



# 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](http://www.cco.state.oh.us)

ROBERT CLARK

Plaintiff

v.

OHIO VETERANS HOME

Defendant

Case No. 2011-09420-AD

Deputy Clerk Daniel R. Borchert

## MEMORANDUM DECISION

### FINDINGS OF FACT

{¶1} On July 13, 2011, plaintiff, Robert Clark, filed a complaint against defendant, Ohio Veterans Home, alleging his personal property was damaged after one of defendant's employees inadvertently spilled hot candle wax on plaintiff's chair and gift box. Plaintiff submitted receipts in the amount of \$557.49 for the replacement cost of the damaged items. The filing fee was paid by defendant.

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

### CONCLUSIONS OF LAW

{¶3} 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; *Klosterman v. Ohio Veterans Home*, Ct. of Cl. No. 2010-10246-AD, 2011-Ohio-2891.

{¶4} Plaintiff has suffered damages in the amount of \$557.49, 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 \$582.49, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

Robert Clark  
3416 Columbus Avenue  
Sandusky, Ohio 44870

Gregory J. Kowalski  
Ohio Veterans Home  
3416 Columbus Avenue  
Sandusky, Ohio 44870

9/8  
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