

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC\_\_\_\_of 2021\_

BETWEEN: Sandra Zelaya-Miller Plaintiff

AND: TaShane Stewart Defendant

To the Defendant

TaShane Stewart  
Lower Valley  
Grand Cayman



**THIS PLAINT** has been issued against your by the above –named Plaintiff in respect of the claim set out on the next page.

**Within 14 days** after service of this Plaint on you, counting the day of service you must either satisfy the claim or return to the Court Office, PO Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action. If you intend to defend the action, in whole or in part, you must set out full particulars of your defence in the space provided in the Acknowledgement of Service form.

**If you fail** to satisfy the claim or fail to return the Acknowledgement of Service form containing full particulars of your defence, the Plaintiff may apply for a default judgment without any further notice to you.

**Issued** this *22* day of February 2021

See overleaf for particulars of Plaintiff's claim

## PARTICULARS OF CLAIM

The Defendant entered into an agreement with the Plaintiff to rent an apartment at the location of 427A Will T Drive, Lower Valley, Bodden Town, Grand Cayman.

The agreement was that the rent of \$500 per month would be paid on the 1<sup>st</sup> day of each month.

The Defendant moved into the apartment in September 2020 and paid the rent however no security deposit was paid.

The Defendant made the following payments:

September - \$500.00  
October - \$650.00  
November - \$400.00  
December - \$200.00  
January - \$600.00

The Defendant failed to pay the balances owed for each month and thus owes the total sum of \$1,400.00 for rent.

The Defendant failed to pay the rent on time and as a result the sum of \$700.00 for late fees is now owed. There was a requirement to pay \$35.00 late fees per day after a grace period of 5 days.

The Defendant moved out of the apartment on 1<sup>st</sup> February 2021. In addition to the rent he also owes the following for utilities:

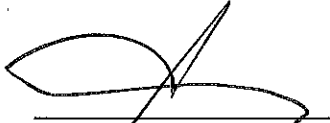
Electricity - \$65.26  
Water - \$95.00  
Total: \$160.26

The Plaintiff spoke to the Defendant on a number of occasions requesting that he pay the outstanding rent. He also refused to move out of the apartment. The Plaintiff wrote to the Defendant on 1<sup>st</sup> February 2021 informing him that he was to vacate the premises immediately. The Defendant did so however he failed to make any other payments towards the outstanding rent and utility bills. The defendant now owes the following sums:

- Rent - \$1,400
- Late Fees: \$700
- Utility \$160.26
- **Total: \$2,260.26**

AND the Plaintiff claims:

1. The sum of CI\$2,260.26
2. Fixed costs of \$150.00, plus filing fees of \$25.00 and Bailiff 's service fees.



Sandra Zelaya-Miller

The Plaintiff address for service is 427A Will T Drive, Lower Valley, Bodden Town, Grand Cayman, phone contact is 518 915 0243 (e-mail address – misschingwan@live.co.uk).



**PARTICULARS OF DEFENCE**

(Here set out in numbered paragraphs the grounds upon which the Defendant says that he is not liable to the Plaintiff, or is not liable for the full amount claimed)

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Defendant's Signature

REMINDER - This form must be taken or sent to the Court Office, PO Box 495GT, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.