

TROY PARKER

v.

WAYNE MACHADO

Submitted on Briefs October 23, 2003  
Decided December 8, 2003

Panel: SAUFLEY, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER,  
CALKINS, and LEVY, JJ.

MEMORANDUM OF DECISION

Troy Parker appeals from a judgment entered in the District Court (Springvale, *Wheeler, J.*) in favor of Wayne Machado on Counts I, III, and IV of Parker's complaint,<sup>1</sup> and from the court's denial of Parker's request for findings of fact and conclusions of law. Contrary to Parker's contentions, the trial court's factual findings from which the court's conclusions of law and its judgment flow, are supported by competent evidence in the record. *Harmon v. Emerson*, 425 A.2d 978, 982 (Me. 1981). There was no error in the court's finding that there was no

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<sup>1</sup> The court entered judgment in the amount of \$690 in favor of Parker on Count II of the complaint, alleging breach of an implied warranty and covenant of habitability pursuant to 14 M.R.S.A. § 6021 (2003). Machado does not challenge this judgment.

contract for repairs and therefore, no breach of contract by Machado (Count I); nor did the court err in its findings that Machado did not deliberately shut off the furnace in an attempt to illegally evict Parker, and that Machado did not have actual notice that the premises were unfit for habitation until he received notice from the Town of Sanford. Accordingly, there was no error in the court's conclusion that Machado prevailed on Parker's complaint for illegal eviction (Count III) pursuant to 14 M.R.S.A. § 6014 (2003). The court did not err in concluding that Parker failed to prove his claim brought pursuant to 14 M.R.S.A. § 6026 (2003), alleging that Machado was liable to him for the existence in the rental property of dangerous conditions requiring minor repairs (Count IV). Lastly, the trial court's findings were sufficient, as a matter of law, to support its judgment, and were supported by evidence in the record; therefore, the trial court did not err when it denied Parker's motion filed pursuant to M.R. Civ. P. 52. *Jarvis v. Jarvis*, 2003 ME 53, ¶ 18, 821 A.2d 913, 917.

The entry is:

Judgment affirmed.

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