

# ***Oneida Tribal Judicial System***

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## **TRIAL COURT**

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Carmela Oshkeshequoam,  
Petitioner

Docket #: 12-TC-107

v.

Date: June 4, 2012

Dale Wheelock,  
Oneida Housing Authority Director and  
Rebecca Webster, Attorney Oneida Law Office,  
Respondent

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## **DECISION**

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This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officers: Jean M. Webster, Sandra L. Skenadore, and Janice McLester presiding.

### **History**

This is a housing eviction claim.

### **Issue**

Did the tenant violate the Oneida Housing Authority (OHA) Rental Agreement causing the tenant to be evicted from the home on 2919 Commissioner Street, Oneida, Wisconsin?

### **Analysis**

#### **Findings of Fact**

December 30, 2010 Petitioner and Respondent entered into a Rental Agreement with the Oneida Housing Authority (OHA).

May 16, 2012 Petitioner received an eviction notice from the OHA.

May 22, 2012 Petitioner filed an appeal to OHA requesting she be allowed to stay in the rental unit and that the Petitioner would remove the daughter from the rental unit.

May 24, 2012 the Respondent denied the Petitioner's request and provided the Petitioner with a Notice of Eviction Reclaim Notice stating the Executive Directors decision is to uphold 5 day termination notice effective May 29, 2012 at 4:30 p.m. Respondent stated the Petitioner is in violation of the OHA Rental Agreement, "One Strike, You're Out" Crime-Free Addendum.

May 29, 2012 the Petitioner filed a Temporary Restraining Order (TRO) at the Oneida Tribal Judicial System appealing the eviction.

May 30, 2012 a deliberation was held and in accordance with the Rules of Civil Procedure, Rule 31 the court granted the TRO setting a court date for June 4, 2012 at 2:00 p.m.

#### Conclusions of Law

At the June 4, 2012 hearing Petitioner testified she is not going to fight the eviction but is now asking for a 14 day stay to allow her time to pack up her home and to allow her children to finish school. Respondent/OHA stated they would grant the Petitioner until 2:00 p.m. June 8, 2012 to vacate the premises.

#### **Decision**

The Court affirms the Respondent/OHA decision to uphold the eviction and Petitioner shall vacate the premises at 2919 Commissioner Street, Oneida, WI on or before June 8, 2012 by 2:00 p.m.

IT IS SO ORDERED