

**IN THE MUNICIPAL COURT OF FAIRFIELD COUNTY, OHIO  
SMALL CLAIMS DIVISION**

FAIRFIELD COUNTY  
MUNICIPAL COURT  
2010 JUL -8 AM 10:43

Chevington Woods Civic Association,

PLAINTIFF,

CASE NO. 10 CVI 00886

FILED  
SHERRY L. ECKMAN  
CLERK OF COURT

vs.

Vahik A. Manukian

And

Francia A. Manukian

DEFENDANT.

**MAGISTRATE'S FINDINGS OF FACTS,  
CONCLUSIONS OF LAW AND DECISION**

This cause came on for Hearing on the 28<sup>th</sup> day of April, 2010 before Magistrate, Frank W. Green. All parties appeared. James Murphy, Treasurer, appeared on behalf of Plaintiff. Plaintiff was represented by Craig J. Spadafore, Attorney at Law, 266 North Fourth Street, Columbus, OH 43215. Defendants were not represented by counsel.

Based on the evidence presented and weighing the credibility of the witnesses, the Magistrate makes the following Findings of Fact, Conclusions of Law, and Decision.

**FINDINGS OF FACT**

The Magistrate finds as follows:

1. On March 15, 2010 Plaintiff filed a Complaint against Defendants alleging it was owed the sum of \$220.00 for homeowners association dues that remain unpaid.

2. At all times herein, Defendants were the owner of the residence property located at 8479 Stonehenge Circle, Pickerington, OH 43147. The property owned by Defendants is subject to conditions, restrictions, and modification of restrictions contained in prior deeds of record and referred to in their deed of transfer. Recorded modifications to the restrictions provide for a homeowners association and that each lot owner agrees to become a member and be subject to the obligations and duly enacted by-laws and rules of the association. The Code of Regulations (Constitution and By-Laws) of the Chevington Woods Civic Association provides for dues.
3. Plaintiff introduced into evidence "Exhibit A" which constitutes an accounts receivable register for the Defendants' property indicating that there are dues owed in the sum of \$220.00.
4. Defendants admit they have not paid the Association dues.

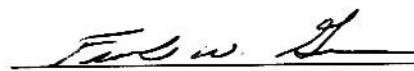
#### **CONCLUSIONS OF LAW**

1. Defendants breached the agreement between the parties by failing to pay the Homeowners Association dues and as a result, Plaintiff is entitled to judgment in the sum of \$220.00.

#### **MAGISTRATE'S DECISION**

Judgment for Plaintiff against the Defendants in the sum of \$220.00 plus interest at the rate of 4% per annum from the date of judgment and costs.

Date: July 7, 2010

  
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Frank W. Green, Magistrate

A copy of the foregoing Magistrate's Findings of Fact, Conclusions of Law, and Decision was served upon the parties by regular U.S. Mail on this 8<sup>th</sup> day of July, 2010.

- Craig J. Spadafore, Esq.  
266 North Fourth Street  
Columbus, OH 43215
- Vahik A. Manukian  
8749 Stonehenge Circle  
Pickerington, OH 43147
- Francia A. Manukian  
8749 Stonehenge Circle  
Pickerington, OH 43147

MUNICIPAL COURT OF FAIRFIELD COUNTY, OHIO  
SMALL CLAIMS DIVISION

BY 

**WITHIN FOURTEEN DAYS FROM THE FILING OF THE MAGISTRATE'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION, ANY PARTY MAY SERVE UPON THE OTHER PARTY AND FILE WITH THE COURT, WRITTEN OBJECTIONS TO THE MAGISTRATE'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION. THE COURT COSTS ARE \$25.00.**

**A PARTY SHALL NOT ASSIGN AS ERROR ON APPEAL THE COURT'S ADOPTION OF ANY FINDING OF FACT OR CONCLUSION OF LAW CONTAINED IN THIS DECISION UNLESS THE PARTY TIMELY AND SPECIFICALLY OBJECTS TO THAT FINDING OR CONCLUSION. Civ. R. 53(E)(3).**