



Port Charlotte man beats up elderly landlord

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PORT CHARLOTTE, Fla. - Andrew Dwane McCarty sits behind bars, accused of beating up his landlord.

According to McCarty's arrest report, his landlord told police, Andrew pinned her between a door and a wall at their home, then "slammed the door multiple times, hitting her chest, stomach ..."

The attack happened after she tried to throw him out of their Port Charlotte home, for allegedly not paying rent. Although their case is unique, WINK News wanted to make sure landlords knew their rights, to avoid situations like these.

At least know the law, and follow it," said Kevin Jursinski of Fort Myers. The real estate lawyer says that's the first step, and the law is simple.

"You have to give a written notice, 3 days in advance. Then if they don't move, then you go down file a complaint," said Jursinski.

You can't throw a tenant out without that three day notice, or lock them out. That could leave you, the landlord, with a lawsuit in the long run. Instead, that's the time to get the court involved.

"If he doesn't leave then she has to file a lawsuit to get him removed."

Still Jursinski says the easiest thing to remember is, get it in writing.

"It's a lot easier for the court to see something in writing, signed by the landlord and tenant," said Jursinski.

McCarty is charged with battery on a person 65 years or older.

We did knock at the home. The victim is home from the hospital but did not wish to comment. As for the law, Jursinski says all of the landlord tenant information can easily be found online.

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