



TOWNSHIP OF NUTLEY

RENT LEVELING BOARD
NUTLEY, NEW JERSEY 07110



Nutley Rent Leveling Board

Meeting Minutes: February 11, 2016
Meeting Place: Conference Room Town Hall
Meeting Called to order: 4:00 PM

Proper notice of the meeting was given in compliance with the Open Public Meetings Act.

Roll Call

Present:	Alan Budd	Joseph Hannon
	James Kuchta	Lori Monaco
	Marilyn Del Plato	Patricia Williams
	Anthony Palmeri	Rosanna Tangorra
	Dr. Gerard Parisi	Jason Kirk

1. Minutes of the January 14, 2016 were approved as distributed.
2. In response to a notification by the Rent Board attorney to appear before the Board about a complaint for a rent increase in excess of that allowed by the Code, the landlord, along with her attorney, property manager and CFO, were present and presented the rationale for the new rent and argued that it was not in violation of the Code. The basis of the argument was that each year the tenant was notified of an increase in the base rent and reported that amount, as required by the Code, on the rent roster. Furthermore, during each of the last ten years, the tenant, who was also present at the meeting, requested a financial hardship reduction in the amount of rent paid. In previous years, but not for 2016, the landlord approved a "forgiveness" of a portion of the rent. Evidence was submitted to the Board and the facts presented were not disputed. The Board had to consider if, by not continuing the rent "forgiveness", the landlord was in violation of the Code. By a 6 to 3 vote, the Board ruled in favor of the landlord, agreeing with the landlord's attorney argument that the rent, as reported to the Township each year, is consistent with the definition of rent in the Code and that the rent "forgiveness", while affecting the cash paid by the tenant, did not impact the base rent. Consequently, discontinuance of the rent "forgiveness" should not be taken into account in determining the rent to be paid in 2016.
3. The Board reviewed the report which will be provided to the Commissioners.
4. The Board was apprised of a problem involving the section of the Code by which an additional rent increase for capital improvements can be granted to the landlord by the Board. It was the consensus of the Board that the provision should not have been deleted when the Hardship provision was revised. Follow up action is planned.

The meeting adjourned at 5:15 PM