

Bond Case Briefs

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PUBLIC HOUSING - LOUISIANA

Housing Authority of New Orleans v. King

Court of Appeal of Louisiana, Fourth Circuit - June 12, 2013 - So.3d - 2012-1372 (La.App. 4 Cir. 6/12/13)

City housing authority filed rule for possession of premises, seeking to evict public housing tenant for violation of lease agreement's "one strike" provision, which authorized termination of the lease for criminal activity.

The Court of Appeal held that housing authority failed to establish by a preponderance of the evidence that tenant violated lease agreement. The housing authority did not attempt to introduce the lease agreement or the police report of the incident that led to tenant's arrest into evidence at the hearing on housing authority's rule for possession of premises, and housing authority introduced no other testimony or documentary evidence. Housing authority offered argument of counsel only. "Argument of counsel, no matter how artful, is not evidence."