

13-A-3036

Entered - 10-3-11 sb  
CL 11L0741 -NA/11- WARREN HAYES

CLAIM OF: **INTERLINE BRANDS, INC. D/B/A  
BARNETT,  
THROUGH THEIR ATTORNEY,  
RACHELSON AND WHITE**  
Suite 1875  
Three Ravinia Drive  
Atlanta, Georgia 30346

For property damage alleged to have been sustained from improvements on September 9, 2011 at 1870 Campbellton Road.

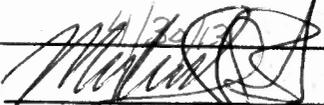
THIS ADVERSED REPORT IS APPROVED

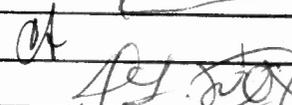
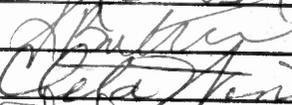
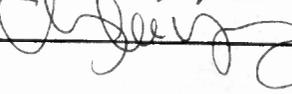
BY   
ERIC RICHARDSON  
DEPUTY CITY ATTORNEY

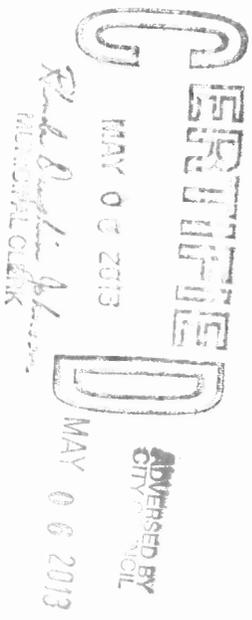


# ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE:   
CHAIR: 





CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SUITE 2700  
ATLANTA, GEORGIA 30303  
Main (404) 330-6033  
Fax (404) 658-6103  
Email [municipalclerk@atlantaga.gov](mailto:municipalclerk@atlantaga.gov)

May 13, 2013

Interline Brands, Inc. d/b/a Barnett  
c/o Attorney Rachelson and White  
Suite 1875  
Three Ravinia Drive  
Atlanta, Georgia 30346

**13-R-3036**

Dear Interline Brands:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on May 3, 2013.

In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

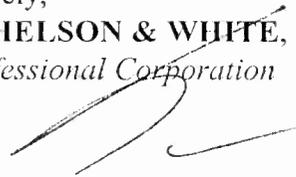
cc: Claims Division/Law Department

UNLESS YOU NOTIFY THIS OFFICE WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE THAT YOU DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF, THIS OFFICE WILL ASSUME THAT THIS DEBT IS VALID.

IF YOU NOTIFY THIS OFFICE IN WRITING WITHIN 30 DAYS FROM RECEIVING THIS NOTICE THAT THE DEBT OR ANY PORTION THEREOF IS DISPUTED, THIS OFFICE WILL OBTAIN A VERIFICATION OF THE DEBT AND WILL MAIL YOU A COPY OF SUCH VERIFICATION. IF YOU REQUEST THIS OFFICE IN WRITING WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE TO DO SO, THIS OFFICE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM THE CURRENT CREDITOR.

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. IT IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Sincerely,  
**RACHELSON & WHITE,**  
*a Professional Corporation*



IRA L. RACHELSON

/msb  
Enclosure

cc: Interline Brands, Inc. d/b/a Barnett (NCS L237414)(w/encl.)  
Mr. Cool Mr. Heat (w/encl.)  
City of Atlanta (w/encl.) ✓

(ncs-2759)

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 11L0741

Date: March 20, 2013

Claimant /Victim INTERLINE BRANDS, INC. D/B/A BARNETT
BY: (Arty) (Ins. Co.) RACHELSON & WHITE
Address: Suite 300, Three Ravinia Drive, Atlanta, Georgia 30346
Subrogation: Claim for Property damage \$ 13,527.09 Bodily Injury \$
Date of Notice: 9/29/11 : Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 9/9/11 Place: QLS Garden Apartments, 1870 Campbellton Road
Department Bureau: Office
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges property damage sustained from the improvements made to the plumbing, HVAC, electrical, and related materials provided. The investigation determined the property is not owned or managed by the City of Atlanta.

INVESTIGATION:

Statements: City employee Claimant X Others X Written X Oral
Pictures Diagrams Reports: Police X Dept Report Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned X

Respectfully submitted,

Handwritten signature of Warren Hayes

INVESTIGATOR - WARREN HAYES

RECOMMENDATION:

Pay \$ Adverse X Account charged: General Fund Water & Sewer Aviation
Claims Director/Manager: Concur/date 4/1/13
Deputy City Attorney: Concur/date
Committee Action: Council Action

# RACHELSON & WHITE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW  
SUITE 1875  
THREE RAVINIA DRIVE  
ATLANTA, GEORGIA 30346

*Hayes*  
*9/29/11*  
*gB*

IRA L. RACHELSON

**ENTERED - 10-3-11 - SB**  
**1110741 - W. HAYES**

TELEPHONE  
(678) 990-3242  
FACSIMILE  
(678) 336-5928

September 9, 2011

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

QLS Gardens Housing Facility, Inc.  
c/o Chad Henderson, Registered Agent  
1350 Spring Street, Suite 485  
Atlanta, GA 30309

Re: Notice of Filing of Claim of Lien by Interline Brands, Inc. d/b/a Barnett  
Property: QLS Garden Apartments, 1870 Campbellton Road SW, Atlanta,  
Fulton County, GA, as more fully described in the Claim of Lien  
attached hereto which description is incorporated herein by reference  
(the "Property")  
Owner: QLS Gardens Housing Facility, Inc.  
Amount Due: \$13,527.09

Ladies and Gentlemen:

This law firm represents Interline Brands, Inc. d/b/a Barnett ("Interline Brands"). Interline Brands has not been paid the sum of \$13,527.09, for the plumbing, HVAC, electrical, and related materials that it provided for the improvement of the above-referenced Property, and said sum is now past due. In order to secure its claim, Interline Brands has filed a Claim of Lien against your Property (the "Claim of Lien"). Interline Brands hereby demands immediate payment in the principal amount of \$13,527.09, together with interest thereon at the legal rate.

**Pursuant to the provisions of O.C.G.A. Section 44-14-361.1(a)(2), this letter shall also serve as notice to you as the owner of the Property, that the Claim of Lien has been filed and you are hereby provided with a true and accurate copy of the Claim of Lien which is attached hereto.**

RCS# 2666  
5/06/13  
3:23 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS  
EXCEPT 13-O-0638  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

+

		05-06-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-0599	40. 13-R-3103	77. 13-R-3043
2. 13-O-0629	41. 13-R-3104	78. 13-R-3044
3. 13-O-0643	42. 13-R-3085	79. 13-R-3045
4. 13-O-0119	43. 13-R-3086	80. 13-R-3046
5. 13-O-0632	44. 13-R-3087	81. 13-R-3047
6. 13-O-0639	45. 13-R-3088	82. 13-R-3048
7. 13-O-0638	46. 13-R-3089	83. 13-R-3049
8. 13-O-0640	47. 13-R-3090	84. 13-R-3050
9. 13-O-0648	48. 13-R-3014	85. 13-R-3051
10. 13-O-0592	49. 13-R-3015	86. 13-R-3052
11. 13-O-0628	50. 13-R-3016	87. 13-R-3053
12. 13-O-0630	51. 13-R-3017	88. 13-R-3054
13. 13-R-3091	52. 13-R-3018	89. 13-R-3055
14. 13-R-3092	53. 13-R-3019	90. 13-R-3056
15. 13-R-3094	54. 13-R-3020	91. 13-R-3057
16. 13-R-3095	55. 13-R-3021	92. 13-R-3058
17. 13-R-3096	56. 13-R-3022	93. 13-R-3059
18. 13-R-3097	57. 13-R-3023	94. 13-R-3060
19. 13-R-3093	58. 13-R-3024	95. 13-R-3061
20. 13-R-3098	59. 13-R-3025	96. 13-R-3062
21. 13-R-3100	60. 13-R-3026	97. 13-R-3063
22. 13-R-3101	61. 13-R-3027	98. 13-R-3064
23. 13-R-3106	62. 13-R-3028	99. 13-R-3065
24. 13-R-3003	63. 13-R-3029	100. 13-R-3066
25. 13-R-3004	64. 13-R-3030	101. 13-R-3067
26. 13-R-3005	65. 13-R-3031	102. 13-R-3068
27. 13-R-3006	66. 13-R-3032	103. 13-R-3069
28. 13-R-3007	67. 13-R-3033	104. 13-R-3070
29. 13-R-3008	<b>ITEMS ADVERSED ON CONSENT</b>	105. 13-R-3071
30. 13-R-3009	68. 13-R-3034	106. 13-R-3072
31. 13-R-3010	69. 13-R-3035	107. 13-R-3073
32. 13-R-3011	70. 13-R-3036	108. 13-R-3074
33. 13-R-3013	71. 13-R-3037	109. 13-R-3075
34. 13-R-3000	72. 13-R-3038	110. 13-R-3076
35. 13-R-3001	73. 13-R-3039	111. 13-R-3077
36. 13-R-3002	74. 13-R-3040	112. 13-R-3078
37. 13-R-3083	75. 13-R-3041	113. 13-R-3079
38. 13-R-3084	76. 13-R-3042	114. 13-R-3080
39. 13-R-3102		115. 13-R-3081
		116. 13-R-3082