

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

ALBERT TROHAN

Plaintiff

v.

OHIO VETERANS HOME

Defendant

Case No. 2008-09473-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

FINDINGS OF FACT

{¶ 1} 1) On July 31, 2008, plaintiff, Albert Trohan, a resident at defendant, Ohio Veterans Home, suffered property damage when his television set was rendered inoperative by an electrical power surge. Plaintiff, James Trohan, who has power of attorney for plaintiff, Albert Trohan, filed this complaint seeking to recover damages in the amount of \$153.53, the cost of television repair. Plaintiff, James Trohan, paid the \$25.00 filing fee and requested reimbursement of that cost along with the damage claim.

{¶ 2} 2) Defendant filed an investigation report admitting responsibility for the loss claimed, plus filing fee reimbursement.

{¶ 3} 3) Plaintiff, James Trohan, filed a response expressing his agreement with the admissions noted in the investigation report.

CONCLUSIONS OF LAW

{¶ 4} 1) Sufficient proof of liability on the part of defendant has been shown. *Bauman v. Ohio Veterans Home*, Ct. of Cl. No. 2003-01016-AD, 2003-Ohio-2617;

Wertenberger v. Ohio Veterans Home Agency, Ct. of Cl. No. 2005-11027-AD, 2006-Ohio-191.

{¶ 5} 2) Plaintiff has suffered damages in the amount of \$153.53, plus \$25.00 which constitutes costs pursuant to R.C. 2335.19. See *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19, 587 N.E. 2d 990.

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ENTRY OF ADMINISTRATIVE DETERMINATION

Having considered all the evidence in the claim file and, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of plaintiff in the amount of \$178.53, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Albert Trohan
c/o James Trohan
7814 Poorman Road
Vermilion, Ohio 44089

Gregory J. Kowalski
Chief Legal Counsel
Ohio Veterans' Home Agency
3416 Columbus Avenue
Sandusky, Ohio 44870

RDK/laa
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