

BOROUGH OF RIDGEFIELD

BERGEN COUNTY, NEW JERSEY

RENT LEVELING COMMISSION
604 BROAD AVENUE
RIDGEFIELD, NJ 07657



TELEPHONE
201-943-5215 EXT. 446

RENT LEVELING COMMISSION

MARCH 10, 2020

MINUTES OF THE MEETING

Jerry Ross called the meeting to order at 7:35 pm. Adequate notice published.

Pledge of allegiance

“This meeting is being held pursuant to the New Jersey Open Public Meetings Act, Chapter 231 of P.L. 1975. In addition, adequate Notice was published in the Bergen Record and posted in the Ridgefield Borough Hall.”

Roll call.

For the tenants:	Jerry Ross - Present
	Gail Winter – Present
For the tenants (alternate):	Anna Guacci – Absent
For the homeowners:	Minji Kim - Absent
For the landlords:	Charles Patrick - Present
	Frank Khoury - Absent
For the landlords (alternate):	Yaacov Reich - Absent
Tenant Advocate	Sarah Kim - Present
Board attorney	John Ferraro - Present
Board council representative	Lauren Larkin - Present
Board secretary	Joyce Schultz - Present

Motion made by Gail Winter to accept the February 2020 minutes as written. Charles Patrick seconded the motion.

New Correspondence

- Email from Feinsein Raiss Kelin Booker & Goldstein dated March 5 enclosing copy of condensed version of the transcript of Ochoa/Bravo proceedings that took place on January 14, 2020.

No old business

New business

- Letters sent to Bravo/Ochoa, Doug Hartwyk and Dennis Carroll for hearings tonight.
- Suggestion to change Section 322-8F – Any party, either landlord or tenant, requesting a hearing before the Board must notify all affected parties by regular mail and email (if party does not have access to email, the secretary of the board will call the party to advise them of their hearing). Currently, certified/registered mail, return receipt requested is required now. Before taking any action on this, we need to find out what happened with the last letters that were sent out. Doug Hartwyk had issues with letters going to him and feels that regular mail is more effective. There seems to be an issue with the post office handling borough mail.

Update: Joyce received both mailings returned and marked “no such address.”

- Suggestion to start meetings at 7:00 pm. Charles Patrick cannot make the meeting earlier than 7:30 pm due to traffic and distance.

Gail Winter made a motion to open the meeting to public. Charles Patrick seconded the motion.

- Bravo/Ochoa – 650B Shaler Boulevard - were not present for their hearing. Tracy Goldstein explained that the charge was initially implemented and then rescinded. As of this date, they are not charging that \$100. No tenants have paid the \$100 surcharge and this issue is moot. Joyce will draft a letter to Bravo/Ochoa thanking them for bringing this to the board’s attention and that this is being dismissed. Tracy Goldstein requested a copy of the letter we send out.
- Doug Hartwyk – 648A Shaler Boulevard - request for hearing based on major capital improvement charges for work done by previous owner. He states in his hearing request that the new landlord has done no major capital improvement and therefore is not entitled to this money. The board attorney stated that the charges stay with the land. When the application was approved there was a given length of time for these charges. Tracy Goldstein stated that one surcharge goes until 2027 (Judgment dated February 16, 200 signed by Jonathan N. Harris, J.S.C., Docket No. BER-L-7679-99)

and the other until 2049 (decision/resolution made by the Rent Leveling Commission dated October 2019). The Commission cannot overturn these decisions. It was requested that a motion is made to bring this to the Mayor & Council. Gail Winter made a motion to deny the original request to overturn the previous board decisions and allowing Doug Hartwyk to take it to the Mayor & Council. Motion was passed with all in favor.

- Dennis Carroll – 15B Bryant Place - request for hearing based on a new lease he was asked to sign that did not include a clause that was in his current lease. This is in violation of the Rent Control Ordinance, 322-11, Standards of Service. If he had not seen this paragraph upon the review of his previous lease with the prior landlord of Ridgefield Gardens, he would have no hope for protection under the Rent Control Ordinance. The landlord has not given tenant a new lease. Tracy Goldstein stated that the landlord reached out to Dennis Carroll to discuss face to face. Mr. Carroll was not receptive to that so Tracy Goldstein had the landlord write a letter letting Mr. Carroll know the clause was inadvertently excluded but will be included in all leases. Sarah Kim made a recommendation to the board that Mr. Carroll tried to resolve the issue with the landlord and it wasn't until four days prior to the March 2020 meeting that the landlord got back to him. She requests that the board implement a certain time by which this issue needs to be remedied or find the landlord in violation of the ordinance. Sarah Kim also stated that all tenants should not have to file hearing requests for this issue. Tracy Goldstein said there would be an amendment added to all leases, including any new leases already signed that were missing the clause.
- Sean Shilinsky – 764 Abbott Avenue – there is a very important point being missed that the board has powers and not to be afraid to use them. Specifically, 322-4 Powers of the Board, which directly is in contrast of what Ms. Goldstein is saying, “ensure and promulgate such rules and regulations as it deems necessary to implement the purposes of this chapter, including but not limited to the use of subpoenas, which rules and regulations shall have the force of the law until repealed or amended from time to time by the Board in the exercise of its discretion, provided that such rules are approved by the Mayor and Council and filed with the Borough Clerk.” These rules have been approved and this board has been in existence for 30 years. It is not unreasonable to make the landlord abide by the law of this provision not being in the lease. Sean also stated that all leases need to be filed with the Borough Clerk.
- The board attorney suggested the following motion: Upon application of the tenant, Dennis Carroll, that the landlord was in violation of the rent leveling ordinance by failing to include required language under the ordinance. Moving forward, the landlord is going to present a new lease with the language included. In addition, all future leases to new tenants will include the required language under the ordinance. Also, the landlord will review all current leases and any lease that does not include the language required under the ordinance, and he will send the amendment to that tenant including such language as amended to the lease. Tenant will get a fully corrected copy. Gail Winter made the motion to accept. All were in favor.

- Dennis asked for all tenants that moved to be notified of this issue since it may be the reason that they did not renew their leases. Ms. Goldstein said this is burdensome for the landlord. These tenants are out of the jurisdiction and by not living in the apartments, the rules no longer apply or have any impact on them.
- Sean Shilinsky was discussing the revival of the tenants' organization and the challenges that they were facing with the landlord. Sean Shilinsky asked Ms. Goldstein to ask her client, the landlord, to abide by the law.
- There are a various number of names associated with the landlord which the tenant finds confusing. Also, according to the Ordinance 322-5 part 2, a registration form filed by the landlord is required to include the following – the name, address and telephone number of the property. It was respectfully requested to clarify the identity of the owner and its agents.

Cammedys – parent company
 JCM Living – Management Company
 SF Shaler Properties IV LP – Shaler Properties
 SF Hillside Village LP – Hillside Properties
 SF Ridgefield Gardens IV LP – Ridgefield Gardens

- Sarah Kim asked if the landlord is providing all new information every year. She has been trying to find information on the tenants and is having difficulty finding it. She wants to check the registration to make sure the information is sufficient.

Gail Winter made a motion to close the public portion of meeting. Charles Patrick seconded the motion.

Gail Winter made a motion to close the meeting. All were in favor.

Respectfully submitted,

Joyce Schultz
 August 17, 2020