

Judge upholds UNH student's eviction

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DOVER – A judge has affirmed the University of New Hampshire's decision to kick a student out of her dorm after a rowdy party in September.

Miranda Silverman, a 19-year-old sophomore from New York, petitioned Strafford County Superior Court for an injunction to stop her eviction. In a hearing late last month, her attorney, Todd Stevens, said a university-provided adviser told Silverman if she admitted responsibility to the party, the school would go easier on her, but when Silverman did she was evicted anyway.

UNH noted that Silverman was underage, lived in a dry apartment and violated several university policies regarding drinking and partying.

Lee Smith, UNH's attorney, noted that a "significant" amount of alcohol was found, the party was loud enough to be heard by a dorm adviser six floors below and that while Silverman left once things got out of hand, she did not seek any help in breaking up the get-together.

Judge Marguerite Wageling agreed with the school in an order handed down yesterday that said the rules were clear and Silverman broke them. She wrote that Silverman, like other student residents at The Gables housing complex, was given a copy of the student code of conduct, a room and board agreement, an informational brochure and a separate housing agreement specific to her dorm, all of which talk about the school's alcohol policies.

► **UNH student challenges eviction from housing** (85)

During the hearing, Stevens argued that Silverman was denied due process and her eviction was disproportionate to the offenses.

Wageling rejected both arguments, ruling that UNH properly followed its own policies in evaluating Silverman's case and punishing her and that Silverman had been given paperwork telling her she could be evicted.

"She, alone, controlled her disclosures to the hearings officer," Wageling wrote of Silverman.

Wageling also ruled that the punishment, eviction, was in line with similar cases at UNH. The school provided information showing what was done in those other instances.

UNH hailed yesterday's ruling.

"The university believes the court reached the right finding and we are pleased with the decision," university spokesman Erika Mantz said.

Stevens did not return a call for comment.