

California. Plaintiff denied receiving the payment, but did receive payment in the amount of \$5,530 from defendant on June 28, 2024, after the Notice expired and returned it to defendant. Defendant surrendered the property on or about August 1, 2024.

While defendant submitted photos of a substance that appears to be a mold-like substance, defendant did not submit any admissible evidence that the substance was a harmful mold that support a breach of the warranty of habitability that would affect the fair rental value. Similarly, defendant's evidence regarding the dishwasher at the subject property did not support a finding affecting the property's fair rental value. Therefore, the Court finds defendant did not establish any affirmative defenses.

The Court finds for Plaintiff Phat L. K. Tran and against Defendant Michael Gasio. Judgment is ordered in favor of the plaintiff in the amount of \$3,325 [\$5,350 in past due rent, \$5,530 in hold over damages from July 1, 2024, through July 31, 2024, for a total of \$10,700, minus \$6,375 credit for defendant's security deposit] plus, \$500 in prejudgment costs, and \$500 in attorney's fees.

Clerk to give notice.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Central Justice Center
700 W. Civic Center Drive
Santa Ana, CA 92702

SHORT TITLE: Tran vs. Gasio

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

CASE NUMBER:
30-2024-01410991-CL-UD-CJC

I certify that I am not a party to this cause. I certify that a true copy of the above Minute Order dated 03/27/25 has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practice and addressed as indicated below. This certification occurred at Santa Ana, California on 3/27/25. Following standard court practice the mailing will occur at Sacramento, California on 3/28/25.

MICHAEL GASIO
9432 PIER DRIVE
HUNTINGTON BEACH, CA 92646

Clerk of the Court, by:

_____, Deputy

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 03/27/25, was transmitted electronically by an Orange County Superior Court email server on March 27, 2025, at 3:16:39 PM PDT. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

STEVEN D SILVERSTEIN
EVICTIONS@STEVENDSILVERSTEIN.COM

Clerk of the Court, by:

_____, Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

SUPERIOR COURT OF CALIFORNIA
ORANGE COUNTY
700 CIVIC CENTER DR. WEST
SANTA ANA, CA 92701



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