

July 27, 2021

The Honorable James E. Clyburn
Chairman, Select Subcommittee on the Coronavirus Crisis
United States House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Clyburn:

Thank you for holding a hearing today, *Oversight of Pandemic Evictions: Assessing Abuses by Corporate and Federal Efforts to Keep Americans in Their Homes*. We appreciate your leadership in addressing housing challenges during the COVID-19 pandemic. In anticipation of today's hearing, we write to inform the Select Subcommittee of factual inaccuracies in the written testimony of a hearing witness and hope that you ensure an accurate rendering of the facts in the hearing record.

Pretium takes seriously its compliance obligations with the CDC moratorium. Our policy is, and always has been, not to evict any resident who is covered by a CDC declaration for non-payment of rent. One of today's witnesses, Jim Baker, Executive Director of the Private Equity Stakeholder Project, has submitted written testimony that misstates the disposition of multiple court cases involving our residents by stating that Pretium has removed residents from their home in cases that, in fact, were either dismissed or closed. Attached to this letter are the publicly available docket records from those cases to ensure that those matters are correctly represented in the hearing record. In particular, Mr. Baker has inaccurately stated that Pretium has "evicted" multiple residents with CDC declarations in the following cases in DeKalb County Court: Cases 21D00040, 21D00058, 20D10671, and 21D04743, DeKalb County Court.¹ The attached court records of the cases cited by Mr. Baker in footnote 13, contrary to Mr. Baker's statements, show that Pretium did not, in fact, evict residents with CDC declarations, but instead, agreed to dismiss, or hold them in abeyance and close:

- **Case 21D00040:** Docket reflects that resident reached a Tenant-Landlord Assistance Coalition (TLAC) Consent Agreement on June 25, 2021 and the case was dismissed June 29, 2021.
- **Case 21D00058:** Docket reflects that there was a "satisfaction of the judgment" on June 29, 2021 and the case is closed.
- **Case 20D10671:** Docket reflects that the judge ordered on Feb. 25, 2021 that the writ would be held in abeyance and the case is closed.
- **Case 21D04743:** Docket reflects that the case was dismissed June 29, 2021.

Also, contrary to Mr. Baker's testimony, Pretium did not evict residents who sought rental assistance in the cited cases in footnote 14, rather, it dismissed those cases in Dekalb County Court:

- **Case 21D00040:** Docket reflects that resident reached a TLAC Consent Agreement on June 25, 2021 and the case was dismissed June 29, 2021.
- **Case 21D03316:** Docket reflects that the case was dismissed on June 18, 2021.

¹ See *Oversight of Pandemic Evictions: Assessing Abuses by Corporate and Federal Efforts to Keep Americans in Their Homes* Before the H. Select Subcomm. of the Coronavirus Crisis, 117th Cong. (July 27, 2021) (statement of Jim Baker, Executive Director, Private Equity Stakeholder Project), <https://coronavirus.house.gov/subcommittee-activity/hearings>.

- ▶ **Case 20D10964:** Docket reflects that the case was dismissed on June 28, 2021.

The testimony of the Private Equity Stakeholder Project has been available for review for only the briefest window of time. Pretium reserves the right to review the additional assertions and citations to cases where Pretium is a party to ensure they are accurately characterized in the record and will update the Select Subcommittee as appropriate.

Sincerely,

[Redacted - Original on File With Select Subcommittee]
Pretium Partners LLC

cc: The Honorable Steve Scalise, Ranking Member

Encl.

Case Information

21D00040 | FYR SFR Borrower, LLC, HavenBrook Homes, LLC VS Christopher Edward Fyffe, Sierra Nicole Sanders

Case Number
21D00040
File Date
01/06/2021

Court
Division 0
Case Type
Magistrate Dispossessory - Non
Payment of Rent

Judicial Officer
Anderson, Berryl A
Case Status
Administratively Closed

Party

Plaintiff
FYR SFR Borrower, LLC, HavenBrook Homes, LLC

Address
PO Box 451027
Atlanta GA 31145

Active Attorneys ▼
Lead Attorney
Wilson, Lynn M.
Retained

Defendant
Fyffe, Christopher Edward

Address
1511 Walnut Ridge Way
Stone Mountain GA 30083

Defendant
Sanders, Sierra Nicole

Address
1511 Walnut Ridge Way
Stone Mountain GA 30083

Case Information

20D10671 | HOME SFR Borrower, LLC, HavenBrook Homes, LLC VS Michael Fearn , Sr.,Lucretia Outlaw

Case Number
20D10671
File Date
08/31/2020

Court
Division 0
Case Type
Magistrate Dispossessory - Non
Payment of Rent

Judicial Officer
Anderson, Berryl A
Case Status
Closed

Party

Plaintiff
HOME SFR Borrower, LLC, HavenBrook Homes, LLC

Address
PO Box 451027
Atlanta GA 31145

Active Attorneys ▼
Lead Attorney
Wilson, Lynn M.
Retained

Defendant
Fearn , Michael, Sr.

Address
3408 Fannin Dr
Lithonia GA 30038

Defendant
Outlaw, Lucretia

Address
3408 Fannin Dr
Lithonia GA 30038

Defendant
all others

Disposition Events

11/04/2020 Judgment ▾

Judicial Officer
McNeal, Shannon

Judgment Type
Order and Judgment

Award

Judgment For: Plaintiff

Verdict to Plaintiff:

Compensatory: \$11,496.00

Verdict on Cross/Counter Claim:

Comment

Comment (Consent By Parties)

Events and Hearings

08/31/2020 Disposessory Warrant ▼

Comment
OF THE PLAINTIFF

09/09/2020 Affidavit of Service ▼

Comment
service Answer by 9/9/20

09/09/2020 Answer ▼

Comment
OF THE DEFENDANT

09/25/2020 Motion ▼

Comment
Motion to Stay Case (CDC Declaration)

10/26/2020 Zoom Hearing Information ▼

Comment
<https://dekalbcountyga.zoom.us/j/95758789477> Password: 614566

11/02/2020 Disposessory Attorney ▼

Judicial Officer
Anderson, Berryl A

Hearing Time
9:00 AM

Comment
<https://dekalbcountyga.zoom.us/j/95758789477> Password: 614566

02/14/2021 Writ Application Issued ▼

Comment
writ

02/16/2021 Writ application sent to judge

02/25/2021 Judge's Directive ▼

Judicial Officer
McNeal, Shannon

Comment
Writ will not issue until CDC order no longer in effect per order

Financial

HOME SFR Borrower, LLC, HavenBrook Homes, LLC

					\$142.00
					\$142.00
8/31/2020	Transaction Assessment				\$54.00
8/31/2020	eFile Payment	Receipt # 2020-38470	HOME SFR Borrower, LLC, HavenBrook Homes, LLC		(\$54.00)
2/16/2021	Transaction Assessment				\$88.00
2/16/2021	eFile Payment	Receipt # 2021-08065	HOME SFR Borrower, LLC, HavenBrook Homes, LLC		(\$88.00)

Defendant
all others

Disposition Events

06/11/2021 Judgment ▼

Judicial Officer
Scott, Sabrina

Judgment Type
Writ Issued

Events and Hearings

01/06/2021 Disposessory Warrant ▼

Comment
OF THE PLAINTIFF

01/15/2021 Affidavit of Service ▼

Comment
ANS BY 1/18/2021

04/12/2021 Writ Application Issued ▼

Comment
writ

04/12/2021 Writ application sent to judge
04/14/2021 TLAC Tenant Application
04/14/2021 TLAC Tenant Application ▼ Comment lease agreement, magistrate paperwork, damages pictures, past due utilities
04/29/2021 Answer ▼ Comment OF THE DEFENDANT
05/12/2021 Letter
05/12/2021 To Judge
05/20/2021 Miscellaneous ▼ Comment CDC DECLARATION
05/21/2021 Writ To Marshal
05/21/2021 Disposessory Service ▼ Served 06/30/2021 Anticipated Server Marshal Anticipated Method Unserved Anticipated Server Marshal Anticipated Method Unserved Anticipated Server Marshal Anticipated Method
06/25/2021 TLAC Consent Agreement
06/29/2021 Dismissal ▼ Comment Dismissal

06/30/2021 Writ called back from Marshal

Financial

FYR SFR Borrower, LLC, HavenBrook Homes, LLC

Total Financial Assessment	\$142.00
Total Payments and Credits	\$142.00

1/6/2021	Transaction Assessment			\$54.00
1/6/2021	eFile Payment	Receipt # 2021-00343	FYR SFR Borrower, LLC, HavenBrook Homes, LLC	(\$54.00)
4/12/2021	Transaction Assessment			\$88.00
4/12/2021	eFile Payment	Receipt # 2021-18929	FYR SFR Borrower, LLC, HavenBrook Homes, LLC	(\$88.00)

Case Information

21D00058 | HOME SFR Borrower, LLC, HavenBrook Homes, LLC VS Carletha Richards,all others

Case Number	Court	Judicial Officer
21D00058	Division 0	Anderson, Berryl A
File Date	Case Type	Case Status
01/06/2021	Magistrate Dispossessory - Non Payment of Rent	Closed

Party

Plaintiff
HOME SFR Borrower, LLC, HavenBrook Homes, LLC

Address
PO Box 451027
Atlanta GA 31145

Active Attorneys ▼
Lead Attorney
Wilson, Lynn M.
Retained

Defendant
Richards, Carletha

Address
6833 Mahonia PI
Lithonia GA 30038

Defendant
all others

Disposition Events

06/29/2021 Judgment ▼

Judgment Type
Dismissed without Prejudice

Events and Hearings

01/06/2021 Dispossessory Warrant ▼

Comment
OF THE PLAINTIFF

01/15/2021 Affidavit of Service ▼

Comment
ANS BY 1/15/2021

01/15/2021 Answer

01/25/2021 Miscellaneous ▼

Comment
tenant's cdc declaration

02/05/2021 Zoom Hearing Information ▼

Comment
<https://dekalbcountyga.zoom.us/j/86542594869> Password: 167119

03/03/2021 Dispossessory Attorney ▼

Judicial Officer
Anderson, Berryl A

Hearing Time

9:00 AM

Comment

<https://dekalbcountyga.zoom.us/j/86542594869> Password: 167119

03/08/2021 Consent Order ▼

Comment

Def to pay \$2000 on 3/5 \$2000 on 3/19 and \$2023.70 on 3/21/2021

04/13/2021 Writ Application Issued ▼

Comment

writ

04/13/2021 Writ application sent to judge

05/20/2021 Judge's Directive ▼

Judicial Officer

McNeal, Shannon

Comment

WRIT IS SIGNED INSIDE OF PACKET FROM ATTORNEY FROM
LANDLORD

05/20/2021 Writ To Marshal

05/20/2021 Writ Service ▼

Served

06/30/2021

Anticipated Server

Marshal

Anticipated Method

06/29/2021 Satisfaction of Judgment ▼

Comment

SATISFACTION OF JUDGMENT

06/29/2021 Writ called back from Marshal

Financial

HOME SFR Borrower, LLC, HavenBrook Homes, LLC

Total Financial Assessment	\$142.00
----------------------------	----------

Total Payments and Credits	\$142.00
----------------------------	----------

1/6/2021	Transaction Assessment			\$54.00
----------	------------------------	--	--	---------

1/6/2021	eFile Payment	Receipt # 2021-00370	HOME SFR Borrower, LLC, HavenBrook Homes, LLC	(\$54.00)
----------	---------------	----------------------	--	-----------

4/13/2021	Transaction Assessment			\$88.00
-----------	------------------------	--	--	---------

4/13/2021	eFile Payment	Receipt # 2021-19307	HOME SFR Borrower, LLC, HavenBrook Homes, LLC	(\$88.00)
-----------	---------------	----------------------	--	-----------

Case Information

20D10964 | ARLP REO VII, LLC, HavenBrook Homes, LLC VS Christopher Mylow Hamilton,all others

Case Number
20D10964
File Date
09/02/2020

Court
Division 0
Case Type
Magistrate Dispossessory - Non
Payment of Rent

Judicial Officer
Anderson, Berryl A
Case Status
Closed

Party

Plaintiff
ARLP REO VII, LLC, HavenBrook Homes, LLC

Address
PO Box 451027
Atlanta GA 31145

Active Attorneys ▼
Lead Attorney
Wilson, Lynn M.
Retained

Defendant
Hamilton, Christopher Mylow

Address
4216 Indian Manor Drive
Stone Mountain GA 30083

Defendant
all others

Disposition Events

06/28/2021 Judgment ▼

Judgment Type
Dismissed without Prejudice

Events and Hearings

09/02/2020 Dispossessory Warrant ▼

Comment
OF THE PLAINTIFF

09/14/2020 Affidavit of Service ▼

Comment
service

10/23/2020 Motion ▼

Comment
Motion to Stay Case

10/27/2020 To Judge

02/12/2021 Rule Nisi Issued ▼

Comment
RULE NISI

02/12/2021 To Judge

03/05/2021 TLAC Tenant Application

03/05/2021 TLAC Landlord Application

03/11/2021 TLAC - Atlanta Legal Aid

03/22/2021 Writ Application Issued ▼

Comment
writ

03/23/2021 Writ application sent to judge

06/28/2021 Dismissal ▼

Comment
Dismissal

Financial

ARLP REO VII, LLC, HavenBrook Homes, LLC

Total Financial Assessment	\$142.00
Total Payments and Credits	\$142.00

9/2/2020	Transaction Assessment			\$54.00
9/2/2020	eFile Payment	Receipt # 2020- 39323	ARLP REO VII, LLC, HavenBrook Homes, LLC	(\$54.00)
3/23/2021	Transaction Assessment			\$88.00
3/23/2021	eFile Payment	Receipt # 2021- 15357	ARLP REO VII, LLC, HavenBrook Homes, LLC	(\$88.00)

Case Information

21D03316 | HOME SFR Borrower, LLC, HavenBrook Homes, LLC VS Katrina Chism,all others

Case Number	Court	Judicial Officer
21D03316	Division 0	Anderson, Berryl A
File Date	Case Type	Case Status
03/04/2021	Magistrate Dispossessory - Non Payment of Rent	Closed

Party

Plaintiff
HOME SFR Borrower, LLC, HavenBrook Homes, LLC

Address
PO Box 451027
Atlanta GA 31145

Active Attorneys ▼
Lead Attorney
Wilson, Lynn M.
Retained

Defendant
Chism, Katrina

Address
5082 Great Meadows Rd
Lithonia GA 30038

Defendant
all others

Disposition Events

05/21/2021 Judgment ▼

Judicial Officer
Scott, Sabrina

Judgment Type
Writ Issued

06/21/2021 Judgment ▼

Judgment Type
Dismissed without Prejudice

Events and Hearings

03/04/2021 Disposessory Warrant ▼

Comment
OF THE PLAINTIFF

03/12/2021 Affidavit of Service ▼

Comment
answer by 03/15/21

03/18/2021 TLAC - Atlanta Legal Aid

03/19/2021 Late Answer

04/12/2021 Writ Application Issued ▼

Comment
writ

04/12/2021 To Judge
04/12/2021 Writ application sent to judge
05/19/2021 Writ To Marshal
05/19/2021 Writ Service ▼ Unserved Anticipated Server Marshal Anticipated Method
06/18/2021 Dismissal ▼ Comment DISMISSAL
07/02/2021 TLAC to Judge For Review ▼ Comment Future Rent Payment
07/02/2021 Miscellaneous ▼ Comment Authorization for payment of rent
07/09/2021 Miscellaneous ▼ Comment 2 months future rent - lease
07/20/2021 Tenant Settled

Financial

HOME SFR Borrower, LLC, HavenBrook Homes, LLC
 Total Financial Assessment
 Total Payments and Credits

\$142.00
 \$142.00

3/4/2021	Transaction Assessment			\$54.00
3/4/2021	eFile Payment	Receipt # 2021-11107	HOME SFR Borrower, LLC, HavenBrook Homes, LLC	(\$54.00)
4/12/2021	Transaction Assessment			\$88.00
4/12/2021	eFile Payment	Receipt # 2021-18958	HOME SFR Borrower, LLC, HavenBrook Homes, LLC	(\$88.00)

Case Information

21D04743 | Home SFR Borrower IV, LLC 2017-3/B, HavenBrook Homes, LLC VS Devin Rashaun Lumpkin,all others

Case Number
21D04743
File Date
03/29/2021

Court
Division 0
Case Type
Magistrate Dispossessory - Non
Payment of Rent

Judicial Officer
Anderson, Berryl A
Case Status
Closed

Party

Plaintiff
Home SFR Borrower IV, LLC 2017-3/B, HavenBrook Homes, LLC

Address
PO Box 451027
Atlanta GA 31145

Active Attorneys ▼
Lead Attorney
Wilson, Lynn M.
Retained

Defendant
Lumpkin, Devin Rashaun

Address
6402 Stablewood Way
Lithonia GA 30058

Defendant
all others

Disposition Events

06/02/2021 Judgment ▼

Judicial Officer
Scott, Sabrina

Judgment Type
Writ Issued

Events and Hearings

03/29/2021 Dispossessory Warrant ▼

Comment
OF THE PLAINTIFF

04/05/2021 Affidavit of Service ▼

Comment
answer by 04/09/21

04/27/2021 Writ Application Issued ▼

Comment
writ

04/27/2021 Writ application sent to judge

06/02/2021 Writ To Marshal

06/02/2021 Writ Service ▼

Served
06/30/2021

Anticipated Server
Marshal

Anticipated Method
Unserviced

06/04/2021 Miscellaneous ▾

Comment
CDC Declaration

06/29/2021 Dismissal ▾

Comment
Dismissal

06/30/2021 Writ called back from Marshal

Financial

Home SFR Borrower IV, LLC 2017-3/B, HavenBrook Homes, LLC

Total Financial Assessment	\$142.00
Total Payments and Credits	\$142.00

3/29/2021	Transaction Assessment			\$54.00
-----------	------------------------	--	--	---------

3/29/2021	eFile Payment	Receipt # 2021-16401	Home SFR Borrower IV, LLC 2017-3/B, HavenBrook Homes, LLC	(\$54.00)
-----------	---------------	----------------------	---	-----------

4/27/2021	Transaction Assessment			\$88.00
-----------	------------------------	--	--	---------

4/27/2021	eFile Payment	Receipt # 2021-22082	Home SFR Borrower IV, LLC 2017-3/B, HavenBrook Homes, LLC	(\$88.00)
-----------	---------------	----------------------	---	-----------