

Case Details

[Additional Resources](#) ▼**Case ID**

2018-18P08490LT-LT

Court Location

72nd District Court - Port Huron

Case Entitlement

GOLF MARINA APARTMENTS V KINDER

Judge of Record

MONAGHAN,JOHN D.,

Date Filed

12/27/2018

Case Status

CLOSED

Balance

Parties (2)

Party Name

GOLF MARINA APARTMENTS//

Party Type/Number

PLAINTIFF - 1

Attorney Name

BRIAN J. BUTCHART

Alternate Name(s)**Answer Date****Service Date****Disposition****Disposition Date****Party Name**

KINDER/AMBER/AND ALL OTHER OCCUPANTS

Party Type/Number

DEFENDANT - 1

Attorney Name**Alternate Name(s)****Answer Date****Service Date**

01/07/2019

Disposition

JUDGMENT ENTERED BY DEFAULT

Disposition Date

01/14/2019

Bonds (0)

Approved, SCAO

Original - Court
1st copy - Tenant
2nd copy - Mailing

3rd copy - Landlord/Landlady

72nd
**STATE OF MICHIGAN
JUDICIAL DISTRICT**

SUMMONS
Landlord-Tenant/Land Contract



18P08490LT

Court address

201 McMorran Boulevard, Port Huron, MI 48060

810-985-2077

Plaintiff's name, address, and telephone no.

Golf Marina Apartments
3501 N River Rd.
Fort Gratiot Twp, MI 48059

Plaintiff's attorney, bar no., address, and telephone no.

James R. Gromer (P63503) / Brian Butchart (P66250)
Continental Management, LLC
32600 Telegraph Rd., Suite 202
Bingham Farms, MI 48025 248-731-7810

v

Defendant's name, address, and telephone no.

Amber Kinder
and all other occupants
3501 N. River Rd. #C103
Fort Gratiot Twp, MI 48059

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

☒ Rental unit eviction

☐ Land contract forfeiture

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. The plaintiff has filed a complaint against you and wants

- ☐ to recover possession, after land contract forfeiture, of
☐ a money judgment for
☒ to evict you from

Address or description of premises
Same As Above

2. You are summoned to be in the district court on Monday Jan 14 2019 at 8:30 AM
Day and date Time

☒ at the address above, ☐ at _____, courtroom 2500
Location

3. You have the right to a jury trial. If you do not demand a jury trial and pay the required jury fee in your first defense response, you will lose this right.
4. If you are in district court on time, you will have an opportunity to give the reasons why you feel you should not be evicted. Bring witnesses, receipts, and other necessary papers with you.
5. If you are not in district court on time, you may be evicted without a trial and a money judgment may be entered against you.

12-27-18
Date Issued

Carly Satter
Court clerk

*The certificate of mailing applies to landlord-tenant cases only.

This document must be sealed by the seal of the court.

CERTIFICATE OF MAILING BY COURT*

I certify that on this date I served a copy of this summons and the complaint and required attachments on the defendant(s) by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

12-27-18
Date

Carly Satter
Court clerk/officer

CERTIFICATE OF MAILING BY PLAINTIFF*

I certify that on this date I served a copy of this summons and the complaint and required attachments on the defendant(s) by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3). I have attached a receipt of mailing from the post office.

Date

Plaintiff signature

Approved, SCAO

Original - Court
1st copy - Tenant
2nd copy - Mailing
3rd copy - Landlord

STATE OF MICHIGAN 72nd JUDICIAL DISTRICT	COMPLAINT NONPAYMENT OF RENT Landlord - Tenant	CASE NO. 18P58490 Lx
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Court address

201 McMorran Boulevard, Port Huron, MI 48060

Court telephone no.

810-985-2077

Plaintiff name(s), address(es), and telephone no(s).

Golf Marina Apartments
3501 N River Rd.
Fort Gratiot Twp, MI 48059 810-982-3452

Plaintiff's attorney, bar no., address, and telephone no.

James R. Gromer (P63503) / Brian Butchart (P66250)
Continental Management, LLC
32600 Telegraph Rd., Suite 202
Bingham Farms, MI 48025 248-731-7810

Defendant name(s) and address(es)

Amber Kinder
and all other occupants
3501 N. River Rd. #C103
Fort Gratiot Twp, MI 48059

72DC-10DEC26#1045

The plaintiff states:

1. ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence alleged in this complaint.
☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in _____ Court. The docket number and assigned judge are _____

The action ☐ remains ☐ is no longer pending.

2. Attached to this complaint is a copy of the lease or occupancy agreement, if any, under which possession is claimed, and a copy of the demand for possession showing when and how it was served.

3. The person entitled to possession of the property described in the attached demand for possession is

Golf Marina Apartments
Name (type or print)

4. The defendant is in possession of the following portion of the property: Entire Unit Above

5. The plaintiff has a right to possession of the property for nonpayment of rent:

a. Rental rate: \$ 650 per month b. Payable on: 1st of the month

c. Rent is paid through 11/30/2018 d. Total rent due now is \$ 680

e. Other money is due: \$ _____ for _____ and due by _____

- ☐ 6. The tenancy involves regulated housing operated by or under rules of a governmental unit. The rule or law under which the tenancy is ended is _____

- ☒ 7. (Must be checked unless modified by lease.) The plaintiff declares that this residential property was kept fit for the use intended and has been kept in reasonable repair during the term of the lease.

8. The defendant has not complied with the demands made.

9. The plaintiff requests a judgment of possession and costs.

- ☐ 10. The plaintiff demands a jury trial.

SUPPLEMENTAL COMPLAINT


- ☐ 11. Complaint is made and judgment is sought for money damages against the defendant as follows:

☐ Rent owing as set out in paragraph 5 above, plus additional rent at the rate of \$ _____ per _____ until judgment, plus costs.

☐ Damages claimed:

12/21/2018

Date


Plaintiff/Attorney signature

1/11/20

Approved, SCAO

STATE OF MICHIGAN

DEMAND FOR POSSESSION
NONPAYMENT OF RENT
Landlord-Tenant

TO: Amber Kinder
and all other occupants
3501 N. River Rd. #C103
Fort Gratiot Twp, MI 48059

**Notice to mobile home owners who rent
land in a mobile home park:**

If you have been late on payments on three or more occasions during any 12-month period and the park owner has given you a written demand for possession for nonpayment of rent on each occasion, the park owner may have just cause to evict you.

1. Your landlord/landlady, Golf Marina Apartments, says that you owe \$ 680.00 rent:
Name (type or print)

Address or description of premises rented (if different from mailing address)
Same As Above

2. If you owe this rent, you must do one of the following within 7 days from the date this notice was served.
a. Pay the rent owed. or b. Move out or vacate the premises.
If you do not do one of the above, your landlord/landlady may take you to court to evict you. If you move out or vacate, you may still owe rent.
3. If your landlord-landlady takes you to court to evict you and if you have paid the rent, or if you believe there is a good reason why you do not owe the rent, you will have the opportunity to present the reasons why you believe you should not be evicted.
4. If you believe there is a good reason why you do not owe the rent claimed by your landlord/landlady, you can have a lawyer advise you. Call him or her soon.

12/07/2018

Date

Samuel Kinder
Signature of owner of premises or agent
3501 N River Rd.

Address

Fort Gratiot Twp, MI 48059

City, state, zip

810-982-3452

Telephone no.

CERTIFICATE OF SERVICE

I certify that on 12-7-18 I served this notice on Amber Kinder and all other occupants
Date Name

- by ☐ delivering it personally to the person in possession.
☐ delivering it on the premises to a member of his/her family or household or an employee of suitable age and discretion with a request that it be delivered to the person in possession.
☒ first-class mail addressed to the person in possession.

Samuel Kinder
Signature

Court copy (to be copied, if necessary, to attach to the complaint)

72 DEC 18 DEC 26 PM 10:45

1/11/2019

GOLF MARINA APARTMENTS

LEASE AGREEMENT RENEWAL ADDENDUM

It has been our pleasure having you reside in our community this past year. We hope that you are continuing to enjoy your home. We value you as a resident and thank you for choosing Golf Marina Apartments (GMA) as your home.

GMA (Landlord) is pleased to renew your current lease for another lease period. Therefore, it is hereby agreed between GMA and Amber Kinder (Resident), who resides at 3501 N. River Rd. C103 (unit/address), that the current lease agreement will remain in effect between GMA and the Resident with the following changes and conditions:

New Lease Period Begins: OCT 1, 2018

New Lease Period Ends: Month-to-Month

New Lease Rate: \$650.00 (per month)

Please **SIGN** and **RETURN** to the GMA Management Office **NO LATER THAN SEP 20, 2018**

Amber Kinder
Resident

9/26/18 2nd
Date Request

Co-Resident

Date

Sarah Kinder
Property Representative

8-31-18
Date



72ND DISTRICT COURT

1 MEMORANDUM BLVD.

POB. HURON, MI 48060

(810)985-1072

18P08490LT P01

12/28/18

01 CIVIL

MN

MULTI-RECEIPT

19

LAH A D403512

AMT PAID

CVF \$17	17.00	17.00
E-FILE \$10	10.00	10.00
CVS \$28	28.00	28.00
TOTALS:	55.00	55.00

A 12/28/18 D403512 55.00

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Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Defendant
2nd copy - Plaintiff

72nd
STATE OF MICHIGAN
JUDICIAL DISTRICT

JUDGMENT
LANDLORD-TENANT



Court address

201 McMorran Boulevard, Port Huron, MI 48060

810-985-2077

Court telephone no.

Plaintiff

Golf Marina Apartments

v

Defendant

Amber Kinder and all other occupants

Golf Marina Apartments
c/o James R. Gromer (P63503) / Brian Butchart (P66250)
Continental Management, LLC
32600 Telegraph Rd., Suite 202
Bingham Farms, MI 48025 248-731-7810

Plaintiff/Attorney

☐ Personal service

Amber Kinder
and all other occupants
3501 N. River Rd. #C103
Fort Gratiot Twp, MI 48059

Defendant/Attorney

☐ Personal service

THE COURT FINDS:

by ☐ hearing ☒ default* ☐ consent**

*For a defendant on active military duty, default judgment shall not be entered except as provided by the Servicemembers Civil Relief Act.

POSSESSION JUDGMENT

- ☒ 1. The plaintiff has a right to recover possession of the property.
- ☒ 2. There is now due to the plaintiff for nonpayment of rent and other money due under the lease:
- | | |
|------------------------------|------------|
| a. Rent to retain possession | \$ 1360.00 |
| b. Other money due..... | \$ |
| c. Costs..... | \$ 152.00 |
| d. Total | \$ 1512.00 |
- ☐ 3. The defendant has a right to retain possession.

IT IS ORDERED:

- ☒ 4. ☒ a. The plaintiff can apply for an order evicting the defendant if the defendant does not pay the plaintiff or the court the amount due in item 2d above or does not move out on or before Thursday, January 24, 2019
Date
- ☐ b. The plaintiff can apply for an order evicting the defendant if the defendant does not move out on or before
Date
- ☐ c. An immediate order of eviction shall be entered pursuant to MCL 600.5744(2).
- ☒ 5. The defendant may be liable for money damages after moving if additional rent is owed or if there is damage to the property.
- ☒ 6. Acceptance of partial payment of the total amount due in item 2d above ☐ will ☒ will not prevent the court from issuing an order evicting the defendant.
- ☒ 7. No money judgment is entered at this time.

MONEY JUDGMENT

- ☐ 8. A possession judgment was previously entered.
- ☐ 9. A money judgment, which will earn interest at statutory rates, is entered as follows:
- | | |
|---------|----|
| Damages | \$ |
| Costs | \$ |
| Total | \$ |

10. THE COURT FURTHER ORDERS:

1/14/2019

Date

Judge

Bar no.

YOU ARE ADVISED that you may file a motion for a new trial, a motion to set aside a default judgment, or an appeal and appeal bond, which must comply with all court rules and must be filed in court by Thursday, January 24, 2019. You may want legal help.

Date

☐ MCR 4.201(l) was explained to the parties.

CERTIFICATE OF MAILING: I certify that on this date I served a copy of this judgment on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

01-14-19
Date

[Signature]
Deputy clerk

**Approved:

1-14-19
Date

[Signature]
Plaintiff/Attorney

Date

Defendant/Attorney