

2007

# Village North Apartments v. Artem Kopelev : Brief of Appellant

Utah Court of Appeals

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James H. Deans; Attorney for Appellee.

Artem Kopelev; Appellant.

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**IN THE UTAH COURT OF APPEALS**

**No. 20070602**

**BRIEF OF APPELLANT**

**On appeal from the District Court of  
the Third Judicial District of the State of Utah**

**The names of the case and the appellate case number:**

Village North Apartments

Case No. 20070602

Plaintiff/Appellee

District Ct. No. 070906074

Vs

Artem Kopelev

Defendant/Appellant

**FILED  
UTAH APPELLATE COURTS  
OCT 29 2007**

**Parties:**

James Deans, #846

Artem Kopelev

Attorney for plaintiff

Address: n/a

440 S 700 E - #101

Mother's address:

SLC, UT 84102

670 N 900 W #A

SLC, UT 84116

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3. HUD, Eligibility of Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937, Vol.71, No. 68/ Monday, April 10, 2006/ Supplementary Guidance

4. Local HUD office Questions and Answers Supplementary Guidance provided before April 1, 2007. Group I-Section 8 Eligibility, Income Determinations, and Rent. Section 327(a)(6) Section 5.612(f), page 4

5. Federal HUD office Questions and Answers Supplementary Guidance provided after April 1, 2007. Group I: Eligibility and Income Determinations. Section 327(a)(6) Section 5.612(f)

6. 4350.3 HUD Occupancy Requirements of subsidized Multifamily Housing Programs, Chapter 3, figure 3-3: Income limits by Program, Section 236 – Low-income limit

7. Third Judicial District Court, Decree of divorce and judgment, 4.14.2006

8. Utah renters handbook

9. Durable Power of Attorney for Vyacheslav Kopelev. Important legal document paid, signed, notarized on May 18, 2007

10. The Fair Housing Act of 1968

11. The Civil Rights Act of 1866

12. Tenants Rights and Remedies, chapter 16B

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15. Utah Real Property Law, ¶5.09 (d)(2) “Evictions only for good cause” and ¶5.09 (e)(2) “State the reasons for the eviction with sufficient specificity...” etc

### **JURISDICTIONAL STATEMENT**

This Court has jurisdiction pursuant to Utah Code, because this case an appeal from the T Medley's judgment, Third District Court, Salt Lake City, Utah

### **STATEMENT OF THE ISSUES & STANDARD OF REVIEW**

- 1 Did the District Court err in holding that no annual recertification for Artem Kopelev, previous year agreement showing rent=\$0 was grounds for opening eviction case for not paying the maximum rent?
- 2 Did the District Court purposely err to not consider counterclaim and documents submitted proving discrimination against me and my family, abuse, accusation, overusing power by Jerrilyn Gray since 2005?
3. Did the District Court 3<sup>rd</sup> trial err to not give equal rights to both sides in contrast with 1<sup>st</sup> trial, humanly considered by Judge Michie? Even if you have about 2 hours for each brief, please pay more attention to this case, check both hearings records. May 18<sup>th</sup> and July 11<sup>th</sup>
- 4 Did the District Court err in holding that manager's interpretation of Artem's eligibility without consideration before April 1, 2007 of any needed HUD and parents income documents correct?
5. Did the District Court err in holding that artificial total calculation of unknowing income numbers and comparing with unknowing limit is possible? Father's tax

return document, among others, was offered by him during trial first time, because obviously nobody really cared and asked before, but T.Medley even did not look at it and did not take any documents from us.

6. Judge T. Medley did not give my father a chance to speak about the case at all, even as a witness during 3<sup>rd</sup> trial, but he spoke with him during 2<sup>nd</sup> trial, without me?
7. Did the District Court err paying original bond \$1670 to plaintiff while case still in consideration by upper court?
8. Did the District Court err in holding that after agreement to consider case now without additional bond, without my lawyer, T.Medley anyway make me pay it in final judgment?
9. Why very important 2<sup>nd</sup> hearing -scheduling conference was not recorded?
10. Did judge T.Medley err on purpose to follow basic constitutional people rights: freedom of speech, equivalent possibilities at least in the court? It was no any law mentioned to prove that our Power of Attorney paid, signed, notarized document does not work? And if people created lawdepot.com official legal website to provide this documents long time ago, why T.Medley refused my father to talk?
11. Did the T.Medley's District Court err in holding that unlawful, unproved, one-sided final judgment: \$6228.70 and Order of Restitution is just and right in this case?
12. We requested trial with the jury, but somehow that document disappeared from the case folder and they put plaintiff's request instead without jury?

13. Did the T.Medley's District Court err to not allow speaking at all between me and father, including native language, when other side could do it any time?

14. Will be punished T.Medley for unconstitutional violation of human rights as well as a personal insult, organized psychological crime during court process, mental damages to my father and me? If yes, then how?

### **STATEMENT OF CASE**

I am eligible for subsidized housing. My rent should not have been increased. The eviction proceeding against me should not have been started.

Based upon all events, documents, words been told to us, in general, nature of the case is national origin discrimination of our family by apartment management since 2005, and then by judge T.Medley during 2<sup>nd</sup> and 3<sup>rd</sup> hearings using unlimited power and enjoying it. T.Medley and J.Gray can hide bloody marks, and documents, and words in records, and manipulate people and words... But if you, please, carefully review all records, documents, facts, evidences you will trust us, we hope. It is very sad reality, not our imagination, unfortunately.

Main topics:

1. Did not mentioning counterclaim at all by T. Medley, even we provided enough evidences. But we did not open discrimination case before, since 2005, against J.Gray, because we are humans. She decided to open case for eviction to cover and hide all evidences against her...Like, for example, clean walls, without painting, but J.Gray made



me pay \$400 without real reason. I am officially homeless now, also case in upper court still, and do I have to apply for tenancy again after unlawful eviction?

And fresh evidence of discrimination by J.Gray: she continues to abuse me and demands rent money again, duplicating amount counted for court bond already! See attachment, please.

2. At least 3 different eligibility determinations: two, based on local and then federal HUD documents, and 3<sup>rd</sup> - playing with words, free presentation of student rule condition #6: “ **is not otherwise individually eligible, or parents who, individually or jointly, are not eligible to receive assistance.**” by plaintiff, which conflicts with divorce decree of the same court on April 14, 2006 (7).

3. Clear direction of proceedings by T.Medley – to give no chance to present our view of the case by my father, even as a witness.

Course of proceedings in attachment, but our request for jury disappeared. Very important Second hearing was not recorded.

Our copy of final judgment, without T.Medley’s signature, is attached.

### **STATEMENT OF THE FACTS**

1. There was no verification for me by managers this year! They opened the case with previous year agreement showing rent=\$0! (Transcript, Hearing May 18,2007, page 6,7,10)

They were rude and did not want to talk to us at all, did not want to know about our documents (also they must to check our case and expected income in the future). And even after we found explanation #4 of the new rule and prepared everything for them, they refused to listen and meet with them. Only after my father begged by phone after April 1, Jerry agreed to look at it and said that we “can put prepared documents in the mailbox”. Quotes from Jerrilyn’s April 10, 2007 answer-document in the file proofs it too: “I received the documents that you left for me in the Village North office. I have reviewed them...” Only after April 1, 2007, and this date is very important, because it is end date of the previous year period lease agreement...

2. Based on explanation document, given by local HUD office representative Anita Short – “Section 8 eligibility...” Question – Answer document (a few copies) in the court file, I am eligible... based on “income of the parent who provided financial support for last year”, Tax Return data and divorce documents...

But Jerrilyn Gray presents new student rule differently, how she likes, based on other unit total past income. It is not correct, because it is not 1 household income – at least 2 individuals incomes for divorced people and it is no place in any HUD documents saying that managers must add incomes of different unit divorced people together!

The Utah renter’s handbook (8) says:

“You have the right NOT TO SIGN a lease if you do not fully agree with its terms.”

It was even no chance to talk about it with help of Community Action Program representative Josie Turner. We asked her for help to speak with managers but they opened case for eviction...

**3. Please consider everything in time. It is very important for understanding of our real point of view of this case, based on local and then federal HUD explanation documents and words that I am “eligible”, and all true events, circumstances:**

Before April 1, 2007, when my lease expired, managers did not know and did not want to know how to implement this new rule for us. It is proved by Jerylin Gray’s letter on April 10<sup>th</sup> when she wrote that she asked somebody about it after we gave her required documents, which they must consider before April 1<sup>st</sup>. But, not managers, we went in January to local HUD office and took explanation document from HUD representative – Anita Short. See original #4 QA document, please.

After we got that Jerylin Gray’s presentation of this rule for us, my father went to Gail Williamson in Washington DC, whose name in the first page of the Federal Register student rule under “ For further information contact:” – Director, Housing Assistance Policy Division, who created this rule. She took our documents and promised to answer.

And later, Gail Williamson and her assistant Voneka Bennett **confirmed that I am eligible, because managers must consider each parent income separately –**

**individually**. So my father's income \$31359 is less than low income limit \$34400 for this area. See low income limits table in the file, please.

Gail Williamson provided my father with another #5 QA document about the same new student rule.

**It is no place in any document where it says that the managers must count: 1. other unit total income! and 2. add incomes of divorced people together!**

<http://www.hud.gov/offices/pih/publications/studentruleqa.pdf> document - paragraph 10:

10	Section	Section	In	Correct. The PHA will have to
	327(a)(6)	5.612(f)	admitting	determine the eligibility of each
			college	student family member, parents (in
			students	cases where the student has not
			to Section	established independence from
			8 rental	parents), <b>and the <u>student</u> family</b>
			programs,	<b>household as a unit</b> . For example,
			it appears	three college students applying for
			that the	Section 8 rental housing
			PHA will	
			now have	
			to	
			determine	

the

MANAGEMENT AND OCCUPANCY DIVISION 5.2.06 \* Required Source: Final Rule

dtd: 12/30/05 3 Notice dtd: 04/10/06 **Group I—Section 8 Eligibility, Income**

**Determinations, and Rent Section 327 of the FY 2006 Appropriations Act Final**

**Rule, FR-5036-F- 01 Question Answer**

- \* eligibility of the: assistance, as a family unit, would have to be
1. Student income eligible for Section 8 assistance (24
  2. Parent(s), CFR 982.201). Also, under 5.612(f), each
- student individually would have to be eligible
- unless the income of and the parent(s) of each student would have
- the student's parents to be eligible for Section 8 rental assistance,
- is not relevant or the unless the student can show the income of the
- student can student's parents is not relevant or the student
- demonstrate to the can demonstrate to the absence of, no
- absence of, or his or financial support from parent(s) or his or
- her independence
- from parents.

### **3. Student**

**family household “**

*It says about student family household, not parents. I was a head of household of separate unit, and I have lived alone for 3 years. Now I could be homeless if parents live not in SLC...*

4. Facts and evidences provided to the court for discrimination counterclaim in the argument chapter.

5. Current important fact that my father unemployed. Managers must considered expected income during my recertification, which never happened. My father knew that he might lose job soon...

6. Another fact that they replace site manager, but upper manager **Jerrilyn Gray** **continue to abuse us now** using new manager, giving document saying that I have to pay more then \$2000 again, duplicating court's bond. See addendum, please.

### SUMMARY OF THE ARGUMENT

T.Medley's judgment must be reversed because:

- (a) it was wrong "individually or jointly" words plaintiff's interpretation comparing other unit, 2 financially separated households total past income with unknown families size, so unknown income limit. \$24000 is wrong number, low-income limit in SLC = \$34400 for each parent individually is correct;
- (b) it was condition to proceed trial on July 11, 2007 without additional \$4541.70 bond money, and why I should pay anything based on T. Medley schedule.

(c) T.Medley's court process and decision according it clearly violates basic constitutional human rights (1): freedom of speech, equal rights and all the following (4), (5),(6), (7),(8), (9),(10),(11),(12),(15) listed in TABLE OF AUTHORITIES.

### ARGUMENT

- I. District Court purposely did not consider counterclaim and many documents submitted proving discrimination against me and my family, abuse, accusation, overusing power by Jerrilyn Gray since 2005.

Quote from the Apartment's rule:

"Any resident who receives four minor lease violations within a one year period may be evicted."

It was never 4 minor lease violations before ten day notice to vacate. Drug related incident on the property never happened.

But on 1.27.2005 I got ten day notice to vacate (offence 1). Wrong and offensive accusation of "drug related activity" based on drawing of "large Marijuana leaf".

**This is clearly abuse and an attempt to make me a criminal for nothing by Jerrilyn Gray.**

I was emotionally damaged and our life became fragile and miserable... Until now she discriminates me and my family. **I ask court to stop it!** And request her

to come and ask here about it in the court in addition to other questions to her.

She did not come before and refuses to come because she has nothing to say in her defense. Subpoena was given to her hands with witnesses 14 days in advance to comply.

The Utah renter's handbook says:

"When you move out of the property, it must be in the same condition as it was when you moved in, except for normal wear and tear." I meant to clean everything when I will leave.

But, it is no privacy, no rights for me at all, Jerrilyn Gray came and read everything on the walls written by my friends and started to abuse me from that time and evict from the apartment without real reason. I paid \$400 to her for nothing, walls were cleaned and not required painting.

2.21.2005 and 4.11.2005 violations for noise without witnesses. (offence 2)

4.12.2005 – sudden ten day notice to vacate (offence 3) - She wrote again "excessive damage to walls", even though drawings are with water-soluble crayons that are washed off easily. It was cleaned, nobody painted it and I paid \$400 to Jerrilyn Gray for nothing.

Violations for "noise and disturbance" are not proved. Nobody complained. We spoke with neighbors upstairs, can give their names and phones.



7.22.2005 wrong notice of violation again - Electric company error – my fault?  
(offence 4)

September 2006 (offence 5) - The same time manager gave us two agreements:  
“Crime free housing agreement” for Artem ( apt. 19D) and “Agreement on mold”  
for parents (apt. 1A). They continue to try to make me a criminal, try to scare us.  
Only I need to sign this agreement, nobody else.

3.13.2007 false notice of violation again -There was no tools under the stairs, but  
they accuse me again for nothing. (offence 6)

**The Utah renter’s handbook says:**

**“If you stay with the landlord’s consent without signing a new lease after  
your lease expires, all the terms of the expired lease that were not changed  
are still effective.”**

**Last year lease with my rent = \$0 in the court file. And it was no attempt for  
proper recertification for new lease agreement...So it is another prove that  
we are right!**

Plaintiff’s “Findings of fact and conclusions of law” document says: “1. The  
parties signed a rental agreement for the premises at 815 West 700 North - #D,  
SLC, Utah.”

It is simply not true!

- II. Judge T.Medley err on purpose to follow basic constitutional people rights: freedom of speech, equivalent possibilities...

After short explanation during 1<sup>st</sup> hearing Judge Michie said: "...I think you have some great arguments." (Page 12, line 10)

But T.Medley purposely did not want to hear anything from my father, like managers, despite that main problems with student rule interpretation directly relates to parents...

Transcript, July 11, 2007 pages 1, lines 10-24...

Transcript, July 11, 2007 pages 9, lines 6-20... "...I'm absolutely annoyed, traumatized and just really tired of the whole housing department...I would like to be represented..."

After additional money pressure (Transcript, July 11, 2007 page 6, lines 10-24, page 10, lines 19-21, page 11, lines 4-12, page 13, lines 3-13) "If you did decide to continue this matter...just require them to augment this because - and I say this in a vacuum not knowing your **schedule**..." Early judgment - T.Medley made me pay for his schedule and "at a rate that we find unjust..."

**I said my condition to do it now: “ I suppose we can continue this but I would like my father to be able to speak and – “ present our documents... (Transcript, July 11, 2007 pages 15,16)**

**T.Medley’s answer: “That’s not going to happen ...”**

Why? It was no problem during 1<sup>st</sup> and 2<sup>nd</sup> hearings.

Judge Michie accepted it. And plaintiff’s attorney did not argue about it during the first hearing. And only my father knows the truth about 2<sup>nd</sup> hearing details, friendly dialog between T.Medley and J.Deans about jury for example etc.

Paid, notarized, official Power of Attorney document gives my father right to speak for me, because I was sick and incompetent, was not ready to present myself, and I asked the court about it, and cannot afford the lawyer.

We did not leave early T.Medley’s court, because we hoped that at least as a witness my father can speak, but no way...

Transcript, July 11, 2007, page 48, lines 1-8 - At this critical moment T.Medley was very rude and said to my father:” We will not do it by your rules!” Somehow it is not in the record!? It is up to you to trust us, it is hard to explain everything, but it is true. Sorry, maybe, too much emotions. But

somebody needs to stop this discrimination and abuse as soon as possible, please!

III. District Court err in holding that unproved final judgment: \$6228.70 and Order of Restitution is just and right in this case.

1. **Original, first prove, before April 1<sup>st</sup>, 2007: Based on explanation document, given by Anita Short HUD representative from local office – “Section 8 eligibility...” Question – Answer document in the court file #4, I am eligible... based on “income of the parent who provided financial support for last year”, Tax Return data and divorce documents...** My mother income for last year was \$19000 which is less then low income limit for 1 person in SLC \$34400.

2. **Second prove:** In addition to the real fact that we had HUD QA document and our understanding was based on it before April 1, 2007, please consider the following argument:

Federal register/ Vol.71, No.68/ Monday, April 10, 2006 in part B (and other places talk about independence from parents and importance of Tax Return) #3 of 4 says:

“The individual must not be claimed as a dependant by parents or legal guardians pursuant to IRS regulations.”

So, is not it logical otherwise, to say then to consider income just the parent who in Tax return with dependant student?

And if it does not matter, then, based on 1, 2 and 4 I am independent student and eligible too. For example #2 says:

“The individual must have established a household separate from parents...at least one year prior...”

So, this logic confirms that to determine my eligibility managers must considered mother's income only based on her tax return, letter from my mother, divorce document provided.

And another quote from HUD document faxed to Village North Apartments, which is in the court file too, received by apartment management on 4.14.2006:

“It is also unclear what household size you would use when determining parental income eligibility.”

3. Post factum, **third prove, after April 1<sup>st</sup>, 2007:** next fact and logic for your consideration, when we got new federal QA HUD explanation document in Washington #5. And federal authorities determination words:

**“To consider each parent income individually”** - father last year income \$31000, which is less, then \$34400 limit too (also they must to consider anticipated income).

<http://www.hud.gov/offices/pih/publications/studentruleqa.pdf> document - paragraph 6:

“If the student’s parents are divorced or separated, obtain the declaration and certification of income from **each** parent.”

<http://www.hud.gov/offices/pih/publications/studentruleqa.pdf> document - paragraph 8:

8	Section	Section	Which income limit (i.e.,	Both students and
*	327(a)(6)	5.612(f)	extremely low-income, very-low income, or low-income)	parents must meet
			should a PHA use in	the <u>low-income limit</u> .
			determining the income	
			eligibility of the parent(s)?	

*And HUD Occupancy Requirements of Subsidized Multifamily Housing Programs*

**CHAPTER 3. ELIGIBILITY FOR ASSISTANCE AND OCCUPANCY, 4350.3**

document says:

Section 236 project that receive Section 8 must qualify using the applicable

Section 8 income limit. Figure 3-3: Income Limits by Program

Subsidy	Type of Income Limit
---------	----------------------

Section 236Low-income limit

If parents signed last year rent agreement, as requested, then it does not mean they have joint household, and joint budget. And they have the same address and share maximum rent, because they cannot afford separate apartments.

Transcript, July 11, 2007, page 29, lines 5-13: "What are the evidence that you hold that is a joint household between my parents?" Site manager's answer: "I think that's something that really isn't my right to assume."

But, J. Gray violated Right of Privacy assuming total parents budget despite Judge's Frederick divorce document, first sentence of which says: "All personal property is awarded as the parties have already divided it." Actually, financial problems were 1 of the main reasons for divorce long time ago, that's why they did not buy a house, and problems between father and me... if you need to know. In fact, brief sense of this new student rule is following: if I cannot pay rent = maximum amount, then my parents must pay, if they are rich. How J.Gray and T.Medley determine income for each parent, if they even did not look at father's tax return offered before and during the trial...? But, in this case with the correct limit for determination, which plaintiff did not know, each dollar can make a difference.

Transcript, May 18, page 7, line 7 shows how easy J.Deans doubles father's income in the beginning ... And recent fact: he twice threw away docketing statement saying: "this is garbage", when father immediately delivered and gave it to his hands!

So, if oral argument needed, then **my father can answer any of your questions**. And, again, please understand that I mentally damaged too much by managers and T.Medley, sick and incompetent to present myself and can not afford an attorney. So my father can and need to ask J.Gray in the court to prove more our counterclaim, not considered at all by T.Medley. It is nothing to talk about with J.Deans after his bad words and actions.

### **CONCLUSION**

For the foregoing reasons, the decision of the District Court should be reversed.

And we demand financial compensation like it says in our counterclaim for everything: discrimination, accuse, abuse, fraud by J.Gray from 2005 until now, our health problems started and caused by J.Gray, and by T.Medley for mental crime and abuse during district court process, all fees and expenses, lost furniture, electronics etc.



T.Medley can not be a judge, if he can be programmed for one side judgment, if he can organize and implement crime one time, then he can do it again. J.Gray must not work for HUD with poor tenants, mostly refugees, people who suffered enough already...

Sorry for format, spell or other not important errors, despite purposely made huge errors by educated people with unlimited power used against unprotected young person.

Thanks a lot for your time, the trust and understanding!

Respectfully submitted this 29th day of October, 2007.

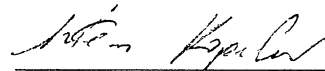
(signature here) 

Artem Kopelev

## CERTIFICATE OF MAILING/DELIVERY

I certify that on 10.30.07 (date), I mailed or hand delivered a copy of the Brief of  
Appellant to plaintiff at.

James Deans  
440 South 700 East #101  
SLC, UTAH 84102

  
Defendant's Signature

**ADDENDUM:**

1. Original Question-Answer Section 8 Eligibly document given by SLC HUD office representative Anita Short before April 1, 2007.
2. Letter from new site manager, under hidden instruction of upper manager J.Gray, again demanding rent money already paid in the court bond.
3. Judgment and order of restitution.
4. Proceedings index.
5. Copy of fax to Village North Apartments from HUD

This document was given to us by HUD  
Representative in Local HUD office.

(1)

## Group I—Section 8 Eligibility, Income Determinations, and Rent

Section 327 of the FY 2006 Appropriations Act		Final Rule, FR-5036-F- 01	Question	Answer
				guardians pursuant to IRS regulations.  (4) The individual must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
8	Section 327(a)(6)	Section 5.612(f)	Concerning the eligibility of parents, individually or jointly, do parents have to meet <u>all HUD program eligibility requirements</u> in order for the student to be eligible for Section 8 housing assistance?	No. Since Section 327 is focused on income eligibility of a higher education student, the Department interprets the section's reference to the eligibility of the parents to also refer to income eligibility.
9	Section 327(a)(6)	Section 5.612(f)	Also concerning the eligibility of parents, individually or jointly, how does the PHA know whether to determine the eligibility of the parents " <u>individually</u> " or " <u>jointly</u> "? Are there any <u>established</u> criteria a PHA may use in making this determination?	PHAs may adopt and implement the following criteria for determining whether to obtain the declaration and certification of income from parents, individually or jointly.  (1) If the student's parents are married and living with each other, obtain the income declaration and certification of income from each parent (2) If the student's parent is widowed or single, obtain the income declaration and certification of income from that parent (3) If the student's parents are divorced or separated, obtain the income declaration and certification from the parent with whom the student lived <u>more</u> during the past 12 months (4) If the student lived exactly six months with each parent, obtain the income declaration and certification of income from the parent who provided more financial assistance during the past 12 month or during the most recent year the student actually received support from a parent.

## **Village North Apartments**

644 North 900 West  
Salt Lake City, UT 84116

October 23, 2007

Dear Artem Kopelev:

It has come to our attention that you are currently living with your parents. You are not on the lease. If you would like to be added to the lease you will need to come to our office to apply. In addition, we have not received any payments from you for the balance owing from your previous tenancy. Please contact our office by Monday, October 29, 2007, to make payment arrangements. If we do not hear from you, your file will be sent to collections.

Sincerely,

*Annie Stephens*

Annie Stephens  
Manager

Asking UTah Court of  
Appeals to stop abuse  
by J. Gray!  
T. Medley only increased it!  
*Artem Kopelev*

2. Plaintiff is entitled to rent from April 1, 2007 in the sum of \$249.20 and treble damages in the sum of \$4,716.00 from April 13, 2007 to July 11, 2007 for its costs of Court of \$63.50 and attorney's fees of \$1,200.00 for a total Judgment of \$6228.70.

3. That defendant's counterbond of \$1,687.00 is forfeited to plaintiff's counsel leaving a Judgment balance of \$4,541.70.

4. That said judgment bear interest as provided by law.

DATED this \_\_\_\_\_ day of July, 2007.

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TYRONE E. MEDLEY  
DISTRICT COURT JUDGE

VILLAGE NORTH APARTMENTS

Plaintiff-Appellee,

VS

ARTEM KOPILEV

Defendant-Appellant

UTAH APPELLATE COURT  
SEP 18 2007

SEPTEMBER 18, 2007

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DISTRICT COURT NO 070906074  
COURT OF APPEALS NO 20070602-CA

CLERK'S CERTIFICATE

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VILLAGE NORTH APARTMENTS  
Plaintiff-Appellee,  
VS  
ARTEM KOPELEV  
Defendant-Appellant.

SEPTEMBER 18, 2007

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VILLAGE NORTH APARTMENTS  
Plaintiff-Appellee

VS

ARTEM KOPELEV  
Defendant-Appellant

SEPTEMBER 18, 2007

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DISTRICT COURT NO 070906074  
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I CERTIFY THAT THIS IS A TRUE COPY OF AN  
ORIGINAL DOCUMENT ON FILE IN THE THIRD  
DISTRICT COURT, SALT LAKE COUNTY, STATE  
OF UTAH  
DATE 9-18-07  
Natasha Davis  
DEPUTY COURT CLERK

MSN Hotmail

Page 1 of 2

The logo for MSN Hotmail, featuring the word "msn" in a stylized font with a small butterfly icon, followed by "Hotmail" in a standard sans-serif font.FYI -  
HUD- Student Rule

Printed: Friday, April 14, 2006 2:14 PM

## Compliance Update

April 2006

### Student Guidance Issued by HUD

Finally, we have guidance on how to implement the new rule related to students in Section 8 housing. The official notice should be published in the Federal Register on Monday, April 10.

The good news is that the new rule only applies to students who are not living with their parents. In other words, it applies when the student is applying for housing alone or with others who are not his or her parents. This means that a household is not to be denied assistance because a household member, who is a child of the head or spouse, is a student as defined in the rule.

The document also clarifies that the entire household is denied assistance when the rule applies. You do not prorate assistance as you do with the noncitizen rule.

With respect to financial aid, the amount in excess of tuition is only reported as income for students who are living apart from their parents. In addition, there is a requirement to look at student status at each annual recertification for these households.

On the issue of verification of parents income, a declaration and certification is allowed unless you have reason to suspect that the information provided is not correct.

Owners/agents are required to update tenant selection plans immediately to comply with the

Hotmail

Page 2 of 2

notice

There are still a couple of issues that need clarification. The notice does not say whether or not a check of student status should be done in connection with an interim recertification nor does it say what income limits should be used when looking at parent eligibility--the limits for the area where the parents live or the ones used at the property where the student is applying for residence. It is also unclear what household size you would use when determining parental income eligibility.

HUD has promised further guidance on this subject.

Be sure to obtain and read the new notice carefully. The notice can be accessed on the Internet at the following link:

[http://hudclips.org/sub\\_nonthud/cgi/pdf/3365.pdf](http://hudclips.org/sub_nonthud/cgi/pdf/3365.pdf)

This e-mail account is used for outgoing e-mails only. Please do not reply to this e-mail. If you need technical support, please e-mail [support@ipm-software.net](mailto:support@ipm-software.net). If you would like to update your e-mail information or be removed from our e-mail list, please e-mail your request to [posting@ipm-software.net](mailto:posting@ipm-software.net).