

Shamong Township Rent Control Board  
Minutes of meeting  
Wednesday, April 18, 2012

The Shamong Township Rent Control Board met at the Township Building, 105 Willow Grove Road, Shamong, NJ at 7:30 p.m. Those members present were, Steve Bond, Susan Santanasto, Dana Drum, Vince Vendette, Joe Dutka and Robert Hagerty Esq.

Steve Bond brought the meeting to order at 7:40p.m. The secretary read the Sunshine Statement. A salute to the flag followed. A motion was made by Susan Santanasto and seconded by Vince Vendette to waive the reading and to accept the minutes of the last meeting.

*New Business: Oakview Rent Increase*

Mr. Handlen introduced his self and he represents Garden Homes they filed application for 2.8 increase based upon the growth of the Consumer Price Index. As always they submitted their application detailing their calculations. The 2.8% is applied to the base rent after a fee.

They are asking for approval and for their increase of the 2.8% and their VCAA increase as well. They have representatives from the park here as well to answer any questions.

Mr. Dutka verified the 2.8% increase and it agree with the rates published by the Department of Labor. He also verified the methodology that was used to calculate the increase is acceptable method in accordance with sec 12 of the Rent Control Ordinance. He verified the calculations and found nothing wrong. Sue asked if it was the same chart the presented last year and Joe confirmed it was.

Steve said as the committee has reviewed and did not find anything wrong and the Rent Control Board has found in favor of the increase. Sue asked if proper notice was given to all the tenants. Mr. Handlen served the tenants with a notice when they filed for it back in Feb. They advised them they have the right to appear before the board regarding the increases when the hearing is set. They notified them the dame day they filed the affidavit to the board regarding the increase. They posted the meeting notice.

Tracy Holbrook- representative for Oakview brought up the water issue from last year. Found out the water testing passed and feel they were not notified regarding the results. She would like to know the results. Mr. Handlen spoke of the requirements regarding the water testing. The park rep spoke of the DEP regulations and their requirements. They have to give the tenants a Consumer Confidence Report. If there are test failures they have to notify the tenants. The consumer confidence report goes out on June 30<sup>th</sup> and did go out and will go out again this June coming up. There have been no violations since they were last here.

Sue asked if they send a copy to each tenant and the park rep said yes they do.

Tracy said she doesn't recall seeing it, however a tenant spoke up and said he did recall getting it.

Steve Bond then opened the meeting to the public

Mr. Joice had a question about the VCAA rate. Why do we have such a high % increase on the VCAA?  
42.5%

Mr. Handlen said its 2.5% for each year since the last VCAA increase. For each year where there is no sale they are allowed to add 2.5% to each VCAA increase. If someone stays for 20 years and then there is a resale it's intended to bring them close to market value. The increase only goes into effect when there

is a sale. When Garden Homes comes to the meeting each time they have to report it ever year so they know what the rent will be when they sale. It only affects the person buying the house.

Another tenant wanted to know what the VCAA means. It was explained to her.

The VCAA is used to calculate what the rent would be if you sale your home for the next person to pay.

Then Mr. O'Neil spoke about the VCAA increase and feels it is double dipping and feels it is not fair to the tenants. He feels it makes it harder to sell your home when its time. He doesn't think the Rent Control Board has taken into considerations the VCAA portion of the application. He said in the past they have asked to have this removed by the township committee but there was a legal issue and was never passed to have it removed. He doesn't feel that Garden Homes is entitled to the VCAA increase.

George Holbrook never thought about this VCAA issue until now.

Tracy said the VCAA is 2.5% plus the 2.8% but Mr. Handlen said no this is accumulative every year. The ordinance formula is 2.5% accumulative each year for the VCAA. Other towns do it different and other trailer parks are able to charge the current going rate. This is a cap. This is a way for the landlord to get more rent from new tenants. This ordinance also protects the current residence as well from large increases to their own rent. Mr. Handlen said this ordinance works and Mr. Hagerty said this reduces litigations from hardship cases.

Tracy said are there any planned un-force seen increases in their rent in the next year. Don (the park manager) said no there are no planned increases.

Mr. Holbrook voiced his disapproval for the VCAA increases. He feels he will be harder to sell their homes because of the VCAA increases. He mentioned the difference with their trailer park to others and pot holes in the road. He mentioned how the trailer park is falling apart. He is tired of being talked down to by the manager Don. He is tired of all the rules and restrictions.

Steve Bond asked Mr. Holbrook when the last time he filed a complaint was. He said he has but everything is fine now. Mr. Hagerty said we are not here to argue personal issues.

Mr. O'Neil mentioned there is about a 10% turnover and Garden Homes is receiving a 10% increase and there are asking for a 2.5% increase in the VCAA. Mr. Handlen said the turnover is actually less than 10%. Don reviewed the turnover and what was purchased by Garden Homes.

Sue (board member) mentioned we are only here to enforce the ordinance we can't change what the ordinance is. This is done by the township committee. We can only enforce what is already in place.

Robert Hagerty the lawyer

Mrs. Jocelyn Comaszewski is the secretary for the homeowners association. There is a lot of frustration on the residents end but for the most part they are happy with management. If they want to fight the increases, where can go to get the information they need to be better prepared next year.

Robert Hagerty said they should get a copy of the ordinance. They will find a section in the ordinance regarding the landlord and what they have to prove to get the increase. The ordinance is set up in a way where there is really no discretion for the board. Her concern is for the increases hurting the people on fixed incomes and how they can be protected. They have a lot of rules at the park. Mrs. Comaszewski forced her concern about all the rules and wants to know how their concerns can be addressed. Mr. Hagerty said the township committee is the place to go to voice their concerns regarding the ordinance. Mr. Hagerty said as far as the rules of the park the board cannot do anything about that. Mr. Hagerty said as far as the VCAA the Rent Control said the government can't come in and do market rate. As far as the VCAA and the CPI is way to strike a balance of fairness for both parties. The ordinance is pretty much a formula and we cannot do much about that but the township committee is the place to go and voice their concerns about that.

Sue S. said when you bring their concerns the landlord still has to abide by the rules. She admires the time and organization of the Mrs. Comazewski.

Mrs. Comazewski doesn't really have a problem with management or the rules however there is a lot of old friction between management and the community and wants to make sure everyone's concerns are addressed.

Steve Bond closes meeting to public at 8:19pm

Steve Bonds asks if we have any correspondences

There is no correspondence

Motion made by Steve Bond to approve application. Vince Vendette does not want to approve application. Vince then made a motion not to approve the application. He said he was never polled. Mr. Hagerty said that Steve was not saying the committee approved the application but Steve was making a motion to approve the application. Steve then said it came out wrong he meant the steering committee did not find any discrepancies with the application. He stands corrected.

Vince's motion was not seconded.

Vince with withdraws his motion not to approve.

Steve asked is there a motion to accept. Susan makes a motion to accept.

Dana 2nds.

Roll call vote

Sue - yes, Vince - yes, Steve - yes.

Vince wants to know what are we voting for - the tax increase? He now changes his vote to No.

The motion is passed 2-1

Next meeting date May 16, 2012

Meeting adjourn

This is not 100% verbatim of the meeting held.

Respectfully submitted,

Dana Drum