



## Firm admits it can't evict Milwaukee man from home it doesn't own

Cary Spivak, Milwaukee Journal Sentinel Published 12:08 p.m. CT March 16, 2017 | Updated 10:00 p.m. CT March 16, 2017



(Photo: Mike De Sisti, Milwaukee Journal Sentinel)

It took a month, but Kaja Holdings 2 LLC admitted in court this week that it cannot [evict Jesse White \(/story/news/investigations/2017/03/03/no-title-no-worry-llc-no-longer-owns-house-files-evict-milwaukee-family/98550996/\)](#) from the house he has rented since 2015.

The reason: Kaja "has recently learned that (it) no longer owns the subject property," the firm confessed in a motion to dismiss the eviction action it filed against the 79-year-old White on Feb. 16.

White's response: He's asking the court to order Kaja to pay his lawyer's fees of \$2,940, a sum that is slightly more than five months rent that White used to pay Kaja.

Kaja "and its attorneys knew that the (eviction) complaint was without any reasonable basis in law or equity when they filed it, but decided to file it anyway," Amanda Adrian, White's Legal Aid Society of Milwaukee attorney, wrote in her motion seeking fees of \$300 per hour.

The court motions are the latest twists in the strange case in which Kaja sued to evict White more than three months after the company lost title to the house White rented on the 4100 block of N. 26th St.

The tale began in March 2015 when White signed a lease with an option to buy that called for him to pay \$570 a month in rent and made him responsible for all repairs and maintenance for the three-bedroom house.

About \$41 of the rent was to go toward the \$40,000 purchase price. The lease states that White was responsible for any taxes due at the time it was signed, though it does not state whether he was responsible for future taxes.

City treasurer records had listed Kaja as the property owner until Oct. 31, when the city took title.

White has told city officials that the house was in terrible condition when he moved in. It lacked plumbing fixtures, working water, water meters and electricity. White has said he spent \$20,000 of his own money making repairs.

Unknown to White at the time is that Kaja is affiliated with [Vision Property Management \(https://vpm3.com/\)](https://vpm3.com/), a South Carolina company that manages about 5,500 rent-to-own properties nationwide. The company is under investigation by the state Department of Justice and has come under scrutiny from the various media outlets and [U.S. Rep. Elijah Cummings \(https://www.nytimes.com/2017/03/13/business/dealbook/rent-to-own-firm-real-estate-vision-property.html?emc=edit\\_tnt\\_20170313&nid=16972092&intemail0=y\)](https://www.nytimes.com/2017/03/13/business/dealbook/rent-to-own-firm-real-estate-vision-property.html?emc=edit_tnt_20170313&nid=16972092&intemail0=y), the ranking Democrat on the House Committee on Oversight and Government Reform.

Former tenants have complained that they were evicted from their homes by affiliates of Kaja after they spent thousands of their own dollars to renovate and repair the rental properties thinking that one day they would be homeowners.

When the tenants, who are generally low-income, were evicted from their homes they were left with nothing to show for the time and money they invested in the properties.

White's story has an unusual twist, in that Kaja lost title because it owed \$8,199 in back property taxes for 2014-'16. Combined, 22 companies linked to Vision Property Management owe the city about \$152,000 in delinquent taxes, a review of city records conducted at the beginning of March showed.

The city seized the property on Oct. 31 and informed White of its action the next day.

"Do not pay any future rent to your former landlord," the Nov. 1 notice from the Department of City Development states. White is currently renting the house from the city for \$500 a month. Amy Turim, the Department of City Development's real estate development services manager, hopes to sell the house to White.

"We're working on a couple of different pathways to turn a tough situation for Mr. White into an opportunity," she said, explaining that the city and White are looking at various programs to make the purchase affordable for White, who is retired and lives in the house with his two teenage sons.

**RELATED:** [Landlord told to fix operation or lose control \(/story/news/investigations/2017/03/02/notorious-milwaukee-landlord-told-fix-operation-lose-control/98652660/\)](/story/news/investigations/2017/03/02/notorious-milwaukee-landlord-told-fix-operation-lose-control/98652660/).

**RELATED:** [Tenants caught in legal tangle get evicted \(/story/news/investigations/2017/02/24/tenants-caught-legal-tangle-get-evicted/98058536/\)](/story/news/investigations/2017/02/24/tenants-caught-legal-tangle-get-evicted/98058536/).

**RELATED:** [Tenant records her own eviction \(/videos/news/investigations/2017/02/24/tenant-records-her-own-eviction/98372310/\)](/videos/news/investigations/2017/02/24/tenant-records-her-own-eviction/98372310/).

**SPECIAL REPORT:** [Landlord Games \(http://projects.jsonline.com/topics/landlord-games/index.html\)](http://projects.jsonline.com/topics/landlord-games/index.html).

City records show the house still needs about \$45,000 worth of work, including a new roof, to bring it up to code.

Despite losing title to the house, Kaja filed to evict White, alleging he had not paid rent since June 2016. White said he paid each month's rent.

Adrian, White's attorney, contends that despite its claims that it recently found out that it did not own White's home, Kaja's own actions prove it knew it didn't own the house when it sought to evict White.

On Jan. 27, Kaja applied to regain possession of the house by paying its back taxes and other fees, Adrian wrote in her motion seeking fees. That was about three weeks before the company sued to evict White.

Kaja and its lawyers "knew that (Kaja) did not own the property — and was therefore not entitled to possession of it — when they commenced this (eviction) action," Adrian wrote.

In addition to dismissing the eviction suit and paying her fees of \$300 an hour, Adrian is asking Milwaukee County Circuit Judge Ellen Brostrom to also remove White's name from state's online court record system known as CCAP.

If Kaja is ordered to pay the fees, the money would go to Legal Aid, which does not charge clients for its legal services. The \$300 rate Legal Aid is seeking is based on Adrian's experience, rates charged in the Milwaukee market and the type of work she did on behalf of White.

In her motion, Adrian argued the sanctions were warranted because Kaja "has wasted judicial resources, sullied defendant's CCAP record, and forced defendant to respond to a meritless action."

Central city landlords frequently check CCAP before renting to a person and frequently will not rent to people who have an eviction on their record even if the eviction action is dismissed, she wrote.

Kaja's attorney, Thomas Cassady, declined comment on Adrian's requests.



**Jesse White is fighting an eviction suit filed against him by Kaja Holdings LLC, who evicted him despite not owning the home.** (Photo: Framegrab from video of Common Council's Judiciary and Legislation Committee)

Brostrom is expected to decide the matter next month.

Read or Share this story: <https://jsonl.in/2nw7iN3>