

ORDINANCE O:36-2023

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, COUNTY OF GLOUCESTER ESTABLISHING CHAPTER 243 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "RENT LEVELING"

WHEREAS, the Township Council of the Township of Monroe has recommended certain amendments to the Code of the Township of Monroe and has determined that it is in the best interest of the Township to adopt this code.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe that the Code of the Township of Monroe is hereby amended to include the amendments herein.

SECTION I. The Township Code, of the Township of Monroe is hereby amended and supplanted so as to establish Chapter 243, which shall be entitled "Rent Leveling" and which shall read as follows:

§ 243-1. Definitions.

The following definitions shall apply to this chapter:

AVAILABLE FOR RENT TO TENANTS

Fit for habitation, as defined by the statutes, codes and ordinances in full force and effect in the State of New Jersey, County of Gloucester, and Township of Monroe, and occupied or unoccupied and offered for rent.

CONSUMER PRICE INDEX

The consumer price index (all items) for the region of the United States of which the Township of Monroe, New Jersey, is a part, published periodically by the Bureau of Labor Statistics, United States Department of Labor. The index used will be the CPI-U index.

LEASE

A written or oral lease in existence between the landlord and the tenant, and, in the absence of a written or oral lease or in circumstances wherein a month-to-month tenancy is created by the tenant and landlord, either explicitly, implicitly or by operation of law, "lease" shall mean, for the purpose of this chapter, the twelve-month period commencing the first day of the month in which all leases in the Mobile/Manufactured Home Park are renewable.

MOBILE/MANUFACTURED HOME PARK

A parcel of land which has been so designed and improved that it contains two or more mobile/manufactured home lots available to the general public for the placement thereon of mobile/manufactured homes for occupancy.

MOBILE HOME SPACE

Includes that portion of a Mobile/Manufactured Home Park rented or offered for rent, for the purpose of parking or positioning a trailer, mobile or manufactured home for living and dwelling purposes, to one or more tenants or family units together with all the privileges, services, equipment, facilities and improvements connected with the use or occupancy of such portion of the property. Mobile home spaces which are newly

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constructed and rented for the first time are exempted, and the initial rent may be determined by the owner. All subsequent rents will be subject to the provisions of this chapter.

REASONABLE AND NECESSARY OPERATING EXPENSES

All expenses actually incurred and accrued by the landlord for the operation of the Mobile/Manufactured Home Park during a calendar year. Reasonable and necessary operating expenses shall be computed in accordance with the following limitations and requirements:

- A. Taxes shall be limited to amounts actually paid solely on the Mobile/Manufactured Home Park.
- B. Repair and maintenance expenses shall not include expenditures for major improvements or items which meet the definition of capital improvements.
- C. Professional fees, including legal and accounting expenses, shall be limited to actual costs for day-to-day operation of the Mobile/Manufactured Home Park. Legal and accounting expenses resulting solely from an application made pursuant to this Chapter or resulting in legal challenges pursuant to this Chapter shall not be considered "Reasonable and Necessary Operating Expenses," as defined in this Chapter.
- D. Management expenses shall be limited to the amounts paid for actual services performed by a manager of a management firm of the Mobile/Manufactured Home Park. In no event shall a fee for management services exceed what the Rent Leveling Board determines to be reasonable

RENTAL INCOME

The payable rent charged and received for the mobile home space over the previous twelve-month period exclusive of any of the following: all real property taxes, space fees or license fee charged by the Township of Monroe pursuant to any duly adopted ordinance, any cost of utilities if the same are provided for by the landlord and any increase for major improvements as permitted by the Municipal Code of the Township of Monroe.

SERVICE

Mailing to the home address by certified mail, return receipt requested, or by hand delivery certified or by affidavit or by an acknowledgment of service executed by the person served, which affidavit or acknowledgment of service must be retained in the records of the person causing service.

UTILITIES

The minimum rate charged for sewerage, water service and private trash collection. In

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areas where there are no public sewer or water service utilities, it shall include private septic and private well systems. Any single renovation of an existing utility system which meets the definition of a major improvement under this chapter is excepted from this definition.

§ 243-2. Determination of rents.

- A. The establishment of rents for mobile home rental spaces between a landlord and a tenant, and which are available to rent to tenants to which this chapter is applicable, shall hereafter be determined by the following provisions:
- (1) Except as otherwise provided in this Ordinance, no landlord may request or receive any increase in the Rental Income or additional charges for that mobile home space from any tenant, new or continuing, which is greater than a combination of the following:
 - (a) Any increased cost to the landlord for utilities, if applicable.
 - (b) Any increased cost to the landlord in mobile home space fees or license fee charged by the Township of Monroe pursuant to any duly adopted ordinance.
 - (2) No continuing tenant, at the termination of a tenancy, shall suffer or be caused to pay any rent increase for the mobile home space in any twelve-month period which exceeds the above permitted increase for the twelve-month period. This Ordinance does not limit the amount of rent that the landlord may negotiate with and charge to a new tenant who agrees to pay that rent, but once a rent is established for a new tenant this Ordinance shall thereafter limit the annual increases that may be imposed upon that tenant;
 - (3) The landlord shall be entitled, without need for application or hearing, to a yearly rent increase in an amount equal of 3% of the previous twelve-month Rental Income for the mobile home space, or the percentage increase in the Consumer Price Index, whichever is less. The landlord is not obligated to increase the rent by the amounts permitted by this Ordinance, but shall not increase the rent to an existing resident by more than is permitted by the Ordinance. If the tenant pays for the cost of his/her heat, the percentage increase in rent shall be no more than 2%, or the percentage increase in the Consumer Price Index, whichever is less. The landlord shall be entitled, without need for an application, a real estate tax increase to pass on any tax increases or decreases. For any subsequent year, the percentage increase of the Consumer Price Index shall be effective for increases as of, or after January 1. The Consumer Price Index for the region including the County of Gloucester shall be the index utilized for this purpose. The landlord shall notify the Monroe Township Rent Leveling Board of any such rent increase.

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- (4) Increase by agreement. Where the landlord and the tenants effectuate a rent increase by agreement, the agreement shall be in writing, signed by the landlord and signed by the tenants representing 75% plus one of the occupied rental units affected by the rent increase. Such rental increases by agreement shall take effect in accordance with the terms and conditions thereof, and a copy of such agreement shall be filed with the Rent Leveling Board within 45 days of the execution of the agreement.
- B. No landlord may request or receive from the existing tenants any increase in Rental Income or additional charges except as provided by this Ordinance, and except for CPI Tax or Utility increases, and vacancy decontrol increases, until such time as the landlord shall have obtained approval in writing from the Rent Leveling Board, as hereinafter established, for said increase. Furthermore, there shall be only one request per rent increase type, per landlord per Mobile/Manufactured Home Park for any increase per calendar year per Mobile/Manufactured Home Park space, for each of the increases permitted by this section, which request and decision shall be binding upon all tenancies of that particular Mobile/Manufactured Home Park which expire during said calendar year. The landlord shall notify the Rent Leveling Board in writing, at least 60 days prior to the effective date of any increase proposed pursuant to the provisions of this section. As soon as a hearing date is established for the application, the landlord shall cause a copy of said notice to be mailed by certified mail, to any tenant who may be affected by the increase sought by the landlord. In the event that a landlord shall submit an application for increase or decrease in rent where required to do so by this ordinance, based upon any of the criteria herein, the Rent Leveling Board shall hold a hearing within 30 days of the submission of the completed application. A landlord is permitted to charge late fees, legal fees, extra person fees, pet fees, and other fees relating to a tenant's violation of the lease as "additional rent".
- C. A tenant may be notified by other than certified mail only if the landlord or his representative shall serve the tenant personally with the notice provided for herein and shall certify such service by affidavit and retain such affidavit in his records. Upon receipt of said notice and where the increase sought is based upon terms in Subsection A(1)(a) herein, the Rent Leveling Board shall schedule a hearing on said increase and the landlord shall post, in a conspicuous place in or about the park, a notice of said hearing date at least five days prior to the proposed date of hearing. Where the increase sought is based upon the terms in Subsection A(1)(b) herein, no hearing shall be scheduled, no written approval is required and the increase shall become effective on the date specified in said notice if all other applicable provisions of this chapter are complied with.
- D. In the event that a landlord shall make application for any rent increase hereunder or supply any notice to the Rent Leveling Board or any tenant, said application shall include a certification by the landlord that all information supplied in an application or notice is true and accurate.

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- E. Any and all bills submitted in connection with any application for a rent increase, as set forth elsewhere herein, shall be for work invoiced to the landlord within the 18 months next preceding the date of the filing of the application. All bills shall be presented with proof of payment thereof. Any bill presented by the landlord which was invoiced earlier than 18 months prior to the date of the application shall be reviewed by the Monroe Township Rent Leveling Board on a case-by-case basis. The landlord shall have the burden of proof as to why the bill was not submitted within the time restrictions provided.

§ 243-3. Disclosure of rents to new tenants; disclosure of lease to all tenants.

- A. The landlord shall provide and disclose to all new tenants, in writing upon execution of a lease, the sums allocated in the gross rent paid to the landlord for the following items:
- (1) Base rent.
 - (2) Tax surcharge.
 - (3) License fee.
 - (4) Any other special expense.
- B. The landlord shall provide each tenant, new or existing, a copy of the executed lease at the time the lease is executed by the landlord and the tenant, new or existing. In no event shall the landlord be able to withhold the executed lease agreement from the tenant, new or existing.
- C. Upon written request of a tenant, new, existing, or former, landlord shall provide a copy of all leases executed by that tenant within five (5) days of the written request from the tenant.

§ 243-4. Certification of compliance; rent reduction due to noncompliance.

- A. Rent increases, as authorized by this chapter, may be allowed only if the Mobile/Manufactured Home Park substantially complies with all existing state, county and local codes and is deemed Available for Rent to Tenants. As part of the application for any increase, the landlord shall submit to the Rent Leveling Board such certification of compliance with said codes as the landlord is required by law to maintain.
- B. Where the Mobile/Manufactured Home Park fails to substantially comply with said codes, any tenant may apply to the Rent Leveling Board for a reasonable reduction in rent, commensurate with any such noncompliance by the landlord, whereupon the Rent Leveling Board shall duly notify the landlord and schedule the

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matter for a hearing. If, as a result of such a hearing, a reasonable reduction in rent is granted, it shall remain in effect until the landlord proves that the noncompliance has been corrected.

§ 243-5. Timing of increase; excess increase.

- A. Any Rental Income or additional charge increase at a time other than at the expiration of a tenancy or the termination of a periodic tenancy shall be void, except as otherwise provided in this chapter. Any Rental Income or additional charge increase in excess of that authorized by the provisions of this chapter shall be void.
- B. As an exception to this section, each landlord subject to the provisions of this Chapter when renting a mobile/manufactured home space to a new tenant as a result of the existing tenant vacating the mobile/manufactured home and/or rental space shall have the right to charge a fair market value to the new tenant. These provisions shall apply to the new tenant, whether or not the new tenant buys an existing home from an existing tenant or brings a new home in to the mobile home park. After the new rent is determined, subsequent rental increases to the tenant who takes possession shall be subject to the provisions of this Chapter. In the event the mobile/manufactured home owner is selling the mobile/manufactured home at a private sale and the mobile/manufactured home will remain on the rental space, the landlord, upon written request, shall notify the existing tenant by certified mail of the rent that will serve as a base year for the new tenant. Once such rate has been set by the landlord, the landlord shall have no right to alter or amend such rate for a period of one year, unless a shorter time period is approved upon petition to the Rent Leveling Board.

§ 243-6. Rent reduction procedure.

A tenant shall be entitled to a rent reduction from a landlord because of a decrease in the municipal property taxes or utilities or any decrease in space fees or license fee charged by Monroe Township. The reduction shall not exceed that amount authorized by the following provisions:

- A. Where the decrease consists of a decrease in the municipal property tax due to aid received from the State Aid for Schools Fund and where said decrease is subject to the provisions of c. 63, P.L. 1976 (N.J.R.S. 54:4-62 et seq.), as may be amended from time to time, the landlord shall make such rebate and upon such terms as c. 63, P.L. 1976, provides.
- B. Where the decrease consists of a decrease in the municipal property tax other than that decrease provided for in Subsection A above, the landlord shall divide the decrease in the present tax over the tax for the previous year by the total number of occupied mobile home spaces in the Mobile/Manufactured Home Park. The

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decrease each tenant is entitled to shall be a rent reduction computed pursuant to section 243-7 hereof.

- C. Where the decrease consists of a decrease in utilities, space fees or license fee, the landlord shall divide the decrease in the present utilities, mobile home space fees or license fee over the utilities, mobile home space fees or license fee of the previous year by the total number of occupied mobile home spaces in the Mobile/Manufactured Home Park to obtain the decrease per space. The decrease each tenant is entitled to shall be a credit to rent in 12 monthly installments commencing from the effective date of said reduction. Any tenant entitled to a rent decrease hereunder shall be notified by the landlord, by ordinary mail, together with filing of an affidavit of mailing by the landlord, of the calculations involved in computing such reduction and the effective date of such reduction.

§ 243-7. Tax surcharges.

A landlord shall be entitled to a rent surcharge for any increase in municipal property taxes. Any landlord seeking a surcharge for property taxes shall notify the tenants, by certified mail at least 30 days prior to the date of which said increase is to be effective, of the calculations involved, including the property tax for the Mobile/Manufactured Home Park for the previous year and the increase in the present tax over the tax for the previous year divided by the total number of mobile home spaces in the Mobile/Manufactured Home Park. The tax surcharge each tenant is liable for shall be divided by 12 months and payable in monthly installments. Should taxes be reduced the Tenants' rents will be adjusted (reduced) pursuant to this same formula.

§ 243-8. Tax appeals.

- A. In the event that a municipal property tax appeal is taken by the landlord and the landlord is successful in said appeal and the taxes are reduced, the tenants involved shall receive 50% of said reduction after the landlord's costs of securing said tax reduction have been deducted. The landlord shall receive the remaining benefit of the reduced taxes. Thereafter, in succeeding years, the benefit of such successful tax appeal shall be divided evenly between the tenants and the landlord.
- B. Any such successful landlord shall notify the tenants, by certified mail within 30 days after the receipt of the judgment, of the calculations involved, including an itemization of the costs of securing said reduction and the reduction each tenant is entitled to, determined by dividing half of the remainder of the amount of said tax reduction by the total number of mobile home spaces in the Mobile/Manufactured Home Park.

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§ 243-9. Additional rent increases.

- A. Hardship. A landlord who finds that the present Rental Income and additional charges from the Mobile/Manufactured Home Park on which he seeks relief thereunder are insufficient to cover the costs of payments on a first mortgage and any subsequent mortgages directly used to improve and upgrade the Mobile/Manufactured Home Park and/or payments for maintenance and/or all Reasonable and Necessary Operating Expenses, and at the same time ensure the landlord a just and reasonable return, may appeal to the Rent Leveling Board for an increase in Rental Income. The Rent Leveling Board, after a hearing, may grant the landlord a rent increase to meet these requirements or needs after consideration of the proofs presented by the landlord and the physical condition of the Mobile/Manufactured Home Park. Prior to filing for any such appeal to the Rent Leveling Board, the landlord shall post notice of said appeal setting forth the basis for the appeal in a conspicuous place in and about the Mobile/Manufactured Home Park. Each tenant shall be served with written notice either in person or by certified mail. The landlord shall thereafter notify each affected tenant in person or by certified mail, of the hearing date for the appeal and post a notice of the hearing in a conspicuous place at the Mobile/Manufactured Home Park for at least 10 days prior to the hearing date. If said increase is granted, it shall not be considered Rental Income and shall not be calculated in allowable increases as otherwise set forth in the chapter.
- B. Major improvements. A landlord may seek an additional charge for major improvements. For the purposes set forth herein a major improvement shall be defined as a major improvement to a park system or facility extending the useful life of its infrastructure, including but not limited to streets, paving or curbing, water system, sewer or septic system, clubhouse, tenant transportation vehicles, or swimming pool, having a direct benefit to the tenants of the park. Applications for major improvement surcharges may be granted upon the demonstration by the landlord, to the satisfaction of the Rent Leveling Board, that the improvement serves a direct benefit to the tenants, and that it was more feasible to renovate or replace an existing object than repair it. Any single renovation or improvement to the sanitary sewer or septic system or water system having a cost in excess of \$25,000 shall be deemed a major improvement for purposes of this regulation; and such improvement having a cost of less than \$25,000 shall be considered a utilities expense. Prior to filing an application with the Rent Leveling Board, the landlord shall notify each tenant by certified mail of the proposed additional charge due to the proposed major improvement. In no event shall the debt service used to calculate a major improvement surcharge exceed the prime rate plus 1%. The landlord seeking a major improvement surcharge shall apply for said surcharge to the Rent Leveling Board. After the hearing is scheduled, the Board shall determine at the hearing, after the landlord has provided notice of the application and hearing to the affected tenants by certified mail, if said improvement is a major improvement and, if so, if it

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shall permit such increase to take place and any conditions thereof. The Tenant notice and application shall include the total cost of the completed major improvement; the number of years of useful life of the improvement for the purposes of depreciation based upon the maximum term allowed under the Internal Revenue Code; the average cost, including debt service, of the improvement (calculated by dividing the cost of the major improvement the total number of mobile home spaces in the Mobile/Manufactured Home Park); and the major improvement surcharge sought from each tenant. If said increase is granted, it shall not be considered Rental Income and not calculated in allowable increases as otherwise set forth in this chapter. In any event, no increase granted by authority of this section shall exceed 10% of the tenant's monthly rent, unless said increase or major improvement is mandated by law.

- C. In the event that a landlord seeks an additional charge for any major improvement, it shall be necessary for said landlord to produce actual receipts and bills for the cost of said improvements, and testimony as to those items will not be considered sufficient in and of itself without the proper backup materials.
- D. In the event that a landlord is to seek an additional rent increase based upon major improvements, the charge to be passed on to the tenant shall be based upon the proportionate part of the useful life of said major improvement rather than taking all of the improvement costs in the year that the landlord seeks the rent increase.
- E. Loans. In the event that the financial information submitted by the landlord reveals a loan made by the landlord or by someone having an ownership interest in the landlord, if the landlord is a business entity such as a partnership or a corporation, interest expense on any such loan shall be computed based upon a rate not to exceed an imputed rate equal to the prime lending rate charged by commercial banks plus one percentage point.
- F. Related entity. In the event the landlord shall retain the services of any related entity (meaning owned by the landlord or someone who has an interest in the landlord as a partnership corporation) the landlord shall provide proof that the cost of this service did not exceed the fair market value of same by more than 5%. The proof requirement established hereunder shall be satisfied by presenting three bids from separate and unrelated vendors.
- G. Hearings. Any appeal or hardship rent increase application must be filed 45 days prior to the proposed hearing date. Any data which the landlord seeks to rely upon before the Board shall be submitted with the application in order to allow the Board adequate time to review the data prior to the hearing. If the Board finds that it has been given the proper and appropriate information prior to the hearing, the Board may, in its discretion, agree to review additional data at the time of the hearing not previously submitted. The Board would make such determination

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based on the pertinence to the landlord's appeal and the finding that the landlord was unable to submit the information or material on a timely basis and was acting in good faith.

H. The Rent Leveling Board shall take action and render a decision on all applications presented to it within the following time limitations:

- (1) Major improvement applications. The Rent Leveling Board shall take action and render a decision on all major improvement applications within 90 days of the application date.
- (2) Utility increase applications. The Rent Leveling Board shall take action and render a decision on all utility increase applications within 60 days of the application date.
- (3) Hardship applications. The Rent Leveling Board shall take action and render a decision on all hardship applications within 120 days of the application date.

§ 243-10. Rent Leveling Board; creation, membership, terms

- A. There is hereby created a Rent Leveling Board within the Township of Monroe.
- B. The Board shall consist of five members and two alternate members who shall serve in the event of absence or disqualification of a regular member. The members of the Board and the alternate members shall be appointed by the Mayor, with the advice and consent of the Township Council, and their terms of office shall be as follows: two members shall be appointed for a period of one year; two members shall be appointed for a period of two years; and one member shall be appointed for a period of three years. Both alternates shall be appointed for a period of two years. Each member shall serve without compensation. Two members and one alternate member shall be a tenant of a Mobile/Manufactured Home Park, and one member and one alternate member shall be a landlord or his or her designee of a Mobile/Manufactured Home Park, as that term is defined in § 243-1. Each non-landlord member shall be a resident of the Township. Vacancies shall be filled for the balance of the term.

§ 243-11. Powers and duties of the Board.

- A. The Rent Leveling Board is hereby granted and shall have and exercise, in addition to other powers herein granted, all of the powers necessary and appropriate to carry out and execute the purposes of this chapter, including but not limited to the following:

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- (1) To enforce such rules and regulations as promulgated by the Township Council and Mayor, including the provisions of this Chapter as it deems necessary to implement the purposes of this chapter, which rules and regulations shall have the force of law until revised, repealed or amended, from time to time, by the Township Council.
 - (2) To supply information and assistance to landlords, owners and tenants to aid them in complying with the provisions of this chapter.
 - (3) To hold hearings and adjudicate applications for additional rentals or such other relief as herein provided.
- B. The Board shall, among its members, elect a Chairman and Vice Chairman annually on January 1st to oversee the operation of the Board.
- C. The Board shall give both the landlord or owner and tenant reasonable opportunity to be heard before making any determination and shall base its determination on the relevant credible evidence before it.
- D. All meetings of the Rent Leveling Board shall be held at the Township Municipal Building, in the Township Municipal Court Room. In the event that there are no pending applications, the Board Chairman shall cancel a scheduled meeting and shall provide public notice of such cancellation. The Board shall meet once every other month. In the event a matter before the Board requires attention sooner than the once every month schedule, the Board shall be permitted to call a "Special Meeting" in the discretion of the Board.

§ 243-12. Appeals.

Both a landlord and tenant may appeal, in writing, the findings of the Rent Leveling Board the Township Council. The Township Council shall hear the appeal at a regularly scheduled Council Meeting or Special meeting and render its written decision within fourteen (14) days of the hearing.

§ 243-13. Maintenance of standards.

- A. During the term of this chapter, the landlord shall maintain the same standards of service, maintenance and equipment in the Mobile/Manufactured Home Park or mobile home spaces as he provided or was required to do by law or lease, written or unwritten, as of the date the tenancy was entered into.
- B. Where the landlord fails to maintain such standards, any tenant may appeal to the Rent Leveling Board for a reasonable reduction in rent, commensurate with such

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failure by the landlord, whereupon the Rent Leveling Board shall duly notify the landlord and schedule the matter for a hearing before the Rent Leveling Board. If, as a result of such hearing, a reasonable reduction in rent is granted, it shall remain in effect until the landlord proves the standards are being maintained.

§ 243-14. Violations and penalties.

A finding of a willful violation of any provisions of this Chapter, shall be punishable by a fine of not more than \$1,000, in the discretion of the Township Municipal Court. A violation affecting more than one leasehold shall be considered a separate violation as to each leasehold.

§243-15 Market adjustment.

Upon the transfer of title to new tenants or upon the voluntary, uncoerced vacating or court-ordered eviction, or a repossession of any mobile home by a lender holding a secured interest in same located on any mobile home space for which rent increases are controlled by the terms of this chapter and upon compliance with Subsections A to B below, at the time of the re-rental of a rental unit the rental increase restrictions of this chapter shall not apply, and a landlord shall be entitled to apply this market adjustment provisions for the rent to be charged for that mobile home space.

These market adjustment provisions shall not apply a) where a landlord-tenant relationship exists between the landlord and the proposed new tenant where that tenant is transferring to a new rental unit owned by the same landlord on the same property, and b) for any subsequent rental increase for the market-adjusted rental unit unless there is another, separate vacancy event as described in the first sentence of this section. Further clarifying this Item b), if a multiyear lease is proposed for a market-adjusted rental unit, only the initial rent set forth in such lease is subject to market adjustment. All subsequent rentals charged, even those set forth within the multiyear lease, must comply with the rental restrictions of this chapter.

When seeking to implement a market adjustment, the landlord shall comply with each of the following:

- A. The landlord shall file with the Rent Leveling Board a certification, in such form as prescribed by the Board and signed by the landlord, that the surrender of possession by the vacating tenant was voluntary and uncoerced or pursuant to a lawful court-ordered eviction or repossession.

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B. The landlord shall file with the Rent Leveling Board the name and address of the vacating tenant, the then current rental amount of the vacated mobile home space, an identification of the vacated mobile home space and the rent to be charged to the new tenant.

SECTION II. All prior Ordinances or parts of Ordinances inconsistent with the provisions of the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION III. If any word, phrase, clause, section or provision in this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION IV. This Ordinance shall take place upon twenty (20) days after final passage and publication as required by law.

TOWNSHIP OF MONROE

CNCL. PRES., CAROLANN FOX

ATTEST:

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

CERTIFICATION OF CLERK

The foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Monroe held on the 11th day of September, 2023, and will be considered for final passage and adoption at a meeting of the Township Council of the Township of Monroe to be held on 28th day of September, 2023 at the Municipal Building, 125 Virginia Avenue, Williamstown, New Jersey 08094, at which time any person interested therein will be given an opportunity to be heard.

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

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ROLL CALL VOTE

1st Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams	✓			
Cncl. Garbowski				✓
Cncl. Heverly	✓			
Cncl. McKinney	✓			
Cncl. O'Reilly	✓			
Cncl. Valcourt	✓			
Cncl. Pres. Fox	✓			
Tally:	6			1

2nd Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams				
Cncl. Garbowski				
Cncl. Heverly				
Cncl. McKinney				
Cncl. O'Reilly				
Cncl. Valcourt				
Cncl. Pres. Fox				
Tally:				

The foregoing ordinance was hereby approved by the Mayor of the Township of Monroe on this _____ day of _____, 2023.

MAYOR GREGORY A. WOLFE