

Jackson Township Rent Control Board
Meeting of December 14, 2017
Minutes

Chairman Bob Skinner called the meeting to order at 7:32 PM followed by a flag salute, moment of silence and reading of the Sunshine Law.

Present: E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K. Lowe, R. Skinner, D. Rumpf, Esq. and L. Amoruso, CPA

Minutes of September 14, 2017 - Mr. Skinner noted that one page four Mr. Sullivan had requested research into revision of the Ordinance to lower the number of units that would fall under Rent Control. Mrs. Rumpf will look into this and advise.

Motion to approve Minutes of September 14, 2017 made by G. Miller, Second by E. Bannon
E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K. Lowe, R. Skinner – Ayes

Bills – motion to pay all bills made by E. Bannon, Second by J. Sullivan
E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K. Lowe, R. Skinner - Ayes

Correspondence - Mr. Amoruso has received Vacancy Decontrol information from Southwind, Oak Tree and Jackson Acres.

Resolutions

MGM Tenant Application – Dismissal Table to next meeting.

Silver Pine Mobile Home Park – Application to establish rents.

Mr. Skinner recuses himself from both the Silver Pine application and the Fickert application and leaves the dais.

Mrs. Greenberg, Esq. is present this evening to represent Silver Pine Park. Mrs. Greenberg stated they are here to establish rents. There is no procedure outlined in the Ordinance. Mr. Amoruso has been given copies of all leases for most of the properties, which are rentals. The landlord is looking to establish lot rent. Asking for \$608 lot rent per month, feels this is similar to other parks in Jackson. The landlord has installed new wells, septics, roads and is rehabbing the office; thirty six units have undergone extensive rehab. Approximately \$900,000 worth of work has gone into the park. The park has been cleaned up. There are presently four or five tenants still living in the park from the old regime. Mark Luther is an employee and no rent is being charged. Ritano - \$450, Vaughn - \$400, Linda - \$450, G. Black - \$450 and B. Doran - \$450. This would be for lot rent only, as the tenants own their own homes.

Ovadi Malthi, owner of the park is sworn in by Ms. Rumpf. Mr. Malthi stated that the well has been replaced, including new underground pipes - \$200,000; changed six septic systems - \$100,000; converted 90% of the units from oil to gas, removed 60 tanks. Removed 120 hazardous trees at \$2,500 per tree. General park clean-up requiring 50 forty yard dumpsters. Roads have been repaved and improved. Rehab is complete for thirty mobile homes and CO's have been obtained. Well over one million dollars has been put into the park. They are fully cooperating with the Jackson Police Department and have hired a manager to patrol the park. New leases have been instituted.

The park consists of 62 pads, a house, an apartment and a commercial building. Rents have never been established.

Ms. Greenberg stated that the park was in receivership. Only five or six own their own units. No records were kept by the previous park owner. The park was compared with other parks in Jackson to establish rents. The present owner took ownership of the park in October 2016.

In response to Mr. Miller's question, Mr. Malthi stated that the \$450 is gross rent.

The landlord owns 57 rental homes in the park. The base rent for the lots would be \$608. All are new tenants in the homes. The park owns the homes.

Ms. DiCapua stated that she is very happy that the park is being upgraded. However, she feels the jump from \$450 to \$608 is out of reach. Lot rents should comply with other parks and the Ordinance.

Mr. Miller – most parks are in the neighborhood of \$400 - \$450. A Capital Improvement Increase should be applied for the work done.

Ms. DiCapua also noted that the other parks have amenities such as clubhouses and pools.

Mr. Dimino asks what the Ordinance says.

Ms. Rumpf stated that the landlord is allowed to establish rent.

Mr. Malthi stated that 36 units are rented, 2 bedrooms is \$1,100, 3 bedrooms is \$1,300. One LLC owns the homes and another LLC owns the land.

Mr. Schleckser questions why the park only has a three month license?

Mr. Malthi stated that when they purchased the park, there were many violations. Jackson Township, in conjunction with the NJ Attorney General issued a three month license. Presently there are no violations.

Ms. Greenberg noted that new licenses are renewed in January 2018.

Mr. Sullivan feels the lot rent of \$608 is too high.

Ms. Greenberg noted that according to the Ordinance, the landlord can charge any rent.

Mr. Malthi offered to hire a professional to determine the rents of all parks.

Mr. Dimino feels the rent will be what the market will bear.

Ms. DiCapua states the sites should be the same.

Mr. Malthi stated that the hope is to have people own their own homes. Rent to own.

Mr. Dimino noted that the Ordinance would set the precedence, cannot tell the landlord what to charge.

Mr. Malthi noted that the park next door is charging \$608, why aren't they allowed to charge that amount?

Mr. Amoruso stated that the park establishes the rent with the tenant. Total rent is the amount paid. If the lot rents are too high, no one will rent.

Motion to open Public (on the application) made by C. Dimino, second by J. Sullivan
E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K. Lowe, R. Skinner - Ayes
Brian Doran, sworn in by Ms. Rumpf, of 634 Maria Street. Mr. Doran stated that his rent was set by the Superior Court Judge; he is not a trouble maker. He did not agree to pay a higher rent. He is currently paying \$100 per month. He has a signed lease with the current owner.

Gary Black, sworn in by Ms. Rumpf, stated that new units outside rent control can rent for whatever they desire.

Mr. Dimino notes this has been established.

Mr. Black – the only rents that are under Rent Control were the five lots that the homeowner own their own units. He has a lease established in 2001 that he should be paying \$130 per month.

Mr. Malthi – Mr. Black has no title, no insurance and no CO. He agreed to get the documents within 30 days and did not.

Ms. Greenberg – Mr. Black was working for Earl Terhune, the lease is not a valid lease.

Three of the five have signed leases, two have not signed.

Mr. Doran stated he does have a lease with the current owner.

Joanne Vaughn of 21 Anthony Way is sworn in by Ms. Rumpf. For the record, her husband does not work for Earl. She wants the harassment to stop; the landlord is taking her land and driveways away. She has agreed to pay the higher amount.

Close Public - Motion by C. Dimino, second by E. Bannon

E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K, Lowe – Ayes

Motion to table the Silver Pine Application until the meeting of January 11, 2017 made by C. Dimino, second by R. Schleckser

E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K, Lowe – Ayes

Fickert Application

Peter Arp (sworn in by Ms. Rumpf) of 844 Hanley Ave Lanoka Harbor, is present this evening. Mr. Arp has a Power of Attorney for his mother-in-law, who is the tenant at 29 Anthony Way and is presently in the hospital with respiratory illnesses.

Ms. Greenberg objects, as Mr. Arp is not the person who lives there and is not an attorney. He cannot represent someone as he is not an attorney.

Ms. Rumpf notes that the apartment is in need of repairs. Ms. Greenberg has stated that the apartment has not been available when the repair people have attempted to make repairs. Mr. Arp would not let them in to do the repairs.

Mr. Arp stated he gave them the key on the 27th. He will make another key. He stated they did not have permits or licensed personnel to make the repairs. He stated his mother-in-law presently is paying \$200 per month rent. The floor is uneven, there is mold and no heat. The landlord promised his mother-in-law would be able to move into a mobile home during the repairs, this has not happened. Mother-in-law is presently in the hospital and unable to attend the meeting.

Mr. Miller noted that Mr. Arp stated that the repairs were not done for over two years. The new owners have only owned the park for a little over one year. Why were these issues not taken up with the previous owner? Mr. Arp stated that the original rent was \$500 in 1997. Earl Terhune lowered the rent to \$200 and promised repairs would be made.

Ronnie Malthi, co owner of the park is sworn in by Ms. Rumpf. Mr. Malthi stated the apartment is a rehabbed chicken coop.

Ms. Greenberg – if the landlord has to do all the repairs, they can terminate the lease and give the \$1,200 for rehab lease back to Mr. Arp's mother-in-law.

Mr. Malthi state that \$300 was the last rent amount and rent has not been paid in the last six to seven months. He has collected approximately \$3,00 in rent. Mr. Arp told him they were moving out by August 15. Mr. Arp called the police department on the person trying to do the repairs.

Ms. Greenberg offers to Mr. Arp to dismiss the eviction, filing, with an explanation and pay \$2,000 and terminate the lease as long as they move out.

Mr. Arp questions security deposit.

Ms. Greenberg has no information regarding a security deposit.

Mr. Arp will agree, but wants "could not be able to live there while repairs were done"

Mr. Malthi stated he has had repair persons there more than twenty times, he is not throwing the Township under the bus. If that statement is made, the township would have to find housing for them.

Public – Bob Skinner (sworn in by Ms. Rumpf) 404 Larkspur Lane. As to his recusing himself from the Silver Pine application: he has spoken with the landlord and it has been determined that his brother did not meet with Silver Pine representatives. It has not adequately established that his brother met with them.

Mr. Malthi stated it was not their property that Mr. Skinner's brother met with.

Ms. Greenberg stated that Mr. Arp has agreed to the following: Tenant will vacate property by 12/18/2017. \$2,000 will be refunded to the tenant and the Eviction Notice will be dismissed with the explanation that the tenant was hospitalized when the Eviction was filed.

Mr. Arp is in agreement with the above statement.

Public Closed – motion by J. Sullivan, second by E. Bannon

E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K. Lowe – Ayes

Mr. Skinner returns to the dais.

Attorney Report / Briefing

Ms. Rumpf noted that the Invoice submitted was for a period of three months.

The Appeal on the All Parks case was won by Mr. Rumpf.

Ms. Rumpf has provided responses to five questions posed by the board:

- 1) Rules Governing the number of Parks vs. Home Rentals
No State or Township rule or law limiting the amount of Parks vs. Home Rentals
- 2) Rules Governing whether Single Family Rentals need to register.
Landlords of Single Family Rentals are required under Township Law and Township Code to register with the township and abide by the requirements under this law. As such the board has the authority to hear renting issues between the landlords and tenants of single house rentals.
- 3) Does the Board have the Authority to send every Rental Unit Notice of the Board's Duties and Power
Township Code provides the Board with the power to notice all rental units concerning the Board and its duties and powers. However, the Township Council should be agreeable to the mailing costs, prior to sending notices. Information should be on the web site as well.
- 4) Rules Governing the Legal Amount of Washers and Dryers per Rental Unit
Section 280-36 of Jackson Township Code provides not less than one single-dry laundry and one automatic or semi-automatic type washing machine for the first 25 dependant mobile home spaces...in excess of 25, not less than one additional machine. Mobile Home parks do not have to provide an automatic dryer, but must provide drying spaces.
- 5) May the Board prepare a Truth-in-Renting Brochure
The Board has the power to create such a brochure. It is recommended that the NJ Truth-In-Renting Guide be used as a reference.
<http://www.state.nj.us/dca/divisions/codes/publications/pdf/Iti/tir.pdf>

Mr. Skinner would like to post a link to the Truth in Renting Information site on the Rent Control Board website.

Mr. Skinner thanks the members of the Board for their professionalism at tonight's meeting. It was a very productive meeting.

Motion to Adjourn by E. Bannon, second by R. Schleckser

E. Bannon, D. DiCapua G. Miller, R. Schleckser, C. Dimino, J. Sullivan, K. Lowe, R. Skinner – Ayes

Meeting Adjourned 10:40 pm

Minutes prepared and submitted by: Kathleen Sevckenko, Secretary