

FAIR LAWN RENT LEVELING BOARD

November 17, 2015

Meeting was called to order by Chairman Aversa at 6:35 p.m.

A statement was read by Chairman Aversa that the meeting complied with the New Jersey Open Public meeting Law.

Present: Michael Aversa, Arlene Glassman, Sharon Metzger, Saul Rochman, Amy Sprechman DeBellis, Mark Singer, Robert Waxman, Anthony Lauro and Michael O'Dea.

Also present: Charles Tregidgo, Esq., Attorney to Board and Marianne Pettineo, Secretary to Board

Correspondence:

There was no correspondence.

Approval of Minutes – July 21, 2015:

Upon a motion by Mark Singer seconded by Amy DeBellis, the minutes for July 21, 2015 were unanimously approved.

Approval of Amended By-laws Re: Change of Meetings:

Upon motion by Saul Rochman and Mark Singer, it was unanimously agreed to amend the By-laws to reduce the number of Rent Leveling Board meetings from six to five per year.

Applications for Capital Improvements Qualifying for Vacancy Decontrol and Certifications of Completion of Work for Units at Fair Lawn Properties:

Submitted by Fair Lawn Properties, c/o Affiliated Management, Inc., for units at 17-27 Chandler Drive, 17-05 Chandler Drive and 17-28 Chandler Drive (Applications No. FL09-2015 to FL11-2015 respectively).

Acting Chairperson Aversa turned the meeting over to Acting Vice Chairperson Glassman.

Michael Aversa, a representative of Fair Lawn Properties, presented the applications for discussion and summarized the work to be done, as complete renovations, as set forth on the itemized list for the applications, i.e., new kitchen cabinets, fixtures and appliances, kitchen floor, bathroom fixtures and vanity,

plumbing, electrical upgrade, air conditioning unit in living room and bedroom, etc. He also presented the final inspection reports and Certificates of Approval, where applicable, from the Borough approving the plumbing, electrical and building work as follows:

Address	Assessed Value	Minimum for Capital Imp.	Cost of Improvement	Inspection Approval Date
16-68 Chandler Drive	\$76,815.00	\$11,522.00	\$18,224.25	June 2, 2015
17-05 Chandler Drive	\$76,815.00	\$11,522.00	\$19,200.40	July 24, 2015
17-28 Chandler Drive	\$76,815.00	\$11,522.00	\$18,449.70	Oct. 21, 2015

Upon review of the applications, inspection certificates, bills and certification of completion of work for the subject units at Fair Lawn Properties referenced above, a motion was made by Saul Rochman and seconded by Mark Singer to accept the applications, as the work performed qualified as capital improvements, and to accept the certification of completion of work that the renovations have been completed and accepted by Board for vacancy decontrol, and the new rent shall be retroactive to the date of the final inspections as specified. Motion carried, with Michael Aversa abstaining.

Applications for Capital Improvements Qualifying for Vacancy Decontrol and Certifications of Completion of Work for Units at Hollow Run:

Submitted by Hollow Run, c/o Affiliated Management, Inc., for 13-18B Sperber Road (Application No. HR02-2015).

Michael Aversa, a representative of Hollow Run, presented the application for discussion and summarized the work to be done as set forth on the itemized list for the application, i.e., new kitchen cabinets, fixtures and appliances, kitchen floor, bathroom fixtures and vanity, plumbing, electrical upgrade, air conditioning unit in living room and bedroom, etc. He also presented the final inspection reports from the Borough approving the plumbing, electrical and building work as follows:

Address	Assessed Value	Minimum for Capital Imp.	Cost of Improvement	Inspection Approval Date
13-18B Sperber Road	\$64,158.00	\$9,624.00	\$18,081.00	June 8, 2014

Upon review of the application, inspection certificates, bills and certification of completion of work for the subject unit at Hollow Run referenced above, a motion was made by Mark Singer and seconded by Saul Rochman to accept the application, as the work performed qualified as capital improvements, and to accept the certification of completion of work that the renovations have been completed and accepted by Board for vacancy decontrol, and the new

rent shall be retroactive to the date of the final inspections as specified. Motion carried, with Michael Aversa abstaining.

Rent Control of Two-Family Homes:

Acting Chairperson Aversa stated they will be discussing rent control issues regarding two family houses. Currently the allowable increase as per the Consumer Price Index (CPI) is 0.4%. Landlords of single family and two family homes are having a difficult time and the apartment complexes are having a serious time trying to keep up. Most towns in Bergen County have adjusted their Rent Control Ordinance to use a percentage increase instead of an increase based on the CPI. He felt the Borough's ordinance was outdated and needed to be amended.

Acting Vice Chairperson Glassman did not feel there was anything wrong with using the CPI to calculate rent increases. She noted that they were supposed to be discussing rent control on two family homes, not the CPI which covers every rental. Acting Chairperson Aversa stated that he would discuss this later under New Business.

He continued by stating he did not think two family and single family homes should be included in the Rent Control Ordinance. Landlords are trying to make ends meet as property taxes increase, but they are only allowed a 0.3% increase and there have been many months when no increase is allowed. Acting Vice Chairperson Glassman pointed out that landlords' expenses such as mortgage rates and fuel have decreased; that is why the CPI went down.

Ms. Pettineo stated this item was placed on the agenda specifically as a result of two separate inquiries she received regarding the sale and purchase of a two family home. She suggested Acting Chairperson Aversa and Acting Vice Chairperson Glassman continue their current discussion under New Business.

Attorney Tregidgo referenced his email to the Board dated November 6, 2015 regarding two inquiries regarding two family homes, which included an opinion on one issue from Matt Shapiro, president of the New Jersey Tenants Association.

The first situation pertains to an owner occupied two family home that the owner vacated on October 31, 2015. The tenant had previously agreed to a \$25 per month increase in July, 2015 and a second increase of \$25 per month in January, 2016. Since an owner occupied two family is exempt from the Ordinance, the landlord may charge whatever they want. This is going to change when the house is sold and it is no longer owner occupied. The landlord's unit will now be rented at market value. The Ordinance is silent as to what happens to the existing tenancy.

He read Section 177-2 of the Ordinance entitled Dwelling, which states "Exempt from this section are housing units of two units or less in which the owner of the premises resides. Housing units newly constructed and rented for the first time are exempted and the initial rent can be determined by the landlord. Subsequent rents will be subject to the ordinance."

This situation is different as the owner intends to sell to someone who will be renting both units. The vacant unit is a first time rental, so the landlord can set the rent at market value. Ms. DeBellis stated that if the remaining tenant has a lease that will remain in effect whether they sell or not. Attorney Tregidgo confirmed that an oral or written lease extends beyond the date of the sale and the new landlord cannot change the rent until the lease expires. The question is what happens at that point. He felt the language in the Ordinance did not pertain to this situation because the unit was not newly constructed and rented for the first time. Section 177-17 states that "the owner of housing space or dwelling being rented for the first time shall not be restricted in the initial rent he/she charges."

He felt the Board should give some serious consideration to the entire Rent Control Ordinance, as it has been in effect since 1982. This why he asked for copies of Rent Control Ordinances from surrounding towns. Mr. Singer asked Attorney Tregidgo if he felt the Council needed to clean up the Ordinance. Attorney Tregidgo confirmed that. He informed the Board that the Council will look to the Rent Leveling Board for guidance as to what, if anything, they wish to change.

Acting Vice Chairperson Glassman stated that their current Ordinance states that the new rent is set by the landlord. Attorney Tregidgo stated the Ordinance does not apply to these circumstances. Ms. DeBellis stated that the rent for the vacant apartment can be set by the landlord but the existing tenant on the second floor is not a new rental.

Ms. Pettineo explained that someone inquired about a possible purchase of a two family home that was owner occupied and not subject to rent control. The prospective buyer asked if he could increase the current rent approximately \$200 to bring it up to market value. The second inquiry was from a tenant who agreed to pay the landlord a \$25.00 per month increase in July, 2015 and an additional \$25.00 per month increase in January, 2016. However, the owner ended up moving out at the end of October. The tenant wondered if she was still obligated to pay the second increase to a new owner.

Attorney Tregidgo stated the tenant would be obligated to follow the current lease, regardless of whether it was an oral or written lease. Mr. Waxman agreed that as long as the tenant signed the lease she was contractually bound to the second increase.

Attorney Tregidgo stated it is a non owner-occupied property. The formerly occupied unit is market rate. The question is what happens to the rent on the existing tenant. Mr. Waxman stated that when the lease comes to an end it should be treated as a new rental as there is no longer a contract binding the tenant to the new landlord. Attorney Tregidgo stated that under New Jersey law the landlord has to offer a new lease. Mr. Waxman stated that once a new landlord purchases the property and does not occupy the property, it is subject to rent control. What was unclear, however, was if the tenant was protected under the rent control Ordinance by the fact that the new owner is not occupying the premises. He felt that was resolved once the lease comes to an end because it sets a new rental.

Attorney Tregidgo stated that if the Board wanted to recommend the change to the Council, based on a tenant that continuously occupies any unit subject to the Ordinance, the language should be changed to indicate that. He suggested adding wording such as "those housing units formerly exempt but now covered by the ordinance as a result of a change in circumstances".

Ms. DeBellis stated this might become a moot point should they decide to remove single or two family homes from the Ordinance. Attorney Tregidgo stated they could send a recommendation to the Council that states "dwellings with x number of units be exempt from the Ordinance" if that is what she is proposing, whether it be two units owner occupied or not. Member Singer noted Acting Chairperson Aversa's belief that it is not economically feasible for some landlords to be under rent control.

Attorney Tregidgo stated economics should play a large part of any discussion. Landlords want the highest rent; tenants want the lowest. He disagreed with Mr. Shapiro's opinion that they can merely interpret the Ordinance. He felt the Ordinance should say what they want it to say. It should not be left up to someone else to decide. Mr. Rochman felt that any apartment, even owner occupied, should be covered under rent control. Acting Vice Chairperson Glassman suggested changing the wording from "Housing units newly constructed and rented for the first time" to "Housing units newly constructed and/or rented for the first time" are exempted and the initial rent may be determined by the landlord. All subsequent rents will be subject to the provisions of the section". That makes it clear. Ms. DeBellis agreed with Attorney Tregidgo's suggestion that they add another clarification in case something arises due to change of circumstance.

Attorney Tregidgo stated that the "and/or" language suggested by Acting Vice Chairperson Glassman would not help the situation they were discussing. He felt the Ordinance should be amended to say that "units formerly exempt due to the provisions of the Ordinance will become subject to the Ordinance upon the change in circumstances". In this case a formerly owner occupied unit is no

longer owner-occupied. The unit formerly occupied by the owner can now be rented at market rate and the existing unit will remain the same, but becomes subject to rent control moving forward.

Ms. Metzger asked what the tenants will be advised since the Ordinance is not yet revised. Attorney Tregidgo stated that the tenant should be advised to seek legal advice. If the lease states a \$25 increase that is what she must pay. Mr. Waxman stated that the most effective date for including the apartment under Rent Control is when the owner moves out of the premises. The existing tenancy becomes subject to rent control on the renewal of the lease. The new tenant will be subject to rent control when their first lease comes up for renewal.

Ms. DeBellis made a motion that the Board recommend the Rent Control Ordinance be amended to include wording that the vacation of a landlord in an owner occupied two family home will cause the owner's existing unit to become subject to rent control on the renewal of the lease. The motion was seconded by Mr. Rochman.

Acting Vice Chairperson Glassman stated that she did not want to vote before seeing the exact wording. Attorney Tregidgo explained that if the language he is discussing is enacted, the Ordinance will cause rent control to become effective on the existing unit. If the tenant's rent is \$800 on the day that the landlord moves out and rents his unit to another party, then \$800 is the base rent that will be used for calculation moving forward. Acting Vice Chairperson Glassman felt that was fair. Attorney Tregidgo stated that the Board can submit a recommendation, but it was up to the Council if they wanted to act on it. Mr. Waxman felt it was important to establish the timing, particularly if the existing tenant was on a month-to-month rental. It is reasonable to establish the base rent as the rent paid by the tenant at the time the landlord moves out of the building.

Acting Vice Chairperson Glassman reiterated that she would not vote until she sees the actual wording. Mr. Waxman stated that the Board will review the wording once it has been drafted by Attorney Tregidgo.

There being no further discussion, the motion passed with Acting Vice Chairperson Glassman abstaining.

Old Business:

There was no old business.

Public Comments:

Cathy Ax, 8-10 Oak Street stated that she lives in a two family house. She was here because she was concerned about her rent and rent control. The house is not owner occupied. Attorney Tregidgo advised Ms. Ax that she was covered under the Rent Control Ordinance. Ms. DeBellis asked if the landlord was complying with the Ordinance. Ms. Ax stated she was not. Ms. DeBellis asked if she has reached out to the Rent Leveling Board. Ms. Pettineo advised the Board that she has given Ms. Ax letters indicating the allowable rent increase. Attorney Tregidgo asked Ms. Pettineo if Ms. Ax's landlord was registered. Ms. Pettineo stated she was not, but she has already prepared a letter that is being mailed tomorrow.

Ms. Metzger asked how the landlord's registration will affect the rental. Mr. Waxman stated that since the Rent Control Ordinance is in effect, it doesn't matter when the landlord decides they want to recognize it. Rent Control is established when the tenant first rented the apartment, which also determines the base rent. If Ms. Ax's landlord is violating the Ordinance, she should file an application so the Board can take action.

New Business:

Acting Chairperson Aversa stated that the current CPI is 0.3%, which is causing extreme stress to himself, Affiliated Management and other landlords in town. He asked that the Board consider making a change regarding the use of the CPI in establishing rent increases. A review of the ordinances from other municipalities that was in their packets shows that most towns use a percentage increase. He would like the Board to determine a flat percentage increase that could be used moving forward. He suggested a renewal increase of 5%.

Acting Vice Chairperson Glassman stated that she was heavily involved when the current Ordinance was drafted by the Council. She felt it was the Council, not the Rent Board that should make changes. The purpose of the Board is to make sure the Ordinance is not violated and provide a place where landlords or tenants can voice complaints about non-compliance. It is not the Board's place to make the laws.

Acting Chairperson Aversa reiterated his request that the Board send a recommendation to the Council that the Ordinance be changed to reflect a 5% increase on renewals.

Mr. Lauro explained that in 2012 Fair Lawn did a reevaluation and taxes on commercial properties increased significantly. Affiliated Management has three properties in town. Taxes went up \$60,000 on one property, \$117,000 on the second property and \$270,000 on the third property. Based on the CPI they

received an average increase of \$2.4% in 2012, \$1.8% in 2013, \$1.5% in 2014 and 0.3% in 2015. Acting Vice Chairperson Glassman suggested they file a tax appeal. Mr. Lauro stated they were filing an appeal but if they are successful, all the monies refunded to them go back to the tenants.

Within the State, the towns are split evenly as to who uses a set percentage increase and who uses a CPI increase. Fair Lawn is one of only four communities using a CPI increase that do not have a tax pass through as part of the Ordinance. When there is a tax increase, Affiliated Management is not allowed to pass that along to the tenants. Since the CPI has basically been a 0% increase for most of the year, even if they did successfully file an appeal the funds would be turned back to the tenants not to them. Simple economics are that any tax revenue taken from the town is going to be put on the shoulders of the homeowners. The tax revenue is going back to the tenants who are not getting tax increases.

In 2012 they had the same impact in New Milford. They had a tax pass through, but only a small percentage of increases were pushed along to the residents, though, because they were bringing the vast majority of rentals up to a market rent. This is why a tax push through is not a solution. He stressed that landlords cannot survive with the way the Ordinance is written.

Mr. Lauro continued that tax assessments increased the assessed value of each unit, thereby increasing the minimum cost of renovations that must be done in order to receive vacancy decontrol. Since they are not increasing their revenue over the last 12 months, renovations will be slowed down dramatically. The town will lose approximately \$18,000 in permit fees.

Ms. DeBellis expressed concern that a 5% increase would bring many apartments up to fair market value. Mr. Lauro suggested that if the Board wanted to keep the CPI, the Ordinance could be changed so that it cannot go lower than a certain percentage. Ms. DeBellis felt that was reasonable. Everyone has the right to make some money. Acting Vice Chairperson Glassman reiterated that the landlord's expenses have gone down. Ms. DeBellis pointed out that tenants have expenses that increase every year and landlords also have expenses that increase, such as property taxes. She believes a 5% increase was too high. The Board must come up with something that will afford some benefits to the landlords without forcing tenants to have to move out because apartments we be overpriced.

Mr. Waxman stated the CPI is supposed to represent general expenses such as fuel costs and other costs of operating the property. The issue of property taxes has been raised. Perhaps the best way to handle that is to keep using the CPI and have a tax pass through. Mr. Lauro stated the process is very complicated and difficult. If there is a successful tax appeal the process to reverse the funds

back to the tenants is even more complicated. He suggested establishing a policy that will keep up with the same percentage of real estate taxes that are being charged. Fair Lawn is somewhere between 2% and 4% mark of tax increases since 2012. He felt they could use the CPI and establish a "not less than" percentage. Ms. DeBellis suggested setting a floor of 2%.

Mr. Singer stated that this is an important issue that has to be fully discussed. He did not feel comfortable making a recommendation to the Council at this time. The only recommendation he felt comfortable with was saying the landlords clearly have issues that need to be further reviewed by the Council. Acting Chairperson Aversa stated the Council will not act unless the Rent Board makes a recommendation. Mr. Singer stated the Board could make a recommendation that this matter be reviewed based on the concerns expressed by the landlords. He did not feel comfortable giving an exact percentage. Mr. Lauro felt they needed to give the Council a starting point. Ms. Metzger agreed.

Mr. Lauro stated that the 2015 tax appeals have been filed. If they are successful the tax refunds will go back to the tenants, who did not receive an increase. It will be borne on the homeowners. Mr. Singer stated that the Board should bring to the Council's attention that there is a clear issue that needs to be reviewed further. If there is conversation that needs to take place between landlords and tenants they will hear from more than just one landlord and one tenant.

Mr. Waxman stressed that the Board needs to fully understand the economics. He did not feel qualified to recommend a percentage. If the landlords feel they are being penalized they should go to the Council. Ms. Pettineo stated that if the Rent Leveling Board feels there is an issue, they should make a recommendation to the Council, who will ultimately make the final decision as to what steps, if any, are taken.

She noted that Acting Vice Chairperson Glassman came in to speak with the Municipal Clerk, who advised her that the Ordinance has not been reviewed since 1995. The Board can make a recommendation to the Council that the Ordinance be reviewed. Ms. Metzger agreed that the Board may not be able to give a specific number; however, she felt they could make a recommendation to the Council and give an example. The Council can then look at ordinances from other towns. Ms. DeBellis noted that the CPI has been historically low. She did not think it was unreasonable to give the landlords a small level of protection by stating that CPI increases be no less than 2%.

Attorney Tregidgo stated that the Council is going to ask for the Board's guidance and recommendations before they act on any issues presented. If the Board wants to make a recommendation about the CPI or another issue,

they should plan a meeting and come prepared for a discussion. They all bring a wealth of information to the table.

Acting Chairperson Aversa stated that he did not want this issue tabled. He felt something should be sent to the Council now. Acting Vice Chairperson Glassman asked if he was talking about making a recommendation to change the Ordinance. Acting Chairperson Aversa clarified that he wanted to make a recommendation that the Council look into the Ordinance. Mr. Waxman stated that he was not prepared to make a recommendation tonight without knowing the economics. Ms. Pettineo stated that if the Board does make any recommendations, the Council may want to review the ordinances from other towns that were in their packets. It would be helpful for the Board to review the ordinances and highlight any points they feel would be beneficial to Fair Lawn.

Mr. Singer stressed this was an important issue. They should review all the material and come prepared to discuss this issue at another meeting, where they could also hear additional comments from others. Ms. DeBellis stated the CPI has been under 2% for the past four years. Ms. Pettineo confirmed that the CPI has been 0% for numerous months. Mr. Rochman noted that many tenants have not gotten raises either.

Mr. O'Dea stated that Hekemian properties located outside of Fair Lawn are hovering between 2% and 3% increases. They are not maxing out their rents because they do not want to lose their tenants. It is difficult to be in a municipality where they are limited to a .3% increase. He hears some Board members expressing concern that they do not have the expertise to recommend a percentage, but he feels most of them understand the CPI is crippling the landlord. It makes sense to evaluate it. He does not know what the CPI was like when the Ordinance was adopted in 1982, but he does not think anyone envisioned it hovering at 0%. Ms. DeBellis felt that by establishing a floor on the CPI, they are protecting the tenants but also giving something to the landlords.

Acting Chairperson Aversa asked for a consensus to send a recommendation to the Council that they look at either a CPI or percentage increase on rents. Ms. DeBellis felt the recommendation should be that they add a floor on the CPI so that the increase does not go below a certain percentage.

Acting Vice Chairperson Glassman noted that in 1982 when the Ordinance was first drafted, the Council left it up to the Rent Board to decide whether they wanted a flat percent or a CPI. The CPI was very high at that point and the tenants wanted a flat percentage, but the landlords on the Board asked to use the CPI instead. When the Council reviewed the Ordinance in 1994, the Council called in members of the Rent Board to a Work Session to get their input.

Attorney Tregidgo suggested the Board ask for a joint meeting with the Council. Mr. Waxman stated they heard the landlords' position. He asked Acting Vice Chairperson Glassman to obtain feedback from the Tenant's Association. Acting Vice Chairperson Glassman stated that she has spoken to some tenants and they would like to keep the CPI. If this item is placed on an agenda she will make sure they receive feedback from tenants.

Acting Chairperson Aversa suggested voting to ask the Council to look at adding a floor percentage to the CPI increase, with no suggested percentage. Mr. Waxman was against that. He felt it implied that the Board thinks the Ordinance has to be changed when not all Board members have come to that conclusion. Acting Vice Chairperson Glassman agreed. Ms. Metzger stressed they would only be asking the Council to investigate whether they felt a change was warranted.

Ms. Pettineo stated that there several hundred landlords who rent out their homes or condo, but the Rent Leveling Board has historically only collected rent rolls from the larger apartment complexes. There are a handful of homeowners who follow the ordinance. They call each year to get the allowable rent increase, only to be told they cannot do an increase or can only increase the rent by a few dollars, while the vast majority of landlords are setting rents as they please. She felt the Board should address this issue as they are responsible for enforcing it. Ms. DeBellis agreed that the landlords who are doing the right thing by following the Ordinance are being hurt.

Acting Vice Chairperson Glassman stated that many years ago when Sylvia Tedona was the Board secretary, the Tenants Association put a notice in The Shopper that landlords were required to submit rent rolls twice a year. Ms. Tedona was inundated with calls. Ms. Pettineo stated that she looked back on prior rent rolls and Ms. Tedona only compiled rent rolls on the apartment complexes. There were no single or two family homes. If they are going to discuss this with the Council, the Council should be made aware that there are landlords of single family homes that are not in compliance with the Ordinance. Mr. Lauro stated that if they bring the landlords into compliance and not give them any increases, they will appeal their property taxes too. If a refund is granted, the landlords will have to give the refund back to their tenant.

Ms. Pettineo pointed out that some municipalities only have rent control on three or more units. Mr. Lauro confirmed that the majority of towns exclude single and two family homes from their Rent Control Ordinances. Acting Vice Chairperson Glassman asked if there was a way to inform all landlords about the Ordinance, such as using publicity. Attorney Tregidgo stated it could be labor intensive, but they could compare tax records to see if there are different addresses listed instead of the property address.

Ms. DeBellis made a motion, seconded by Ms. Metzger, that the Board consider adding a 2% floor on the CPI with regards to allowable rent increases. Acting Vice Chairperson Glassman felt there should be more input from tenants before a decision was made. Motion passed with Amy DeBellis, Michael O'Dea, Saul Rochman and Acting Chairperson Aversa voting in favor and Acting Vice Chairperson Glassman, Mark Singer and Bob Waxman voting against.

Mr. Waxman asked for clarification of the vote. Mr. O'Dea stated there was a suggestion to recommend to the Council that they consider having a 2% floor to the CPI. Mr. Waxman felt they should table this issue until they can review further economic information from all sides. There is no urgency that requires the Board to vote on something before they can understand it. Acting Chairperson Aversa stated an increase will benefit the tenant complexes, because it allows landlords to do renovations and upgrading. It will help the complexes maintain their buildings.

Acting Vice Chairperson Glassman stated she would not feel right voting on a possible change to the Ordinance without the tenants' knowledge. Ms. DeBellis stated that was what Ms. Glassman was assigned to do. That was her job. Mr. Singer felt they should wait. After they do a further review, the Board may come up with a specific recommendation that enhances the landlord's position. They can have another meeting and discuss things systematically to make a specific recommendation.

Attorney Tregidgo announced that he would be resigning as Board Attorney at the end of the year. It has been a pleasure serving the Board. The Board wished Attorney Tregidgo the best of luck on his retirement.

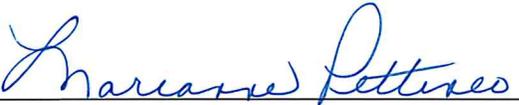
Ms. Pettineo suggested possible dates in December so that the Board could hold a special meeting before Attorney Tregidgo resigned. It was decided instead to schedule a special meeting in January, 2016 based on the availability of the new Board Attorney and the Rent Board.

Ms. Metzger asked for final clarification on the recommendation being sent to the Council. After further discussion, there was majority consensus to remove the specific 2% percentage from the recommendation. Attorney Tregidgo stated that the minutes should reflect that the Board is going to recommend to the Mayor and Council that they either jointly with the Board, or individually look at the Ordinance with an eye towards making appropriate changes, specifically regarding the CPI and installing a floor. The Council should also be informed that the Board is scheduling a special meeting in January to discuss this matter further and thereafter would like to explore the subject with the Mayor and Council. No specific percent amount will be included in the recommendation.

Adjournment:

Upon motion by Mr. Rochman and Mark Singer, the meeting was adjourned at 8:30 p.m.

Respectfully submitted by:


Marianne Pettineo
Marianne Pettineo, Board Secretary