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IN THE WILLOUGHBY MUNICIPAL COURT  
LAKE COUNTY, OHIO

OHIO MUNICIPAL COURT  
LAKE COUNTY, OHIO  
NOV 1 10 30 AM '89  
DEED

GUARANTEED MANAGEMENT COMPANY	)	CASE NO. 88 CVG+ 01120
	)	
Plaintiff	)	JUDGE: DENNIS M. CALLAHAN
	)	
v.	)	
	)	
ROBERT AND LUCILLE DE MAIO	)	<u>FINDINGS</u>
	)	
Defendants	)	

The matter came on for hearing on defendants' objections on August 21, 1989.

The Court finds that there has been notice to both parties.

At the hearing, Attorney Ralph Rudd appeared for defendants. Defendant Lucille DeMaio appeared. Plaintiff did not appear either by any corporate officer or official. Neither did any attorney for plaintiff appear. Nor has any attorney for plaintiff entered an appearance. Nor did Defendant Robert DeMaio appear.

The Court further finds as follows.

The complaint seeks rent for three months: May, June and July, 1988. There is no dispute that defendants are liable for that amount and, accordingly, the Court finds that defendants are liable to plaintiff for past rent in the amount of \$1,500.00 as prayed for in the complaint.

The Court finds that a security deposit of \$500.00 was deposited by defendants and that no accounting for that has ever been submitted by the plaintiff.

As to counterclaim of Defendant Lucille DeMaio, the Court finds that plaintiff failed to meet certain express or implied obligations under the lease agreement, specifically, to provide heat, plumbing, and electricity. Defendants' problems included live electrical wires, absence of smoke detectors, a lock on the front door that did not function, a sagging bathroom floor, a leaky roof, and leaking pipes. These impaired the rental value.

The Court finds that Defendant Lucille DeMaio is entitled to \$125.00 per month on the counterclaim for a period of nine (9) months for a total of \$1,125.00.

The Court finds that a net judgment should be entered in favor of Defendant Lucille DeMaio on the counterclaim of \$125.00.

  
DENNIS M. CALLAHAN, JUDGE

cc: Guaranteed Management Company,  
Plaintiff

✓ Ralph Rudd, Attorney for  
Defendant Lucille DeMaio

Robert DeMaio,  
Defendant

OHIO COURT  
RECORDS  
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