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IN THE COUNTY COURT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

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OR BK 13980 PG 1404  
Palm Beach County, Florida

CIVIL DIVISION

CASE NO. SS-02-007627-RD

TED BERNSTEIN,  
Plaintiff,

vs.

ORLANDO HAYNES,  
Defendant.

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**FINAL JUDGMENT**


This cause came before the Court for Non-Jury Trial on July 17, 2002, with both parties present with witnesses. Based on the evidence presented, the Court makes the following findings of fact and conclusions of law:

The Plaintiff seeks return of his \$2,700.00 security deposit at the termination of his lease. The Court finds that F.S. 83.49(3)(a) as amended in July, 2001 applies to this action and the Defendant complied with the statute by giving notice of his intent to impose a claim on the security within thirty days. Here, the damages claimed by the Defendant exceeded the amount of the deposit. The Court finds that the Plaintiff caused damages as evidenced by the photographs and testimony of the witnesses and finds the Plaintiff's testimony that all damages existed at the time he moved in or not all not to be credible. The Court accepts the written estimate for carpet damage in the sum of \$1,900.00 as well as the claim for \$300.00 in past due rental shortages and late charges. Had the Defendant brought

written estimates for the other damages to court, the Court would have found in his favor. However, the Court would be forced to speculate or rely on hearsay to establish those amounts. Based on the foregoing, it is

**ORDERED AND ADJUDGED** that Plaintiff, TED BERNSTEIN, shall recover from Defendant, ORLANDO HAYNES, the sum of \$500.00 and \$220.00 in court costs for a total of \$720.00, which shall bear 9% interest, for all of which let execution issue.

DONE AND ORDERED In Delray Beach, Palm Beach County, Florida  
this 18 day of July, 2002.

  
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CHARLES E. BURTON  
County Court Judge

copies furnished:  
Ted Bernstein, 22774 Pinewood Ct., Boca Raton, FL. 33433  
Orlando Haynes, 12344 Melrose Way, Boca Raton, FL. 33428

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