

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ANGELA CONNER : CASE NO. 254421
: :
Appellant : JUDGE JAMES J. SWEENEY
: :
-vs- : :
: :
CUYAHOGA METROPOLITAN : JUDGMENT
HOUSING AUTHORITY : :
: :
Appellee : :

This matter came on for hearing on: appellant's motion for summary judgment; appellant's request for stay of the administrative decision, without posting bond; and appellee's motion in opposition to appellant's motion for a summary judgment and motion to dismiss. This court makes the following findings of fact:

1. On May 27, 1993, appellee terminated appellant from participation in the section 8 Existing Housing Certificate Program which appellee administers;
2. Pursuant to R.C. 2506 et seq., appellant filed a timely appeal of that decision, and filed a praecipe with appellee for a transcript of the administrative proceeding;
3. Appellee has failed to prepare and file with this court the complete transcript of the administrative proceedings as required by R.C. 2506.02.

Having considered the pleadings and arguments of the parties, this court finds:

1) Appellant's motion for summary judgment is granted, and appellee's termination of appellant from the Section 8 Existing Housing Certificate Program is reversed, and appellee is ordered to reinstate appellant to said Program as of May 27, 1993;

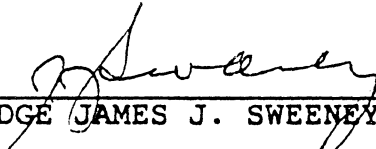
2) Appellant's motion for stay of the administrative proceedings, without posting bond, is moot;

3) Appellee's motion in opposition to appellant's motion for summary judgment, and motion to dismiss are denied;

4. Appellee to bear the costs.

IT IS SO ORDERED.


DATE: November 16, 1993



JUDGE JAMES J. SWEENEY

RECEIVED FOR FILING

NOV 19 1993

BY  CLERK
DEP.