
**ONEIDA JUDICIARY
TRIAL COURT**

Meloree M. David,
Petitioner

v.

Case No: 18-TC-003

Oneida Comprehensive Housing Division
Respondent

FINAL DECISION AND ORDER

This case has come before the Oneida Trial Court, Honorable John E. Powless III presiding. Appearing in person: Petitioner, Meloree M. David and Respondent, Oneida Comprehensive Housing Division represented by Attorney Krystal John and Scott Denny.

BACKGROUND

The Court received a petition for a Temporary Restraining Order to stay the eviction of Meloree M. David's residence located at W1227 Beechtree Lane, Oneida, WI, 54155, by the Oneida Comprehensive Housing Division (OCHD). The Temporary Restraining Order was granted and a hearing was held on January 26, 2018.

FINDINGS OF FACT

1. The Court has jurisdiction pursuant to Chapter 610, Eviction and Termination, 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 Meloree M. David's residence located at W1227 Beechtree Lane, Oneida, WI. 54155.
3. The OCHD pursued the termination of Petitioner's rental agreement due to unpaid rent.

4. The Petitioner entered into a stipulation with the OCHD to come current with all rent, identifying amounts the Petitioner would pay each month. The stipulation was signed by Meloree M. David on November 3, 2017, and by Laurel Meyer Spooner on November 3, 2017.
5. The Petitioner has been late with her monthly rent payment on different occasions since entering into the stipulation.
6. The OCHD complied with all notice requirements in accordance with the Eviction and Termination Law.
7. Upon receiving the 30 Day Notice to Cure or Vacate – Failure to Pay Rent on December 21, 2017, the Petitioner did not contact the OCHD at any time during the 30 day notice to cure.
8. The current back rent amount owed is \$229.99.

ANALYSIS

The testimony and evidence presented by the OCHD regarding the amount of past due rent was not disputed by the Petitioner. The only contact between the parties was the Petitioner's notice to the Respondent regarding the Temporary Restraining Order Hearing on Friday, January 26, 2018. The Petitioner violated the rental agreement by failing to pay rent by the 5th of each month, further; the Petitioner violated the signed stipulation in November 3, 2017. As a result the OCHD has the right to evict her.

ORDER

The Court orders as follows:

1. The Court grants the request by the OCHD to uphold the Eviction and Termination of the Oneida Housing Authority Rental Agreement of Meloree M. David from the residence at W1227 Beechtree Lane, Oneida, WI 54155.
2. The Temporary Restraining Order is lifted as of Friday, January 26, 2018. The Parties will coordinate an appointment in which the Petitioner can recover her remaining belongings according to **Property and Land – Chapter 610, 1.4. Storage and Disposal of Personal Property.**
3. Petitioner Meloree M. David is responsible for remaining outstanding rent of \$229.99.

IT IS SO ORDERED.

By the authority vested in the Oneida Trial Court pursuant to Resolution 4-25-14-A of the General Tribal Council an order was signed on January 26, 2018 in the matter of Meloree M. David v. Oneida Comprehensive Housing Division. Case #18-TC-003.