

Oneida Tribal Judicial System

Onayote ʔ a·ka Tsiʔ Shakotiyaʔ Tolé hte

ONEIDA TRIBAL JUDICIAL SYSTEM TRIAL COURT

**Scott Kosbab,
Petitioner**

Docket No: 08-TC-031

v.

Date: April 14, 2008

**Oneida Housing Authority,
Respondent**

Motion to Dismiss

This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officers, Mary Adams, Cristina Danforth, and Sandra Skenandore, presiding.

I Background

This case involves a termination to a Mutual Help and Occupancy lease and a temporary restraining order to stop an eviction.

On March 10, 2008 Petitioner, Scott Kosbab, filed a claim against Respondents, Oneida Housing Authority, for allegedly terminating his homeowner lease and secondly evicting him based on his arrears with WE Energies, Wisconsin Public Service, Oneida Utilities Department and less than one month's mortgage payment. Respondent claims Petitioner failed to make timely payment of utilities, timely monthly payment thereby breaching his Mutual Help and Occupancy Agreement Section 7.1.

A pre-trial hearing was held on April 10, 2008. Petitioner provided receipts to show that he made arrangements to pay his utilities with WE Energies, Wisconsin Public Service, and Oneida

Utilities Department. Furthermore, Petitioner asserts his mortgage payments are in the credit status. The parties reached a possible agreement and requested a joint motion to dismiss.

II Decision

The Court granted the Joint Motion to Dismiss without prejudice.