

1973 S.C. Op. Atty. Gen. 281 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3609, 1973 WL 21064

Office of the Attorney General

State of South Carolina

Opinion No. 3609

August 27, 1973

***1 In Re: Extent of 'Premises' in Distrain for Rent**

Honorable John C. Williams, Jr.
Room 321-B
County Courthouse
Spartanburg, South Carolina 29301

Dear Mr. Williams:

You have inquired if the word 'premises' used in the rent distress law (Sec. 41-151 et seq.) includes areas outside a residence building, i.e., yards and grounds.

The word 'premises' is not susceptible to exact definition unless its meaning can be taken from the context of the statute in which it is used. Words and Phrases, Premises.

Section 46-153 uses the language 'property upon the rented premises' in designating what may be seized under the distraint law. Nothing in the applicable statutes can be reasonably construed as limiting the word 'premises' as used in the statute to a building or buildings.

In view of the foregoing, it is the opinion of this Office that seizure under the State's rent distress law is not limited to chattels found inside the house.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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