

IN THE MUNICIPAL COURT OF CLARK COUNTY, OHIO
CIVIL DIVISION

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GUY A. FERGUSON, CLERK
MUNICIPAL COURT

BY  DEPUTY

Eric and Theresa Crow
5335 Lehman Road
Springfield, Ohio 45502
Plaintiff's,

and

Andrew H. Elder,
Elder & Elder,
Attorney at Law
2233 N. Limestone Street
Springfield, Ohio 45503
Attorney for Plaintiffs,

Memorandum to
address Plaintiff's allegation of
Excessive Trash and Filth

-v-

Margaret Baldino
1734 Yardley Circle
Centerville, Ohio 45459
Defendant,

In re: Case No. 15CVF02981

Margaret Baldino, Defendant in this case, state as follows:

1.) The Plaintiffs have submitted a computer-edited photo of a washer and dryer which is claimed by the Plaintiff to be relevant in showing that the Plaintiffs' Claim is valid. The Plaintiffs' Claim states,

"Defendant failed to leave the premises in good condition, ordinary wear and tear excepted, have caused the destruction of fixtures of the premises and excessive trash and filth on the premises. Extensive cleaning and repairs were required of Plaintiffs as outlined in Exhibit B attached hereto, all to the damage of the Plaintiffs."

Due to the words contained within the photo produced by the Plaintiffs and being difficult to read, the original photo is attached herein for the Court's inspection.

2.) There are words contained on the computer-edited photo which state:

"Washer/Dryer put in basement without permission. Ran water/elec hookups without approval and left w/d in basement upon departure resulting in landlord hiring mover to remove abandoned appliances."

Yet it appears that the Plaintiffs offer only one solitary picture to substantiate the Claim made by the Plaintiffs against the Defendant that the Defendant is guilty of leaving “...**excessive trash and filth on the premises...**”. If a photo of a washer and dryer is guilty of anything at all, it surely is not evidence of “...excessive trash and filth...”.

3.) Nowhere in the Lease Agreement was it stated that a washer and dryer were not permitted for the peaceful enjoyment of the Plaintiffs’ leased property to the Defendant.

4.) Although Plaintiffs claim to have paid \$50.00 which was allocated to “...**hiring mover to remove abandoned appliances.**”, which is stated upon the photo produced by the Plaintiffs, where is the receipt for said expense? There is not a receipt for the alleged expense submitted to the Court Record, nor through the Motion for Discovery made by the Defendant. At very least, a Fair Trial would allow for the Defendant to ascertain whether the claimed expense is even valid, and to date the Defendant has not located a company called “mover”. If “mover” is available, it would be advantageous of the Defendant to speak with “mover” as to the legitimacy of the expense since it appears to not be an expense that has been handed over by the Plaintiff to the Defendant via the Defendant’s MOTION FOR DISCOVERY. However, it does appear that the Plaintiff is claiming said expense.

5.) There hasn’t been submitted to the Court Record, nor in the Plaintiffs’ accordance of availing the requested documents and evidences in the MOTION FOR DISCOVERY made by the Defendant. The picture is indeed a computer-edited photo of a washer and dryer which is probably the same which was left in the Plaintiffs’ basement. But of the expense that the Plaintiffs are alleging, the Plaintiffs have failed to show evidence of any expense in its removal at all. And furthermore, the Defendant asserts that the Claim is fraudulent in the first place, that the Plaintiff assented to the washer and dryer to be left in the basement as the appliances were offered to the Plaintiff by the Defendant since Defendant had another set of those appliances already in place at the new residence which the Defendant was vacating to.

6.) Furthermore, it is the Defendant’s assertion that the Plaintiff indeed did authorize the placement of the washer and dryer and that discussion between the Defendant and the Plaintiff as to which of the “traps” that the washer ought to be connected. The Defendant asserts also that the Plaintiff, Eric Crow, was in the basement numerous times, to pick through the debris, some of which were his photographer Daughter’s property MANY years (and tenants) prior to the Defendant’s tenancy which is evidence of the Plaintiffs’ negligence to accomplish any cleaning of the trash and filth which accumulated following Plaintiffs’ daughter’s tenancy. However, the filth thickens in that just prior to the Defendant’s tenancy were the **Obama Administration’s tenancy**. It is believed that there was also another tenant prior to **Obama** and following **Sarah Crow**, that being a **Labor Force Company**. **YEARS AND YEARS** of filth has built up prior to the Defendant’s tenancy.

7.) Some of the evidences of Sarah’s presence prior to the Defendant’s Lease with the Plaintiff are seen here (copies of which are printed and submitted herewith):

<https://www.linkedin.com/company/sarah-crow-photography>

<https://411reverselookupusa.com/9373421311/>

http://www.alltheohio.com/Local/Ohio/Springfield/Photographers+-+Portrait/sarah-crow-photography_4644411

<http://springfield-6.usa2business.com/comp/sarah-crow-photography.html>

<https://www.reverselookup.us/9373421311-springfield-oh/>

<https://us-photography.info/company-sarah-crow-photography-in-springfield-oh-50177>

<https://www.moreopp.com/company-details-36/12306059.html>

[http://www.popular-photographers.com/Sarah Crow Photography Professional Photographers in Springfield Ohio 103384](http://www.popular-photographers.com/Sarah_Crow_Photohraphy_Professional_Photohraphers_in_Springfield_Ohio_103384)

There are many more evidences of Sarah Crow, the Professional Photographer, daughter of the Plaintiffs, involvement within the Plaintiffs' property prior to the Defendant's involvement with the Plaintiff. Searching google with the search terms: " Sarah Crow photographer limestone " ought to avail.

8.) The **Defendant's** proof of filth, property, and trash left by the numerous prior tenants of the Plaintiffs' property is **evidenced** by the video contained on youtube.com :

<https://youtu.be/9-xEfwixkz4>

Also attached herein is a disc version of this particular **evidence** of excessive trash and filth left by others, and not the Defendant.

"Defendant failed to leave the premises in good condition, ordinary wear and tear excepted, have caused the destruction of fixtures of the premises and excessive trash and filth on the premises. Extensive cleaning and repairs were required of Plaintiffs as outlined in Exhibit B attached hereto, all to the damage of the Plaintiffs."

9.) A **working** washer and dryer is not trash, nor filth. The Plaintiff does not claim anything else constituting filth and trash left by the Defendant and has not doctored any other pictures to the Court or to the Defendant through the Defendant's Motion for Discovery.

The Plaintiff has no just cause for claim against the Defendant, and the Defendant moves the Court for dismissal of the Plaintiffs' "...excessive trash and filth..." allegation and portion OF the Plaintiffs' Claim.

Respectfully,



Margaret Baldino
1734 Yardley Circle
Centerville, Ohio 45459
(727) 278-0954

CERTIFICATE OF SERVICE

A Copy of this Notice was mailed to the Plaintiff and their Attorney on the 21 day of November 2016