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APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-0953-20**

LISA PATRUNO,

Plaintiff-Appellant,

v.

LISA PETRICK and KIM
BROWN,

Defendants-Respondents.

Submitted October 26, 2021 – Decided November 9, 2021

Before Judges Fisher and Smith.

On appeal from the Superior Court of New Jersey, Law
Division, Monmouth County, Docket No. DC-002349-20.

Lisa Patruno, appellant pro se.

Respondents did not file a brief.

PER CURIAM

In March 2019, plaintiff Lisa Patruno leased a Bradley Beach residence to defendants Lisa Petrick and Kim Brown. As the one-year lease ended in March

2020, plaintiff sued defendants for unpaid rent, and defendants counterclaimed for the return of their security deposit and the reimbursement of other expenses they incurred. The judge considered the parties' testimony and arguments during a one-day hearing and, at its conclusion, rendered an oral decision, finding defendants were due the return of their \$3,774 security deposit, which he doubled pursuant to N.J.S.A. 46:8-21.1. The judge also found defendants entitled to reimbursement for a \$336.64 electric bill and a \$181.18 water bill. The judge entered judgment in defendants' favor for \$8,215.82, a figure which included court costs.

Plaintiff appeals, arguing only that the judge failed to consider evidence that defendants had failed to pay the March 2020 rent. Defendants acknowledged they did not pay that month's rent but instead withheld it to answer for the damages they had incurred. We agree the judge made no finding about whether any or all of the March 2020 rent was owed plaintiff and, without offering or intimating any view about the parties' competing allegations in that regard, we remand for findings on this point and for the judge's determination, based on that finding, whether an adjustment to the amount awarded is necessary.

Remanded for further proceedings in conformity with this opinion. The trial judge may, if it would be helpful to a full consideration of the remanded

issue, reopen the record and take additional testimony or evidence. We do not retain jurisdiction.

I hereby certify that the foregoing is a true copy of the original on file in my office.



CLERK OF THE APPELLATE DIVISION