

TOWNSHIP OF LOPATCONG  
RENT LEVELING BOARD  
REGULAR MEETING MINUTES  
PUBLIC SESSION 7PM

November 16, 2023

Chairman Palitto called the meeting to order welcoming the public to the regular meeting of the Rent Leveling Board for November 16, 2023.

A prayer was offered followed by the Oath of Allegiance.

Chairman Palitto stated “adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Ledger and The Express-Times and by posting a copy on the bulletin board in the Municipal Building.”

**Roll Call**

Present: Chairman James Palitto and Member Richard McQuade.

Absent: Vice Chairman Louis Belcaro

**Old Business:**

1. Approval of January 19, 2023 Reorganization Meeting Minutes

Motion to approve by: Member McQuade

Seconded by: Chairman Palitto

**ROLL CALL**

**New Business:**

1. Hardship Complaint Brakeley Gardens, Apartment I-2

Attorney Bykov explains that a tenant at Brakeley Gardens had submitted a hardship complaint to the Rent Leveling Board indicating that the tenant had been receiving numerous additional fees that are believed to be in violation of Chapter 173 Rent Control. He continues to explain that under this chapter there is a 3% yearly rent increase limitation. Mr. Bykov says that after reviewing the lease document and all documentation provided by the tenant on the matter, he sees that this person has been charged multiple late fees which does count as additional rent. He continues to say that there is case law out there that states additional rent is still subject to the Rent Control Ordinance. Mr. Bykov states that this tenants rent had already been raised the

allowable amount for the year. Mr. Bykov states that he believes that any fees including late and insurance fees are in violation of the Township Code. Mr. Bykov says he has prepared a letter to be sent to the landlord indicating they are in violation. Mr. Bykov states that the letter will be requesting for the matter to be resolved, as well as a refund for the additional fees to be refunded to the tenant. He states that he will be providing all necessary and supporting documentation to supplement and reenforce the boards position.

Chairman Palitto proposes that the board makes a motion to approve the action to send the letter prepared.

Motion by: Member McQuade

Seconded by: Chairman Palitto

AYES: Member McQuade, Chairman Palitto

NAYS: NONE

### **PUBLIC PARTICIPATION**

Brakeley Gardens Tenant Diana Dougherty- Diana states that is she is getting a monthly charge that varies between 70 and 80 dollars for water and sewer. She says that there are not specific meters for the apartments and other tenants in the building do not pay these fees because they ate apparently grandfathered in. She also states that Township sewer is billed quarterly and does not understand how she pays this amount monthly and how they figure the amount to charge. She then provides documentation of the charges to the board attorney, Igor Bykov. Attorney Bykov and the board agree to follow up on her matter after reviewing the documentation.

Brakeley Gardens Tenant John Betz- Mr. Betz asks the board how tenants should go about filing a complaint concerning the additional fees. He states that he is aware of other tenants being charged for insurance, late fees, sewer, and water. He mentions he knows this information from being verbally told so.

Brakeley Gardens Tenant Janet Blaine- Janet explains that she has been encouraging other tenants that are being charged with these additional fees, to provide documentation to the board or the board secretary in order for the matter to be investigated. She says it seems many people think John and herself should be the ones doing it. She says that she tells them they need to fill out the hardship complaint form with supporting documentation and submit it to the Municipal Building personally. Janet states that Harbor Management does not send paper notifications to the tenants, they send notifications via email in which many elderly and low-income residents do not have internet or email access. Janet expresses that she feels it is unfair to these residents. She also mentions she is being told people are being charged pet fees.

Brakeley Gardens Tenant Christina Allatines – Christina states that tenants are being charged \$60 pet fees. She also mentions that pet registration is an online only process that requires the renter to put in their social security number to register. She explains she is not comfortable giving that type of information online, especially for a pet registration.

Brakeley Gardens Tenant Marie Chismore- Property maintenance complaints.

Brakeley Gardens Tenant Iftikhar- Property maintenance complaints. States that Harbor Management Group has not provided him a paper lease.

Brakeley Gardens Tenant- States that as far as filing a complaint about property maintenance, Harbor Management does not take complaints at the office, they make you file with the online portal in which many residents do not have computer or internet access. She mentions that phone calls to the office are not returned.

Brakeley Gardens Tenant John Betz- Speaks of verbiage in the lease agreement regarding communication between the tenants and landlord. He also mentions that in the lease, it states that if you sign up for direct deposit, that the landlord is allowed to charge for owed additional fees and to take it out of your account as additional rent. John says that much of the lease agreement is very conflicting and ambiguous.

Brakeley Gardens Tenant Derek Starks- Property maintenance complaints as well as complaints on vehicles speeding in the area of the apartment complex.

Member McQuade asks the audience if anyone could explain the insurance placement policy charges. He asks if it is insurance provided through Harbor Management.

Brakeley Gardens tenant replies, yes, they charge extra to have their insurance.

Member McQuade mentions he sees an insurance placement policy charge, along with an insurance placement admin fee. He says he is just trying to understand the charges noticing it looks to be two charges.

Conversation amongst the board continues about the insurance fees and how much people are being charged in total with the multiple fees.

Brakeley Gardens Tenant John Betz- Mentions that there is also an issue with another woman that he had spoke to about her insurance, saying that she had been charged a fee of 50 dollars. He says these leases and fees are not always consistent.

Attorney Bykov states, Brakeley Gardens has no right to arbitrarily impose various fees.

Member McQuade states that the board would like to have the documentation showing the charges and would also like to see a copy of the insurance that she has.

Chairman Palitto asks if any resident that has the insurance through Harbor Management, if they receive any type of documentation of a policy.

Brakeley Gardens Tenants- No. Residents also mention that they are paying \$14.50 a month through Harbor for the insurance.

Conversation regarding the insurance policy provided by Harbor Management continues between board members and audience.

Chairman Palitto asks the audience if there are any other comments. Seeing none, hearing none.

**Motion to Adjourn:**

**Motion by: Member McQuade**

**Seconded by: Chairman Palitto**

All in favor

Respectfully submitted,  
Kayla Marconi  
Board Secretary