

JOSEPH N. FURBISH et al.

v.

WILLIAM ZANANIRI

Submitted on Briefs September 26, 2002

Decided October 3, 2002

Panel: SAUFLEY, C.J., and CLIFFORD, RUDMAN, DANA, CALKINS,
and LEVY, JJ.

MEMORANDUM OF DECISION

William Zananiri appeals from a judgment entered in the Superior Court (York County, *Fritzsche, J.*) modifying and affirming a small claims judgment entered in the District Court (York, *Wheeler, J.*) that found Zananiri responsible for damage to a residence he had leased from Joseph and Frances Furbish.

Contrary to Zananiri's contentions, the District Court did not commit an error of law in concluding that, under the terms of his lease agreement, Zananiri could be held responsible for the cost of repairing water damage caused by a leaking toilet. Further, the District Court's determination of the amount of the damages resulting from the leak was supported by competent evidence. *See Pongonis v. Pongonis*, 606 A.2d 1055, 1057-58 (Me. 1992) ("An appellate court

can reverse a finding of fact only where . . . there is no competent evidence in record to support it . . .”).

The entry is:

Judgment affirmed.

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