

IN THE MIDDLETOWN MUNICIPAL COURT
MIDDLETOWN, OHIO
CIVIL DIVISION

AMERICAN HOUS FOUNDATION
Plaintiff

CASE NO. 02CVG01157

vs.

AMBER BRIDGE
Defendant

MAGISTRATE DECISION

This cause came on for hearing on the 4th day of June, 2002.


The Magistrate finds that there was a written lease. The agreement began on October 16, 2001.

The Plaintiff entered into a Housing Assistance Payment Contract with the Public Housing Authority. The unit is a Section 8 Voucher Program. The terms of the Contract between the owner and the housing authority requires that the owner provide the PHA a copy of any eviction notice at or before the beginning of Court action. See Part C paragraph 8f (1) (2) and (3).

This notice is the notice used to begin eviction action under State Law. Since provision of the Notice is a jurisdictional requirement in Chapter 1923 of the Ohio Revised Code.

While this is a technical failure, it is nonetheless a requirement under both State law and as set out in the Federal Register.

This matter and the Second Cause are dismissed without prejudice. All Motions filed by either are moot as the Court has no jurisdiction to act.



MAGISTRATE

FILED
02 JUN 20 AM 8:59
LOUIS A. ROSSI
CLERK OF COURTS

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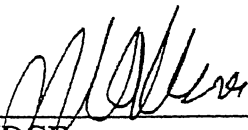
JUDGMENT ENTRY

The Court has reviewed the Magistrate's Decision and grants Judgment as follows:

- () Judgment for the Plaintiff in the amount of \$ _____ with interest and costs.
- () Judgment for the Defendant(s). The case is dismissed at the Plaintiff's cost.
- () The Plaintiffs Complaint is dismissed with prejudice at the Plaintiff's costs.
- () Judgment for the Defendant _____ on the Counterclaim/Cross claim in the amount of \$ _____ with interest and costs.
- (X) Other:

This matter and the Second Cause are dismissed without prejudice. All Motions filed by either are moot as the Court has no jurisdiction to act.

THIS IS A FINAL APPEALABLE ORDER.



JUDGE

FILED
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LOUIS A. ROSSI
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