

IN PORTAGE COUNTY MUNICIPAL COURT
RAVENNA, OHIO

CLERK OF COURT
DELOREAN J. J.
8111

UNITED PROPERTY) CASE NO. R86 CVG 0850
MANAGEMENT COMPANY)
Plaintiff)
v.)
RENEE MUNDELL) CONCLUSIONS OF
Defendant) LAW
)

This matter came on for hearing on the plaintiff's objections to the Referee's Findings of said case. The Court found the objections were not well taken and, therefore overuled.

This issue presented by said objections is what should a notice to terminate a lease contain to conform to federal regulations with respect to property on which rent is supplemented by the Federal Government.

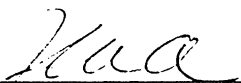
CONCLUSION OF LAW:

1. With respect to housing for which the federal government subsidizes rent under the Section 8 New Construction Program, the requirements concerning the contents of the Notice of Termination of the Lease are set forth in 24C.F.R. Section 880.607 and HUD Handbook 4350.3(November 1981).
2. These authorities provide that the Notice of Termination must state the grounds for the proposed action with enough detail for the tenant to prepare a defense.
3. A review of the opinions in which the Courts

have addressed the issue of the sufficiency of the contents of the Notice of Termination suggests the following guidelines for preparing said Notices.

- a. The Notice must advise the tenant of the particular conduct of the tenant upon which the landlord relies to terminate the tenancy.
- b. The Notice should describe the specific instances of tenant misconduct on which the landlord is relying, and should, generally speaking, answer the questions, who, what, where, when and how as to each of the specific instances.
- c. A Notice reciting merely conclusory language from the Lease or regulatory provisions is not sufficient to meet the standards established by the above-described authorities.

It is therefore ORDERED the case be dismissed.



JOHN A. ENLOW, JUDGE