

City of Perth Amboy - Rent Leveling Board Meeting  
Monday, August 1, 2022, via zoom  
Minutes: Meeting called to order @ 7:00 p.m.

**Welcome:** Chairperson S. Hubberman read the open public meetings act and disclaimer.

**Pledge of Allegiance**

**Rent Leveling Board Roll Call:**

Present: Vincent Mackiel, Christopher Rosario, Kevin Kowitski, Salatiel Suriel, Chairperson Sharon D. Hubberman

Absent: Luz Ramirez

Also present: Rent Leveling Board Recording Secretary Dianne Roman and Board Attorney Kevin McManimon

Approval of the Minutes:

**Motion to Table the Approval of Minutes: 05/2/22 & 06/6/2022**

<u>S. Suriel</u>	<u>K. Kowitski</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> Motion

Motion to Table Passed: Unanimous

**Motion to open old business.**

<u>C. Rosario</u>	<u>K. Kowitski</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> Motion

Old Business Open: Unanimous

none

**Motion to close old business.**

<u>K. Kowitski</u>	<u>V. Mackiel</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> Motion

Old Business Closed: Unanimous

**Motion to open new business.**

<u>C. Rosario</u>	<u>K. Kowitski</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> Motion

## **New Business Open: Unanimous**

### **Discussion:**

Board member V. Mackiel discussed the New Brunswick Seminar he attended regarding landlords and tenants and requested more discussion about the seminar. In addition he participated on an online Central Jersey Housing Resource Center program which was in Somerset County, and he went over the Fair Housing Act of 1968, which discusses how discrimination based on race, age and sex is not allowed. He reinforces this information and knowledge is important for the Board to review at a future meeting.

Chairperson S. Hubberman thanked board member V. Mackiel and requested RLB Secretary D. Roman to inform the board about the New Brunswick Seminar for landlords/tenants.

RLB Secretary D. Roman provided additional commentary on the seminar because she attended the New Brunswick seminar which was hosted by a non profit organization called The Unity House, through Catholic Charities. She state: "New Brunswick, similar to Perth Amboy, has similar issues regarding multiple families living in one housing unit. I spoke to the Attorney who does some work in Legal Services of New Jersey. She is from North Jersey. There didn't have many participants, maybe 15 or so, but she (the attorney) really covered issues of tenancy, leases, but it also allowed for property owners to ask questions regarding their rights. She didn't go into specific personal cases, but went into general information. I did talk to her whether she would be inclined or if the organization would be inclined to partnering with the Office of Housing and Social Services as well as the Rent Leveling Board to try and host something like that in the city." The seminar was very informative and she thought it would be beneficial to our community.

RLB Secretary D. Roman continued to propose that perhaps the rent leveling board may want to co-sponsor this kind of workshop. The seminar could occur during the early fall at a house of worship, a school (ie. PTO), or the community room, or at a location that has an audience already established.

RLB Secretary D. Roman noted: "One of the things that I have talked to Chairperson S. Hubberman about is to do something stream lined to let the residents know that we do have a rent leveling board and that they can come to this board with concerns because many people just feel that they are subject to pay increases that are above the 5%. Because rent right now in the city are very very competitive and people are fearful of losing the roof over their heads, instead of speaking up, they would just pay it [the increase]." The New Brunswick rent control rate is 2.8%. RLB Secretary D. Roman stressed that the workshop can help and delineate to tenants what is lawful. She further inquired if the board would be able to co-sponsor this kind of event

and requested feedback from the board attorney K. McManimon in addition to whether the board would like to engage in this workshop.

Chairperson S. Hubberman noted that she would like to hear feedback from Board member C. Rosario regarding this programming effort since he is assigned as the 2<sup>nd</sup> Chair heading the Community Relations Sub-Committee.

Board member C. Rosario responded to Chairperson S. Hubberman and wanted to follow up on a mutual concern he had with Chairperson S. Hubberman about the City's website being more user friendly since the RLB secretary spoke about how we can make things easier for the tenants to know about our board and how they can feel comfortable about filing complaints. He inquired: "How can we make it easier for tenants to know about our Board and how can they feel comfortable filing any complaints?"

RLB Secretary D. Roman acknowledged his concerns and expressed that Chairperson S. Hubberman emailed her some bullet points of some items that would need to be updated on the City's website, ie. The trifold. The RLB secretary Ms. Roman is working with the mayor's office regarding this matter.

Board member C. Rosario expressed that the program RLB secretary D. Roman mentioned is a great idea. The residents (both landlords and tenants) would benefit from the program, however, he also suggested that we have both English and Spanish programming (if possible). Since we are a predominately Spanish speaking community, having Spanish interpreter would benefit the residents and increase the reach.

Board member S. Suriel followed up and stated: "I hear that you want to work with Legal Services of New Jersey. I work with Legal Services of New York City. I think the Legal Services of NJ can also provide more services and more information for tenants and landlords." The Legal Services of NJ is a good non-profit organization, which is also Spanish speaking, and can offer more information like legal education to both tenant and landlord in terms of mortgage issues, emergency rental assistance, landlord emergency assistance for landlords, and other programs for tenants. Board member S. Suriel recommended working with this nonprofit to help gain information for residents in our community (both landlord and tenant).

Chairperson S. Hubberman added, "In looking at the flyer, I think it falls within the Ordinance for the Rent Leveling Board to provide instructive information to our community. However, I would like those concerns of having a translation of the presentation but also having at least three more components to be added where there is a focus for not only for the tenants but also for the landlords." For example, explaining to landlords why it is important for landlords to conduct registration with the City to be in compliance with the ordinance. Also, Chairperson S.

Hubberman would like to include information regarding fire safety and prevention for landlords and tenants. She indicated that the city of Perth Amboy was helping home owners regarding fire safety education such as carbon monoxide and updated fire alarms, and would like the tenants and landlords to be updated about fire safety. The programming effort is an excellent idea, however, it is important to collaborate with not only this organization but also as mentioned before to also include NJ legal services as well as a court appointed translator. Chairperson S. Hubberman raised the concern if this program would be feasible in September or is a timeline of October more realistic.

RLB Secretary D. Roman replied: "I was looking in October, if not by the end of September." RLB Secretary D. Roman added that the gentleman from Catholic Charities who was present at the seminar provided an acceptable translation. She also informed the Board she spoke to the Case Manager who would help determine if it is possible to run a partnership with Catholic Charities, the city, and the Rent Leveling Board. Additionally, she stated: "We need to keep the workshops within a limited time, when you add a lot of layers it may deter some people from coming, I recommend we have a series like two or three during the year." She also mentioned the the Housing Expo which was conducted with the Housing Authority. Last year, pre-Covid there were over 200 individuals who attended. During that expo we also had small classes. We had workshops with Code Enforcement regarding code regulations and the Perth Amboy Fire Department was present as well. As such, she advocates for the event to be divided up between workshops to keep it within an hour between Q&A.

Chairperson S. Hubberman inquired if we can have an event where we would be able to have representatives or partners have tables ie. information at the workshop/program? She offered her personal experience in attending previous workshops where there was a format with a presenter, a program for a day for the attendee, and partners who were able to have information available at a table. "I felt that the take away from the people who attended [such a format] is that they had the resource or the contact and the information right there at that moment." I would encourage a format similar to that, however, I would like to hear feedback from the board if they would like to see a series, or any other comments.

Board member V. Mackiel agreed that the board needs outreach possibilities, "anything that would start the prospect of people understanding that they have their rights and that they have to work diligently with their landlords to maintain their residence." He added, during our time on the board we have met with people in the community, social service agencies, and county court representatives and there is nothing that I listened to or questioned that said to me that there's not going to be a significant rent and housing issues within Perth Amboy. Additionally, anything that we can do to provide more outreach with the community, whether it is a table, or a seminar, where we can lend our hand, it is necessary.

Board member C. Rosario adds, “I just wanted to go on with what RLB Secretary D. Roman said earlier. Your idea was to spread it out into several segments to combine it with other programs that the City would be doing as well?”

RLB Secretary D. Roman clarified, “We could do that or we could do stand-alone programs. I just believe it's good to bring the program to where the crowd is already existing. So, we don't wait around for individuals to come. We have a meeting for our Housing Expo on Friday because we have partnered with the housing authority and we have over forty vendors that come to that event.” She continued to mention a variety of partners and workshops, ie. Home depot, Lowes, 1<sup>st</sup> time Home buyer's class, home inspectors, title companies. We also had the fire department present regarding fire safety, to add to Chairperson S. Hubberman's point, which is something beneficial to everyone. RLB Secretary D. Roman continued to state “if the Rent Leveling Board feels they should have a standalone event, we can always plan for that. I just always believe in bringing the event where we're already going to have 30 or 40 people there.”

Board member C. Rosario stated he definitely understands and it is something to consider. We were thinking of getting this started in October or early November.

RLB Secretary D. Roman informed the board that she was in communication with Catholic Charities and requested if Chairperson S. Hubberman agrees, since Board member C. Rosario is the 2<sup>nd</sup> Chair of the Community Relations sub-committee, that she can share with Board member C. Rosario what the feasibility would be. She also recommended that the program also have a virtual component and is open to what the Board as a whole would like to do.

Board member V. Mackiel included the following: “I think it's very important to understand that the two events; the Pandemic as well as the economy issue are very important. The city of Perth Amboy received a lot of millions of dollars towards the effort to recover from those situations. To allow individuals in Perth Amboy, who are tenants, who are about 70%, to have access to somebody that could level their ability to pay rent and to go about a better future.” He further mentioned said recovery funds were meant for instances where individuals in the community who have had real hardships may receive aide. He concluded that the Rent Leveling Board is essential to helping resolve some of these issues and thanked Chairperson S. Hubberman and RLB secretary D. Roman for the discussion.

Chairperson S. Hubberman thanked Board member V. Mackiel and asked if there are any other board members that would like to add to the discussion.

Chairperson S. Hubberman asked the Board attorney K. McManimon, “Based upon what our board secretary D. Roman was inquiring, are there any restrictions on the Rent Leveling Board in participating or cosponsoring such an event?”

Board attorney K. McManimon replied, "Usually, we would counsel board members to limit their attendance as to not have sufficient number of members there to constitute a quorum." He further noted that even at public meetings or meetings that you don't frame as an official public meeting, it may be interpreted as a public meeting without notice. Where it can be interpreted as a violation of the Public Meetings act, and although the program sounds more of an informational presentation style setting, and the board would not be taking any action, it is encouraged that members limit their attendance to not violate the Public Meetings Act.

Chairperson S. Hubberman thanked Board attorney K. McManimon. She requested a headcount to see which members of the board are in favor of proceeding with the workshop. In addition, she would like the 2<sup>nd</sup> Chair of the Community Relations sub-committee to report to the board more details as to the format. She added: "I do not have any objections to having a workshop, I feel that very strongly that the community will benefit from the information." Chairperson S. Hubberman highlighted her concerns regarding the website component which needs to be updated and working smoothly for the community outreach. A working email, working forms, and a working phone number on the rent leveling board city website page is a high priority before having a workshop, so that those individuals who attend the workshop would have access to information. Further, she did not oppose deepening the communication efforts of the rent leveling board and sees tremendous value in providing more information to the public. Chairperson S. Hubberman requested a motion to move forward with start the necessary set up of a framework of a potential workshop and program.

Motion to proceed with the program.

C. Rosario  
1<sup>st</sup> Motion

V. Mackiel  
2<sup>nd</sup> Motion

Motion passed: Unanimous

Chairperson S. Hubberman tasked the 2<sup>nd</sup> Chair of the Community Relations Sub-Committee, Board member C. Rosario, to be in contact with the RLB Secretary D. Roman as to the design of the program and as to how the RLB will proceed and also who would be able to attend.

Chairperson S. Hubberman inquired to Board Attorney K. McManimon, whether or not a board member attending the event or program virtually or listening in and not participating would constitute a violation of the Open Public Meetings act?

Board attorney K. McManimon responded, "Yes it is the same as virtual here, I'll give some more thought to the notion of more than a quorum worth of you potentially observing the

presentation of something that you're not really participating in for which there's really no action being taken." Board attorney K. McManimon will look further into the matter.

#### Discussion on Sub-Committees

Chairperson S. Hubberman inquired if the RLB secretary D. Roman emailed the list of the sub-committee to the board members, including the list of 2<sup>nd</sup> Chairs of each sub-committee.

Specifically, she added that it is up to the 2<sup>nd</sup> Chair of each sub-committee to set up their meetings. Board member can meet virtually through zoom. It would be good to set up dates, and it would be advisable to at least meet once a month, so that topics may be brought to the board as a whole on the agenda at the regular board meeting.

RLB Secretary D. Roman will email board members for their meeting preferences, it is a more informal meeting due to the small number of participants.

Chairperson S. Hubberman also advised the sub-committee 2<sup>nd</sup> Chairs that if they pick a date or time, that it is at least once a month, and that it would be a consistent date to the best of the board members ability. The meeting is informal. Chairperson S. Hubberman thanked the RLB Board Secretary for her efforts and she stated she look forward to having a fully engaged board because each and every person on the board have wonderful ideas and we want to make sure that each member has a voice on the rent leveling board.

Board member K. Kowitski asked RLB Secretary D. Roman if she has the rosters for the subcommittees. RLB Secretary D. Roman indicated that it was included in the past meeting's minutes but will send out to the board members soon after the board meeting.

Chairperson S. Hubberman requests the RLB secretary D. Roman to share the form she sent to her with the rest of the board member. She thanked K. Kowitski for his feedback.

#### Discussion on a tenant matter

Chairperson S. Hubberman stated that previously the board had successfully addressed a tenant's application complaint regarding a rental increase that exceeded 5%. Due to the efforts of the board, the matter was addressed via a letter that was sent by our board attorney to the management company of the tenant's landlord. Although the management company addressed and fixed the matter for the one tenant who submitted the complaint, it was brought to her attention that another unit in the same location had recently received a rent increase that exceeded the 5% cap. Chairperson S. Hubberman further elaborated on the tenant matter and inquired if there is a way for the Rent Leveling Board can address this immediate situation given

the fact in our community there are instance where tenants may fear losing their residence if they report the incident. What is the recourse?

Board attorney K. McManimon asked how the board member heard about the complaint. Chairperson S. Hubberman recapped that it was through “word of mouth.” Board attorney K. McManimon summarized the action the board may take and indicated that another letter may be sent to the management company stating “that the code section that we referenced at that time limits the ability to raise the rent in all the units to 5%. And they need to make sure they are doing that.”

Chairperson S. Hubberman requested a follow up letter of compliance to the management company of the tenant’s landlord by the board attorney K. McManimon, stating that the compliance must apply to all the units, and to also provide a copy of that letter to the tenants. She added additional comments regarding this matter.

Board member K. Kowitski suggested we may want to consider the Ordinance to be updated to indicate it’s not only per dwelling, but the notification per landlord is applicable for an annual period. "This could just be easily misconstrued from not just a unit within one building but also building to building. There's no reason to suspect that any one organization may not own multiple buildings and that notification of what the legal Ordinance is, we should not have to tell them multiple times per year per building per unit." Chairperson S. Hubberman agreed to include this in the letter.

Chairperson S. Hubberman proceeded to request a motion from the Board to address the tenant matter for our board attorney K. McManimon to do a follow up letter of compliance to the management company of the tenant’s landlord.

Motion to proceed with the letter.

C. Rosario  
1<sup>st</sup> Motion

V. Mackiel  
2nd Motion

Board member V. Mackiel added "That's why we do publish to the media for the input from the media that we have a rent leveling board and that the statutes are supposed to be applied to the community, and the media covers the community."

Board member S. Suriel added, "We also need to provide insight for the media to know that we also have other members on the board that are constituents as well."

Motion passes: unanimous



Chairperson S. Hubberman thanked Board attorney K. McManimon for his assistance in this matter.

Motion to close new business.

<u>V. Mackiel</u>	<u>S. Suriel</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> Motion

New business closed: unanimous

Motion to open to the public.

<u>C. Rosario</u>	<u>V. Mackiel</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> the Motion

Public Open: Unanimous

No comments from the Public.

Motion to close to the public.

<u>K. Kowitski</u>	<u>V. Mackiel</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> Motion

Public closed: Unanimous

Before voting on the motion to adjourn the meeting, RLB Secretary D. Roman added, "Recently we have increased the amount of our first-time home buyers grant for individuals who are looking to purchase their first home in the city. We are now awarding \$10,000 for anybody who meets the income guidelines, this is low to moderate, so this is due to the recession they have increased the income threshold. I wanted to share that information with the RLB members."

Chairperson S. Hubberman thanked RLB Secretary D. Roman for the valuable information.

Motion to adjourn the meeting.

<u>K. Kowitski</u>	<u>S. Suriel</u>
1 <sup>st</sup> Motion	2 <sup>nd</sup> Motion

Adjournment: Unanimous

Chairperson S. Hubberman adjourned the meeting at 7:57 pm.