

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY INDEPENDENCE, MISSOURI
LANDLORD TENANT DOCKET

_____,

Plaintiff,

v.

Case No.: _____

_____,

Defendant.

JUDGMENT FOR DEFENDANT ON
LANDLORD'S COMPLAINT AND FOR COUNTERCLAIM PLAINTIFF

On _____, Plaintiff appeared in person, or in person and by counsel, _____. Defendant(s), appeared in person, or in person and by counsel, _____.

Evidence was heard. The case was submitted to the Court upon the pleadings of record. The Court also heard arguments of the parties.

The Court makes the following findings and judgment:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court has jurisdiction over the parties and the subject matter of this action.

The Court has made judgments on the credibility of various witnesses that are consistent with the findings of fact made in this Judgment.

The provisions of the Service members' Civil Relief Act, 50 U.S.C. App. Sec. 501, et seq. have been observed and honored.

The Court finds the issues in favor of the Defendant and against the Plaintiff.

COUNTERCLAIM

The Court finds that due to the Counterclaim Defendant's failure to make repairs the Fair Market Rental Value of the premises was _____, _____ less than the contracted rent of _____ since _____ which the Court finds as the date the Counterclaim Defendant should have made repairs.

The Counterclaim Defendant owes the Counterclaim Plaintiff _____ in back rent and _____ in damages from that date until _____ and furthermore rent shall be _____ until such time as the Counterclaim Defendant makes repairs.

_____ were set off against the _____ rent owed by the Counterclaim Plaintiff to the Counterclaim Defendant.

JUDGMENT

IT IS THEREFORE ORDERED that judgment is entered in favor of the Defendant(s) on Count I of their Complaint, that no rent or court costs are due from Defendant and that all further proceedings in the rent and possession action shall cease and be stayed.

IT IS FURTHER ORDERED with regard to Counterclaim Count II, the Court finds in favor of Counterclaim Plaintiff.

IT IS FURTHER ORDERED that Judgment on Counterclaim Count I and Count II is for Counterclaim Plaintiff and against Counterclaim Defendant. All costs are assessed against the Counterclaim Defendant. Counterclaim Defendant shall make repairs as requested within seven days; and pay damages to Counterclaim Plaintiff in the amount of _____.

APPEAL BOND

IT IS FURTHER ORDERED that should the Landlord-Plaintiff appeal this judgment to the Missouri Court of Appeals, the appeal bond is set in the amount of the court costs. The appeal bond authorized by this judgment is conditioned upon Plaintiff performing the following:

1. Plaintiff paying into Court the amount of the court costs incurred by Defendant(s);
and

2. Execution of the required supersedeas bond documents.

Dated: _____
Judge _____

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was hand delivered in open court to the parties, and, if a party was not present in Court, a copy was mailed via U.S First Class mail, postage prepaid, to that party, on _____, to:

(List all attorneys with addresses)

(List all unrepresented parties with addresses)

Judicial Administrative Assistant