

JACKSON TOWNSHIP RENT CONTROL BOARD

SPECIAL MEETING OF JUNE 9, 2008

MINUTES

The meeting, held at the Main Meeting Room in the Municipal Building was called to order by Chairperson Donna Hopkins at 7:30 PM with a flag salute and reading of the Sunshine Law by Mr. Rumpf.

PRESENT: N. Stallone, D. O'Keefe, L. Savage, D. Hopkins, G. DeVito, R. Cruz, J. Bellu, CPA and B. Rumpf, Esq. Also present is Councilman Scott Martin

MAJOR PROPOSED REVISIONS TO THE JACKSON TOWNSHIP RENT CONTROL ORDINANCE

Councilman Martin presented a Power Point presentation of the revised proposed changes to the Ordinance.

**#1 Cap on CPI increases reduced from 5.5% to 4.25% annually. Cap on CPI increases for homes provided heat by the landlord reduced from 7% to 5.75%**

**#2 CPI shall be computed on an annualized basis**

**#3 Tenants to receive notice of any rental increase at least sixty (60) days prior to increase, as opposed to thirty days.**

**#4 Tenants to receive notice of date of Rent Leveling Board hearing as well.**

Mr. Bellu will review the application for completeness and notify the landlord of a hearing date. The landlord will notify the tenants of the hearing date.

Mr. Bellu stated that by January 15, the CPI for the entire year will be known. The actual amount of the CPI will be contained in the Notice to Quit supplied by the landlord. Each tenant will receive notice of the meeting via regular mail from the landlord.

Fred Hebler of Land O' Pines noted that Real Estate taxes come out usually in August, and with the 60 day notice requirement, the landlord will not be able to collect the tax increase until November.

Mr. Bellu stated that in most cases the increase amount has not be extreme and the increase will be retro-active to the August date.

Resident noted that he only received notice this afternoon for today's meeting.

Donna Hopkins responded that it was only decided last week to schedule the special meeting for today and this is the exception to the rule.

Southwind residents do not have an Association for notification. Residents are asked to provide the Rent Board with information as to who should be notified.

**#5 All increases, including real estate tax pass-throughs, must be reviewed and approved by the Rent Leveling Board**

**#6 All landlord applications for increases must include a Certification that the rental property is in a safe and sanitary condition and that the landlord is in full compliance with all state and local laws pertaining to tenant's rights.**

**#7 Proof of the landlords notification compliance must be submitted to the Rent Leveling Board.**

**#8 Landlords must further supply information with each application including copies of all leases or letters setting forth the rental agreement along with information regarding the landlord having any ownership interest in a mobile home or homes within the community.**

**#9 Presently there are no caps on miscellaneous fees such as pet fees, extra person fees and parking fees for cars in common areas. The new ordinance will cap pet fees at ten dollars (\$10) per pet in a mobile home not to exceed twenty dollars (\$20) per month. Pet fees in an apartment shall be capped at twenty-five (\$25) per pet with a fifty dollar (\$50) maximum. Extra person fees shall be capped at forty dollars (\$40) per person and Fifty Dollars (\$50) per person if the Landlord supplies water or sewer. There shall not be any fee assessment for a credit report for any extra person. Extra vehicle fees shall be capped at ten dollars (\$10) per month for vehicles in common areas.**

Councilman Martin noted that if the park or apartment is not presently charging fees for pets or extra persons, that will remain the same. RV vehicles will be kept separate via the lease agreement and will include boats and motor homes.

Mr. Bellu explained the reason for the Cap is that some parks and apartments were charging excessive fees for pets. The board felt that this may have been a way to circumvent the Ordinance by abusing the pet fees. Extra fees will not be included in base rent.

**#10 All such fees WILL NOT be calculated as part of base rent.**

**#11 The ordinance will require dissemination of truth in renting law to prospective tenants and all tenants and prospective tenants shall not be subject to discrimination as defined by New Jersey law.**

**#12 The ordinance will allow a temporary residence of up to sixty (60) days without a fee charged by a landlord.**

Ms. Greenberg feels that 60 days is too long and may encourage people. In Jackson Acres most of the time the temporary resident is under 55. Councilman Martin states that the lease will prevail.

**#13 The new ordinance will provide penalties of up to \$2000 and ninety (90) days of jail for a willful landlord violation of the Ordinance. Such penalties apply to each rental space affected.**

**#14 Vacancy decontrol will apply to the sale of mobile homes and new apartment rentals, however, the new ordinance shall contain anti-harassment controls to restrict a landlord's ability to coerce any tenant to vacate while providing strict punishment for any tenant complains found valid by the local court after referral from the Rent Leveling Board. In addition, any landlords found guilty of such harassment would lose the ability to gain vacancy decontrol for their entire park for a period of one year for a first offense, two years for a second offense and five years for a third and subsequent offense.**

Ms. Greenberg noted that reprimand for bad behavior is not to be considered harassment.

Resident states that he lives in Fountainhead Park. When he moved into the park it was a family park, now it is 55 and over. He and his under the age of 55 daughter were grandfathered in. What happens when he passes on and she inherits the house, will she be allowed to live there.

Mr. Rumpf notes that she would have an argument.

**#15 New tenants shall not face any rental increases for a minimum of one year.**

Mr. Bellu states that Real Estate taxes would be the exception, as taxes are not generally considered an increase but more a pass through.

**#16 All tenants in mobile home parks shall be provided annually with information concerning the maximum decontrolled rent which would be applicable to their unit.**

“Maximum” to be removed from the above statement.

Shari Williams would like the option to come before the Rent Board if it is felt that the new property rent is too high.

Donna Hopkins states that the Board cannot tell the parks how to run their financial business.

Mr. Rumpf states that there would have to be some action contrary to the Ordinance for it to come before the Rent Board.

Ms. Greenberg states that she represents approximately 60-80 parks throughout the State. All towns except Mercer have rent control. There has never been a home purchase problem due to vacancy decontrol. Once vacancy decontrol is brought in there are no hardship applications. This encourages the park owners to make the parks better to get the increased rental. Ms. Greenberg noted that there were three hardship applications in preparation, but the vacancy decontrol coming in, they will not be filed. The hardship requirements have been “tightened up” in that both Hardship and Capital Improvement cannot use in house or relatives to provide price estimates for work to be done.

Mr. Hebler stated that when Land O’ Pines did capital improvement, they did most of the trenching themselves, they only had an electrician to the hook up, can that still apply?

Mr. Bellu states that the electrical work would now need three estimates.

Mr. Bellu states that for vacancy decontrol to work, the parks have to have people moving in and out. There cannot be a “stagnant park”.

Capital Improvement Increases will still apply. It was questioned if the new tenants will want more for the higher rental in the park resulting in more Capital Improvement applications.

Dennis O’Keefe states that it is up to the tenant moving in to know what the park has before they purchase the unit.

Gary Hebler of Land O’Pines – in his park there are three ways to sell a unit, in all cases papers are signed at the time, the decontrolled rent will be disclosed at the time the owner decides to sell the unit.

Shari Williams – is concerned about hardship applications if there is no turnover in the park.

Mr. Bellu – the rent to be charged will only go to what the market will bear.

Fred Hebeler of Land O' Pines – has filed an application for a CPI increase to be effective July 1, 2008. He has already given notice to the tenants, will this increase be affected by the revisions?

Mr. Bellu states that the increase will still be effective July 1, 2008, the application will be heard at the meeting of June 26, 2008 meeting. Jackson Acres CPI increase application will be heard at the June 12, 2008 meeting.

Ms. Hopkins requested from those present to voice any concerns on the revisions at this time as the revisions will be voted on by Township Council at tomorrow's meeting.  
The Second reading of the Ordinance will be at the June 24, 2008 Council meeting at 7:15 PM.

Donna Hopkins states that if the landlord comes in for a CPI increase and a resident has concerns of conditions in the park, the resident will be asked if the landlord was notified and given a chance to correct the condition.

BILLS – Motion to pay all bills    DeVITO / Cruz    Stallone – Abstain  
Remainder – Ayes

It was noted that Jackson Estates has been sold and is now called Jackson Acres.

Meeting adjourned 8:08 PM

Minutes prepared and submitted by:

Kathleen Sevchenko  
Secretary