

MINUTES OF THE CALDWELL RENT REVIEW BOARD
July 21, 2021

Meeting called to order 7:00PM

ROLL CALL

PRESENT: Councilman Gates, Ms. Evans, Mr. Galante, Mr. Kostecka and Mr, McGowan, esq., Board Attorney

ABSENT: Mr. Valente and Mr. Lattimer

STATEMENT OF COMPLIANCE

Pledge of Allegiance

MINUTES:

January 20, 2021

Minutes of the Rent Review Board meeting accepted and approved.

NEW BUSINESS:

Miceli Complaint

Open for discussion on whether the board has the jurisdiction to take the hearing.

Board Discussion:

- Executive Orders are laws, but because they are not passed by the legislature, they hold less weight.
- Relief of an increase in rent because other tenants were not following procedures, is not really in our Jurisdiction

Galante:

- Matters between the tenants is not really in our jurisdiction

McGowan

- Just deciding whether or not you want to hold a hearing on this matter next month
- The only thing that the board should be deciding is if there is any sort of claim in regards to 182-17 section C

Galante:

- What exactly is the responsibility of a landlord to uphold these executive order

Gates:

- A landlord is essentially a business person, so is there any correlation between what a Business owner would do to uphold/enforce executive orders and what a landlord should/ can do?

McGowan:

- The board can't grant relief because there are no mask mandates in place at the time this was filed.
- Can't be retroactive

Galante:

- Rent remediation due to a past event
- No retroactivity can be granted due to the Ordinance

McGowan

- I don't believe the Board could take punitive action on future instances

Galante:

- It seems like the bulk of this complaint is based around mask wearing
- Do we feel that the landlord is responsible for the tenant's failure to wear a mask at this multi-family dwelling
- Do we feel that a violation has occurred and that this is something that we should hold a hearing for?

Motion to accept section 182- 10D - the complaint is without merit because it was filed when there were no mask mandates in place, so there is no possible remediation that the Rent Review Board can provide in this case and therefore a hearing is not necessary

Motion was made by Mr. Galante and seconded by Mr. Kostecka.

Ms. Evans Yes

Mr. Kostecka Yes

Mr. Galante Yes

Motion Passed 3-0-0

Discussion ensued regarding the building the complainant's unit is located. Board Secretaries were ask to review the file for the property to determine if they have registered the rent for all their units in years previously. The board secretaries will pull files in the morning, and distribute the information to the board.

OLD BUSINESS:

Mr. Galante asked Councilman Gates if there has been an update on the Rent Control Ordinance update.

Councilman Gates said that him and his fellow Council members do not feel that it would be appropriate to make changes during the COVID-19 Pandemic. They will return to updating the Ordinance, when we are further removed from the Pandemic.

OPEN TO THE PUBLIC:

Mr. Galante made motion to adjourn the meeting, seconded by Mr. Kostecka.

Ms. Evans yes
Mr. Galante yes
Mr. Kostecka yes

3-0-0
Motion passed

Meeting was adjourned at 7:43pm.

Respectfully Submitted,

Brittany Heun
Deputy Clerk