAL MONEY ORDER	
Serial Number	Year, Month, Day	Post Office	U.S. Dollars and Cents
21002473866	2013-07-03	314031	\$686.00
Amount		SIX HUNDRED EIGHTY SIX DOLLARS & 00¢ *****	
Pay to	Mentymoney.com		Clerk
Address	714 W 57th St #203		
Address	SAVANNAH GA 31405		
⑈00000800⑈		SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS	
		21002473866⑈	

WARNING-CASHIER
REQUIRE POSITIVE IDENTIFICATION
HOLD TO LIGHT AND CHECK FOR
BENJAMIN FRANKLIN WATERMARK AND SECURITY THREAD.
NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

ENDORSEMENT SIGNATURE	MENTY MONEY.COM
-----------------------	-----------------

If you have any additional concerns or questions, write to us at the address indicated below and enclose a copy of your customer receipt and this letter.

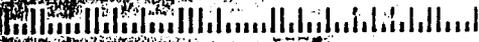
ACCOUNTING SERVICE CENTER
GENERAL ACCOUNTING BRANCH
PO BOX 82428
ST. LOUIS, MO 63182-2428

1-866-974-2733



**UNITED STATES
POSTAL SERVICE.**

November 25, 2013



DAVID LUCKS

10714 ABERCORN ST APT 15C
SAVANNAH, GA 31419-1425

ILN: F3218993810768

Dear Postal Customer:

A copy of the money order per your PS Form 6401 Money Order Inquiry is below.

UNITED STATES POSTAL SERVICE		POSTAL MONEY ORDER		
Serial Number	Year, Month, Day	Post Office	U.S. Dollars and Cents	
21199928938	2013-07-31	115500	\$689.00	
Amount		SIX HUNDRED EIGHTY NINE DOLLARS & 00c *****		
Pay to		Clerk		
Address		210 East Pennsylvania		
City		ROOSEVELT N.Y. 11575		
State		GEORGIA		
⑆000000800⑆		21199928938⑈		

WARNING-CASHER
REQUIRE POSITIVE IDENTIFICATION
HOLD TO LIGHT AND CHECK FOR
BENJAMIN FRANKLIN WATERMARK AND SECURITY THREAD.
NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

MONTGOMERY WHOLEY PHOTOGRAPHY
ENDORSEMENT SIGNATURE

If you have any additional concerns or questions, write to us at the address indicated below and enclose a copy of your customer receipt and this letter.

ACCOUNTING SERVICE CENTER
GENERAL ACCOUNTING BRANCH
PO BOX 82428
ST. LOUIS, MO 63182-2428

1-866-974-2733



November 25, 2013



DAVID LUCKS

10714 ABERCORN ST APT 15C
SAVANNAH, GA 31419-1425

ILN: F3252550207577

Dear Postal Customer:

A copy of the money order per your PS Form 6401 Money Order Inquiry is below.



POSTAL MONEY ORDER

Serial Number
21377658352

Year, Month, Day
2013-09-03

Post Office
104000

U.S. Dollars and Cents
688.00

Amount
SIX HUNDRED EIGHTY EIGHT DOLLARS & 00c *****

\$688.00

Pay to
MONTGOMERY LANDINGS

Address

From

Address

Clerk

0012

Memo

© 2008 United States Postal Service. All Rights Reserved

⑆000008002⑆

SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

21377658352⑈

WARNING-CASHIER
REQUIRE POSITIVE IDENTIFICATION
HOLD TO LIGHT AND CHECK FOR
BENJAMIN FRANKLIN WATERMARK AND SECURITY THREAD.
NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS.

MONTGOMERY LANDINGS	ENDORSEMENT SIGNATURE
---------------------	-----------------------

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ACCOUNTING SERVICE CENTER
GENERAL ACCOUNTING BRANCH
PO BOX 82428
ST. LOUIS, MO 63182-2428

1-866-9/4-2733

TO: WHOM IT MAY CONCERN

SEPT 25 2013

FROM:MRS.BETTY SHAW

I am writing this letter with some what disbelief I have been checking on my nephews apt. since he went on vacation this summer, now we read that the management of Montgomery landings are saying that they have left fliers taped to his (nephews) door. I truly beg to differ every Sunday I(B.Shaw) have dropped off a parishioner and still every Sunday now I pass by my nephews old apt. in the many letters that my nephew has written my name has come up more than twice, like Montgomery landings used to call my home when his adt(alarm) goes off or when I had to call my nephew to tell him too cut his vacation short because I had found taped to his(nephew) apt. door telling him he was being EVICTED. That and that alone was the only official Montgomery landings paper that was ever placed on his(nephew) door, and I went inside the apt. every soday to feed his fish after church and dropping off a church member, so these new papers now showing up must of only appeared at Montgomery landings beck and call...

YOURS TRULY

B.SHAW

1-1 LIVING
LINDA CUMBERLAND DR.
SAVANNAH GA 31405

~~REFUSE~~
~~RTS/RTS~~

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE



913 2720 7 22 00PA 722A

1000 31405
UNITED STATES
POSTAL SERVICE
MONTGOMERY LANDINGS
214 WEST 57TH STREET
SAVANNAH GA 31405

~~REFUSE~~ 12-3
~~RTS~~ 12-15

U.S. POSTAGE
PAID
SAVANNAH, GA
DEC 02 2013
POSTNET
\$5.85
00077263-08

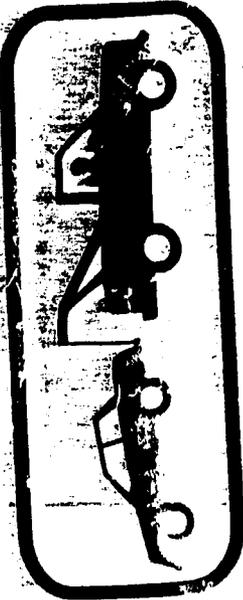


Rosa Parks

NIXIS 322 AC 1 7212/13/13
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
*3038-22973-02-43

ATT: MANDALAY

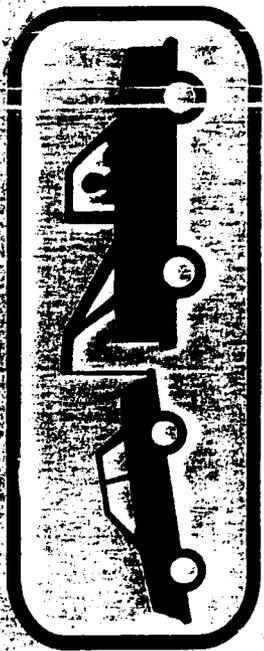
FACE



ay (fire department regulation)
PARKING AREA

NOT TOWED IN MONTHS

BY **MGMT**
DATE **3/22/13** TIME **9 AM**



estacionado en un espacio para **MINUSVALIDOS**

NO DE ESTACIONAMIENTO valido
estacionado en zona de NO ESTACIONARSE

CARRIL DE BOMBEROS

ay (fire department regulation)
(reglamento del Departamento de Bomberos)

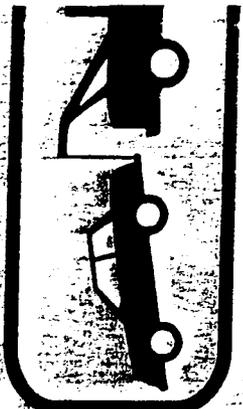
PARKING AREA
AMIENTO RESERVADO

á bloqueando el acceso a contenedores de basura

WILL BE TOWED WITHOUT

BY **30** DATE **3/22/13** TIME **9 AM**

G
MORE
BJECT
PENSE



Driveway (fire department regula
ERVED PARKING AREA

on _____
DATE **3/21** BY **MT** TIME _____

Nov 06.

2013

TO: Whom It May Concern

From: D. Lucks #912-335-7447

I am bringing this civil complaint against Montgomery landings and their parent& managing companies also the towing company hired by said management (Gordon's wrecker service) located at 111 Douglas Street, Savannah, GA 31406. The reason why Gordon's Wrecker service is (I understand the fees and towing cost also the (7) seven days that the law allows to contact a person or family) what I don't understand is the (11) eleven days it took this certified letter to reach me even though Gordon's sent the letter to my old address and from there it was forwarded to my new address (which was in effect since Oct 04 2013. What Gordon's towing did was tow the vehicle on a holiday (Oct 14 2013/Columbus day) So I believe that price gouging plays a role to inflate the final cost of service to \$500.00.

But Gordon's may not be the only partner to hold blame in this matter ; I myself and my lady friend which listened to me call Montgomery Landings (management) by (3) three way heard me ask Montgomery management did they know of anyone or any company that has towed my car and if so whom and where. They replied we'll get back to you. So we wait 15 minutes go by and I call again and ask where is my car and why was it told (I want my car) once again they reply we'll get back in touch with you. I get angry and call my aunt so she(auntie) can listen (3 way) I again ask would they please give me some information to the whereabouts of my vehicle (same old story)

So my aunt hears the anger in my voice and takes it upon herself to call Montgomery landings herself and ask them do they know anything about my nephew's car, once again they (Montgomery landings) ignore or pleas the management tells my aunt this is a private matter and can only be discussed with Mr. Lucks my Aunty replies you all call me when the alarm is going off in his apartment because I am my nephews emergency contact. Now this is an emergency and you will not help me locate my nephew's car; management replies SORRY darling and hangs up. From the 16 of Oct 2013 I myself has called Montgomery landings concerning my car, until I received the certified letter from Gordon's wrecker service which was signed (Nov01, 2013) seven (7) days after the law allows and eleven(11) days to sign NO where in the city of Savannah does it take mail to travel across town or NO where in the state of Georgia does it take eleven(11) days for mail to reach anyone in this country(U.S.A.) this gives the towing companies a very BAD RAP.



Since 1967
 912-352-2727 • 912-352-7805 fax
 111 Douglas Street
 Savannah, GA 31406
 GORDONS24@comcast.net
 gordonsstorage.net

DATE 11/13	TIME 10:00	() A.M. () P.M. 7 P	REQUESTED BY FP	PHONE 912-352-7915	PAY METHOD <input type="checkbox"/> CASH <input type="checkbox"/> CHECK # _____ <input type="checkbox"/> CREDIT CARD <input type="checkbox"/> ON ACCOUNT	
NAME David Wesley Luks						
ADDRESS						
CITY					STATE	ZIP

MILEAGE - ENROUTE	MILEAGE - TOWED	SERVICE TIME	LOCATION OF VEHICLE													
FINISH 10:17 AM	FINISH 10:16 PM	FINISH 12:41	7500 2000													
START 10:17 AM	START 10:16 PM	START 1:30	YEAR, MAKE, MODEL 2000 5 SERIES													
TOTAL	TOTAL	TOTAL	COLOR TRK													
VIN 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17			STATE LIC. PLATE NO. 7F4X60X													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
U	R	N	H	C	2	3	1	1	L	G	B	2	4	1	3	4

DESCRIPTION OF WORK												AMOUNT					
												TOWING CHARGE	75.00				
												MILEAGE					
												SERVICE TIME					
												OUTSIDE CHARGES					
												RECOVERY					
												STORAGE	245.00				
												SECOND TOW	115.00				
												FUEL S/C	330.00				
												ADMIN FEE	25.00				
												OIL DRY					
												CAR COVER					
												TOTAL	430.00				

TYPE OF TOW <input type="checkbox"/> SERVICE TRUCK <input checked="" type="checkbox"/> FLAT BED/RAMP <input type="checkbox"/> WHEEL LIFT <input type="checkbox"/> _____	TOWED PER ORDER OF <input type="checkbox"/> STATE POLICE <input type="checkbox"/> LOCAL POLICE <input type="checkbox"/> OWNER <input type="checkbox"/> DEALER	REASON FOR TOW <input type="checkbox"/> Accident <input type="checkbox"/> Lock Out <input checked="" type="checkbox"/> Private Parking <input type="checkbox"/> Winch Out <input type="checkbox"/> Jump Start <input type="checkbox"/> Breakdown <input type="checkbox"/> Flat Tire <input type="checkbox"/> _____
--	--	---

MEMBER # : _____
 PO # : _____

VEHICLE TOWED TO
 FIRST TOW 111 Douglas St
 SECOND TOW _____

RELEASE TO SALVAGE _____

CONDITION OF VEHICLE
 Key # _____
 1 - Minor 2 - Moderate 3 - Extreme

KEYS LEFT	Y	N
RADIO	Y	N

20 Undercarriage _____

REMARKS

PAID

Visa 11/5/13
RG

I, THE UNDERSIGNED DO HEREBY CERTIFY THAT I AM LEGALLY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE VEHICLE DESCRIBED AND ALL PERSONAL PROPERTY THEREIN. I HAVE RECEIVED VEHICLE AND ALL PERSONAL PROPERTY IN SATISFACTORY CONDITION.
 X _____

Damage Disclaimer:

I HAVE BEEN ADVISED THAT MY VEHICLE MAY BE DAMAGED IF WINCHED, TOWED, UNLOCKED, JUMPSTARTED, TIRE CHANGED OR LEFT ON UNATTENDED PREMISES, I RECOGNIZE THE DIFFICULTY INVOLVED AND I AGREE NOT TO HOLD THE TOWING SERVICE RESPONSIBLE FOR SUCH DAMAGE SHOULD IT RESULT.

 SIGNATURE OF CAR OWNER OR AGENT

 DATE

Nov 06.

2013

TO: Whom It May Concern

From: D. Lucks #912-335-7447

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TO:E.EDWARDS

FROM:D.lucks #912-335-7447

I am writing this letter to complain about the handling of the inspection your agency has conducted in my apt. # 203 on 6-10-2013 at the Montgomery landings complex in savannah GA, it seems to me that your agency violated my civil rights regardless what keys management my have (they don't have anymore)your agent heard the alarms going off and they still carried on with their inspection never mind police arriving at the scene, now I was there and informed management I would be out of town and they still carried on with the inspection regardless who pays the rent. There were two wrongs and no one said the alarms are going off lets do this another time(like when he,s here). Let me ask where was your agency at when they changed the color guard and raised the rents, I know where management was on 6-7-2013 and 6-10-2013 they were entering my apt#203 getting ready for your inspection , with all this going on and police coming to my apt twice In one(1) week incurred me a false alarm fine(100.00)and you know what management thank you was to clean their carpet. Just imagine if you all found something out of the norm in my apt#203 police would be waiting for me... It is one thing to violate ones home but another too treat people as property, that's what the people of Montgomery landings been feeling like since the higher ups changed the color guard(new CAPTAIN)breaking&entering without cause because they can and I don't receive any assistance but my due... your agent was wrong to follow and not to suggest to others it was wrong shows you all don't train your people right(correctly) that is how stop&frisk became so popular.

SEPT.12-2013

D.LUCKS#912-335-7447

No v 25 203

I

I am writing your agency to ask once again for my security deposit (first time was when I dropped off my keys in the rental box wrapped in a sheet of paper with my aunts address and phone number) I had no living conditions at that time and secondly was by phone(which management never responded) Now I am asking once again by certified mail in hopes your agency responds this time, since me nor my family has heard nothing from you all. What I and my family would really like to know is a great tenant like myself goes away on vacation for (3) months and returns only to find himself and family EVICTED while paying rent while we are away...The security deposit may be mailed to D. LUCKS 4661 cumberland drive SAV GA 31405 or your agency may call me at 912-335-7447. I would really want to know why has your agency EVICTED a stabilized family as mine, we had went from sugar to shit in (7) days please I beg of your agency to explain...

Yours Truly

MR. D. LUCKS

912-335-7447

4661 cumberland drive

Savannah Ga 31405

MAGISTRATE COURT OF CHATHAM COUNTY
133 Montgomery Street, Room 303, Savannah, GA 31401

Case # MGCV1214848

Plaintiff(s) Name: Montgomery Landing
2012 NOV -5 PM 1:25

Address: 714 W. 57th Street
Savannah, GA 31405

Phone #: (912) 495-0655
Plaintiff's Attorney: [Signature]

vs

**DISPOSSESSORY
WARRANT**

Defendant Name: David Lucks

Address: 714 W. 57th Street #203
Savannah, GA 31405

Phone #: _____

Personally appeared Danielle Vanzandt, Plaintiff, who upon oath says that he/she is (attorney at law) (attorney in fact) (agent) (for) the owner of the subject premises, indicated above, and that the Defendant is in possession as tenant of said premises in Chatham County. Affiant declares under the penalty of perjury that the defendant ___ is, ___ is not or is unable to determine a member of the Armed Forces of the United States on active duty. This affidavit is executed pursuant to the Soldiers and Sailors Civil Relief Act, 50 USC App a520 as required before any judgment in default may be entered by the court. Any person who shall make an affidavit required under this section, or statement, declaration, verification, or certificate certified or declared to be true under penalty of perjury, knowing it to be false, shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed \$1,000.00 or both. Affiant further states on oath:

- _____ THAT said tenant fails to pay rent now due thereon;
- THAT said tenant is holding said premises over and beyond the term for which the same were rented or leased;
- _____ THAT said tenant is a tenant at sufferance/tenant at will.
- _____ THAT said tenant have violated the terms of the lease by _____

The Plaintiff desires and has demanded possession of said premises, and the same has been refused by said Defendant. This affidavit is made seeking that a warrant shall issue for the removal of said Defendant together with Defendant's property from said premises.

Wherefore, Plaintiff demands:

- (a) possession of the premises;
- (b) past due rent of \$ _____; plus _____ as court cost.
- (c) rent accruing up to the date of judgment or vacancy.

Sworn to and subscribed before me this 6 day of November, 2012

[Signature]
Affiant

[Signature]

SUMMONS

To: ALL DEFENDANTS

Pursuant to law, you are hereby notified to be in the MAGISTRATE COURT OF CHATHAM COUNTY at 133 Montgomery Street within seven (7) days after the service hereof, to answer in writing, or to answer orally at said time, and to set forth whatever legal or equitable defense or counter-claim you may have to this dispossession proceeding. If you do not answer within seven (7) days a writ of possession and a judgment by default as demanded will be issued against you. If the day of answering falls on Saturday, Sunday, or a legal holiday, such time continues through the next working day of the Court.

[Signature]
Judge, Magistrate Court of Chatham County

The last day for answering or vacating premises will be the 15 day of NOV, 2012

OFFICER'S RETURN

I have this day executed the within affidavit and summons by:
1) personally handing a copy to _____ tenant.
2) personally handing a copy to _____ who is a person sui juris residing on the premises.
3) sticking a copy of the within process to the door of said premises.

Done this 6 day of Nov, 2012

[Signature]
Deputy Sheriff

COPY OF SAME MAILED _____

OCT 16 2013

TO: WHOM IT MAY CONCERN

FROM: BETTY SHAW #912-354-8905

I am writing this letter to explain what I have heard while my nephew was on the phone with the management of Montgomery Landings where he has lived for many years. While listening on a three way call I heard my nephew (David Lucks) repeatedly ask the management of Montgomery landings where is his car or do you know anything about my car, I hear management tell my nephew they would get back in touch with him they hang up my nephew says see aunty these people are playing games . I myself take it upon myself to call Montgomery myself; and I spoke with management and asked the same question my nephew has asked do you all have any idea where or what has become of my nephews car, the lady replies this is a private matter and I can only speak to Mr. Lucks concerning this matter I reply you call my home any time his alarm goes off now you can't help me find his car, the lady replies SORRY darling and hangs up I inform my nephew what just happened

MONTGOMERY LANDING

714 W. 57TH STREET, SAVANNAH, GA 31405

P: (912)495-0655, F: (912)495-0651

48-Hour Notice

NOTICE TO VACATE THE PREMISES

October 25, 2012

David Eucks
714 W. 57TH Street Apt#203
Savannah, GA 31405

Dear David Eucks:

Our attempts to complete your lease have been unsuccessful, and your household will soon be out of compliance under the IRS Code that our community operates under.

Notice is now formally given to remedy the non-compliance by completing your lease or you shall vacate the premises 48 hours from receipt of this notice.

IF YOUR LEASE IS NOT COMPLETED WITHIN 48 HOURS OF THIS NOTICE YOU ARE TO VACATE THE PREMISES ON OR BEFORE October 27, 2012.

To prevent having to move by the above date, please come to the office immediately. We have a very limited time to complete your lease signing. If your lease is not completed and you do not vacate by the above date, your case will be forwarded to the County court system for eviction. This could result in a writ of restitution and the setting out of your possessions, as well as a negative landlord reference.

Hand delivered by:

Bruce Hernandez (name)

Date served hand delivered:

10/25/12 (date)

cc: Resident File
Notice to Vacate File
Eviction File

No v 25 203

I

I am writing your agency to ask once again for my security deposit (first time was when I dropped off my keys in the rental box wrapped in a sheet of paper with my aunts address and phone number) I had no living conditions at that time and secondly was by phone(which management never responded) Now I am asking once again by certified mail in hopes your agency responds this time, since me nor my family has heard nothing from you all. What I and my family would really like to know is a great tenant like myself goes away on vacation for (3) months and returns only to find himself and family EVICTED while paying rent while we are away...The security deposit may be mailed to D. LUCKS 4661 cumberland drive SAV GA 31405 or your agency may call me at 912-335-7447. I would really want to know why has your agency EVICTED a stabilized family as mine, we had went from sugar to shit in (7) days please I beg of your agency to explain...

Yours Truly

MR. D. LUCKS

912-335-7447

4661 cumberland drive

Savannah Ga 31405



U. S. Department of Housing and Urban Development
Southeast /Caribbean Office of Fair Housing
and Equal Opportunity
Five Points Plaza
40 Marietta Street.
Atlanta, Georgia 30303-2806

February 4, 2014

David Lucks
714 West 57th Street
#203
Savannah, GA 31405

Dear Mr. Lucks:

SUBJECT: Housing Discrimination Inquiry
Inquiry No. 370273

This letter responds to your correspondence received in our office on October 29, 2013. The Fair Housing Act ("the Act") prohibits discrimination against persons because of race, color, religion, sex, national origin, familial status and disability (handicap) in the sale or rental of housing. Unfortunately, the complaint was not accepted for investigation.

A review of your correspondence, and your conversation with Equal Opportunity Specialist Wanda Harmon on February 4, 2014, established that you are concerned about receiving a non-renewal of lease notice. You explained that you went away for three months traveling to various locations but continued to mail your rent payments. You stated you were told by your housing provider that they could not reach you and that you failed to respond to a 30-day and 60-day notice they issued to you concerning your lease. The issues described in your claim do not constitute an illegal housing practice as defined by the Fair Housing Act, as amended. As a result of the above, we will take no further action on this matter.

You may have rights under other laws. You should seek the advice of an attorney to learn if your concern presents issues that may be resolved under another law.

Before commencing an investigation under the Fair Housing Act, HUD must verify its authority (jurisdiction) to investigate the complainant's allegations. Jurisdiction consists of the following required elements: (1) the complainant is a person who has been, or is about to be, injured by a discriminatory housing practice (standing); (2) the respondent is a person or legal entity who is liable (covered) under the Act; (3) the Act applies to (covers) the dwelling and/or housing-related transaction described in the complaint; (4) the alleged discriminatory practice or conduct is prohibited under Sections 804, 805, 806, or 818 of the Act (subject matter); and (5) the complaint was filed with HUD in a timely manner (statute of limitations). If one or more of these elements is absent, HUD lacks authority to investigate the complaint under the Act.