

IN THE MUNICIPAL COURT OF AKRON,  
SUMMIT COUNTY, OHIO

Ronald Weintraub

PLAINTIFF

v.

Ernaute Moore & Dec

DEFENDANT

CASE NO. 006 9521

DEC 9 17 AM '00

MAGISTRATE'S DECISION  
WITH FINDINGS OF FACT  
AND CONCLUSIONS OF LAW  
MUNICIPAL COURT  
JULIA CLARK  
CLERK

The following facts were determined:

1) This case was set for hearing before the Magistrate on the 7 day of December, 2000. The Plaintiff (was) (was not) in court (with) (by) counsel. The Defendant (was) (was not) in court (with) (by) counsel.

2) Plaintiff was not found to have a possessory interest in the premises as set forth in the complaint, as owner/lessor/lessee's agent for: 991 CHALKER ST AKRON OHIO, other: \_\_\_\_\_

3) Tenancy pursuant to (lease) (Section 8 lease) (month to month) (other): written. Rent per month is \$500/mo. Rent last received on October for October. Rent is due on \_\_\_\_\_ of each month.

4) A lawful statutory notice was not properly served on the Defendant(s) on 11/6/00, 2000, which was not at least three (3) days before the complaint was filed. ( ) (hand delivered) ( ) (certified mail)  (posting at premise) ( ) (copy served on AMHA).

5) Facts entitling (plaintiff) (defendant) to judgment: 30 day notice 11/7/00 she was vacating - Keys returned to IT on 12/4/00; Sec 8 pays on time rent; SD 24 C.F.R. Ch. IX; 982.310 provides that Nonpayment by DHA on the grounds for termination of tenancy; Section 8 does pay because of condition of premises.

It is the decision of the Magistrate that a writ NOT BE allowed. It is my further decision that the second cause be continued.

Supreme Stephen  
MAGISTRATE

JUDGMENT ENTRY

The decision of the Magistrate is approved. It is the judgment of the Court that a writ of restitution MAY NOT issue. Costs to be paid by the (plaintiff) (defendant).

12/4/00  
DATE

Lizanne S. Callahan  
JUDGE