



SUMMARY COURT AT GEORGE TOWN

CAUSE NO SC: OF 2024

**BETWEEN: THE PROPRIETORS,
 STRATA PLAN NO. 277**

PLAINTIFF

AND: DELLON M. MYLES

DEFENDANTS

PLAINT

TO:

Dellon M. Myles
Unit 1 - Sunset Court Apartments
George Town,
Cayman Islands

THIS PLAINT has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

WITHIN 14 DAYS after the service on you of this **Plaint**, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action.

IF YOU FAIL to satisfy the claim or to return the Acknowledgment form containing full particulars of your defence, the Plaintiff may apply for a default judgment without any further notice to you.

Issued this 17th day of April 2024.

See overleaf for particulars of the Plaintiffs' claim.

PARTICULARS OF CLAIM

1. The Defendant is the registered proprietor of the property legally known as Block 25B, 529H1, and also known as Sunset Court Apartments.
2. The plaintiff is a body corporate comprised of a collection of all the strata proprietors contained within strata plan no. 277 (*"The Proprietors, Strata Plan No. 277"* (the **"Plaintiff"**)) in accordance with section 5(1) of the *Strata Titles Registration Act* (as amended) (herein after referred to as the **"Act"**).
3. In accordance with its duties and powers under section (6(2) of the Act, the Plaintiff is empowered to:
 - a. to establish a fund for administrative expenses sufficient in the opinion of such corporation for the control, management and administration of the common property, for the payment of any premiums of insurance and for the discharge of any of its other obligations; and
 - b. to determine, from time to time, the amounts to be raised for the fund referred to in paragraph (a) and to raise amounts so determined by levying contributions on the proprietors in proportion to the unit entitlement of their respective lots.
4. Subject to the Act, the control, management, administration, use and enjoyment of the strata lots and the common property contained in every registered strata plan shall be regulated by bye-laws.
5. Pursuant to the Bye-Laws (36 and 37) of the Plaintiff's registered bye-laws, it is the Defendant's obligation to make payments of the amounts determined by the strata within 14 days of demand. The Plaintiff issued the demand on 21 February 2024, having delivered it by email to the Defendant's known and usual email address, with no reply to date.
6. The Plaintiff imposed such contributions by way of monthly invoices sent to the Defendant stating the payment due for each respective month. Copies of the latest invoice and demand letter detailing the breakdown of the claim made herein is annexed to this plaint.
7. Pursuant to Bye-Laws the Plaintiff is further entitled to add interest on all sums due owing payable at the daily rate equivalent to 2% per annum above the prime lending rate for commercial banks in the Cayman Islands ***from the time of default until payment.***
8. At the filing of these proceedings, the Defendant has not settled the debt or made arrangements with the plaintiff to settle the debt the defendant is now in arrears in the amount of **CI\$5, 484.73** such amount being due as of 21 February 2024, plus amounts accruing to the date of this filing.

9. The Plaintiff claim monies due and owing to the strata due to the Defendant's breach of contract, that contract being the Bye-Laws which exists and are legally enforceable as between the Plaintiff and section 21 (7) of the *Strata Titles Registration Act (2013 Revision)*.
10. The Plaintiff claims interest on the sums owing.

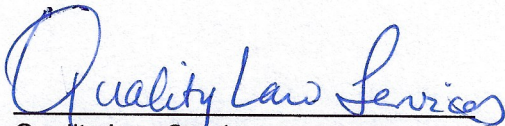
STATEMENT REGARDING INTEREST

- a) The Plaintiff seeks pre and post judgment interest in accordance with the demand letter dated 21 February 2024 and in accordance with the Bye-Laws at the rate of 2% per annum or alternatively in accordance with the *Judicature Act (2021 Revision)* and the *Judgment Debt (Rates of Interest) Rules* as amended from time to time.

AND THE PLAINTIFF CLAIMS:

- i. The said sum of CI\$5,484.73 due as at issue of the demand.
 - ii. Any outstanding strata fees since issue of the demand.
 - iii. Pre and post judgment interest on the said sum of CI\$5,484.73 in accordance with the Bye-Laws or the *Judicature Act* and the *Judgment Debt (Rates of Interest) Rules* as amended from time to time.
 - iv. Costs to be taxed or as agreed pursuant to the Bye-Laws.
11. In the event that within the time for returning the Acknowledgment of Service the Defendant pays to the Plaintiff's Attorney-at-Law the total amount claimed, (together with interests), all further proceedings will be stayed.

Dated this 17th day of April 2024.



Quality Law Services
Attorneys-at-Law for the Plaintiffs

IN THE SUMMARY COURT AT GEORGE TOWN

CAUSE NO SC: OF 2024

BETWEEN: THE PROPRIETORS,
STRATA PLAN NO. 277 PLAINTIFF

AND: DELLON M. MYLES DEFENDANTS

ACKNOWLEDGMENT OF SERVICE

1. State your (the Defendant's) name and address –

[Empty rectangular box for defendant name and address]

2. State whether you, the Defendant intends to contest the action.

Yes No

3. If you, the Defendant does not intend to contest the action, do you want time in which to pay the claim?

Yes No

4. If you, the Defendant do intend to contest the action, in whole or in part, you must set out full particulars of your defence on the overleaf.

Services of the Plaintiff is acknowledged accordingly.

Defendant's Signature

Dated this day of 2024.

See overleaf

PARTICULARS OF DEFENCE

(Here set out in numbered paragraphs the grounds upon which the Defendant says that he is not liable to the Plaintiff, or is not liable for the full amount claimed)

Defendant's Signature

REMINDER: This form must be taken or sent to the Court Office, P.O. Box 495GT, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.