

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
ASSOCIATE CIRCUIT COURT
AT KANSAS CITY**

CB, et al,)	
)	[REDACTED]
)	
Plaintiffs,)	
v.)	Case No. [REDACTED]
)	Division 26
)	
ER,)	
)	
Defendant.)	

SMALL CLAIMS JUDGMENT

On the 10th day of October, 2017, this matter came before the Court for Bench Trial on Plaintiffs Petition and Defendant’s Counterclaim. Plaintiffs all appeared in person. Defendant appeared in person. Both parties presented evidence in support of their respective positions, and the Court took the matter under advisement. After reviewing all of the evidence presented by both parties during the course of the trial, the Court makes the following findings:

Plaintiffs entered into a residential lease agreement with Defendant. Plaintiffs paid Defendant a security deposit of \$1,950.00. Plaintiffs’ tenancy was scheduled to end on May 31, 2017.

Plaintiffs continued to utilize the residence after May 31, 2017, by storing an oversized seesaw in the residence. Plaintiffs instructed Defendant not to discard the seesaw. Plaintiffs failure to remove all their personal property extended their tenancy and prevented Defendant from re-renting the residence. Plaintiffs fully vacated the premises and terminated their tenancy, once their personal property was removed, on June 30, 2017.

On July 24, 2017, within 30 days after Plaintiffs' termination of the tenancy, Defendant furnished Plaintiffs a written itemized list of damages for which the security deposit would be withheld, complying with §535.300 R.S.Mo.

The Court finds the following itemized deduction were reasonably withheld:

Labor to remove seesaw	\$90.00
Replace den's door labor and materials	\$150.00
Replace back door labor and material	\$250.00
Run over lawn repair	\$100.00
Cleaned deck, garage & appliances	\$75.00
Repair walls, wood trims labor, paints and materials	\$450.00
Garage wall painting labor and materials	\$200.00
Personal property not removed 30 days x \$30/day	\$900.00* Plaintiffs did not terminate their tenancy until June 30, 2017. Rather than charge the Plaintiffs \$1,950.00 for a full month of rent, Defendant charged Plaintiff a reasonable reduced amount.
TOTAL	\$2,215.00

With regard to Plaintiffs Petition, the Court finds in favor of the Defendant.

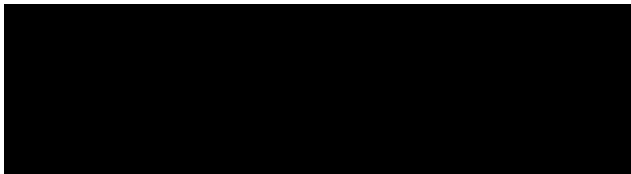
With regards to the Defendant's Counterclaim, the Court finds in favor of the Defendant and against the Plaintiff in the amount of \$265.00.

Therefore, the Court finds that judgment is entered for \$265.00 in favor of Defendant, and against Plaintiffs.

IT IS THEREFORE ORDERED that a total judgment in favor of Defendant and against Plaintiffs is entered in the amount of \$265.00, plus interest at the statutory rate of 9% per annum pursuant to *R.S.Mo. Section 408.020*.

IT IS SO ORDERED.

October 27, 2017
DATE



NOTICE

THE JUDGMENT RENDERED HEREIN WILL BE FINAL UNLESS AN APPLICATION FOR TRIAL DE NOVO IS FILED WITHIN TEN DAYS. AN APPLICATION FOR TRIAL DE NOVO WILL NOT STAY EXECUTION UNLESS THE TRIAL DE NOVO BOND IS FILED AS SET OUT IN SECTION 482.365 RSMo. (Rule 151.02 Missouri Rules of Civil Procedure).

IF YOU WIN:

- (1) If the Court has awarded you money, contact the opposing party to see if the party will pay.
- (2) Wait ten days from the day of the Court's decision. If the losing party has not paid the judgment voluntarily or appealed, contact the clerk of the small claims division to obtain forms to start collection proceedings.

IF YOU LOSE:

- (1) You have ten days from the date of the Court's decision to appeal. If you wish to appeal, contact the clerk of the small claims division.
- (2) If you do not file your appeal and post appeal costs and fees within **ten days**, the decision of the Court will be final.
- (3) If you want to pay the judgment, contact the winning party and make arrangements to pay.

To protect your credit rating, have the winning party sign a Satisfaction of Judgment form, which is available from the clerk of the small claims division, and file it with the clerk.

Certificate of Service

This is to certify that a copy of the foregoing was hand delivered/faxed/emailed/mailed and/or sent through the eFiling system to the following on the 27th day of October, 2017.

CB , Plaintiff Acting Pro Se

[REDACTED]
[REDACTED] MO [REDACTED]

ER, Defendant

[REDACTED]
[REDACTED], MO [REDACTED]

CK, Plaintiff Acting Pro Se

[REDACTED]
[REDACTED], MO [REDACTED]

TK, Plaintiff Acting Pro Se

[REDACTED]
[REDACTED], MO [REDACTED]

SL, Plaintiff Acting Pro Se

[REDACTED]
[REDACTED], MO [REDACTED]

AS, Plaintiff Acting Pro Se

[REDACTED] AVE
[REDACTED] MO [REDACTED]

WW, Plaintiff Acting Pro Se

[REDACTED] ST
[REDACTED], MO [REDACTED]

SW, Plaintiff Acting Pro Se

[REDACTED] STREET
[REDACTED], MO [REDACTED]

AW, Plaintiff Acting Pro Se

[REDACTED] AVE
[REDACTED] MO [REDACTED]

[REDACTED]

ant/Law Clerk