

HAMILTON COUNTY MUNICIPAL COURT
HAMILTON COUNTY, OHIO

CINCINNATI METROPOLITAN HOUSING AUTHORITY : Case No. 88CV05432
Plaintiff, : Judge Mark Painter
vs. :
CONNIE FOSTER : ENTRY OF JUDGMENT
Defendant. :

This case was tried before a jury on July 21, 1988, on the issue of whether the Plaintiff Cincinnati Metropolitan Housing Authority had good cause to evict the Defendant Connie Foster. Upon consideration of all the evidence, the jury found by a preponderance of the evidence that good cause existed to terminate the tenancy of the Defendant and that the Defendant's failure to pay rent was not a result of circumstances beyond her control. With regard to the Defendant's equity defense, the Court, after consideration of all the evidence and the review of the Memoranda submitted by counsel, finds that the Defendant Connie Foster is not entitled to an exercise of its equitable

jurisdiction, *except to the extent that the Court will exercise equity powers to the extent that the Court will exercise equity powers to set the effective date of the writ*

Accordingly, judgment is entered in favor of the Plaintiff Cincinnati Metropolitan Housing Authority and against the Defendant Connie Foster as to Plaintiff's claim for restitution of the premises. All costs of this action are charged to the Defendant Connie Foster. Pursuant to the Order of the Court, the Defendant Connie Foster may continue to reside in the apartment until Wednesday, November 30, 1988, provided that *of the writ for 17. This allow the Affic find a lined accord*

September, October and November rent is paid to the Cincinnati Metropolitan Housing Authority on or before the 12th of each month. If the Defendant fails to vacate the premises on or before December 1, 1988, or fails to make a rental payment as provided, a Writ of Restitution shall issue forthwith.

With respect to Plaintiff CMHA's Second Cause of Action, judgment is entered in favor of the Plaintiff Cincinnati Metropolitan Housing Authority and against the Defendant Connie Foster in the amount of \$660.75. All monies paid into the Court by Connie Foster as bond shall be released to the Plaintiff forthwith.

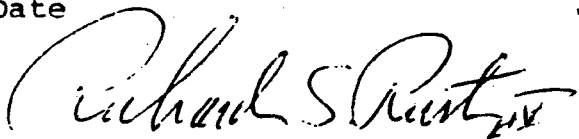
SO ORDERED.

8/31/88

Date

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Judge Mark Painter



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