

IN THE MUNICIPAL COURT OF AKRON
SUMMIT COUNTY, OHIO

Marc Lessem
PLAINTIFF
v.
Sheela Wellman & Assoc
DEFENDANT

CASE NO. 91CVG11375
REFeree'S REPORT

The following facts were determined:

1. Plaintiff was not found to have a possessory interest in the premises set forth in the complaint, as owner/lessor/lessee Agent for: 1064 Yale St. other: _____

2. A lawful statutory notice was not properly served on the defendant(s) on October 4, 1991, which was not at least three (3) days before the complaint was filed. Copy served on AMHA.

3. Facts entitling plaintiff/defendant to judgment:
Plaintiff present. Defendant present with Counsel.
Eviction pursuant to Section 8 Lease. Rent abated by AMHA for failure of landlord to repair refrigerator. Landlord provided refund and must maintain it in working order. No evidence that damage was tenant-caused. Tenant will not be evicted for landlord's breach of lease.
It is my recommendation that a writ NOT BE allowed.

It is my further recommendation that the second cause be continued.

Robert J. Hodson
Referee

JUDGMENT ENTRY

The report of the Referee is hereby approved.

It is the judgment of the Court that a writ of restitution MAY NOT issue.

Costs to be paid by PLAINTIFF/DEFENDANT.

Date: 10/31/91
16. 41 52 E 10 100
CLERK

Colony
Judge

DAVID M. ZARFELLI
AKRON MUNICIPAL COURT