

CANTON MUNICIPAL COURT
STARK COUNTY, OHIO

STARK METROPOLITAN HOUSING AUTHORITY

appeared no appearance

MINOR SMITH, COREY L

appeared no appearance

- vs -

ALLEN, JESSICA AND OCCUPANTS

appeared no appearance

appeared no appearance

Plf

Att

Def

Att

Case Number 2016-CVG-2468

Report of the Magistrate C.R. 53

FINDINGS OF FACT:

- ☒ 1. Plaintiff owns the residential / commercial property located at 1039 PULLEY PL SE CANTON OH 44707-3508 and rents it to the defendant(s) at a monthly rental of \$183.00 + 33.00 repayment agreement.
- ☒ 2. Defendant has failed to pay rent due on 5/1/16 and thereafter.
- ☒ 3. On 4/14/16, 5/4/16, Defendant was duly served with a notice in writing required by law for the Defendant to vacate said premises.
- ☒ 4. Defendant has failed to vacate the property in accordance with the above mentioned notice.
- ☒ 5. Defendant was duly served with summons as required by law.
- ☒ 6. First Cause of Action called for trial to the Magistrate and testimony taken.
- ☒ 7. Further finding of fact: \$173.88 was paid 8/18/15 and then altered by SMHA employee. Deft. made her regular monthly rent amt. of \$183.00 until 5/1/16. Pltff. accepted said rent through 4/30/16. Pltff. indicated to

RECOMMENDED ORDER:

- ☒ 1. A Writ of Restitution of the property is hereby ordered denied.
- ☐ 2. First Cause of Action is dismissed for want of prosecution.
- ☐ 3. Second Cause of Action is continued / dismissed.
- ☒ 4. Further Orders: (cont) Deft. to not pay Nov '15 rent. Ct. finds in equity that Deft. should not be evicted for the above property. The testimony/evidence for Pltff. was convincing at best as to what Deft. truly owes. Writ Denied.

DATED

6/20/16

Magistrate

1 - 1 HLT

JUDGMENT ENTRY

Upon the Court's own motion the Report of the Magistrate is approved and confirmed.

Comment:

DATED

6/21/16

Judge

JP

A
W
W
S
He

2016CVG02468

RRA



Phil Giavasis
Canton Municipal Court
Civil Division
2016 Jun 21 PM 12:12

any factual finding or legal conclusion in the Magistrate's Decision, inclusion of Law, unless the party timely and specifically objects in (14) days of the filing of the Decision, as required by Civil Rule

2016 JUN 21 PM 12:09

CANTON MUNICIPAL COURT
CIVIL DIVISION