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Kamal v. City of Toledo, Dept. of Public Utilities

United States District Court, N.D. Ohio, Western Division - April 14, 2014 - Slip Copy - 2014 WL 1493136

Landowner alleged he was deprived of Constitutional due process rights when the City terminated water service to several properties. The key issue was whether Plaintiff had a property interest under the Fourteenth Amendment in water services provided by the City.

The court found that Plaintiff had not identified a state or local statute which creates a property interest in the receipt of water services by making water available for all users and prohibiting services from being terminated at will and requiring just cause. Therefore, Plaintiffs had no legitimate claim of entitlement to water service under Ohio or municipal law. In addition, the court found no implied contract between Plaintiff and the City for water services.