

STATE OF NORTH CAROLINA

HARNETT CountyIn The General Court Of Justice
District Court Division - Small Claims

Plaintiff(s)

COLETTE W THOMAS

VERSUS

Defendant(s)

KIMBERLY CASTILLO

G.S. 1A-1, Rule 4; 7A-217, -232

Date Original Summons Issued

Date(s) Subse

TO VERIFY SERVICE CALL 2-3
DAYS BEFORE YOUR COURT
DATE. PROVIDE FILE NO. FOR
ALL INQUIRES 910-814-4557

TO

TO

Name And Address Of Defendant 1

KIMBERLY CASTILLO
260 HOLLIES PINES
BROADWAY, NC 27505

Name And Add.

Telephone No. Of Defendant 1

919-721-8569

Telephone No. Of Defendant 2

A Small Claim Action Has Been Commenced Against You!

You are notified to appear before the magistrate at the specified date, time, and location of trial listed below. You will have the opportunity at the trial to defend yourself against the claim stated in the attached complaint.

You may file a written answer, making defense to the claim, in the office of the Clerk of Superior Court at any time before the time set for trial. Whether or not you file an answer, the plaintiff must prove the claim before the magistrate.

If you fail to appear and defend against the proof offered, the magistrate may enter a judgment against you.

Lillington Magistrates Office

1st Floor - Rm A1002

301 W. Cornelius Harnett Blvd
Lillington, NC 27546

Date Of Trial

3/6/19

Time Of Trial

10:15

☒ AM☐ PM

Location Of Court

Name And Address Of Plaintiff Or Plaintiff's Attorney

Date Issued

Signature

☒ Deputy CSC☐ Assistant CSC☐ Clerk Of Superior Court

1907000276

File No.

FILED

2019 FEB 21 P 2:09

COMPLAINT IN SUMMARY EJECTMENT

CO., C.S.C.
BY

G.S. 7A-216, 7A-232; Ch. 42, Arts. 3 and 7

Name And Address Of Plaintiff

COLETTE W THOMAS
3126 GOWESHIRE DR
RALEIGH, NC 27616

County

Telephone No.

WARE
919-272-4519

VERSUS

Name And Address Of Defendant 1

MS KIMBERLY CUSTILLO
260 HILLTOP DR
DEARBORN, MI 48124

County

Telephone No.

NAAR
919-272-5589

Name And Address Of Defendant 2

Individual ☐ Corporation ☐

County

Telephone No.

Name And Address Of Plaintiff's Attorney Or Agent

RICHA AUSTIN
3126 GOWESHIRE DR
RALEIGH, NC 27616

Attorney Bar No.

STATE OF NORTH CAROLINA

HARRIS County

In The General Court Of Justice
District Court Division - Small Claims

1. The defendant is a resident of the county named above.

The defendant entered into possession of premises described below as a lessee of plaintiff.

Description Of Premises (Include location and address)

3126 GOWESHIRE DR, C.S.C.
RALEIGH, NC 27616

☒ Conventional
☐ Public Housing
☐ Section 8

Rate Of Rent (Tenant's Share)

\$ 809 per ☒ Month ☐ Week

Date Rent Due

Date Lease Ended

Type Of Lease
☐ Oral ☒ Written

3. ☒ The defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the 10-day grace period before filing the complaint.

☐ The lease period ended on the above date and the defendant is holding over after the end of the lease period.

☐ The defendant breached the condition of the lease described below for which re-entry is specified.

☐ Criminal activity or other activity has occurred in violation of G.S. 42-63 as specified below.

Description Of Breach/Criminal Activity (give names, dates, places and illegal activity)

TEENANT HAS FAILED TO PAY RENT SINCE NOV. 2018. LANDLORD HAS TRIED EVERYTHING POSSIBLE TO GET TENANT TO STOP NOT PAYING RENT. LANDLORD HAS NOT RECEIVED NOTICE OF VIOLATION FOR 30 DAYS IN PAST.

4. The plaintiff has demanded possession of the premises from the defendant, who has refused to surrender it, and the plaintiff is entitled to immediate possession.

5. The defendant owes the plaintiff the following:

Description Of Any Property Damage

JACKED AT THIS TIME

Amount Of Damage (if known)

Amount Of Rent Past Due

Total Amount Due

\$ 4,800 AT THIS TIME \$ 3,236 \$ 3,236

6. I demand to be put in possession of the premises and to recover the total amount listed above and daily rental until entry of judgment plus interest and reimbursement for court costs.

Date

Signature Of Plaintiff/Attorney/Agent

2/20/2019 COLETTE THOMAS

CERTIFICATION WHEN COMPLAINT SIGNED BY AGENT OF PLAINTIFF

I certify that I am an agent of the plaintiff and have actual knowledge of the facts alleged in this Complaint.

Date

Name Of Agent (type or print)

Signature Of Agent

2/20/2019 RICHARD AUSTIN

(Over)



NOTICE OF VIOLATION

THIS IS AN OFFICIAL NOTIFICATION DECLARING A VIOLATION AGAINST THE
HARNETT COUNTY UNIFIED DEVELOPMENT ORDINANCE.

PO Box 65
108 E. Front St.
Lillington, NC 27546

Ph: 910-893-7525
Fax: 910-814-6459

The Violation Is Issued To The Following Property Owner(s):

Citation Number: CEZO1902-0001

Colette W. Thomas
3126 Groveshire Drive
Raleigh, NC 27616

Delivery Via: ☐ Personal Service ☒ First Class ☒ Certified Mail 7011 3500 0000 4769 0739

Parcel ID Number: 13-9692-0014-16

PIN: 9691-66-5306.000

Property Location: 260 Hollies Pines Road

Zoning District: RA-30

Inspection Details:

Date of Inspection: 02/12/2019

Development Compliance Officer: Randy Baker

Nature of Violation: Land Use Regulations (Junkyard).

Ordinance Reference: Article V, Section 1.0

The Following Measures Must Be Taken In order To Reach Compliance:

Remove all scrap materials defined as junk from the property.

Compliance Must Be Met No Later Than: March 15, 2019

Until compliance is reached, you are hereby charged with a violation against the Harnett County Unified Development Ordinance as described above. Failure to comply with the Harnett County Unified Development Ordinance will force the County to seek remedies through the courts under Chapter 153A, Article IV, Section 153A-123 of the North Carolina General Statutes. Violations of the Ordinance shall constitute a misdemeanor and Harnett County has the authority to seek compliance through civil or criminal actions. A civil action shall be punishable by a fine not to exceed one hundred (\$100.00) dollars and may be charged as a separate offense for each day the violation continues. A criminal action shall be punishable by imprisonment not to exceed thirty (30) days. Also, the Court will be requested to impose upon you the costs of such proceedings, including any attorney's fees, which might be authorized by law. Furthermore, in accordance with the Harnett County Unified Development Ordinance, Article XIII Enforcement and Penalties, Section 9.0 Right of Appeal: Any person aggrieved by this notice of violation has thirty (30) days to appeal the action of the Zoning Administrator to the Board of Adjustment. Beyond the decision of the Board of Adjustment, recourse shall be to the Courts as provided by law. The application for appeal may be obtained online at www.harnett.org or may be picked up at the Harnett County Development Services building located at 108 E. Front St. Lillington, NC 27546. For further information, staff may be reached by phone at (910) 893-7525 opt. 4.

Issued By: Randy Baker, CZO 6417
Title: Assistant Manager of Planning Services

Date of Issue: 02/12/2019



Definitions:

Junk

Scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, or other scrap ferrous or nonferrous material and dismantled or used white goods or parts thereof.

Junkyard

An establishment or place of business, or portion of a property, which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for maintenance or operation of an automobile graveyard. Any lot containing more than three (3) unregistered and non-functional vehicles shall constitute a junkyard for the purposes of this Ordinance.

Ordinance Reference:

Article V, USE REGULATIONS

SECTION 1.0 USE TYPES & REGULATIONS

1.1 General Applicability

A. Any use not specifically designated as either a permitted or conditional use in a zoning district is prohibited. Uses not listed may be included by following the amendment process described elsewhere in this Ordinance.

1.2 Table of Use Types & Regulations

	IND	LI	COMM	O & I	CONS	RA-40	RA-30	RA-20R	RA-20M	Parking	USE Group Level	Building Code Class
Junkyards	C*									1 Per 2 Employees (Largest Shift) OR 1 Per 500 Sq. Ft.		

Junkyards are only allowed in an Industrial Zoned District with Conditional Use Approval.