

00-1484-CD

PHYLLIS KNEPP et al -v-s- CINDY BORDAS

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 00-1484-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.		
Cindy Bordas		46-3-03		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
701 Walton St.		Philipsburg	PA	16866
DATE OF JUDGMENT		IN THE CASE OF (Plaintiff) (Defendant)		
11/20/00		Phyllis and Susan Knepp vs. Cindy Bordas		
CLAIM NO.		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV 19 LT 19				
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p>				
Signature of Prothonotary or Deputy				

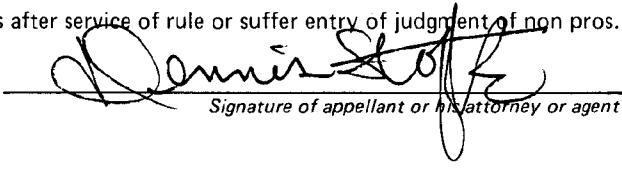
If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Phyllis & Susan Knepp, appellee(s), to file a complaint in this appeal
 Name of appellee(s)
 (Common Pleas No. 00-1484-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.


 Signature of appellant or his attorney or agent

RULE: To Phyllis & Susan Knepp, appellee(s)
 Name of appellee(s)

- (1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.
- (2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.
- (3) The date of service of this rule if service was by mail is the date of mailing.

Date: November 28, 2000

 Signature of Prothonotary or Deputy

FILED

NOV 28 2000
 m 1:44 Pm Stgko pd
 William A. Shaw \$60.00
 Prothonotary
 Open to Stgko

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, *(name)* _____, on
_____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 19_____. *Signature of affiant*

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA
Address: **MOUNTAIN VIEW PLAZA**
P.O. BOX 210
KYLERTOWN, PA

Telephone: **(814) 345-6789**

16847-0000

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

KNEPP, PHYLLIS/ SUSAN
RD1, BOX 28
WEST DECATUR, PA 16878

NAME and ADDRESS

DEFENDANT:

BORDAS, CINDY
701 WALTON ST.
PHILIPSBURGR, PA 16866

NAME and ADDRESS

MICHAEL A. RUDELLA
MOUNTAIN VIEW PLAZA
P.O. BOX 210
KYLERTOWN, PA 16847-0000

Docket No.: **CV-0000250-00**
Date Filed: **10/30/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

05-1484-CO

Judgment was entered for: (Name) **KNEPP, PHYLLIS/ SUSAN**

Judgment was entered against: (Name) **BORDAS, CINDY**

in the amount of \$ **2,786.50** on: (Date of Judgment) **11/20/00**

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

Levy is stayed for _____ days or generally stayed. _____

Objection to levy has been filed and hearing will be held: _____

Amount of Judgment	\$ 2,722.00
Judgment Costs	\$ 64.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 2,786.50
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

Date:	Place:
Time:	

FILED

DEC 06 2000

m1134/noc

William A. Shaw

Prothonotary

jk

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

11/20/00 Date *M. Rudella*, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

12/4/00 Date *M. Rudella*, District Justice

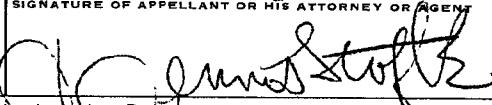
My commission expires first Monday of January,

2006

SEAL

W-A-1-C NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT Cindy Bordas		MAG. DIST. NO. OR NAME OF D.J. 46-3-03		
ADDRESS OF APPELLANT 701 Walton St.		CITY Philipsburg	STATE PA	ZIP CODE 16866
DATE OF JUDGMENT 11/20/00	IN THE CASE OF (Plaintiff) Phyllis and Susan Knepp	(Defendant) vs. Cindy Bordas		
CLAIM NO. CV 19 LT 19		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 		
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p><i>Signature of Prothonotary or Deputy</i></p>				
<p>If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>				

PRAECLPICE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECLPICE: To Prothonotary

Enter rule upon Phyllis & Susan Knepp, appellee(s), to file a complaint in this appeal
(Name of appellee(s))
(Common Pleas No. 00-1484-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To Phyllis & Susan Knepp, appellee(s)
(Name of appellee(s))

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: November 28, 2000

Signature of Prothonotary or Deputy

00 · 1484 · C0

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Clearfield : ss

AFFIDAVIT: I hereby swear or affirm that I served

X a copy of the Notice of Appeal, Common Pleas No. 2000-1484 (CD) to District Justice as granted thereon on
Date of service) - 11/30/00 - 19 - by personal service by (certified) registered) mail, sender
rec'd attached hereto, and upon the appellee, (name) Phyllis Knepp and Susan Knepp - on
12/6/00 - 19 - by personal service by (certified) registered) mail, sender's rec'd attached hereto

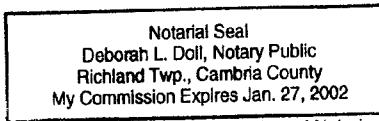
X' and further that I served the Rule to file a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on 12/6/00 by personal service by (certified) registered mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS 6th DAY OF December, 2009

[Signature] *[Signature]* *[Signature]* *[Signature]*
Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19____.



Member, Pennsylvania Association of Notaries

Dennett, Jr. *Signature of attaint*

Signature of attant

FILED

DEC. 07 2000
11:21 AM
William A. Shaw
Prothonotary

Affix fee here in stamps
or meter postage and
post mark. Inquire of
Postmaster for current
fee.

CERTIFICATE OF MAILING

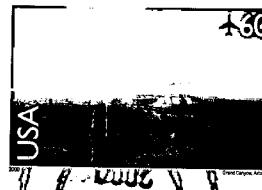
POSTAL SERVICE
DO NOT USE FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT
APPLY FOR INSURANCE—POSTMASTER

Law Offices

DENNIS J. STOJKO
969 Eisenhower Blvd.
P.O. Box 5500
Johnstown, Pennsylvania 15904

One piece of ordinary mail addressed to:

Philip J. Schank
16 Decatur St
W. Decatur, Pa 16878



PS Form 3817. Mar. 1989

*U.S. GPO:1991-3122-605/51430

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

D Michael Rudolf
PO Box 210
Kutztown PA 19537

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

11-30

C. Signature

X Michael Rudolf

D. Is delivery address different from item 1?
If YES, enter delivery address below: Yes No**3. Service Type** Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.**4. Restricted Delivery? (Extra Fee)** Yes

2. Article Number (Copy from service label)

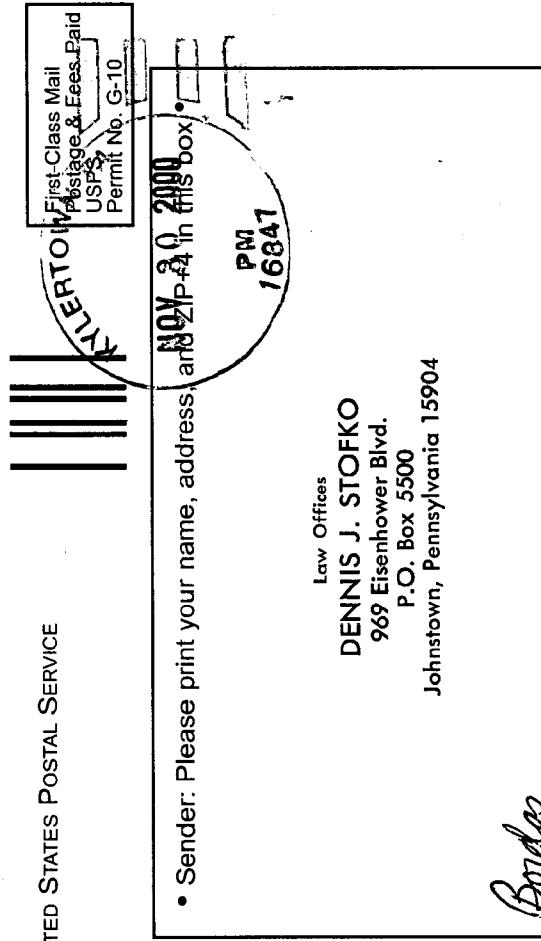
2099322000915353451

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

UNITED STATES POSTAL SERVICE



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

FILED

JAN 11 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

PHYLLIS KNEPP and SUSAN KNEPP	:	
Plaintiffs	:	
	:	
v.	:	No. 2000-1484-CD
	:	
CINDY BORDAS	:	
Defendant	:	

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Clearfield County Courthouse
Clearfield, PA 16830
(814) 623-4812

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

PHYLLIS KNEPP and SUSAN KNEPP :
Plaintiffs :
:
v. : No. 2000-1484-CD
:
CINDY BORDAS :
Defendant :
:

C O M P L A I N T

NOW, comes Phyllis Knepp and Susan Knepp and file the forgoing Complaint and in support thereof, avers as follows:

1. Plaintiff Susan Knepp is the owner of a rental property located on Railroad Street, West Decatur, Clearfield County PA.
2. Plaintiff Phyllis Knepp is the Agent of Susan Knepp with authority to manage the Railroad street property.
3. Defendant Cindy Bordas currently resides at 701 Walton Street, Philipsburg, PA.
4. On or about May 25, 2000, Defendant entered into a lease agreement with Phyllis Knepp whereby Defendant agreed to rent the Railroad Street property, with an obligation to purchase the property by May 2001.
5. The terms of the lease agreement provided that Defendant was not allowed to have pets inside the rental the property.
6. The terms of the lease agreement provided that Defendant was only permitted to

have a washer and dryer in the basement of the rental property.

7. The terms of the lease agreement were document using a tape recorder, or witnessed by Howard Smith.

8. While in the rental property, Defendant purchased a dog and allowed the dog to live in the rental property.

9. Defendant's dog routinely urinated on the floor in the rental property and caused substantial damage.

10. The Defendant installed a washing machine on the first floor of the rental property in violation of the lease.

11. Defendant's washing machine routinely leaked onto the floor of the rental property and caused substantial damage.

12. Defendant damaged the shower of the rental property by causing holes to be created in the floor and on the walls of the shower.

13. Defendant routinely used the damaged shower which permitted water to run onto the floor of the rental property causing substantial damage.

14. Defendant moved from the rental property without satisfying the lease terms or giving notice to Plaintiffs

15. Defendant moved from the rental property without making repairs for the damage caused.

16. Plaintiffs are unable to rent the rental property because of the damage caused by Defendant.

COUNT I
DAMAGE TO RENTAL PROPERTY

17. Paragraphs 1-16 are incorporated herein by reference.
18. Plaintiffs obtained estimates to repair the rental property in the amount of \$4,960.00. (Attachments "A", "B", "C")

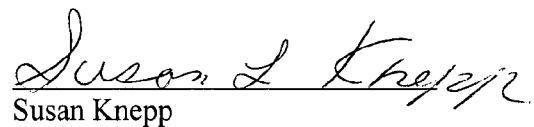
WHEREFORE, Plaintiffs respectfully request this Honorable Court enter judgment in favor of Plaintiffs in the amount of \$4,960.00, as well as all other remedies allowed by law.

COUNT II
LOSS OF RENT

19. Paragraphs 1-18 are incorporated herein by reference.
20. Plaintiffs have lost rent from the inability to rent the rental property.
21. Plaintiffs have suffered incidental and consequential damage as a result of Defendant's actions.

WHEREFORE, Plaintiffs respectfully request this Honorable Court enter judgment in favor of Plaintiffs in the amount of \$3,000.00, as well as all other remedies allowed by law

Respectfully Submitted,



Susan Knapp



Phyllis Knapp

VERIFICATION

I, Susan Knepp and I, Phyllis Knepp, verify that the statements made herein are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

Date: 1/18/01

Susan L Knepp
Susan Knepp

Date: 1/18/01

Phyllis J Knepp
Phyllis Knepp

FROM

Wol's DuBois Construction
P.O. Box 80
West Decatur, Pa 16878

Proposal

342-5701

Proposal No. 1

Sheet No. 1

Date 10/8/00

Proposal Submitted To	Work To Be Performed At
Name Howard Smith, Phyllis Kiepp, Susan Kiepp	Street Railroad St
Street	City West Decatur
City	State Pa
State	Architect
Telephone Number 342-4843	

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of
 Bath and Bedroom areas. Floor Squeaks and some plywood
 coming apart, Vinyl Flooring Damage and Drywall Damage.

This was caused by continual use of leaking washing
 machine. This Damage was caused over a couple months period.
 Because there was mildew on walls both inside on paint
 and in back of Drywall. Plywood was coming apart
 at the ~~end~~ ^{1/2} ply of the wood. Water Board was OK Liquid glue
 at several places has let go because water was between
 Plywood and Water board. Rescrew subfloor on "8" Centers, Replace
 New Vinyl Flooring, Replace Damage Drywall, Repaint Repaired areas

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings
 and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of
 two thousand ——————

with payments to be made as follows:

50% at start of Project 1000^{ee}
 50% at completion of Project.

Dollars (\$ 2000^{ee}).

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will
 become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our
 control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public
 Liability Insurance on above work to be taken out by Fire Insurance

Respectfully submitted

Per

Howard K. DuBois

Note — This proposal may be withdrawn by us if not accepted within 60 days

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as
 specified. Payment will be made as outlined above.

Accepted _____ Signature _____

Date _____ Signature _____

FA

titled

Proposal

FROM 16015 DuBois Construction
PO Box 80
West Decatur, Pa 16878

342-5701

Proposal No. 1

Sheet No. 2

Date 10/8/02

Proposal Submitted To	Work To Be Performed At		
Name Howard Smith	Street Railroad St		
Street Phyllis Knepp, Susan Knepp	City West Decatur	State Pa	
City			
State			
Telephone Number 342-4843	Architect		

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of Kitchen and Full Bath: Floors squeak, Vinyl Floor Damage (13 1/2 x 17' no seams) Drywall Damage, Shower stall. This was caused by continual use of obviously broken shower unit caused by Renters. Hole in bottom and head railing broken off. This was over a few months because of mildew on wall Drywall both inside of Paint and Back. Plywood squeaking and coming apart at plys and Liquid nail letting go between Plywood and wafer board. Rescrew Sub floor on 8" center, Replace new Vinyl Flooring (still do not have price on 14" wide Vinyl) Replace Drywall, Repaint Repaired Drywall Replace shower stall.

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Two Thousand, Six Hundred Dollars (\$ 2600.00).

with payments to be made as follows:

50% at start of project \$1300.00
50% at completion of project 1300.00

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Erie Insurance

Respectfully submitted

Per

Note — This proposal may be withdrawn by us if not accepted within 60 days

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted _____ Signature _____

Date _____ Signature _____

"B"

FROM

Proposed
Wolf DeBois Construction
P.O. Box 80
West Decatur Pa 16878
342-5701

Proposal No. 1
Sheet No. 3
Date 10/8/00

Proposal Submitted To	Work To Be Performed At
Name <i>Howard Smith</i> <i>Phyllis Kapp, Susan Kapp.</i>	Street <i>Railroad St</i>
Street	City <i>West Decatur</i> State <i>Pa</i>
City	Date of Plans
State	Architect
Telephone Number	

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of

Living Room carpet damage cause Dog urin Back of carpet coming off soaking in to plywood.

~~Paint Plywood to seal floor Replace carpet.~~

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

and specifications submitted for above work and completed in a satisfactory workmanlike manner. The amount of the contract is Three Hundred and Sixty ~~one~~ Dollars (\$ 360.00).
with payments to be made as follows:

be made as follows:
50% at start of project 180⁰⁰
50% at completion of project 180⁰⁰

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by Fire Insurant

Respectfully submitted,

Per

Note — This proposal may be withdrawn by us if not accepted within 60 days

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted.

Signature

Date

Signature

二二

FILED

JAN 11 2001

0/11:35/01

William A. Shaw

Prothonotary

4 CENTS TO PLAINTIFF

G. E.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PHYLLIS KNEPP and SUSAN KNEPP,

Plaintiffs

vs.

No. 2000-1484 CD

CINDY BORDAS,

ANSWER AND NEW MATTER

Defendant

Counsel of record for this party:
Dennis J. Stofko, Esquire
P.O. Box 5500
Johnstown, Pa. 15904
814 262-0064
ID 27638

TO THE PLAINTIFFS:

You are hereby notified to reply to
the enclosed New Matter within 20
days from service hereof or a default
judgment may be entered against you.

FILED

JAN 30 2001

William A. Shaw
Prothonotary

ANSWER AND NEW MATTER

NOW COMES the Defendant, Cindy Bordas, by and through counsel, Dennis J. Stofko and files the following Answer and New Matter.

1. Admitted.
2. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.
3. Admitted.
4. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.
5. Denied. It is specifically denied that the defendant was not permitted to have pets inside the rental property. To the contrary, pets were specifically permitted by verbal agreement of the parties.
6. Denied. It is specifically denied that the defendant was not permitted to have a washer and dryer in the apartment. To the contrary, by specific agreement the parties hereto agreed that the defendant would be permitted to keep a washer and dryer on the first floor.
7. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

8. Admitted in part, denied in part. It is admitted that the defendant had a dog however the dog did not live in the rental property. To the contrary, the dog lived in a kennel outside the residence.

9. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

10. Denied. See answer 6.

11. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

12. Denied. It is specifically denied that the defendant damaged the shower. To the contrary, the shower walls in the area had been previously patched and it was in a deteriorated condition when defendant took occupancy.

13. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

14. Denied. Paragraph 14 contains a conclusion of law to which no responsive pleading is required.

15. Denied. It is specifically denied that defendant caused any damage to plaintiffs' premises.

16. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

17. Denied. See previous Answers.

18. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

WHEREFORE, Defendant requests Plaintiffs' complaint be dismissed.

19. Denied. See previous Answers.

20. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

21. Denied. After reasonable investigation Defendant is without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

WHEREFORE, Defendant requests Plaintiffs' Complaint be dismissed.

NEW MATTER

22. The defendant avers that she lived in the premises no more than four months and at the time of occupancy noticed that the shower area and bathroom was in a state of disrepair in that it had been previously patched and water had been leaking from said shower for a considerable period of time prior to defendant's occupancy.

23. The defendant avers that any and all damage relative to the shower area came as a result of prior damage.

24. The defendant avers that at the time of the termination of her lease she had been refused permission to shampoo the rugs and carpets by the plaintiffs.

25. The defendant avers that she was willing to clean the carpet however was unjustly denied permission to clean the carpets.

26. The defendant avers that the plaintiffs were paid the amount of \$500.00 by a representative of defendant which defendant avers was in accord and satisfaction of any claim for damages resulting from her occupancy of the rental property.

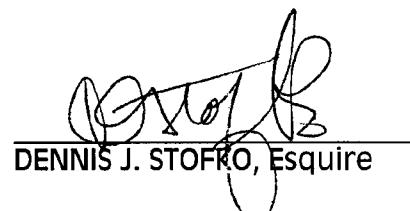
WHEREFORE, Defendant requests judgment on her behalf.



DENNIS J. STOKO, Attorney for
Defendant

I, Dennis J. Stofko, do hereby state that I am the attorney for Defendant, Cindy Bordas, and that as such, being authorized to do so, state that the facts set forth in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief. This verification of counsel is being attached hereto in lieu of that of Defendant because of the inability to obtain a verification from Defendant in the time required to file this answer. A verification of Defendant will be provided if requested.

This statement is made subject to the provisions of 18 Pa CSA 4904 relating to unsworn falsification to authorities.

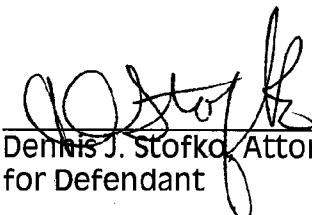


DENNIS J. STOKO, Esquire

Dated: _____

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a copy of the foregoing Answer and New Matter was sent via U.S. Mail, postage prepaid on the 29th day of January, 2001 to Phyllis Knepp and Susan Knepp at R R 1 Box 28, West Decatur, Pennsylvania 16878.



Dennis J. Stofko, Attorney
for Defendant

FILED

JAN 30 2001

WMA:BS/nc
William A. Shaw
Prothonotary

RECEIVED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION LAW

PHYLLIS KNEPP and SUSAN KNEPP, *
Plaintiffs * No. 2000-1484-CD
*
*
vs. * TYPE OF CASE:
* Civil Action - Law
*
*
CINDY BORDAS, *
*
*
Defendant * TYPE OF PLEADING:
* Praecipe for Entry of
* Appearance
*
* FILED ON BEHALF OF:
* Plaintiff
*
*
*
* COUNSEL OF RECORD FOR
* THIS PARTY:
* David R. Thompson, Esquire
* Supreme Court I.D. No. 73053
* Attorney at Law
* P.O. Box 587
* 308 Walton Street, Suite 4
* Philipsburg PA 16866
* (814) 342-4100
*

FILED

FEB 01 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

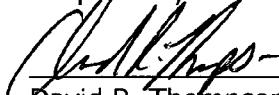
PHYLLIS KNEPP and SUSAN KNEPP,	*	No. 2000-1484-CD
	*	
Plaintiffs	*	
	*	
VS.	*	
	*	
CINDY BORDAS,	*	
	*	
Defendant	*	
	*	

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance in the above-captioned matter on behalf of the
Plaintiffs, **PHYLLIS KNEPP AND SUSAN KNEPP.**

Respectfully submitted,



David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION-LAW

PHYLLIS KNEPP and SUSAN KNEPP, *
Plaintiffs * No. 2000-1484-CD
*
* TYPE OF CASE:
* Civil Division-Law
*
* TYPE OF PLEADING:
* Certificate of Service
*
* FILED ON BEHALF OF:
* Plaintiff
*
* COUNSEL OF RECORD FOR
* THIS PARTY:
* David R. Thompson, Esquire
* Attorney at Law
* Supreme Court 73053
* P.O. Box 587
* 308 Walton Street, Suite 4
* Philipsburg PA 16866
* (814) 342-4100

V

CINDY BORDAS,

Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

PHYLLIS KNEPP and SUSAN KNEPP, * No. 2000-1484-CD

Plaintiffs *

V *

CINDY BORDAS, *

Defendant *

*

CERTIFICATE OF SERVICE

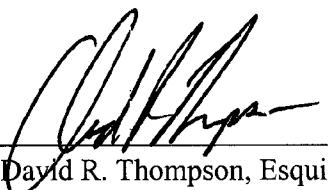
TO THE PROTHONOTARY:

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy of **PRAECIPE FOR ENTRY OF APPEARANCE**, in the above captioned matter on the following by Prepaid, First Class, United States Mail:

Dennis J. Stofko, Esquire
R. Thomas Strayer Law Offices
969 Eisenhower Boulevard Suite E
P.O. Box 5500
Johnstown PA 15904

DATE: January 30, 2001

BY:



David R. Thompson, Esquire

FILED

FEB 01 2001

JOHN S. STONE
William A. Shad
Prothonotary

Thompson
et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION - LAW

PHYLLIS KNEPP and SUSAN KNEPP Plaintiffs	*	No. 2000-1484-CD
	*	
	*	
	*	
vs.	*	TYPE OF CASE:
	*	Civil Action
	*	
	*	TYPE OF PLEADING:
	*	Affidavit of Service
	*	
	*	
	*	
	*	
CINDY BORDAS	*	
	*	
	*	
	*	
Defendant	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	
	*	
	*	COUNSEL OF RECORD FOR THIS
	*	PARTY:
	*	
	*	David R. Thompson, Esquire
	*	P.O. Box 587
	*	308 Walton Street, St. 4
	*	Philipsburg, PA 16866
	*	(814) 342-4100
	*	I.D. No. 73053

FILED

FEB 01 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

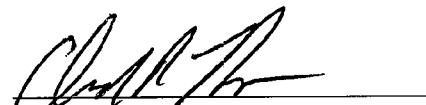
PHYLLIS KNEPP and SUSAN KNEPP	*
	*
	No. 2000-1484-CD
	*
	*
Plaintiff	*
	*
VS.	*
	*
	*
CINDY BORDAS	*
	*
	*
	*
Defendant	

AFFIDAVIT OF SERVICE

I, DAVID R. THOMPSON, Esquire, hereby certify that I have caused to be served upon CINDY BORDAS, a certified copy of the COMPLAINT, in the above captioned matter. I served the same by depositing in the U.S. Mail, postage prepaid, certified mail, return receipt requested, addressed as follows:

CINDY BORDAS
701 WALTON STREET
PHILIPSBURG PA 16866

DATED: January 13, 2001



David R. Thompson, Esquire
Attorney for Plaintiff

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cindy Borders
701 Walton St
Philipsburg, Pa 16866

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Cindy Borders 1-13-01

C. Signature

X Cindy Borders

 Agent Addressee Yes No

D. Is delivery address different from item 1?

If YES, enter delivery address below:

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number (Copy from service label)

7000 0600 0028 5264 2004

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

ED
FEB 01 2001
O'Donnell
William A. Smith
Proton Energy
Edith Thompson

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

PHYLLIS KNEPP AND SUSAN KNEPP,

* No. 00-1484-CD

Plaintiffs

VS.

* TYPE OF CASE:
* Civil Matter

CINDY BORDAS,

Defendant

* TYPE OF PLEADING:
* Reply to New Matter

* FILED ON BEHALF OF:
* Plaintiff, Phyllis Knepp

* COUNSEL OF RECORD FOR THIS
* PARTY:
* David R. Thompson, Esq.
* P.O. Box 587
* 308 Walton Street, St. 4
* Philipsburg PA 16866
* (814) 342-4100 PHONE
* (814) 342-7081 FAX
* Supreme Court ID #73053

FILED

FEB 13 2001

01:30:00

William A. Shaw
Prothonotary

2 CENS TO ATT

W. A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

PHYLLIS KNEPP AND SUSAN KNEPP,	*
	*
	No. 00-1484-CD
Plaintiffs	*
	*
	*
VS.	*
	*
	*
CINDY BORDAS,	*
	*
	*
Defendant	*
	*

REPLY TO NEW MATTER

AND NOW, comes the Plaintiffs by and through her attorney, David R. Thompson, Esquire, and files the following Reply to Defendant's New Matter.

Paragraph 1 through 21 of Plaintiff's Complaint are incorporated herein by reference as through the same were set forth at length:

22. Denied. It is denied that the Defendant lived in the premises no more than four (4) months. By way of further pleading, the Defendant had occupancy of the premises for approximately five (5) months. As to what the Defendant noticed with the shower area, Defendant never verbalized, nor offered in writing her opinion that the shower area and bathroom was in a state of disrepair. By way of further pleading, the Defendant indicated that

she was happy with the house and its condition. It is specifically denied that water had been leaking from the shower at the time Defendant took possession of the premises on May 1, 2000. It is further denied that any leakage had occurred with the shower for any substantial period of time prior to Defendant's occupancy.

23. Paragraph 23 is specifically denied as stated in Plaintiff's Complaint.

24. Denied. It is denied that the Plaintiffs refused Defendant permission to shampoo the rugs and carpets. By way of further pleading, Defendant never offered to do the same.

25. Denied. As to whether or not Defendant was willing to clean the carpets, Plaintiffs are without information sufficient to form a belief as to the truth or falsity of the averment. The same is therefore denied and strict proof is demanded at the time of trial. By way of further pleading, the Defendant never offered to clean the carpets.

26. Paragraph 26 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied and strict proof is demanded at the time of trial. By way of further pleading, an adjustor for an insurance company did forward a \$500.00 check to Plaintiffs. It is specifically denied that Plaintiffs ever cashed or accepted this money.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to enter

judgment in her favor pursuant to the allegations in the Complaint and dismiss Defendant's New Matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David R. Thompson".

David R. Thompson, Esquire
Attorney for Plaintiff

VERIFICATION

Plaintiff verifies that the statements made in this **REPLY TO NEW MATTER** are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

DATE: 2-6-01


Phyllis Knepp

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **REPLY TO NEW MATTER**, in the above captioned matter on the following by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

Dennis J. Stofko, Esquire
R. THOMAS STRAYER LAW OFFICES
969 Eisenhower Boulevard Suite E
P.O. Box 5500
Johnstown PA 15904

DATE: February 15, 2001

BY: 

FILED

FEB 23 2001
FEB 23 2001
William A. Shaw
Prothonotary
GR



**OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA**

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

OCTOBER 29, 2004

OCT 29 2004

Wm A. Thompson
Prothonotary Clerk of Courts

RE: 00-1484-CD

Phyllis Krepp and Susan Krepp vs. Cindy Bordas

Dear David R. Thompson, Esquire:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830**. The Statement of Intention to Proceed must be filed on or before **January 7, 2005**.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

David S. Meholick
Court Administrator



**OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA**

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

OCTOBER 29, 2004

RE: 00-1484-CD
Phyllis Krepp and Susan Krepp vs. Cindy Bordas

Dear Dennis J. Stofko, Esquire:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830**. The Statement of Intention to Proceed must be filed on or before **January 7, 2005**.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

A handwritten signature in black ink, appearing to read "David S. Meholick".

David S. Meholick
Court Administrator

Court of Common Pleas of Clearfield County, Pennsylvania
Civil Division

Phyllis Krepp, et al

Vs.

00-1484-CD

Cindy Bordas

Termination of Inactive Case

This case is hereby terminated with prejudice
this 21st day of January, 2005, as per Rule 230.2



William A. Shaw
Prothonotary

JAN 21 2005

William A. Shaw,
Prothonotary, Clearfield County