

SUPPLEMENTAL DECLARATION IN SUPPORT OF TRO

Cause No. DC-25-10952

In the 101st Judicial District Court

Dallas County, Texas

COMES NOW, Plaintiff Michael A. Stuart, appearing pro se, and respectfully submits this Supplemental Declaration in further support of his Application for Temporary Restraining Order. Since the initial filing, significant developments have occurred that further justify immediate judicial intervention.

1. New Developments Since Filing

After the TRO was filed, Defendants escalated their conduct in ways that appear retaliatory and potentially fraudulent. Specifically:

- Defendants produced a partial and doctored ledger that omits over \$1,700 in confirmed payments.
- They backdated late fees and charges to months that were already paid, as proven by bank records.
- They continue to apply \$100 monthly parking charges into 2025, despite the Plaintiff having sold his vehicle
- these fees now total over \$700 in improper charges.
- The resulting balance now falsely exceeds \$2,475.

2. Pattern of Mismanagement and Automation Failures

While Brookfield Properties has admitted errors in its system (Exhibit A), it has failed to correct those errors. Instead, new inaccuracies and fabricated charges have appeared, worsening Plaintiff's position.

Much of the harm appears to originate from BILT Technologies, whose automated payment system is malfunctioning and under industry scrutiny. Wells Fargo recently cut ties with BILT, reportedly due to serious

technical and financial issues.

This combination of Brookfield's disorganization and BILT's broken automation has placed the Plaintiff in financial and legal jeopardy - despite his perfect payment history and government rental assistance.

3. Urgency and Good Faith

Plaintiff has deposited the disputed amount with the Court as a good faith measure. He seeks only accurate billing, compliance with federal Section 8 housing law, and protection from arbitrary or retaliatory actions. The worsening conduct of Defendants since filing confirms that immediate relief is necessary.

4. Relief Requested

Plaintiff respectfully asks the Court to:

1. Grant the Temporary Restraining Order previously submitted;
2. Enjoin Defendants from any further billing or eviction activity while the TRO is pending;
3. Order Defendants to produce a complete and accurate accounting of Plaintiff's ledger, including all payments and credits.

Respectfully submitted,

Dated: July 25, 2025

/s/ Michael A. Stuart

Michael A. Stuart

1800 Main Street, Apt 1554

Dallas, TX 75201

michaelalanstuart@hotmail.com

(361) 446-5392

Michael Stuart

From: Michael Stuart <michaelalanstuart@hotmail.com>
Sent: Thursday, July 24, 2025 5:37 PM
To: Kimmy Sudberry; De La Garza, Vasti
Cc: Klover.Johnson@va.gov; Christenson, Lauren F.
Subject: RE: [External Sender]The Element - Ledger Review
Attachments: signed-TRO-Stuart-vs-Brookfield.pdf

THERE ARE BILLING AND ACCOUNTING ERRORS

The recent ledger is not showing 1,794.3 in payments,
and the rest of the new balance of +\$2.4k are fees that [someone BILT?] went in and **backdated** to December 2024.

EXAMPLE

THE BALANCE SHOWS RENT OWED FOR DECEMBER 2024

Balance due

\$2,475.45

View Charges >

☒ AutoPay ☐ Off

Your rewards on rent this

Pest Control (01/2025)

01/01/2025 Account Billing Service Fee \$3.00

Rent Administration Fee -

01/01/25-01/31/25

01/01/2025 HVAC-Gas ----- \$0.68

HVAC/GAS - 10/15/24-11/13/24

12/01/2024 Rent ----- \$333.00

Rent (12/2024)

BUT HERE IS THE PAYMENT FROM MY BANK STATEMENT

Bank Account

Michael Stuart
1800 Main St, Apt 1554
Dallas, TX 75201

STATEMENT PERIOD
Nov. 28, 2024 to Dec. 27, 2024

ACCOUNT NUMBER
1510-6207-4369-86

12/03/2024	BILT PAYMENT-BILTRENT-c61a21b630db46d Debit	- \$449.12
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Thus, these issues are now in
Dallas District Court

**101st Court, Hon. Staci Williams, Presiding
Case DC-25-10952**

Michael

Another recurring issue - every year I get charged a large amount in June,
here's 2022 for example:

**INCORRECT
CHARGE**
does not reflect
Dallas County
Contribution

Account History

**INVALID
CHARGE**
I have renters
insurance
(same policy
for 2+ years)

**CORRECT
CHARGE**

Date:	Description:	Activity:	Balance:
6/1/2022	Rent	\$1,564.00	\$1,723.97
6/1/2022	Unassigned 101	\$100.00	\$159.97
6/1/2022	Pest Control	\$5.00	\$59.97
6/1/2022	Trash Collection Fee	\$10.00	\$54.97
6/1/2022	Water for 3/9/2022 - 4/8/2022	\$15.01	\$44.97
6/1/2022	HVAC/Electric for 3/19/2022 - 4/20/2022	\$9.96	\$29.96
6/1/2022	BillingFee for 3/15/2022 - 4/20/2022	\$4.35	\$20.00
6/1/2022	HVAC/GAS for 3/15/2022 - 4/13/2022	\$0.88	\$15.65
6/1/2022	HVAC/Electric for 2/17/2022 - 3/19/2022	(\$0.23)	\$14.77
6/1/2022	Insurance Program (06/2022) 6/1/2022	\$15.00	\$15.00
5/1/2022	Rent	\$267.00	\$0.00
5/1/2022	Unassigned 101	\$100.00	(\$267.00)
5/1/2022	Pest Control	\$5.00	(\$367.00)
5/1/2022	Trash Collection Fee	\$10.00	(\$372.00)
5/1/2022	Water for 2/9/2022 - 3/9/2022	\$17.57	(\$382.00)
5/1/2022	HVAC/GAS for 2/14/2022 - 3/15/2022	\$9.05	(\$399.57)
5/1/2022	HVAC/Electric for 2/17/2022 - 3/19/2022	\$7.21	(\$408.62)
5/1/2022	BillingFee for 2/14/2022 - 3/19/2022	\$4.58	(\$415.83)

From: Kimmy Sudberry <Kimmy.Sudberry@dallascounty.org>
Sent: Thursday, July 24, 2025 3:43 PM
To: De La Garza, Vasti <vasti.delagarza@brookfieldproperties.com>; michaelalanstuart@hotmail.com
Cc: Klover.Johnson@va.gov; Christenson, Lauren F. <lauren.christenson@va.gov>
Subject: RE: [External Sender]The Element - Ledger Review

Good Afternoon All,

I'm a bit confused. According to the ledger, there haven't been any payments from the client in the past five months. Klover, were you able to meet with the client in person, and was this the outcome of that meeting? The client mentioned he was set up on automatic payments. Can someone please clarify what's going on and explain how the current balance came to be \$2,475.45?

Thanks,

Kimmy Sudberry

Kimmy.Sudberry@dallascounty.org

Dallas County Health and Human Services/Housing Division

Case Manager

2377 N. Stemmons Freeway Ste.700, LB-16

Dallas, TX. 75207

☎ (214) 819-2824

📠 (214) 819-2828

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DCHHS

Dallas County Health and Human Services

Healthy People Healthy Communities
Health and Social Equity



From: De La Garza, Vasti <vasti.delagarza@brookfieldproperties.com>
Sent: Thursday, July 24, 2025 2:33 PM
To: michaelalanstuart@hotmail.com
Cc: Klover.Johnson@va.gov; Kimmy Sudberry <Kimmy.Sudberry@dallascounty.org>
Subject: [External Sender]The Element - Ledger Review

Hello Michael,

I wanted to connect with you following a recent audit of accounts. During our review, we identified and applied some necessary updates to ensure your account remains accurate and current.

Based on the HAP documentation provided by your caseworker, we've successfully aligned your ledger with the information from Housing and your portion of the rent. As a result of these corrections, a balance now appears on your account.

I understand this may come as a surprise, and I want to assure you that I'm here to support you. I'd be happy to work with you to find a reasonable solution that fits your situation. Once we identify a plan, I can present it to my leadership team to explore available options.

Please feel free to let me know how you'd like to move forward. I'm here to help, and we'll navigate this together.

Best regards,

Vasti De La Garza

Assistant Property Manager | Property Operations
The Merc



vasti.delagarza@brookfieldproperties.com



1800 Main Street Suite 250, Dallas, Texas, 75201

Brookfield
Properties



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Status as of 7/25/2025 8:47 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael AStuart		michaelalanstuart@hotmail.com	7/25/2025 6:28:35 AM	SENT