

JACKSON TOWNSHIP RENT CONTROL BOARD  
MEETING OF MARCH 8, 2007  
MINUTES

Chairperson Donna Hopkins called the meeting to order at 7:30 PM with a flag salute and reading of the Sunshine Law by Mr. Rumpf.

PRESENT: R. Cruz, L. Savage, D. Hopkins, J. Bellu, CPA and B. Rumpf, Esq., N. Stallone (7:55 PM)

At the present time this will be an informal meeting due to a lack of quorum. There is no recording equipment available at this time.

Due to Township Budget Hearings scheduled in the Main Meeting Room for March 22, 2007, that meeting of the Rent Control Board will be canceled and all matters will be heard on April 12, 2007. MGM matters will be heard on April 12, 2007. Mr. Rumpf will notify all of the change of meeting date. Fountainhead CPI and Real Estate Tax Increase Application will be scheduled for the meeting of April 26, 2007, Ms. Lori Greenberg is present at this time and will be considered to be notified of the Fountainhead schedule. Ms. Greenberg acknowledges the notification.

**DISCUSSION BY THE BOARD – ORDINANCE REVISIONS, ADDITIONS, DELETIONS, ETC.**

Mr. Rumpf opens up the discussion with the CPI calculation issue. The present calculations make it difficult to notice the tenants properly. A 4 month/16 month look back is proposed. Ms. Greenberg notes that the 45 days allows for more time for the application to be prepared and proper notice given to the tenants.

The Board then has a 60 day period in which to act on the application.

Mr. Chris Hanlon, Esq. representing Regency Club, states that Regency Club has a different situation as the tenants may choose to move out of the apartment, would like to give tenants a 2 month notice. Apartments would require a longer look back, this would benefit both the tenants and the landlord.

Notice of Mailing – Allied Ordinance states that they have problems with the Certified Mail notices. Most of the tenants are older and many cannot get out to the post office to pick up the mail. They have also had problems with the post office mailing the certified mail during the Christmas rush, some instances most, if not all mail was returned undelivered. This was at a cost of over \$4.00 per piece to mail. Fountainhead representative states that she sends notice via a certified proof of mailing. This proves the mail was sent out on a certain date. Ms. Viviano also noted that some residents of Fountainhead get stressed out when they are notified of certified mail. Residents generally do not like to receive certified mail. Jackson Estates representatives mail out notices via regular mail and post on the bulletin board.

Mr. Hebler of Land O' Pines notes that Jackson Township sends out resident's tax bills via regular mail, why not the notices.

<Nick Stallone 7:55 PM>

Ms. Hopkins and board members are in favor of sending notice to the tenants via regular mail. Mr. Rumpf also notes that the landlord/owner/manager should provide an affidavit of service to the board with the application packet.

Ms. Greenberg would also like to include the date of the hearing of the application before the Board with the notices. Mr. Bellu states that this can be done if the applicant calls him for an approximate date. It should be understood that this date may not be written in stone and is subject to change.

It was noted that Mobile Home Park Owners must come before the board for Real Estate Tax increases. Apartment complex owners are presently not required to appear before the board for this increase. In both instances, the landlord should be required to appear before the board for an increase. Mr. Bellu will also communicate with the Tax Office to determine an increase or decrease in taxes and to be sure that decreases as well as increases are passed on to the tenants.

The Ordinance requires the landlord notice the tenants within 21 days after a hearing date of the results of the hearing and provide certification to the board that the tenants were notified. (Apartments Section 86-13-1) This would apply to CPI, Real Estate, Hardship and Capital Improvement increases (or decreases).

CPI and Real Estate Increase Applications – the board will require copies of all leases, and a listing of all residents (names). The board may also require additional information as it deems pertinent that may include a listing of ownership (individuals, share-holders).

Mr. Hanlon notes that UMH is publicly traded and this may prove to be more information than is needed by the board. Mr. Bellu will look further into this area.

Mr. Hanlon suggests that the board require information on subletting rather than ownership. Ms. Greenberg recommends putting a question on the application asking if any of the owners own any units in the park. Who owns the unit and who rents the unit can be incorporated into the application.

CPI or Real Estate Increase – appearance required by Mobile Home Parks with attorney  
Mr. Rumpf notes that by law an LLC or Corporation must have attorney present.

Hardship Application – Three prior years certified financial statements. Ms. Greenberg notes that court required one year certified. Two years prior did not have to be certified.

Mr. Hanlon also notes that if required, professional fees are a direct pass-thru to tenants as a result of an Appellate Decision – Pinewood Estates vs. Barnegat Township.

Ms. Hopkins notes that in most cases CPI increases are a hardship to the tenants. She would propose a Cost of Living increase tied to Social Security rather than a CPI increase.

Jackson Estates notes that in the case of COLA vs. CPI, COLA has been at a higher rate.

Gary Miller, MGM – would like points written out for their attorney to review.

MGM resident state that CPI increases are not fair for seniors.

MGM resident – parks do not have to show their operating budget, not shown if services are put out for bid. They would like to keep park expenses down as this would keep rent down.

Mr. Rumpf notes that the board would have to have specific jurisdiction to see that type of information.

Ms. Hopkins recommends to sit down with park owners, board really has no jurisdiction in that matter.

Mr. Rumpf would like to invite written comments from and tenants, landlords, park managers, counsel, etc. for consideration by the board on amendments to the Ordinance. The Board will then confer with Township Council and make recommendations for amendments and revisions to the Ordinance.

Mr. Hebler – Jackson Township raised real estate taxes 20% and did not ask residents if they could afford it. How would parks determine who is on Social Security? Parks cannot charge 20% increase, have to live by CPI increase. What CPI to use? His CPI increase is in July.

Mr. Bellu states under the present Ordinance, Mr. Hebler would use the April CPI.

Mr. Hebler states he would use March CPI as it is three months prior.

It was suggested that an average of the CPI for the year be used for all parks, all would be the same. Ms. Hopkins states that increases presently go by lease dates.

A question was raised as to if all apartment rents are raised at the same time. Apartments are raised as the lease expires.

MINUTES OF February 22, 2007 - Motion to approve SAVAGE/Stallone Cruz – Abstain  
Remainder Ayes

BILLS – Motion to pay all bills - CRUZ/Stallone All Ayes

#### RESOLUTIONS

2006-09 Jackson Estates Real Estate Tax Increase \$3.26 increase per site per month, maximum of \$29.31 for 232 sites, effective January 1, 2007  
Motion by SAVAGE/Cruz All Ayes

2007-12 Pleasant Gardens CPI Increase 4% effective March 1, 2007  
Motion by SAVAGE/Stallone All Ayes

2007-13 Pleasant Gardens Real Estate Tax Increase \$4.69 per unit per month, maximum of \$67.90 for 52 units Effective March 1, 2007  
Motion by CRUZ/Savage All Ayes

PUBLIC – None

Meeting Adjourned 8:55 PM

Minutes prepared and submitted by:

  
Kathleen Sevchenko, Secretary