

No. 1-13-1909

NOTICE: This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

NASHIKA EVANS,)	Appeal from the
)	Circuit Court of
Plaintiff-Appellee,)	Cook County.
)	
v.)	No. 13 M1 40206
)	
AHMAD AKEL,)	Honorable
)	Kenneth E. Wright, Jr.,
Defendant-Appellant.)	Judge Presiding.

JUSTICE LIU delivered the judgment of the court.
Justices Simon and Pierce concurred in the judgment.

ORDER

¶ 1 *Held:* Where defendant failed to provide an adequate record on appeal in this landlord-tenant dispute, we affirm the trial court's judgment.

¶ 2 Defendant Ahmad Akel, the landlord, appeals from the \$1,108 judgment in favor of plaintiff Nashika Evans, the tenant. On appeal, Akel *pro se* contends that the judgment entered against him was "unfair," the court's conclusions were "biased," and that Evans was not entitled to the full amount of her security deposit where she left his apartment damaged. It appears that,

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as relief, Akel is requesting that the trial court's judgment be reversed and the cause remanded for a new trial. Evans has not filed a brief in response; however, we may proceed under the principles set forth in *First Capitol Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 133 (1976). We affirm.

¶ 3 The sparse record on appeal shows that on May 2, 2013, Evans filed a complaint alleging that she left Akel's apartment at 4042 Princeton Court in Streamwood in good condition. Nevertheless, Akel returned only a portion of her security deposit, and Evans demanded the deposit balance (\$1,108).

¶ 4 The record also contains a service of summons showing that Akel was served with the complaint via substitute service on May 20, 2013, and the trial court's June 6, 2013, order awarding Evans \$1,108 against Akel following a trial. The notice of appeal was filed on June 11, 2013.

¶ 5 On appeal from the June 6 order, Akel appears to contend that the judgment entered against him should be reversed and his cause remanded for a new trial where the court's decision was biased and unfair. Akel maintains that he was justified in returning only a portion of Evans' security deposit where she damaged his property. In particular, Akel indicates in his brief on appeal that Evans damaged the floors, the kitchen counter, and the "vertical set" of the subject property. In his brief, Akel also refers to a section of the lease, his pictures of the alleged damages, Evans' videos, and a witness on behalf of Evans at the hearing. The record does not include any of this purported evidence (the lease, pictures, repair proposals, videos or testimony). The record also does not include either a transcript of the trial or an appropriate substitute for the transcript. See Ill. S. Ct. R. 323 (eff. Dec. 13, 2005).

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¶ 6 Akel has failed to provide an adequate record on appeal to allow our review of this claim of error. He only provided the extremely limited common law record, which offers nothing for us to review. The appellant has the burden to provide a complete record on appeal. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984). In the absence of an adequate record, we must presume that the trial court's decision conformed to the law and rested on a sufficient factual basis. *Id.*

¶ 7 Accordingly, we affirm the judgment of the circuit court.

¶ 8 Affirmed.