

**STATE OF GEORGIA
MUNICIPAL COURT OF EAST POINT**

**CITY OF EAST POINT,
Plaintiff**

CASE # 17-011792

**SUNSHINE PROPERTY MGMT GROUP,
PLEZIE YOLANDA SMALL
LD3 BROOKFIELD
Defendant**

Filed with The City of East Point
Municipal Court on 9/18/17
Clerk's Signature

MOTION FOR CONTEMPT

NOW COMES, Plaintiff, CITY OF EAST POINT, by and through its Solicitor General, Antavius Weems, and brings this motion for contempt before this honorable court by showing the following:

1.

On August 14, 2017, Defendant was charged with Nuisance Ordinance violation (East Point City Ordinance 7-4013); and Fencing of Swimming Pool (East Point City Ordinance 6-5001). The Defendants came before the Court on August 8, 2017, and entered into a Consent agreement with the City, which was made an Order of this Court (see attached as Exhibit 'A').

2.

To date, the Defendants have failed to correct any of the measures, or to fully implement the preventative actions (i.e., police) that they agreed to and were subsequently Ordered to do.

3.

The City shows and contends that the Brookfield Apartments, located at 3072 Washington Rd., East Point, Ga 30344, has become known as the worst apartment complex in the City of East Point. The safety of even the City Police Officers have been questioned, in that they would not go into the complex alone, due to the criminal activity.

The Defendant's continued and consistent failure to abate the nuisance as agreed to continues to place the Citizens of the City of East Point in jeopardy, and the City moves that this Court find that the Defendant is in Contempt of its Order.

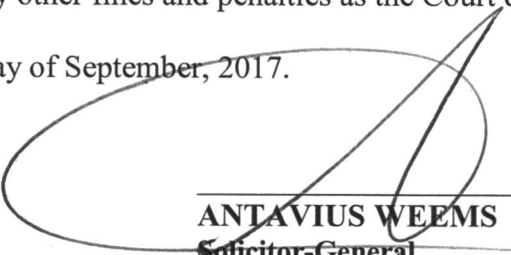
4.

The City further requests that the Court issue an Order immediately closing the apartments due to the continuous violations and crime therein, until at such time, the Defendant has come into compliance. Allowing the apartments to remain open subjects the City and its citizenry to continued victimization from the Defendant's malfeasance, along with those that the Defendant allows to commit crimes in and thereon.

WHEREFORE, the Solicitor-General would ask that this honorable court:

- 1) Find that Defendant has willfully and Maliciously violated the Order of this Court;
- 2) Immediately Order that the apartment complex be closed until the Defendant comes into compliance with its Order;
- 3) Order that the Defendant come into compliance with the Order of the Court within 30 Days;
- 4) Incarcerate the Defendant in the East Point City Jail for ___ days; and
- 5) Impose any other fines and penalties as the Court deems proper

Submitted, this 20th day of September, 2017.



ANTAVIUS WEEMS
Solicitor-General,
City of East Point, Georgia

CERTIFICATE OF SERVICE

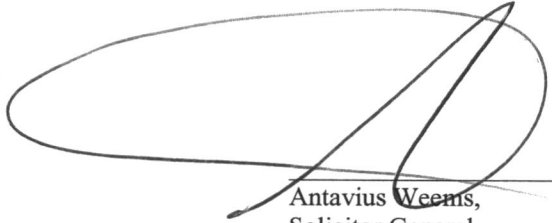
This is to certify that I have, on this day, served a true and accurate copy of the foregoing Response upon the person identified below, by depositing said copy in the U.S. Mail in a properly addressed envelope with adequate postage thereon and addressed as follows:

PLEZIE YOLANDA SMALL
HAND DELIVERED

SUNSHINE PROPERTY MGMT GROUP
3500 LENOX ROAD, STE 1500-41
ATLANTA, GA 30326

LD3 BROOKFIELD
ATTN: Registered Agent, Matthew Norton
3500 Lenox Road, Suite 1400-41,
c/o Sunshine Management Group, LLC
Atlanta, GA, 30326, USA

This 20 day of Sept 2017



Antavius Weems,
Solicitor General

STATE OF GEORGIA
MUNICIPAL COURT OF EAST POINT

CITY OF EAST POINT,)
Plaintiff)
)
)
SUNSHINE PROPERTY MGMT GROUP,)
PLEZIE YOLANDA SMALL)
LD3 BROOKFIELD)
)
Defendant)
)
)

CASE # 17-011792

Filed with The City of East Point
Municipal Court on 8/25/17
Clerk's Signature

TEMPORARY CONSENT AGREEMENT AND ORDER

NOW COMES, Plaintiff, CITY OF EAST POINT, by and through its Solicitor General, Antavius Weems, along with **SUNSHINE PROPERTY MGMT GROUP, PLEZIE YOLANDA SMALL, LD3 BROOKFIELD**, appearing pro se', and ask that this Honorable Court approve the following Consent Agreement by showing the following:

1.

Defendants were cited for Nuisance Ordinance (East Point City Ordinance 7-4013); Fencing of Swimming Pool (East Point City Ordinance 6-5001), which was scheduled to come before the court on August 8, 2017.

2.

The Parties are in the process of negotiating a potential resolution of these charges to have the Defendant to come into compliance of same. The Defendant hereby waives any and all Notice as to the hearing date, in as much as the Citations are issued today, and that Defendant wishes to resolve them while here at Court. To that end, immediately, to secure the property from further non-compliance,

Defendant agrees to the following:

- 1) Provide 4 (four) off-duty Georgia Post Certified Officers to be present on the property daily from 12:00pm until 4:00am beginning Saturday, August 26, 2017. At least 2 (two) of the officers must come from East Point, and the East Point officer shall be in charge. This requirement shall be reconsidered at the next compliance hearing;
- 2) Fully secure the pool area and the pool. The Defendant, within 10 (ten) days shall decide whether to open the pool or to fully close the area by filling it with dirt. Until then, the area shall be fully secured from entry; At next hearing, the Defendant shall present a comprehensive plan to combat crime in the area, along with addressing the issues of code violations.

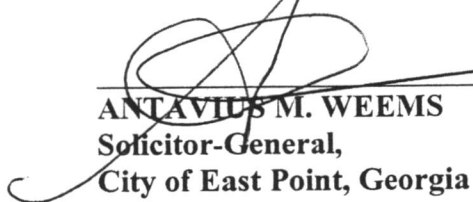
Exh 'A'

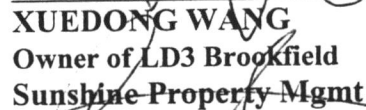
The parties hereby agree to and consent that this Agreement is subject to the case as contained herein only, and that it does not prevent, nor preclude the City's Building Official, or any other Authorized individual from performing their duties as authorized. The Defendant maintains any and all Defenses, including the fact that they contend themselves to be the incorrect Party to this action.

The case shall be set for a compliance hearing within 45 (forty-five) days. The Parties are hereby notified that non-compliance shall subject the Parties to Contempt of Court.

WHEREFORE, the parties ask that this court accept the above agreement, and make same the Order of this court.

Submitted, this 25 day of Aug, 2017.


ANTAVIOUS M. WEEMS
Solicitor-General,
City of East Point, Georgia


XUEDONG WANG
Owner of LD3 Brookfield
Sunshine Property Mgmt


PLEZIE YOLANDA SMALL

The above stipulated agreement, appearing to be consistent and in accordance with the law is hereby:

So, ORDERED, this 25th day of August, 2017.



HONORABLE GLEN ASHMAN, JUDGE
City of East Point, Georgia

Exhibit A