

**RESOLUTION OF THE NEPTUNE TOWNSHIP RENT LEVELING BOARD OF
TENANT'S COMPLAINT OF ALEXANDER MCGRATH**

WHEREAS, the Neptune Township Rent Leveling Board was presented with a Complaint by ALEXANDER MCGRATH, residing at 2022 Milton Avenue, Neptune Township, New Jersey alleging reduction in services in violation of Section 4-30.9, entitled, "Standards of Service" of the Neptune Township Rent Control Ordinance, and sought relief as a result thereof; and

WHEREAS, a hearing on the Complaint was scheduled and heard on April 7, 2016, after service was made upon the landlord by Certified Mail/Return Receipt Requested, namely, Neptune Housing Associates, LLC, c/o Avi Frischman, Neptune Housing Associates, 691 Elizabeth Avenue, Ste. 2, Newark, New Jersey 07112, as submitted by the tenant, (hereinafter referred to as the "Complainant") within the time period prescribed by local ordinance; and

WHEREAS, on April 7, 2016 the Complainant, ALEXANDER MCGRATH, appeared before the Neptune Township Rent Leveling Board to testify, and the attorney for the landlord, namely, Andrew B. Sobel, of the law firm of Sobel Han, LLP of 691 Elizabeth Avenue, Suite 3, Newark, New Jersey 07112 did appear on behalf of the landlord; and

WHEREAS, the Complainant indicated that there was a pending Eviction Complaint (Complaint for Possession) brought by the landlord, and that in addition to reduced services, he disagreed with the amount of rent that the landlord alleged he owed, and therefore, he would rather have the Superior Court of New Jersey, Special Civil Part, Landlord/Tenant Court hear the matter with regard to rent, as well as reduced services in the form of a habitability hearing, rather than the Neptune Township Rent Leveling Board addressing the reduced service allegations, considering the fact that the Board does not have jurisdiction to hear issues concerning amounts of rent due and owing between a tenant and landlord, and therefore, the Complainant requested withdrawing his Complaint without prejudice.

NOW, THEREFORE, BE IT RESOLVED, by the Neptune Township Rent Leveling Board, that the Neptune Township Rent Leveling Board hereby allows the Complainant to withdraw his Complaint without prejudice, with no further action taken by the Rent Leveling Board unless a new Complaint is filed by the tenant pursuant to the Rent Control Ordinance

of Neptune Township, and pursuant to the Rules and Regulation of the Neptune Township Rent Leveling Board.

IT IS FURTHER RESOLVED AND DETERMINED, that the municipal attorney is hereby authorized to provide the landlord, Neptune Housing Associates, LLC, through its attorney, Andrew B. Sobel, of the law firm of Sobel Han, LLP of 691 Elizabeth Avenue, Suite 3, Newark, New Jersey 07112, and the Complainant, ALEXANDER MCGRATH, of 2022 Milton Avenue, Neptune Township, NJ 07753, with a written notice of this decision by copy of this Resolution effective the date of execution of this Resolution by supplying the same pursuant to Ordinance and that either the landlord or the Complainant shall have a right within twenty (20) days of the date of receipt of the determination in accordance with the Neptune Township Rent Control Ordinance, Rules And Regulations of the Neptune Township Rent Leveling Board to file an appeal before the Neptune Township Committee.

OFFERED BY BOARD MEMBER:

SECONDED BY BOARD MEMBER:

AND ADOPTED ON ROLL CALL BY THE FOLLOWING VOTES:

ROLL CALL

Affirmative:

Negative:

Absent:

Dated: May 5, 2016

RUTH JOHNSON,
CHAIRWOMAN

ATTEST:

PAM HOWARD, Secretary

I hereby certify the foregoing to be a true copy of the resolution adopted by the Neptune Township Rent Leveling Board at a meeting held on May 5, 2016.

ATTEST:

PAM HOWARD, Secretary