

THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH

http://www.courts.state.nh.us

Court Name: Laconia District Court  
Case Name: Waukegan Holdings, LLC v. Jean E. Allen  
Case Number: 2009-LT-  
(if known)

LANDLORD AND TENANT WRIT

Waukegan Holdings, LLC  
Plaintiff  
PO Box 235, 4 Stevens Ave., Suite #3  
Address  
Worthington, NH 03253  
Address/P.O. Box\*

Jean E. Allen  
Defendant  
309 Waukegan Road  
Address  
Center Harbor, NH 03226  
Address

\*In using a P.O. Box instead of an address I hereby certify that this action is brought in the jurisdiction where either the Plaintiff or Defendant lives or the real property is located.

[Signature]  
Signature

To the Sheriff or Deputy Sheriff of any County:

WE COMMAND YOU TO SUMMON: Jean E. Allen  
of Center Harbor in the county of Belknap  
if found in your precinct, to file an Appearance form at the District  
court at Laconia in said county of Belknap  
on or before the RETURN DAY April 13, 2009 to answer Plaintiff(s).

In a plea wherein the Plaintiff(s) complain that on the date of this Writ they are entitled to possession of premises situated at: 309 Waukegan Road, Center Harbor, NH  
with the appurtenances, now occupied by the Defendant(s), and that the said Defendant(s) on February 25, 2009 were duly notified in writing by the said Plaintiff(s) to quit and deliver up possession of the same on March 27, 2009 yet said Defendant(s) have continued and still are in possession of said premises without right.

This is also a claim for unpaid rent in the amount of \$ \_\_\_\_\_. If making a claim for unpaid rent, statement of claim and affidavit of damages must accompany this writ. Claims for unpaid rent may be governed by the Federal Fair Debt Collection Act (15 U.S.C. sec. 1691 et seq.) requiring that this writ be filed in the jurisdiction where the defendant resides or where the contract was signed. Any decision rendered by the court related to a money judgment, shall be limited to a maximum of \$1,500.00 and shall not preclude either party from making a subsequent claim in a court of competent jurisdiction to recover any additional amounts not covered by the \$1,500.00 judgment.

WITNESS, HONORABLE EDWIN W. KELLY, Administrative Judge of the District Court,

on March 29, 2009

A TRUE COPY ATTEST  
[Signature]  
SHERIFF



NAME: Jean Allen  
LOCATION: 309 Waukegan  
St. Clair Harbor  
DATE: 4/1/09 TIME: 11:15 AM/PM  
MODE: IN HAND / ABCDE

~~DEPT. OF CORRECTIONS  
COUNTY OF DELAWARE, DE.~~

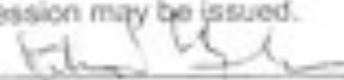



**LANDLORD AND TENANT WRIT**

**IMPORTANT NOTICE**

If you desire to be heard on the matters raised in these papers, you must notify the court by filing an appearance from the Clerk of Courts on or before the date specified on this writ next to the words "RETURN DAY". (These forms are available at the Clerk's Office.) Once you have filed your appearance, a date for a hearing will then be set by the Court and you will be notified by mail. You do not have to physically appear in court on the RETURN DAY since there will be no hearing on that day. If a landlord claims unpaid rent and if the tenant files a claim or counterclaim which offsets or reduces the amount owed to the landlord, such claim or counterclaim must be filed on or the RETURN DAY set forth in this Landlord and Tenant Writ. Space is provided on the appearance form for setting forth any such claim or counterclaim. If you fail to file an appearance form, it will be assumed that you do not wish to contest the action a default judgment will be entered against you and a writ of possession may be issued.

ENDORSED BY

  
Signature  
Waukegan Holdings, LLC  
Peter J. Minkow, Esq.  
Name duly authorized  
PO Box 235, Meredith, WI 53253  
Address  
603-279-6511  
Phone

  
Clerk of Court

**INFORMATION FOR TENANT**

If the tenant wishes to contest the eviction, an appearance must be filed by the tenant in the district court no later than the RETURN DAY appearing on this LANDLORD AND TENANT WRIT.

The tenant shall not be evicted unless the court so orders; however, such an order may be granted if the tenant does not file an appearance.

At the time the tenant files an appearance, a request may be made that the court make a sound recording of the eviction hearing by checking the appropriate box on the appearance form.

If this case is based on any reason except non-payment of rent, the tenant has a right to have the case heard in the district court for the city or town in which the tenant lives. If the eviction is based on non-payment of rent, the tenant has a right to request that the hearing be transferred to the district court for the city or town in which the tenant lives. Any tenant wishing to have the hearing transferred should file a motion for a change of venue in the district court in which this case was originally filed.

If the tenant wishes to appeal the district court's decision to the supreme court, the following procedure must be followed:

1. Notice of intent to appeal must be filed with the district court within 7 days of the notice of the district court's decision; and
2. Notice of appeal in the supreme court must be filed within 30 days of the notice of the court's decision; and
3. Pay all rent, as it comes due, between the date of the notice of intent to appeal the district court's decision and the final disposition of the appeal.



Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

LANDLORD AND TENANT WRIT

RETURN OF SERVICE

(FOR OFFICIAL USE ONLY)

On \_\_\_\_\_ I summoned the within named \_\_\_\_\_ by

in hand service

abode service \_\_\_\_\_

at \_\_\_\_\_

an attested copy of this Writ

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Agency

Fees: Service: \$ \_\_\_\_\_

Travel: \$ \_\_\_\_\_

Other: \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_



## EVICTIION NOTICE

To: Jean E. Allan  
(Tenant Name)  
309 Waukewan Road  
(Street Address)  
Center Harbor, NH 03226  
(City, State, Zip Code)

Pursuant to the provisions of RSA 540:2, you are hereby given an eviction notice and notice to vacate, on or before 30 days from date of service, the premises and appurtenances owned by Waukewan Holdings, LLC of the City of Meredith in the County of Belknap New Hampshire, which premises are now occupied by you.

**The reason for this eviction notice is:**

Your failure to pay rent due and in arrears when demanded pursuant to RSA 540:2 II (a). A demand to pay rent was served upon you on DATE and you have refused and neglected to pay rent due for the period DATE to DATE.

You are hereby notified of your right to avoid this eviction by payment, prior to the date of eviction, of all the arrearages plus fifteen dollars (\$15.00) as liquidated damages, in accordance with RSA 540:9, provided however that you may not defeat an eviction for non-payment of rent by paying the arrearages plus \$15.00 after an Eviction Notice is given more than three (3) times in a twelve-month period.

Substantial damage done to the premises pursuant to RSA 540:2 II (b) as follows:

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Your failure to comply with a material term of the lease pursuant to RSA 540:2 II (c) as follows:

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Behavior by you or members of your family which adversely affects the health or safety of the other tenants or the landlord pursuant to RSA 540:2 II (d), or your failure to accept suitable temporary relocation due to lead-based paint hazard abatement, as set forth in RSA 130-A:8-a, I, as follows:

For other good cause pursuant to RSA 540:2 II (e), RSA 540:2 III, RSA 540:2 IV, or RSA 540:2 V as follows:

The owner purchased the property at foreclosure auction and wants the property vacated so that it may take possession, inspect and make any necessary repairs.

Dated: February 17, 2009

To: Waukegan Holdings, LLC  
c/o Peter J. Minkow, Esq.  
P.O. Box 235, 4 Stevens Ave.  
(Street Address)  
Meredith, NH 03253  
(City, State, Zip Code)  
  
(Signatory)

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ am/pm, I gave in hand/left at the last and usual place of abode of \_\_\_\_\_, above named, a true copy of the above original notice.

\_\_\_\_\_  
Signature

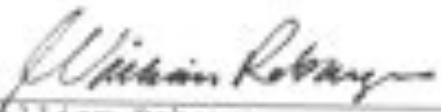


BELKNAP COUNTY SHERIFF'S DEPARTMENT  
RETURN OF SERVICE

BELKNAP, SS

02/25/2009

I have this day served the within Eviction Notice to JEAN ALLAN by delivering a copy to him/her in the following manner: In Hand service at the following address 309 WAUKEMAN ROAD, CENTER HARBOR, NH at 13:15 hours of the day.

  
\_\_\_\_\_  
William Kobarge  
Deputy Sheriff  
Belknap County Sheriff's Dept.

Service	\$15.00
Travel	13.50
Post&Hand	1.00
Other	0.00
PrePayment	0.00
Total	<u>\$29.50</u>

The State of New Hampshire

Belknap COUNTY

COURT Laconia District  
NO.

Waukewan Holdings, LLC

v.

Jean E. Allen

**AFFIDAVIT OF OWNERSHIP**

I, (We) Waukewan Holdings, LLC  
of Meredith and State of New Hampshire  
on oath, depose and say that I am (we are) the Plaintiff(s) in the above-entitled action and that I, (we) are the  
current owners of the property located at:

309 Waukewan Road  
Center Harbor, NH 03226

Dated: 4/29/09

[Signature]  
Plaintiff's Signature  
Peter J. Minkow, Duly Authorized

State of New Hampshire  
County of Belknap

Subscribed and sworn to this 29<sup>th</sup> day of MARCH, 2009.

[Signature]  
Justice of the Peace/Notary Public