

Johnson Properties v.
Leasure

IN THE MUNICIPAL COURT
RAVENNA DIVISION
PORTAGE COUNTY, OHIO

CASE # R96CV62736

Johnson Properties
PLAINTIFF

VS.

FINDINGS OF THE REFEREE--FORCIBLE
ENTRY AND DETAINER

FILED

PORTAGE COUNTY MUNICIPAL COURT

Leasure
DEFENDANT

JAN 02 1997

DELORES REED, CLERK
R.A. 10.00

HEARING DATE 12/1/96 COMPLAINT FILED 12/1/96 SERVICE DATE _____

PARTIES PRESENT PLAINTIFF _____
DEFENDANT _____

TYPE OF TENANCY: ORAL WRITTEN RENTAL AGREEMENT,
WRITTEN LEASE, SQUATTER, OTHER, _____

RESIDENTIAL (ORC 4321), COMMERCIAL (ORC 1923)
TRAILER PARK (ORC 3733)

COPY ATTACHED: YES/NO

PLAINTIFF: OWNER/AGENT

DELIVERED HOW? _____

BASIS OF FIRST CAUSE OF ACTION

TENANCY BEGAN ON: _____

RENT DEFAULT BEGINNING

TERM OF TENANCY: _____

TERMINATION OF PERIODIC TENANCY

RENT DUE ON: _____

BREACH OF LEASE/RENTAL AGREEMENT TERM:

THREE DAY NOTICE TO VACATE

ITEM # _____

OTHER _____

DELIVERED HOW? _____

PREMISES VACATED ON _____

DATE DELIVERED: _____

KEY RETURNED ON _____

COPY ATTACHED: YES/NO

THIS CAUSE CAME ON FOR HEARING BEFORE THE REFEREE AS REGULARLY ASSIGNED BY THE COURT, EVIDENCE AND TESTIMONY WERE RECEIVED AND THE ABOVE FACTS WERE FOUND TO BE TRUE. AFTER FINDING JURISDICTION AND VENUE TO BE PROPER, THE REFEREE FINDS THAT:

*Used in the name of I.O.
JOHNSON PROPERTIES LIMITED
PARTNERSHIP, an Arizona Limited
Partnership.*

A WRIT OF RESTITUTION IS TO ISSUE AGAINST THE DEFENDANT AS PRAYED

A WRIT OF RESTITUTION IS DENIED BECAUSE

A WRIT OF RESTITUTION IS TO ISSUE BY AGREEMENT AGAINST THE NAMED DEFENDANTS AS

PRAYED, BUT IS NOT TO BE EXECUTED IF:

X Case should be dismissed. See attached Findings and Decision.

PLAINTIFF _____

JUDGMENT ENTRY

DEFENDANT _____

THE FIRST CAUSE OF ACTION IS MOOT AND THEREFORE DISMISSED BY THE PLAINTIFF, WITHOUT PREJUDICE.

THE SECOND CAUSE OF ACTION IS PENDING UNTIL ANSWER DATE.

THE COURT, HAVING REVIEWED THE FINDING AND RECOMMENDATIONS OF THE REFEREE, APPROVES AND HEREBY ORDERS, ADJUDGES, AND DECREES THAT THE SAME BE ENTERED OF RECORD AND MADE AN ORDER OF THIS COURT. IT IS SO ORDERED.

[Signature]
REFEREE

JUDGE

PORTAGE COUNTY MUNICIPAL COURT

RAVENNA BRANCH

TOWNSON PROPERTIES

FILED

PLAINTIFF PORTAGE COUNTY MUNICIPAL CASE NUMBER R96CV62501

VS

JAN 02 1997

FINDINGS AND REPORT

LEASING

DEFENDANT

DELORES REED, CLERK
MAGISTRATE
OF REFEREE

Findings and Decision

1. This matter came on to be heard on the Motion for Dismissal filed by the Defendant ~~in~~ on the basis that the case was filed by an employee of a limited partnership, and that, by doing so, she was engaging in the unauthorized practice of law.

2. Magistrate finds that the case was filed by Bonnie Etkerly, who is the manager of Cedar Terrace Apartments, which are owned by Johnson Properties, which is an Arizona limited partnership.

3. Based upon Michael Capastan v. McCare, 179CV6715, a case decided in this jurisdiction, Lawrence Apartment v. Wagner, 87CV56707, from the Alliance Municipal Court, and Ohio Savings Association v. Home Owners Aid, Inc., 23 O.S. 2d 60, Magistrate finds that Bonnie Etkerly, the apartment manager and not an attorney at law, may not represent an individual entity, such as a limited partnership, in the filing and prosecution of an eviction action. Therefore, Magistrate recommends that the subject case be dismissed.

1/13/96
DATE

D. L. Hill
REFEREE

IN THE MUNICIPAL COURT
RAVENNA DIVISION
PORTAGE COUNTY, OHIO

JOHNSON PROPERTIES
PLAINTIFF

VS.

HOWARD LEASURE
DEFENDANT

CASE # R96CV2566

FINDINGS OF THE REFEREE--FORCIBLE
ENTRY AND DETAINER

HEARING DATE 12-5-96 COMPLAINT FILED 11-12-96 SERVICE DATE 11-14-96

PARTIES PRESENT PLAINTIFF
DEFENDANT

TYPE OF TENANCY: ORAL WRITTEN RENTAL AGREEMENT,
WRITTEN LEASE, SQUATTER, OTHER,

RESIDENTIAL (ORC 4321) COMMERCIAL (ORC 1923)
TRAILER PARK (ORC 3753)

COPY ATTACHED: YES/NO

PLAINTIFF: OWNER AGENT

DELIVERED HOW?

BASIS OF FIRST CAUSE OF ACTION

TENANCY BEGAN ON: 7/95

RENT DEFAULT BEGINNING 11/1/96

TERM OF TENANCY: MO TO MO

TERMINATION OF PERIODIC TENANCY

RENT DUE ON: 1st

BREACH OF LEASE/RENTAL AGREEMENT TERM:

THREE DAY NOTICE TO VACATE

ITEM #

DELIVERED HOW? PERSONAL

OTHER

DATE DELIVERED: 11/5/96

PREMISES VACATED ON

COPY ATTACHED: YES/NO

KEY RETURNED ON

THIS CAUSE CAME ON FOR HEARING BEFORE THE REFEREE AS REGULARLY ASSIGNED BY THE COURT, EVIDENCE AND TESTIMONY WERE RECEIVED AND THE ABOVE FACTS WERE FOUND TO BE TRUE. AFTER FINDING JURISDICTION AND VENUE TO BE PROPER, THE REFEREE FINDS THAT:

*Bonnie Wheatley - Manager. Did not know what kind of organization it is.
\$360/month.
Cora - did not offer rent to her.
Continued for 7 days at plaintiff's request, to 12/12/96, 1:30 PM, for additional evidence from plaintiff regarding ownership of properties.*

A WRIT OF RESTITUTION IS TO ISSUE AGAINST THE DEFENDANT AS PRAYED

A WRIT OF RESTITUTION IS DENIED BECAUSE

A WRIT OF RESTITUTION IS TO ISSUE BY AGREEMENT AGAINST THE NAMED DEFENDANTS AS PRAYED, BUT IS NOT TO BE EXECUTED IF:

PLAINTIFF

DEFENDANT

THE FIRST CAUSE OF ACTION IS MOOT AND THEREFORE DISMISSED BY THE PLAINTIFF, WITHOUT PREJUDICE.

THE SECOND CAUSE OF ACTION IS PENDING UNTIL ANSWER DATE.

J. S. Hill
REFEREE

PORTAGE COUNTY MUNICIPAL COURT
RAVENNA CIVIL DIVISION KENT CIVIL DIVISION
PO BOX 958 214 S WATER ST
RAVENNA OH 44266-0958 KENT OH 44240
PHONE: (330) 297-3635 (330) 678-9170

FILED
PORTAGE COUNTY MUNICIPAL COURT

STATE OF OHIO

ss

PORTAGE COUNTY

JAN 08 1997

DELORES BEAD CLEANING CASE NUMBER: R96 CVG 2566

JOHNSON PROPERTIES
PLAINTIFF

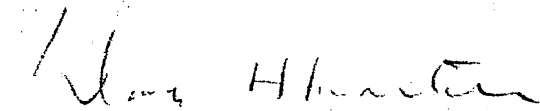
vs

JUDGMENT ENTRY

HOWARD LESSURE
DEFENDANT

THE COURT, HAVING REVIEWED THE FINDINGS AND RECOMMENDATIONS
OF THE REFEREE, APPROVES AND HEREBY ORDERS, ADJUDGES, AND DECREES
THAT THE SAME BE ENTERED OF RECORD AND MADE AN ORDER OF THIS COURT.

SO ORDERED.



JUDGE,
PORTAGE COUNTY MUNICIPAL