

(ENDORSED)

FILED

NOV 30 2017

Superior Court of CA County of Santa Clara  
Clerk  
BY Julie Nashed DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA

7	LETICIA REYES, JASON URANGO,	)	
		)	
8	AUNDREA REYES, and FRANCISCO	)	
		)	JUDGMENT AFTER COURT TRIAL
9	HERRERA,	)	
		)	Case No.: 115CV287203
10	Plaintiffs,	)	Trial Date: November 27, 2017
		)	Dept: 22
11	v.	)	Judge: Hon. Aaron Persky
12	FAIYAZ "FRANK" ZAMAN, and SANJIDA	)	
	ZAMAN,	)	
13	Defendants.	)	

This case came on for trial on November 27, 2017 in Department 22. Plaintiffs Leticia Reyes, Aundrea Reyes, and Jason Urango appeared and represented themselves, and Defendants Faiyaz "Frank" Zaman and Sanjida Zaman appeared and were represented by Sara B. Allman, Esq. The trial concluded in less than eight hours, with opening statements on November 28 and closing arguments on November 29, 2017. The jury was previously waived. A statement of decision was not requested. The Court considered the evidence and arguments presented at trial, and now issues this judgment.

Plaintiffs filed their complaint on October 23, 2015, containing eight causes of action: 1) Tortious Breach of Implied Warranty of Habitability; 2) Breach of the Implied Warranty of Habitability; 3) Breach of Statutory Warranty of Habitability; 4) Negligent Maintenance of

1 Premises: 5) Breach of Covenant of Quiet Enjoyment: 6) Retaliatory Eviction: 7) Constructive  
2 Eviction: and 8) Failure to Provide Relocation Assistance (under the San Jose Municipal Code).

3 On January 27, 2016, Defendants filed a general denial and asserted 27 affirmative defenses.

4 The Court finds that Plaintiff Jason Urango, by his own testimony and that of Leticia  
5 Reyes, never lived at the subject residence. As a consequence, he has not sustained his burden of  
6 proof as to any cause of action in the Complaint.<sup>1</sup> The Court further finds that Plaintiffs Aundrea  
7 Reyes and Leticia Reyes did not present sufficient admissible evidence at trial to sustain their  
8 burden of proof as to any cause of action in the Complaint. In addition, even if Plaintiffs had  
9 met their burden of proof of establishing the liability of Defendants as to any cause of action,  
10 there was insufficient competent evidence of damages to award any monetary relief.

11 Based on the foregoing, Judgment is for Defendants Faiyaz "Frank" Zaman and Sanjida  
12 Zaman. Plaintiffs Leticia Reyes, Aundrea Reyes, and Jason Urango shall receive nothing from  
13 Defendants.

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15 DATED: 11-30-2017

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AARON PERSKY  
Judge of the Superior Court

<sup>1</sup> At the close of Plaintiffs' case in chief, Defendants moved for judgment as to Plaintiff Jason Urango pursuant to Code of Civil Procedure section 631.8. The Court declined to render judgment until the close of all the evidence. Plaintiffs' motion is moot in light of this Judgment.