

IN THE LICKING COUNTY MUNICIPAL COURT, NEWARK, OHIO

Shurtz Management, Inc.

Plaintiff,

--vs--

Case No. 85-CVG-0703

Phyllis Meyers,


Defendant.

ENTRY

This cause came on for hearing on the 9th day of December, on the motion of Defendant for summary judgment. It is the finding and order of this Court that Defendant's motion for summary judgment is granted for the following reasons.

1. The Plaintiff did not serve the Defendant with a proper written notice of the proposed eviction as required by 24 CFR 886.128. Specifically the notice of proposed eviction in this case did not adequately advise Defendant that she has 10 days within which to respond to the owner.

2. The notice of proposed eviction in this case does not advise the tenant of his/her right to defend the action in court as required by the lease.

  
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ROBERT C. LAMPL  
ATTORNEY FOR DEFENDANT

  
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THOMAS R. MARCELAIN  
ATTORNEY FOR PLAINTIFF

  
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JUDGE STEINER