

NEPTUNE TOWNSHIP RENT LEVELING BOARD

Minutes – September 4, 2014

Constance Holmes, Chairperson, called the meeting to order at 6:00 pm and requested the Secretary to call the roll. The following members were present: Morrel Massicot, Fred Porter, Charles Woolfolk, Constance Holmes and Ruth Johnson (sworn in as an alternate) James Manning Absent

Ms. Holmes stated adequate notice of this meeting as required by P.L. Chapter 231 has been provided by notice in the Coaster March 2014, which was posted on the bulletin board of the Municipal Complex and filing a said notice with the Municipal Clerk.

Ms. Holmes announced that the Consumer Price Index [July's Index was 261.498, up 1.6% over the year].

APPROVAL OF MINUTES

Mrs. Holmes offered a motion, moved and seconded by Mr. Porter to approve the minutes for June 5, 2014; all were in favor.

DISCUSSION ITEMS

Mr. Anthony stated two mobile parks filed a lawsuit to find the Board unconstitutional, and to change the formula for the rent increase. It's currently based on the Consumer Price Index and the landlord's formula would have given a greater increase. They asked for an automatic tax increase that would be passed onto the renter. He stated he did not allow it because they can always come before the Board for a hardship. He went on to state that they settled for the following amendments:

Section: 4-30.3 to eliminate duplication of notice

Section: 4-30.4 change the definition of capital improvement

Section: 4-30.8 has been repealed because the statute changed and does not allow for reimbursement

Section: 4-30.12 they wanted vacancy of decontrolled slightly changed

They agreed to the changes therefore the lawsuit failed.

The Board discussed the Decontrolled Vacancy Notices and Mr. Anthony stated every time there is a turn over to a new tenant they must tell us their apartment is vacant and that they will be getting a new tenant. It must be done within 15 days of renting the space. Upon re-renting the rental space it shall be considered recontrolled to the same extent and under the same conditions as any space originally controlled. He stated they must be diligent in getting this form. He asked for authorization to send out a form letter to all owners with five or more units noticing them of this. Mrs. Holmes stated each tenant should get the new ordinance. Mr. Porter agreed and stated the tenants should be made aware of the ordinance. A motion was made by Mr. Porter, moved and seconded by Mr. Massicot; to send notice by regular mail; all were in favor with the exception of Mrs. Holmes because she wanted to issue violations. Mr. Anthony stated the notices would be sent out to the landlords and they will notify the tenants of the ordinance.

Mrs. Holmes reviewed several Certificate of Inspections and stated the inspections let her know whose renting an apartment and whose in violation.

Mr. Anthony stated the remaining meetings were scheduled for October 2, November 6 and December 4. He suggested keeping the October meeting unless it was cancelled the week before.

PUBLIC PARTICIPATION

Steve Crabtree, 113 Walnut Street, Apt 71, came before the Board and discussed the living conditions at Gable Apartments and what he's done to have them rectified. He presented Mr. Anthony with some of the complaints he's made and stated the residents are afraid to complain or do anything.

Mr. Anthony informed him that if he filed a complaint with the Rent Leveling Board they could not retaliate against him because it would be a crime.

Mr. Crabtree stated there were different types of maintenance issues.

Mr. Anthony informed him that if there were structural problems he had the right to call Code Enforcement and they would issue a summons. He went on to state that we also have an ordinance that states the landlord must take care of their property under the property maintenance ordinance. If there is a problem in an apartment and they are not maintaining it then there's a violation of the hotel/motel violation law. If nothing is done to rectify the problem we have an ordinance that says if your maintenance has reduced from what you had when you first moved in, you can file a claim and they we will reduce your rent but the landlord must be put on written notice and then come back to us and fill out a complaint form.

Mr. Porter offered a motion to adjourn the meeting at 8:00 pm, moved and seconded by Mr. Massicot. All were in favor.

Pamela D. Howard
Secretary