

JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE
IN AND FOR SUSSEX COUNTY
COURT NO. 17

JOHN GIBSON
Plaintiff Below,

VS

GREGORY ALEXANDER
LORI VERUCCI
Defendant Below,

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C.A. No. JP17-26-001289

TRIAL DE NOVO

Submitted: May 19, 2026

Decided: May 28, 2026

APPEARANCES:

John Gibson, Plaintiff Below/Appellee
Gregory Alexander, Defendant Below/Appellant, appeared *pro se*
Lori Verucci, Defendant Below/Appellant, appeared *pro se*

Bethany Crowley, Justice of the Peace
Terri Davis, Justice of the Peace
Scott Willey, Justice of the Peace

Judge Willey for the Court

**JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE
IN AND FOR SUSSEX COUNTY
COURT NO. 17**

CIVIL ACTION NO: JP17-26-001289

JOHN GIBSON VS GREGORY ALEXANDER ET AL

ORDER ON TRIAL DE NOVO

The Court has entered a judgment or order in the following form:

HISTORY

Before the Court is a summary possession action filed by John Gibson, Plaintiff seeking possession of the rental property located at 607 Meadow Brook Lane Milford, Delaware. Mr. Gibson is the landlord and Gregory Alexander and Lori Verucci are the Defendants/tenants. Trial was heard at Justice of the Peace Court 17 on April 16, 2026 by Judge Wood; judgment was entered for Plaintiff and Defendants filed an appeal for a trial de novo. Defendants filed a counterclaim for \$25,000.00 which was reduced to \$1500.00 during a pre-trial conference before the trial de novo commenced.

FACTS

The rental property is Plaintiff's primary residence where he rents at least four rooms to five people. The tenants rent one room and originally paid the agreed upon rent of \$800.00 per month until August 2025 when the rent was reduced to \$500.00 per month. According to testimony from all parties and witnesses, the atmosphere at the property is contentious at best, and has led to multiple arrests. Due to ongoing hostilities among the tenants, and between Plaintiff and Defendants, Plaintiff sent a 30-day termination letter to Defendants on/about December 31, 2025 terminating their lease effective February 1, 2026. Plaintiff relies upon 25 Del.C. §5512 which addresses room rentals within a landlord's primary residence. However, this section is only applicable if the landlord rents three or fewer rooms to three or fewer tenants. By all accounts, Plaintiff rents at least four rooms to five people which makes this section inapplicable to these parties. Plaintiff also sent Defendants a 5-day demand for rent letter on February 3, 2026 pursuant to 25 Del.C. §5502. The letter demands monthly rent of \$800.00. Defendants aver the letter is falsely inflated because the agreed upon rent is \$500.00 per month. During trial, Plaintiff offered no rebuttal regarding the reduced rent. Furthermore, Defendants assert the common practice of the parties was that Plaintiff would drive Defendants to get their rent money between the first and fifth of each month which establishes a grace period for payment. Therefore, the demand letter mailed on February 2, 2026 is not only falsely inflated but invalid because it was issued during the grace period.

Regarding the counterclaim for \$1500.00, Defendants offered several disjointed references to "Quiet enjoyment", "Rent abatement", and "Living conditions" but failed to proffer sufficient evidence to satisfy the burden of proof or a clear justification for the dollar amount.

DISCUSSION

In a civil action, the burden is on the Plaintiff to prove its case by a preponderance of the evidence. After careful and thoughtful consideration of all relevant testimony and evidence, the Court finds the Plaintiff has failed to meet this burden. Specifically, Plaintiff's 30-day termination letter relies upon

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Section 5512 which is not applicable to a landlord renting to more than three people in more than three rooms within the landlord's primary residence. It was undisputed that the Plaintiff rents to five people in four rooms. As to the nonpayment of rent notice, the letter references monthly rent of \$800.00 which was successfully refuted at trial making the letter falsely inflated and therefore, not code compliant. Without a proper notice, under an applicable section of the Landlord/Tenant Code, summary possession cannot be granted by the Court; both of Plaintiff's notice letters are invalid.

As to the counterclaim, Defendants failed to prove their case by a preponderance of the evidence. In fact, much of the basis for the counterclaim can be directly attributed to the Defendants themselves. It is clear from the testimony of all parties and witnesses that Defendants caused many of the conditions of which they complained. The Court heard credible testimony from multiple witnesses detailing Defendants' hostile behavior toward other tenants, and their contributions to the issues involving the conditions of the property. As such, no award may be made for "Quiet enjoyment" or "Living conditions". Regarding rent abatement, insufficient evidence was presented.

ORDER

Accordingly, both parties failed to prove their respective cases. Judgment is entered on the summary possession action for Defendants Gregory Alexander, Lori Verucci. Judgment on the counterclaim is entered for counterclaim Defendant, John Gibson.

IT IS SO ORDERED 28th day of May, 2026

/s/Scott Willey
Justice of the Peace/ Court Official
For the Three Judge Panel



Information on post-judgment procedures for default judgment on Trial De Novo is found in the attached sheet entitled Justice of the Peace Courts Civil Post-Judgment Procedures Three Judge Panel (J.P. Civ. Form No. 14A3J).

**JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE
IN AND FOR SUSSEX COUNTY
COURT NO. 17**

**COURT ADDRESS:
23730 SHORTLY ROAD
GEORGETOWN DE 19947**

**CIVIL ACTION NO:
JP17-26-001289**

JOHN GIBSON, PLAINTIFF

VS

GREGORY ALEXANDER, LORI VERUCCI, DEFENDANT

Plaintiff Parties:

PLAINTIFF
SYSTEM ID: @4286571
JOHN GIBSON
502 MARSHALL ST
MILFORD, DE 19963

PLAINTIFF
SYSTEM ID: @4286571
JOHN GIBSON
607 MEADOW BROOK LN
MILFORD, DE 19963

Other Case Parties:

Defendant Parties:

DEFENDANT
SYSTEM ID: @4286572
GREGORY ALEXANDER
607 MEADOW BROOK LN
MILFORD, DE 19963

DEFENDANT
SYSTEM ID: @4286581
LORI VERUCCI
607 MEADOW BROOK LN
MILFORD, DE 19963

**JUSTICE OF THE PEACE COURT
CIVIL POST- JUDGMENT PROCEDURES
THREE JUDGE PANEL**

[This information is not legal advice and not a substitute for seeking legal advice from an attorney. This information is not binding on the court if incorrect or misunderstood. It relates to frequently asked questions concerning post-judgment procedures but does not address all of the possible procedures and may not apply in your particular case. Forms for these procedures may be obtained from any Justice of the Peace Court civil location. All motions must include the name of the court, the names of the parties, the case number, the date the motion is filed with the Justice of the Peace Court and a title indicating the reason for the motion. Court costs or fees must accompany the motion, unless the person has requested, and the court determined, that the person may proceed in forma pauperis (without paying costs or fees or posting bond because they have no money to pay).]

All payments should be made directly to the prevailing party. The Court does not accept payment on judgments.

Pursuant to 10 Del. C. § 9567(b), prevailing parties are reminded of their duty to file a satisfaction of the judgment within 90 days of payment in full.

FAILURE OF A PARTY TO APPEAR FOR THE PANEL TRIAL

As provided by Justice of the Peace Civil Rule 72.1(f), if the Appellant (the party who requested the appeal trial) or both parties fail to appear for the trial, the judgment of the court below shall stand unless the Appellee appears and has filed a counterclaim.

If the Appellee (the party against whom the appeal was taken) fails to appear and a DEFAULT JUDGMENT is entered, that party may file a Motion To Vacate the judgment pursuant to Justice of the Peace Civil Rule 60. The Motion must show; (1) the Appellee's failure to appear was the result of actions of a reasonably prudent person; and (2) the outcome would be different if the trial were held; and (3) the party that appeared would not be prejudiced by having the trial. The Motion must be filed within 10 days, starting the day after the judgment was signed by the De Novo Panel. **A FEE OF \$15.00 MUST ACCOMPANY THIS MOTION.**

MOTION FOR A NEW TRIAL

Either party has 10 days, starting the day after the judgment was signed by a Judge, to file a Motion For A New Trial as provided under Justice of the Peace Court Civil Rule 59. This Motion shall be in writing and shall briefly and succinctly state the reasons for the request. A Motion For A New Trial will be heard by the Panel of Judges who originally heard the case. The reasons for which a new trial may be granted are limited. For example, the reason given for requesting a new trial may be newly discovered evidence. However, for the Panel to grant a motion for a new trial based upon newly discovered evidence, the party requesting the new trial must show all of the following: (1) the newly discovered evidence is important enough to change the result in the case; (2) the evidence could not have been discovered prior to the original trial with reasonable investigation; and (3) the evidence does not merely repeat or dispute evidence presented in the original trial. **A FEE OF \$15.00 MUST ACCOMPANY THIS MOTION.**

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