

NEPTUNE TOWNSHIP RENT LEVELING BOARD

Minutes – AUGUST 5, 2021

Mrs. Johnson , Chairperson, called the meeting to order at 6:00 pm and requested the Secretary to call the roll. The following members were present: Ruth Johnson, Naomi Riley, James Manning, Alternate #1 Jeff Klein; Alternate #2 Wendel Thomas. Absent: William Whitley.

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

Mrs. Johnson announced that the Consumer Price Index [June's price index was 293.872, Area prices up 1.0 percent over the month and 4.1 percent over the year.

APPROVAL OF MINUTES – July 1, 2021

Mrs. Riley offered a motion to approve the minutes, moved and seconded by Mr. Klein all were in favor except Mr. Manning who abstained due to the fact that he was absent for the meeting.

RESOLUTIONS

None

DISCUSSION ITEMS

Mr. Anthony informed Jamie Cowling vs Gerald Profita Property Management Co. McNeely Property Management that there hearing would be postponed until October 14.

Hearing – 21-1 Delroy Kerr 248-250 Myrtle Avenue Apt 9 vs Ashbrook Properties addressed the Committee and was sworn in. He stated there was a mistake with his lease and that he did not receive proper notice for his rent increase and that the lease did not show how they arrived at the calculations. He also claimed a reduction in services. The Landlord did not attend.

Mr. Kerr stated he received a Notice and new Lease providing a 30 day Notice to Quit with an increase in rent of \$9.00 effective May 1, 2021 in the Notice and \$17.00 in the Lease.

Mr. Kerr stated he noticed mold on the outside of the apartment, and the entrance to the front door since June 7, 2020 and has smelled mold in his apartment in a closet.

Mr. Kerr stated he has broken floor tiles in the bathroom, which stick to his feet and shoes.

Mr. Kerr did not notify the landlord of mold, but did inform them about the tile problem in the bathroom by text on October 9, 2020 and again on October 28, 2020, which he provided as an exhibit to the Board, for which the Landlord has not corrected nor responded to .

Mr. Manning stated improper Notice of Increase to \$853.00; was illegal, and there was a reduction in services, moved and seconded by Mrs. Riley. All were in favor.

The issue regarding the mold was considered a deficiency because proper notice was not given; therefore, the Board could not act on it.

Mrs. Johnson stated the broken tiles in the bathroom were a significant deficiency and dangerous to Mr. Kerr, and that proper Notice was given of the tile situation discovered on October 9, 2020 with appropriate text Notice on October 9, 2020 and again on October 28, 2020; without response by the Landlord, moved and seconded by Mr. Klein. All were in favor.

Mrs. Johnson stated that the Notice of Rent Increase was improper in that under the Rent Control Ordinance states 60 days' Notice must be provided for any annual rent increase, and a Notice must provide the calculations as to how the amount of increase was arrived at based on the Rent Control Ordinance, and that the rent increase from \$836.00 to \$853.00 was an illegal rent increase based on improper Notice, and that Mr. Kerr is entitled to a credit of \$17.00 per month for each month the increase was paid, and shall continue to pay \$836.00 per month until proper Notice with the proper rent calculation increase is received, moved and seconded by Mrs. Riley. All were in favor except Mr. Klein who abstained.

Mrs. Riley stated that the tile issue in the bathroom was a significant deficiency, which resulted in a reduced rental value from October 9, 2020 through the date of the hearing of August 5, 2021 of 10% of the total base rent of the subject unit, with a present monthly rent of \$836.00; or a credit of \$83.60 per month; for a total credit to the date of the hearing of August 5, 2021 of \$836.00 (10 months) and a continued 10% credit for the month of August, 2021 and continuing for each month until the bathroom tile floor situation is completely remediated and he may deduct the aforesaid credits towards future rental payments, moved and seconded by Mr. Manning. All were in favor except Mr. Klein who abstained.

Mr. Manning asked if a letter could be written to the landlord on behalf of the tenant until the Board formalizes the resolution.

Mr. Anthony confirmed that one could be written.

Mr. Klein suggested Mr. Kerr document everything.

Mr. Manning offered a motion to close the hearing, moved and seconded by Mrs. Johnson. All were in favor.

PUBLIC PARTICIPATION

None

Mrs. Johnson offered a motion, moved and seconded by Mrs. Riley to adjourn the meeting. All were in favor.

Pamela D. Howard Secretary