School Tenant Witness Statement on Permission and Reversed Rent Payments

Educational sample 403 | Mariakani

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE PRINCIPAL MAGISTRATES COURT AT MARIAKANI

ENVIRONMENT AND LAND CASE NO [reference]

[SCHOOL OPERATOR PLAINTIFF] v [LANDLORD] AND [AUCTIONEER]

WITNESS STATEMENT

1. I am [school operator]. I entered into the leases for [premises] and identify the copies I signed at [bundle pages]. The earlier term concerned temporary structures. I give my own account of the later discussions and conduct; I do not describe a silent later agreement as containing express permission.

2. I discussed the classroom works with [persons] on [dates]. The precise words and actions I witnessed were [details]. Construction proceeded in stages at [dates]. I identify who was present and which correspondence or photographs supports the landlord knowledge alleged.

3. I paid for the buildings identified at [itemised list], using the records at [pages]. The valuation was prepared by [qualified valuer] following [inspection]. I can identify my expenditure and the structures; the expert must explain valuation methodology independently.

4. When school operations were interrupted, I requested accommodation concerning rent at [communication]. I identify payments made, payments returned and the months still disputed. The transaction records reflect what occurred; I do not treat a returned payment as if the landlord retained it.

5. At [date] I found access blocked in the following manner [observed facts]. I distinguish what I saw from what staff later reported to me. The photographs were taken by [person] at [time] and the distress or notice documents came to me through [identified source].

6. My statement supports the actual pleaded restoration and compensation issues. Student identities and private school records are excluded from this public specimen. I will rely on genuine records and identify any records missing; this draft supplies no photographs, receipts or expert report.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

Use the witness own truthful account, distinguish observed events from named information sources and identify bundle pages and authenticating witnesses. Follow the actual trial or succession witness directions. Additional evidence and statements require any applicable leave. An appeal ordinarily uses the admitted trial record; a new statement cannot be inserted without the proper procedure.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

A school tenant sought restoration or compensation for buildings after a coastal premises lockout. Written leases initially contemplated temporary structures. The tenant relied on a later agreement and the landlord conduct during permanent construction. Landlord and auctioneer disputed permission, rent and alleged subletting. The Mariakani trial included a site visit and competing valuations of KES 3.5 million and KES 1.2 million.

Malindi ELC dismissed the appeal with costs. It accepted tacit contractual variation by conduct, the trial valuation assessment and wrongful termination without notice. The written leases alone did not expressly authorise permanent construction. The judgment did not establish development permission or award every pleaded loss.

Use the genuine leases, conduct, notices and expert evidence together. This fact-specific decision is not general permission to build, avoid rent, omit quantified special damages or evict without due process. Trial specimens belong to Mariakani; the appellate specimens belong to Malindi ELC. The source caption and text name different appellant combinations; complete parties from the actual file.

[2026] KEELC 2338 (KLR) - 23 April 2026. Source decision: https://sheriahub.com/cases/ke/caselaw/gladys-ta-trophy-auctioneers-v-abonyo-ta-ruruma-rising-star-academy-2026-keelc-2338-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/gladys-ta-trophy-auctioneers-v-abonyo-ta-ruruma-rising-star-academy-2026-keelc-2338-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.