

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

FEDERAL HOME LOAN)
MORTGAGE CORPORATION,)
)
Plaintiff,)
)
v.)
)
GLISSEAN DAVIS CRITTENDEN,)
)
Defendant.)

CIVIL ACTION NO.
2:11cv729-MHT
(WO)

OPINION

In this ejectment action, the court previously granted summary judgment in favor of plaintiff Federal Home Loan Mortgage Corporation and against defendant Glissean Davis Crittenden, and the court ordered Crittenden to vacate the property at 4368 Narrow Lane Road, Montgomery, Alabama 36116. Federal Home Loan Mortg. Corp. v. Crittenden, 2012 WL 6725635 (M.D. Ala. 2012). In granting this judgment, the court reserved for an evidentiary hearing the issue of the amount of damages to which Federal Home Loan Mortgage Corporation is entitled from Crittenden. Id. That evidentiary hearing

was held today. Under Alabama law, after a lawful foreclosure sale has occurred and demand for possession of the property has been made, further wrongful refusal to surrender possession entitles the rightful owner to recover the reasonable rental value for the period of occupation. Pridgen v. Elson, 5 So. 2d 477, 478 (Ala. 1941). The evidence before the court reflects, and the court so finds, that Crittenden has unlawfully occupied the property from June 14, 2011, until today, January 30, 2013, and that the reasonable rental value for this property is \$ 450 a month. As rental value, Federal Home Loan Mortgage Corporation is entitled to \$ 8,775.00 (\$ 450 a month for 19 and one-half months), plus \$ 450 a month for any continuing period of unlawful occupation, pro rated for periods less than full months, plus interest accruing at the legal rate of interest after the date of judgment.

An appropriate final judgment awarding this rental value to Federal Home Loan Mortgage Corporation from Crittenden will be entered.

DONE, this the 30th day of January, 2013.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE