

KNO CV245114444

David Roseland  
Krista Roseland

Judicial District of New London

v.

At Norwich

Nayra Martinez  
Juan Martinez

May 6, 2024

MEMORANDUM OF DECISION

This case involves a summary process action commenced by Notice to Quit filed on February 22, 2024 claiming non-payment of rent for December, 2024 and all months thereafter. The property is located at 250 Lester Road in Griswold, CT.

The defendants (tenants) signed a lease with the property owners, David and Krista Roseland on August 31, 2023. Paragraph 3 of the lease (Plaintiff's Exhibit 1) provides for a rental payment of \$2,400 per month. In addition to the monthly rent, paragraph 5, "Security Deposit," called for the tenants to pay \$2,400, with "an additional \$200 per month to be due on the 1<sup>st</sup> of each month for 12 months. This will amount to \$4,800 by August of 2024 (the Security Deposit)." Paragraph 7 of the lease provides for late payment fee of \$100 for any payment made 9 days past the rental due date.

Plaintiff's Exhibit 2 is a document itemizing the payment history of the tenants. The document shows complete rental payments for September and October although the October payment of rent and late fee were not paid in full until October 31, 2024. The November payment was not paid in a timely fashion and was not paid in full. It was \$600 short of the full amount due.

The \$600 for the prior month was paid on December 8, 2024. The late fee and \$900 was paid in December, leaving \$1,700 unpaid. The full rental arrearage of payments for January, February, March, April, and May were not paid at all. The landlord claims an arrearage of \$15,000. The landlord did not disclose the amount of the Security Deposit which could be applied to the deficiency.

The court finds that the claims of Nyra Martinez seem contrived and, even if true, do not constitute a basis for failing to pay their legal obligation to pay the rent. Nayra

*Alex Aguirre*

Memorandum sent on 5/6/24 to:

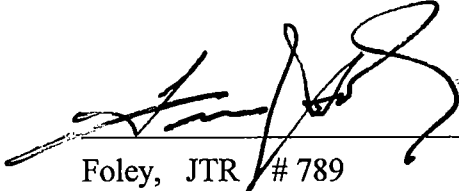
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claims her husband is out of work, although he is receiving an undisclosed amount of workers compensation. Nayra Martinez is fully employed by the City of Hartford. The tenants do not dispute the allegations of non-payment of rent.

The plaintiffs have seven children. They have a valid lease that has been dishonored by the tenants. They cannot absorb the loss of five and a half months of rental payments.

A judgment of possession shall enter in favor of the plaintiffs.



Foley, JTR # 789