
ONEIDA JUDICIARY-TRIAL COURT

PRAIRIE ROSE DANFORTH,

Petitioner

vs.

Case No: **16-TC-003**

ONEIDA HOUSING AUTHORITY

Respondent

FINAL DECISION AND ORDER

This case has come before the Oneida Trial Court, Honorable John E. Powless III presiding.

BACKGROUND

The Court received a petition for a Temporary Restraining Order to stay the eviction and the changing of the locks on Prairie Rose Danforth's residence located at 202 Doxtator Street, Oneida, Wisconsin, by the Oneida Housing Authority (OHA). The Temporary Restraining Order was granted and a hearing was held on Monday, January 25, 2016.

ANALYSIS

The testimony and evidence presented by the OHA was not disputed by Ms. Danforth. As a result of her failure to pay rent and keep utilities current, Ms. Danforth is non-compliant with her OHA Rental Agreement where she agreed to pay rent and utilities. The Court accepts the representations of the parties and Exhibit #1, and concludes Ms. Danforth is behind in her payments and that the OHA has the right to evict her.

Tenant Prairie Rose Danforth is found non-compliant in her responsibilities of paying rent and utilities. Ms. Danforth has offered to the Court a means to come current of her unpaid

balances. The Court finds her solution reasonable and affords Ms. Danforth one last opportunity to come current with the outstanding debt. The details of the Courts decision are as follows.

FINDINGS OF FACT

1. The Court has jurisdiction pursuant to Chapter 150 of the Oneida Code of Laws.
2. The Court accepted the petition for a temporary restraining order and placed a stay on the eviction procedure at the residence of Prairie Rose Danforth located at 202 Doxtator Street, Oneida, Wisconsin 54155.
3. The OHA pursued the termination of Petitioner's Rental Agreement due to unpaid rent and utilities.
4. Prairie Rose Danforth did not contest or dispute any of the evidence provided by OHA.
 - a. As of January 22, 2016, the balance of Ms. Danforth's unpaid OHA rent is \$349.15.
 - b. As of January 22, 2016, the balance of Ms. Danforth's unpaid Wisconsin Public Service utilities is \$402.82.
 - c. As of January 22, 2016, the balance of Ms. Danforth's unpaid Oneida Utilities is \$83.85.
5. Ms. Danforth's accounts with OHA, Wisconsin Public Service, and Oneida Utilities are in arrears totaling \$835.82.

ORDER

1. If the accounts are brought current by the close of business on February 24, 2016, Ms. Danforth shall be permitted to continue to occupy the above mentioned residence under the terms and conditions of her existing Rental Agreement.
2. If the accounts are not current by the close of business on February 24, 2016, the OHA may change the locks at the property at 11:00 a.m. on March 9, 2016. Furthermore, if the accounts are not current, Ms. Danforth is no longer entitled to occupy the property after 11:00 a.m. on March 9, 2016.
3. Receipts shall be provided to the OHA by the close of business on February 24, 2016 as proof that the amount owed to the OHA, Wisconsin Public Service, and Oneida Utilities have been satisfied. The receipts shall be entered into Ms. Danforth's OHA tenant file.

IT IS SO ORDERED.

By the authority vested in the Oneida Trial Court pursuant to Resolution 01-07-13-B of the General Tribal Council a hearing was held on January 25, 2016 and an order signed on January 28, 2016 in the matter of *Prairie Rose Danforth v. Oneida Housing Authority*. Case #16-TC-003.