

JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE  
IN AND FOR SUSSEX COUNTY  
COURT NO. 17

HOME TEAM REALTY LLC  
Plaintiff Below,  
APPELLEE

VS

JUDY BURGESS  
TANYA DALY  
Defendant Below,  
APPELLANT

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C.A. No. JP17-22-001726

TRIAL DE NOVO

Submitted: August 22, 2022  
Decided: August 26, 2022

**APPEARANCES:**

Sean Steward appeared for the plaintiff.  
The defendants appeared pro se.

Richard D. Comly, Justice of the Peace  
Jennifer Sammons, Justice of the Peace  
John C. Martin, Senior Justice of the Peace

Martin for the Court

JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE  
IN AND FOR SUSSEX COUNTY  
COURT NO. 17

CIVIL ACTION NO: JP17-22-001726

HOME TEAM REALTY LLC VS JUDY BURGESS ET AL

ORDER ON TRIAL DE NOVO

The Court has entered a judgment or order in the following form:

HISTORY

This case was filed on May 16, 2022 for unpaid rent and possession of the rental unit located at 723 Hurley Drive, Seaford, Delaware. Trial was held on June 13, 2022 and judgment was entered on July 11, 2022 on behalf of the plaintiff for possession and court costs. At the time of this trial, the unpaid rent totaled \$5,433.29 but the plaintiff requested that this amount not be awarded as part of the judgment. On July 18, 2022 the defendants appealed this judgment. This is the decision of the three Judge Panel hearing the appeal as a trial de novo.

The plaintiff's representative testified that the defendants continue to owe the unpaid rent as cited at the last trial and additional rent that has accumulated since; however, the plaintiff is again not seeking a monetary award in this case but only an award of possession of the rental property.

The defendants agreed that they owe the plaintiff the rent as demanded. They have located new housing for themselves and expect to move by October 1, 2022.

ORDER

After considering all the evidence presented, the Court finds that the plaintiff has met its burden of proof by a preponderance of the evidence. Therefore, judgment is entered on behalf of the plaintiff and against the defendants. Possession of the rental property is awarded to the plaintiff.

IT IS SO ORDERED 26th day of August, 2022

/s/ John C. Martin  
Senior Justice of the Peace  
For the Panel



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