

FILED

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Timothy W. Fitzgerald
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**SUPERIOR COURT OF WASHINGTON
COUNTY OF SPOKANE**

In re the Marriage of:

SIRINYA SURINA

Petitioner,

And

AARON MICHAEL SURINA

Respondent.

No. 17-3-01817-0

ORDER ON MOTION FOR:

1. Contempt;
2. Finding Re: Community Property Character Of Family Residence, and
3. To Order Petitioner, Sirinya Surina To Act As The Sole Representative Of The Community to Manage and Facilitate The Sale Of The Family Residence.

Summarize any money judgment from section 8 in the table below.

Reserved

Judgment for	Debtor's name	Creditor's name	Amount	Interest
Civil penalty	Aaron Surina	Spokane County Clerk	\$ 100.00	\$
Failure to pay Auto Payment	Aaron Surina	Sirinya Surina	\$1,320.00	
Failure to pay Mortgage	Aaron Surina	Sirinya Surina	\$6,400.00	
Lawyer fees and costs	Aaron Surina	Keith A. Glanzer	\$1,500.00	\$
Yearly Interest Rate for child support, medical support, and children's expenses: 12% .				
For other judgments: % (12% unless otherwise listed)				
Lawyer (name): Keith A. Glanzer represents: Sirinya Surina				
Lawyer (name): Richard Kuck represents: Aaron Surina				

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KEITH A. GLANZER, P.S.

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I. BASIS

Petitioner, Sirinya through her attorney, Keith A. Glanzer, moved the court to make a finding on the community property character of the family residence, appoint Petitioner as sole decision maker regarding the sale of the family residence and enter an order on contempt for violations of the temporary orders regarding payments on the auto loan and mortgage payments.

II. FINDINGS

2.1 The court has considered the *Motion for Contempt; Findings of Community Property and Appointing Petitioner as sole representative of the community to execute the sale to the family residence* and any supporting documents, response from the other party, reply and other documents from the court record identified by the court. A hearing was held on January 3, 2019.

2.2 ~~Contempt. The Temporary Order entered September 28, 2017, Section 9. Household Expenses was not obeyed.~~ *Reserved*

2.3 ~~Respondent, Aaron Surina, acted in bad faith when he intentionally violated the order by failing to make the auto payment for the last 3 months. He further acted in bad faith when he intentionally failed to make the mortgage payment for the last 4 months.~~ *Reserved*

2.4 ~~Petitioner has had to borrow money to keep the auto payment current to avoid repossession of the auto. A judgement for these payments should be entered against Respondent in the amount of \$1,320.00. A judgement for the delinquent mortgage payments in the amount of \$6,400.00 should be entered against Respondent.~~ *Reserved*

2.5 ~~Bad faith interference with sale of family residence. The August 10, 2018 Order to Immediately Place Family Residence For Sale was not obeyed. Respondent, Aaron Surina, acted in bad faith when he intentionally meddled with an offer to buy the family residence for up to \$1,000 over the asking price of the residence in the amount of \$345,000.00.~~ *Reserved*

2.6 ~~The losses due to Respondent's violation should be calculated at the time of sale of the residence. A judgment in the amount of the calculated losses should be entered against Respondent.~~ *Reserved*

- 1 2.7 Community Property. The property located at 1616 S. Rocky Ridge, Spokane Valley,
2 WA 99212 was purchased during the marriage with community funds and is hereby
3 determined to be community property with each party owning an undivided 1/2 interest in
4 the resident real estate. *Reserved*
- 5 2.8 Petitioner should be appointed as the sole decision maker for the community with regard
6 to the sale of the family residence without interference by the Respondent.
- 7 2.9 Donna Henry should continue as the agreed upon listing realtor for the family residence
8 and Petitioner's execution of the extension of her contract will be binding upon the
9 community.
- 10 2.10 Respondent by and through his attorney should immediately provide the Petitioner,
11 through her attorney, all documentation regarding the mortgage lender including but
12 not limited to all notices regarding late payments and costs. Further, Respondent
13 should execute release of information documentation prepared by Respondent's
14 attorney that allows Petitioner unrestricted access to all mortgage lender information.
- 15 2.11 Attorney Fees and Costs. Attorney fees and costs in the amount of \$1,500 ordered
16 below are reasonable. *Reserved*
- 17 2.12 Petitioner has shown good cause to grant Petitioner's motion. *in part.*

18 III. ORDER

19 IT IS ORDERED that:

20 3.1 Contempt. Aaron M. Surina is in contempt. *reserved*

21 3.2 Money Judgment. *reserved*

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Lawyer fees and costs	Aaron Surina	Keith A. Glanzer	\$1,500.00	\$
Yearly Interest Rate for child support, medical support, and children's expenses: 12% . For other judgments: % (12% unless otherwise listed)				
Lawyer (name): Keith A. Glanzer represents: Sirinya Surina				
Lawyer (name): Richard Kuck represents: Aaron Surina				

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3.3 ~~The losses due to Respondent's violation of the August 10, 2018 shall be calculated at the time of sale of the residence. A judgment in the amount of the calculated losses shall be entered against Respondent.~~ *reserved.*

3.4 Petitioner shall be appointed as the sole decision maker for the community with regard to the sale of the family residence without interference by the Respondent. Petitioner is hereby authorized to execute any and all documents required to effectuate the sale of the family residence. *as recommended by Donna Henry*

3.5 Donna Henry shall continue as the listing realtor for the family residence and Petitioner's execution of the extension of her contract shall be binding upon the community. *The August 10, 2018 Order re: sale remains in full force with regard to market values.*

3.6 Respondent by and through his attorney shall immediately provide the Petitioner, through her attorney, all documentation regarding the mortgage lender including but not limited to all notices regarding late payments and costs. Further, Respondent shall execute a release of information documentation prepared by Respondent's attorney that allows Petitioner unrestricted access to all mortgage lender information.

3.7 ~~Attorney Fees and Costs. Attorney fees and costs in the amount of \$1,500 are ordered as noted above.~~ *reserved. Approximate market value is \$295,000 or as recommended by Realtor Donna Henry*

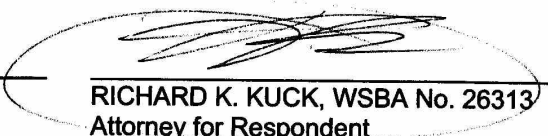
DATED this 3rd day of January 2019


JUDGE TONY HAZEL

Presented by:


KEITH A. GLANZER, WSBA No. 20424
Attorney for Petitioner

Approved for entry:
Notice of Presentation waived:


RICHARD K. KUCK, WSBA No. 26313
Attorney for Respondent

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