

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-416

Judge:

Complainant:

ORDER

November 21, 2025

The Complainant alleged a justice of the peace was biased and did not follow the law.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on November 21, 2025.

on _____ but dated _____. The Complaint was signed and verified on _____, before the cure period expired, and filed prematurely on _____. Judge _____ ignored these jurisdictional defects.

- Improperly Denying Motion Process: When Plaintiff asked on the record if they needed to file a response to Defendant's Motion to Dismiss, Judge _____ stated "no." By doing so, the Court denied Defendant the required adversarial process and effectively refused to allow the motion to be litigated. This violates RPEA Rule 11(b), which requires the court to rule on all motions, and demonstrates bias and disregard of established procedure.

Summary

Judge _____ disregarded binding law, denied accommodations, and threatened a disabled litigant with default rather than holding Plaintiff to its burden of proof. This conduct undermines the integrity of the court and violates the Arizona Code of Judicial Conduct.

I respectfully request that the Commission investigate this matter and take appropriate corrective action.

— Respectfully submitted,

, POA for

RECEIVED

Defendant's Testimony and Statement

IN THE JUSTICE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF
JUSTICE COURT PRECINCT

JUSTICE COURT

Case No.:

Plaintiff:

Defendant: and all other occupants

Property:

NOTICE OF ACCOMMODATION AND WRITTEN TESTIMONY

Defendant respectfully submits this written testimony in lieu of oral testimony. Due to disability, including impairments that affect speech and communication, I am unable to fully present testimony orally in open court. This written testimony is provided to ensure full participation in these proceedings consistent with the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.), the Arizonans with Disabilities Act (A.R.S. §§ 41-1492 to 41-1492.12), and the Arizona Rules of Procedure for Eviction Actions 11(a)(2), which permit reasonable accommodations including testimony by written statement.

This statement is intended to stand as my sworn testimony, under penalty of perjury, and should be received and considered by the Court as though I had spoken these words during the hearing.

REQUEST FOR ASSISTANCE

In order to effectively participate in this Zoom proceeding, I may require the assistance of a helper to navigate pages, exhibits, and technical aspects of the remote platform. This helper will not testify on my behalf, but will only provide logistical support so I can access the documents and the hearing. This request is made as a reasonable accommodation under the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) and the Arizonans with Disabilities Act (A.R.S. §§ 41-1492 to 41-1492.12).

SWORN TESTIMONY OF DEFENDANT

(SUBMITTED IN LIEU OF ORAL TESTIMONY UNDER ADA ACCOMMODATION)

1. The Five-Day Notice is defective. It falsely states service was 'hand delivered' on _____ but the Notice itself is dated _____ No information is provided on who _____

delivered it, to whom, or the exact time. Posting does not equal hand delivery. Plaintiff also billed me for this defective notice.

2. The Complaint was prematurely commenced. It was signed, verified, and certified on —before the five-day cure period expired. It was filed on which violates A.R.S. §33-1368(B), §33-1313(B), RPEA 5(d), and Arizona courts' rule that a case cannot be filed until after the cure period fully expires.

3. Rent accounting is misrepresented. The Complaint lists my tenant portion of rent as per month, while HAP credits were applied in the amount of I myself have paid . The ledger shows these amounts, but instead of applying them correctly, Plaintiff manipulated the totals to create a false arrearage.

4. Plaintiff mislabeled late fees and utilities as 'rent' in both the ledger and the Complaint. This directly violates Arizona law, which requires strict separation of actual rent from additional charges. Mislabeled is a material defect.

5. Excessive and unconscionable fees were added. Plaintiff snowballed daily late fees of with a base fee, creating an unconscionable penalty in violation of A.R.S. §33-1312 (unconscionability). Late fees charged in despite timely payment further show manipulation.

6. Plaintiff's ledger is unreliable. It adds and removes charges without transparency, manipulates running totals, and lists false payment applications. This deprives me of a clear and accurate accounting of rent-only obligations.

7. While the Complaint separates 'rent' from 'late fees,' it does so falsely. Plaintiff merely inserted arbitrary numbers into the fields to make the pleading look compliant. Numbers were not calculated truthfully and do not match actual accounting records.

8. Timing defects compound the case. The defective notice (Exhibits A-1, A-2), premature complaint (Exhibits C-1, C-2), and false ledger practices (Exhibits B-1, B-2) all show bad faith. Prior case history (Exhibit D) further supports this pattern.

9. Under HUD rules, including 24 C.F.R. §§ 982.451(b)(3)–(4) and 982.310(b), landlords in Section 8 programs cannot bring eviction actions based on amounts other than the tenant's portion of rent. Here, my portion is /month, and those payments have been made in good faith.

11. Ethical Concerns and Prior Misconduct

This landlord has repeatedly engaged in fabricated accounting, failing to properly credit payments I made, and deliberately inflating alleged arrears. The ledger reflects numbers that do not reconcile, with payments omitted or misapplied to create a false arrearage. These practices not only violate the Arizona Residential Landlord and Tenant Act, but also raise serious ethical concerns about the Plaintiff's candor with the Court.

This is not the first time Plaintiff has used these tactics. In Case No. _____ (_____ Justice Court, filed _____), Plaintiff filed another eviction using the same inflated accounting and rent displacement tactics, then voluntarily dismissed the action before hearing when challenged. In an earlier case, Case No. _____ (_____ Justice Court, filed _____ Judge _____ presiding), default judgment was granted in Plaintiff's favor even though I was never personally served, never received a writ, and was not evicted. Despite this, Plaintiff continued to collect rent. This shows a repeated pattern of improper filings, fabricated claims, and disregard for both service requirements under A.R.S. § 33-1313(B) and due process under the Arizona and U.S. Constitutions.

These repeated abusive practices demonstrate that Plaintiff does not follow the Arizona Residential Landlord and Tenant Act, does not properly serve tenants, and manipulates accounting in bad faith to create false claims of arrears. The Court should take notice of this pattern when evaluating the credibility of Plaintiff's ledger and testimony.

10. For these reasons—including defective notice, premature filing, fabricated accounting, omitted payments, prior misconduct, and violations of due process—I respectfully request dismissal of this case with prejudice. Alternatively, I request the Court compel Plaintiff to produce a sworn rent-only accounting, excluding all fees, utilities, and fabricated charges.

Respectfully submitted,

Phone:

This testimony incorporates by reference Exhibits A-1 through D as attached to Defendant's Amended Motion to Dismiss.

DECLARATION UNDER PENALTY OF PERJURY

I, _____ declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this ___ day of _____ in _____ Arizona.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**