

PETITIONER: CELINE E. LERMAN
RESPONDENT : MIKHAEL Y. LERMAN

22FL000408

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To: SUPERIOR COURT OF CALIFORNIA
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**Superior Court of the State of California
For the County of Santa Clara**

Celine E. LERMAN,

Plaintiff,

vs.

Mikhael Y. LERMAN,

Defendant.

Case No. 22FL000408

**[32] FACTS ABOUT RUE OBERKAMPF,
ALLEGED DEBT AND REMODELING
COST**

7/25/2023

This declaration is about the hidden asset of Rue Oberkampf that was uncovered by the detective Mr. Benjamin DAGUE. See [exhibit HA](#).

FACTS

1: THE USUFRUCT OF RUE OBERKAMPF WAS DONATED TO THE LERMAN COUPLE IN 1991.

The parents of Petitioner-Wife have donated the usufruct of rue Oberkampf in 1991 for the exclusive benefit of the married couple Lerman. Rue Oberkampf was the second apartment that the couple Lerman occupied after marriage. The first apartment was rented by the couple in 1990 at rue Louis-Blanc for approximately one year.

2: RUE OBERKAMPF WAS USED FOR THE BENEFIT OF THE COMMUNITY DURING 5 YEARS

During the years 1991 – 1995, rue Oberkampf was the only residence of the couple Lerman. See the photos of the Lerman couple living in rue Oberkampf in [exhibit OP](#).

3: THE COUPLE LERMAN DID NOT PAY RENT FOR THE USE OF RUE OBERKAMPF

The couple Lerman never paid any rent for living in the apartment of rue Oberkampf. The reason is because it was considered as their property. The couple was responsible for the most expenses of the apartment.

4: RESPONDENT-HUSBAND PAID \$19,086 FOR THE REMODELING OF RUE OBERKAMPF.

See [exhibit MT](#) PDF page 13 first line. The couple Lerman considered the apartment of rue Oberkampf as their possession and therefore improved it substantially. The remodeling included: the creation of a bathroom, tile flooring in the kitchen and in the bathroom, installation of a heavy duty metal door, electric re-wiring and new panel, installation of heaters in all rooms, painting, installation of cabinets and appliances, installation of a central water heater. The apartment was not live-able before the remodeling. The remodeling cost was paid entirely by Respondent-Husband. See the photos of the remodeling of rue Oberkampf in [exhibit OP](#).

5: THE BROTHER OF PETITIONER MADE A DONATION TO THE COUPLE LERMAN IN EXCHANGE OF THE OCCUPANCY OF RUE OBERKAMPF AFTER THE COUPLE VACATED THE RESIDENCE.

In Nov 1994, Respondent-Husband accepted a position at STMicroelectronics. The couple Lerman voluntarily vacated the apartment of rue Oberkampf and relocated to Annemasse France. Petitioner's brother, Gerald Iszurin, occupied rue Oberkampf and "rented" the place from the Lerman. This donation/rent is today considered as a debt by Petitioner-Wife, without justification. It is mentioned in [exhibit MT](#) PDF page 18 section OTHER ISSUES B. The donation/rent is because Petitioner's brother was occupying the residence of the Lerman community. This usufruct donation is still valid today, this is actually the first owned

apartment of the Lerman couple. Rue Oberkamp is to be characterized as community property.

6: BARE OWNERSHIP WAS HERITATED DURING THE MARRIAGE ON THE DEATH OF PETITIONER'S MOTHER ON JUN 20, 2014

See [exhibit HA](#) PDF page 18

7: OTHER BARE OWNERSHIP WAS ALSO **DONATED** DURING THE MARRIAGE ON SEP 9, 2014

See [exhibit HA](#) PDF page 10.

According to the family code 2650 PART 8. JOINTLY HELD SEPARATE PROPERT

In a proceeding for division of the community estate, the court has jurisdiction, at the request of either party, to divide the separate property interests of the parties in real and personal property, wherever situated and whenever acquired, held by the parties as joint tenants or tenants in common. The property shall be divided together with, and in accordance with the same procedure for and limitations on, division of community estate.

IN SUMMARY

Rue Oberkamp has all the characteristics of the community property.

1: It has been acquired in 1991, during the time of the marriage 1990 – 2023.

2: It has been used, for 5 years, for the benefit of the community 1991 – 1995.

3: The couple Lerman has considered it like their own property by injecting \$19,086 in it for remodeling.

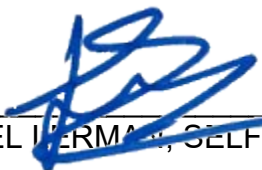
4: Brother of Petitioner made a donation to the Lerman for occupying this apartment.

CONCLUSION

The property rue Oberkamp must be characterized as community property of the couple Lerman.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated 7/25/2023



MIKHAEL LERMAN, SELF REPRESENTED