

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
RENT STABILIZATION BOARD

REGULAR MEETING : TRANSCRIPT OF
: :
: :
-----: PROCEEDINGS

Union City City Hall
2nd Floor Courtroom
3715 Palisade Avenue
Union City, New Jersey

Monday, June 10, 2024
Commencing at 6:40 p.m.

M E M B E R S P R E S E N T:

JUAN MILAN, CHAIRMAN
SANDRA VASQUEZ, VICE CHAIRPERSON
NORMA GUEVARA, COMMISSIONER
ROSANA COLON, COMMISSIONER
YDALY POZO, COMMISSIONER

M E M B E R S A B S E N T:

YAMIRUS HOLGUIN, COMMISSIONER

A L S O P R E S E N T:

NEIL D. MAROTTA, ESQ., Board Counsel

KENNEDY NG, Administrator

CHRISTINA M. RIVERA, ESQ., Tenant Advocate

FRANCOIS NUNEZ, Staff Member
KENNY CABALLERO, Staff Member
CASMILA SOLIS, Staff Member

JOSE GONZALEZ, Interpreter

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A P P E A R A N C E S:

RON KURZEJA, ESQ.
Attorney for tenants at 703A-707 28th St.

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I N D E X

539-541 28TH STREET APT. #1A
Succession of Rights

WITNESSPAGE

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27

KENNEDY NG

33

NELLY UBILLA

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B-1

Letter dated 2/16/24

38

1 MR. NG: Good evening. This is the
2 meeting of the rent leveling board. Today's date
3 is June 10, 2024. It is now 6:40 p.m. We are in
4 the Municipal Court Chambers, 3715 Palisade
5 Avenue, Union City, New Jersey.

6 Pursuant to the Open Public Meetings
7 Law, adequate notice of this meeting was provided
8 to The Bergen Record, The Jersey Journal, and The
9 Hudson Reporter more than 72 hours in advance of
10 the meeting and is posted at the municipal office.
11 This notice includes the date, time, location, and
12 to the extent known, the agenda of the meeting.

13 Please rise for the flag salute.

14
15 (Whereupon, the Pledge of Allegiance was
16 recited.)

17
18 **ROLL CALL:**

19
20 MR. NG: At this time, we're going to do
21 roll call.

22 Commissioner Norma Guevara.

23 COMMISSIONER GUEVARA: Yes, present.

24 MR. NG: Commissioner Ydaly Pozo.

25 COMMISSIONER POZO: Yes.

1 MR. NG: Commissioner Yamirus Holguin
2 called out sick today, so she's excused.

3 Commissioner Vice Chairwoman Sandra
4 Vasquez.

5 VICE CHAIRPERSON VASQUEZ: Yes.

6 MR. NG: Commissioner Rosana Colon.

7 COMMISSIONER COLON: Present.

8 MR. NG: And Chairman, Mr. Juan Milan.

9 CHAIRMAN MILAN: I'm here.

10 MR. NG: Interpreter, Mr. Gonzalez is
11 here.

12 MR. GONZALEZ: Present.

13 MR. NG: I believe we have a quorum.

14 Before Mr. Marotta starts, I really
15 wanted to take a minute of silence. I don't know
16 if you know that our lawyer, Mr. Marotta's, dad
17 passed away last week. And I believe he deserves
18 a minute of silence.

19
20 (Whereupon, a moment of silence was
21 observed.)

22

23 MR. MAROTTA: Okay, thank you. He was a
24 great attorney and a better dad.

25

**703A-707 28TH STREET, ALL APARTMENTS -
NEW CONSTRUCTION:**

MR. MAROTTA: We do have a couple of matters on tonight. The one Mr. Kurzeja is here on, 703 28th Street. We received a request from the property owner's attorney, Mr. Mele, it was sent Saturday evening. And Mr. Kurzeja responded objecting to it, saying that he would bring an application before this board to dismiss the matter.

There's some history on the matter, if you recall. The property owner, in April, brought another application for adjournment. I do not recall if it was his first that would be attributed to him, it may have been his second. But it was based upon medical illness of his client. So this board reviewed that and made the decision to adjourn the matter, however, requested that Mr. Mele submit evidence of -- proofs of that illness.

And then there was discussion by the board when to place the matter back on. Originally, there was discussion, let's try to put it on for May. But because of the illness,

1 getting records, it may not be able to be reached
2 at that point. And, therefore, there was
3 discussion of having it placed on the June
4 meeting, tonight's meeting, that's why it was
5 placed on tonight's meeting.

6 The adjournment request states that Mr.
7 Mele did not know that it would be placed on a
8 meeting pending his delivery of proofs as to the
9 illness. However, Mr. Mele had stated at the
10 meeting that his client would present those proofs
11 immediately, that would have been in April. So
12 Mr. Mele had attachments to his letter request,
13 three documents. One appears to be an EKG --
14 they're in Turkish, okay. They do not appear to
15 be a report from a doctor excusing him, or what
16 his diagnosis and prognosis is, and why he could
17 not be at a meeting. Mr. Mele also in part of his
18 request for adjournment stated that he was on
19 vacation -- well, he didn't use the word vacation,
20 I'm assuming vacation -- he'll be away for a
21 family matter for 11 days.

22 So I advised Mr. Mele in an email
23 tonight that the request will -- I cannot grant
24 the adjournment, it would be presented to the
25 board for their consideration, as was the last

1 one, which he came and spoke. And that the board
2 would make a decision whether or not to adjourn
3 the matter. But also that they would make a
4 decision on Mr. Kurzeja's application, if he
5 wishes to present it.

6 So I did receive a call at approximately
7 5:30 from Mr. Mele's office, from his assistant,
8 that his client would like to discuss the matter
9 with the board and basically do it telephonically
10 because he thought the matter would be adjourned.
11 I advised that it would be up to the board if they
12 wished to entertain a telephonic conversation from
13 the property owner. I do not believe that he had
14 the right to assume the matter would be adjourned,
15 especially since the last time his attorney had to
16 present it. And the reason I have my cell phone
17 is to see the email or the phone number in case
18 the board wishes to hear from the property owner.

19 All of that being said, I would present
20 to Mr. Kurzeja and Ms. Rivera, if they wish to
21 present to the board.

22 MR. KURZEJA: I'll go first.

23 MS. RIVERA: Go ahead.

24 MR. KURZEJA: I did think long and hard
25 about what transpired since late last week. My

1 initial impression was dismiss the case. I don't
2 know if it will be dismissed with prejudice, most
3 likely without prejudice, but I can't tell for
4 sure.

5 I had second thoughts about that for the
6 following reason: My view is that all of the
7 tenants, not all the tenants, but certain tenants
8 who have appeared have their own affirmative
9 claims for relief along the lines of my tenancy is
10 protected by the Rent Control Ordinance of the
11 City of Union City. Based not upon the fact that
12 there is or is not an exemption, but based upon an
13 additional provision in the state statute that
14 requires a landlord and I believe it's in the
15 first communication and then in the lease, to put
16 in disclosing language saying or describing the
17 exemption and some additional details.

18 It's always been our position, meaning
19 the tenant's position, that none of the leases
20 that I ever saw, which is for everybody who's been
21 involved as tenants and one individual is here
22 tonight, the others aren't because I think they
23 all saw the adjournment request and they thought
24 it was going to be adjourned, but I didn't speak
25 to them individually. But my point is that we

1 have affirmative claims. And it would be along
2 the lines, once again of, we have rent control
3 tenancies because of the deficiency of the lease.
4 We would still probably need to put on the case so
5 that the right documentation was into evidence.

6 So to the extent that I want to do this
7 right, get the individuals the relief they're
8 entitled to and make it as ironclad as possible, I
9 want to -- I believe that we're going to call
10 them, I guess, the defendant on the counterclaim
11 or whatever, I'm going to call it -- meaning I
12 don't know what I'm going to call it, but the
13 opposite party to the affirmative claims by the
14 tenants to have the right to cross examine them,
15 to challenge the validity of the leases, if they
16 can in fact do it.

17 And once again I think all the leases --
18 almost all the leases, if not all of them, weren't
19 even drawn by the current party, meaning the
20 current property owner, it was drawn by the first
21 one. And in fact, the first landlord, I was under
22 the impression was supposed to appear either in
23 person or telephonically tonight. And obviously
24 that's not even happening now. I'm hearing that
25 the applicant, Petunia, wants to have a telephone

1 conversation with the board. That's got to be
2 determined by you folks, I'm not going to pass
3 judgment on that. And then I question -- because
4 I didn't hear Neil say this, is the attorney going
5 to be present for this conversation, too? That
6 wasn't clear to me, Mr. Marotta.

7 MR. MAROTTA: No.

8 MR. KURZEJA: So that should be flushed
9 out, but I'm backing off on my position because I
10 want everything to do everything I can to get an
11 end result that is as ironclad as possible on
12 behalf of the tenants. And that to be minimally
13 challenged, if you want to call it that, would
14 require a full hearing in which the opposing party
15 would have a right to cross examine and make it a
16 true adversarial process, which I think makes it a
17 much stronger end result.

18 I mean I'm positive, maybe too positive
19 sometimes, I don't think we're going to lose based
20 upon the facts of this case. But you're the
21 board, I'm not. But that's my position tonight.
22 And it's based upon what I think is the best
23 result for these tenants, who have their own
24 claims. So that's my position.

25 I'm not really seeking a dismissal

1 because that just belabors it. If it's a
2 dismissal without prejudice, the case is coming
3 back and the individual tenants have no clarity.
4 In any event, I don't need to say more. I think
5 you've heard you it all from me. And I think I
6 said it pretty clearly.

7 CHAIRMAN MILAN: Thank you, Mr. Kurzeja.

8 MR. KURZEJA: And if I didn't, ask me
9 any questions.

10 CHAIRMAN MILAN: Ms. Rivera.

11 MS. RIVERA: I think I'm going to join
12 in Mr. Kurzeja's position. The only thing I would
13 ask that maybe restraints be put on any decision
14 that the board takes that, for instance, if it
15 goes to the next calendar or the calendar after
16 that, that it's almost like a try-or-dismiss type
17 of scenario. Because I'm looking through the
18 documents that were submitted and I don't --
19 they're definitely not what the board had
20 requested, from my perspective. There's no
21 report, there's nothing really to base anything
22 on.

23 CHAIRMAN MILAN: I'm not going to look
24 at those documents yet because in case we do
25 decide to go on, I'd rather have the lawyer who

1 presented them also be here. So I will pass on
2 looking at them.

3 MR. KURZEJA: Let me say one comment to
4 Christina, she said try or dismiss --

5 MS. RIVERA: It's a term --

6 MR. KURZEJA: I know the term, but I
7 want to make it clear -- and I think Christina and
8 I have the same thinking that we want to do
9 everything we can to produce the best result for
10 the tenants. And try or dismiss alone doesn't do
11 it. We want to have an affirmative hearing on
12 behalf of the tenants.

13 MR. MAROTTA: If I may interject?

14 MR. KURZEJA: Not we, me.

15 MR. MAROTTA: And if I may? I do
16 believe that counsel advised that his client would
17 be available for the July meeting and I'm just
18 looking for that attachment.

19 CHAIRMAN MILAN: July, what are we on
20 for?

21 MR. MAROTTA: So he says that he -- with
22 regards to a try-or-dismiss, I believe the
23 Chairman mentioned this at one point, that this
24 has to come to an end eventually. It's been
25 adjourned so many times. I mean I understand that

1 one time was on the office; however, I believe
2 there were other times in this matter and in the
3 extent to achieve fairness, not only fairness but
4 completeness, I think is the better word for it,
5 as Mr. Kurzeja stated, it has been carried. But
6 there has to be a time where the matter is
7 resolved one way or the other.

8 CHAIRMAN MILAN: I understand your
9 desire to have a full hearing on it. But I'm kind
10 of leaning towards, at best, Ms. Rivera's
11 try-or-dismiss. Because we have already gone
12 through a couple of dismissals at least and
13 really, it's -- we still have it in the docket,
14 it's not fair to the administration, it's not fair
15 to other cases that are waiting in line.

16 Unless they come in in July -- I'm not
17 even sure I can give this adjournment, I want to
18 discuss it with the peers here. But it's gotten
19 pretty far. Usually, I don't think -- we open
20 this door this wide and I don't want to have a
21 precedent set where everybody else can say you
22 gave three dismissals or four dismissals for that
23 one, why not me.

24 MR. MAROTTA: Mr. Kurzeja.

25 MR. KURZEJA: I just want to add that

1 it's my understanding -- and I'm not so sure the
2 procedure or how the town handles procedural
3 issues or board -- the tenants have their own, I
4 believe, their own affirmative claims that I don't
5 think you could dismiss. We've been here every
6 time.

7 MR. MAROTTA: If I may, I'll address
8 that? Okay. The appeal is the landlord's, okay,
9 the appeal belongs to the property owner. What
10 happened was the property owner was provided,
11 which I believe was B-1 in evidence, a letter --
12 wait, may be wrong case -- but was provided with a
13 notice to register because there was no finding of
14 a claim of exemption in the files. The property
15 owner then came in and submitted documentation.
16 And since they challenged that and said they're
17 exempt, it was placed before the board.

18 So I believe that the tenants' position
19 that they were never given the statutorily
20 required notices is more a defense than a positive
21 claim. The tenants have their right after this
22 matter to pursue any recourse if they want. I do
23 not know if there's an overcharge or anything in
24 this case.

25 However, the -- if the matter is

1 dismissed, the property owner's -- it wouldn't be
2 a dismissal, it would be a finding that the
3 property owner did not prosecute its case. It's a
4 dismissal for lack of prosecution and that's what
5 it would be because they're not proceeding on
6 presenting why they are exempt from rent control.

7 CHAIRMAN MILAN: And I'm not sure that
8 today I would do it with prejudice. But certainly
9 if we do go another month, that would probably be
10 the only decision that we can take because there's
11 been too many chances.

12 MR. KURZEJA: I don't want to beat a
13 dead horse, okay. The answer is I just made a
14 suggestion based upon my understanding. It's your
15 decision to figure out how to handle this thing.

16 MR. MAROTTA: The thing is we do have a
17 statement by the property owner's attorney that
18 they're ready to go in July. So my recommendation
19 would be to follow what Ms. Rivera said.

20 CHAIRMAN MILAN: And then in July, they
21 don't come, then it's definitely a dismissal.

22 MR. MAROTTA: The only caveat on that
23 would be I don't believe that the tenants ever
24 requested an adjournment. So if for some reason
25 the tenants requested to carry the matter, that I

1 would grant.

2 CHAIRMAN MILAN: That's a separate
3 issue. I mean obviously if either of the counsel
4 couldn't be here, that would be a request. But I
5 mean -- and I understand that, yeah, the case
6 we're looking at, as far as I understand it, is
7 solely what the landlord brought forward. I mean
8 if you want to pursue another one, for the tenants
9 on what you're presenting now, I'm sure there are
10 other ways that you could get around that.

11 MR. MAROTTA: I understand Mr. Kurzeja's
12 point. The property owner has submitted proof
13 that there's an exemption, what weight goes would
14 be fleshed out in a hearing. However, the tenant
15 presenting proof that there is no exemption. So
16 it does in that regard -- if there is a hearing,
17 requires a final outcome. But if one side is not
18 going to present, then --

19 CHAIRMAN MILAN: There's not much we can
20 do.

21 MR. MAROTTA: Then the other one could
22 put on the case and prevail.

23 MS. RIVERA: That's true.

24 MR. NG: Mr. Milan, every time we repeat
25 the same case, you don't know how much --

1 CHAIRMAN MILAN: I get it.

2 MR. NG: It's a lot of work for us,
3 Casmila, Francois and Kenny. It's not the same
4 paper --

5 CHAIRMAN MILAN: I know.

6 MR. NG: We have to meet, we have to
7 call, we have to review everything. And then it's
8 not fair like putting the same case over and over.

9 CHAIRMAN MILAN: The other cases keep
10 get bumped.

11 MR. NG: And we have other cases waiting
12 in line.

13 CHAIRMAN MILAN: I'm fully aware, that's
14 why I'm saying I need to have an end date.
15 Otherwise, it's not fair to the whole process and
16 everyone involved.

17 VICE CHAIRPERSON VASQUEZ: I agree.

18 CHAIRMAN MILAN: And I realize I'm
19 talking to the wrong person because, if anything,
20 you probably -- most days, you probably would be
21 in favor of not granting the adjournment here. So
22 I understand it. But for now, do I have a motion
23 to close -- I mean there's been no --

24 MR. KURZEJA: Can you do a resolution
25 that deals with what Neil just described, which is

1 that perhaps it isn't just a pure try-or-dismiss,
2 it's a try or --

3 MS. RIVERA: Proof hearing.

4 MR. KURZEJA: Try or face the
5 consequences of the tenants' claims?

6 MR. MAROTTA: What I'm going to do is
7 I'm going to give it some more thought, okay.
8 Mainly, our cases are an appeal by property owner.
9 In this instance, it was placed by the office
10 before this board because the property owner
11 submitted proofs that it claims provide for an
12 exemption. So it's not the same as an appeal in
13 that regard. But I'll give it some thought and I
14 will advise the board on the standard of review at
15 the hearing, at the next date.

16 CHAIRMAN MILAN: Okay. For now, do I
17 have to close testimony and go --

18 MR. MAROTTA: There's no testimony.

19 CHAIRMAN MILAN: I figured that.

20 MR. MAROTTA: Just argument on the
21 motion.

22 CHAIRMAN MILAN: Just in case. So
23 basically as far as I'm concerned, I think, let's
24 give him one more shot and let's get Mr. Kurzeja
25 and Ms. Rivera to go back to the board and

1 decide -- to their drawing board and decide how
2 they want to present this case. And Mr. Marotta
3 to also sit down and figure what suggestions he
4 has for us in terms of how to go forward.

5 MR. MAROTTA: I think it means that the
6 matter is proceeding at the next meeting,
7 irrespective of --

8 CHAIRMAN MILAN: Usually in this motion
9 though, I would use words such as if they're not
10 here --

11 MR. MAROTTA: It's proceeding.

12 CHAIRMAN MILAN: Yeah, okay. So I mean
13 any disagreements with that? Anything that you
14 want to argue with me on? Okay.

15 I make a motion that for 703-708, 707
16 28th Street, all apartments, we keep the process
17 going one more month into the July meeting, at
18 which point, we will hear from the attorneys and
19 we will go forward based on what happens there.
20 But there will be no more adjournments, from at
21 least the landlord's side, as they have already
22 exhausted the number of ones that are applicable
23 for them.

24 MR. NG: Before roll call, you know that
25 we have 20 days to send the notice. Seeing this

1 case is a little confusing in terms of getting in
2 and out and in, so I should know if they are ready
3 for July before I send.

4 MR. MAROTTA: They said they were. I
5 have it in writing.

6 MR. NG: You have it in writing.

7 MR. MAROTTA: I have it in writing.
8 They say they're ready for July.

9 CHAIRMAN MILAN: Just to make sure we
10 have our ducks in a row for everybody, you guys
11 are here July?

12 MS. RIVERA: So yes. I may have an
13 issue, but I'll work it out. My daughter's having
14 surgery, so I'm trying to get it rearranged and it
15 falls right on this day. I'm going to try to
16 figure it out.

17 CHAIRMAN MILAN: Okay.

18 MR. MAROTTA: Again as I mentioned, the
19 tenants have not requested adjournment, right?

20 CHAIRMAN MILAN: I understand, but I
21 don't want to waste his time in his office
22 creating the whole package and then come in and
23 just hear oops, sorry.

24 MR. MAROTTA: But I think you would know
25 well in advance of the meeting?

1 MS. RIVERA: I will, yes.

2 MR. NG: So roll call. Motion was made
3 by our Chairman, Mr. Milan. And second?

4 COMMISSIONER COLON: I second.

5 MR. NG: Second by Commissioner Rosana
6 Colon. Roll call.

7 Commissioner Norma Guevara.

8 COMMISSIONER GUEVARA: Yes.

9 MR. NG: Commissioner Ydaly Pozo.

10 COMMISSIONER POZO: Yes.

11 MR. NG: Commissioner Vice Chairwoman
12 Sandra Vasquez.

13 VICE CHAIRPERSON VASQUEZ: Yes.

14 MR. NG: Commissioner Rosana Colon.

15 COMMISSIONER COLON: Yes.

16 MR. NG: Chairman Juan Milan.

17 CHAIRMAN MILAN: Yes.

18 MR. NG: Motion has passed.

19 MR. MAROTTA: Okay.

20 CHAIRMAN MILAN: That's it for that
21 case.

22

23

24

25

1 **2400 CENTRAL AVENUE,**
2 **2402 CENTRAL AVENUE -**
3 **CAPITAL IMPROVEMENTS:**

4
5 MR. MAROTTA: So we have next 2400
6 Central, these are capital improvement matters.
7 We met with the property owner in the office and
8 reviewed the applications and they were not
9 complete. So we had a conversation and I believe
10 the office is checking to see whether they still
11 wish to proceed. And if they're going to finalize
12 their application. So that's off for now.

13 CHAIRMAN MILAN: So the two Central
14 Avenue cases, the conjoining buildings, are both
15 off for now?

16 MR. MAROTTA: Correct.

17 CHAIRMAN MILAN: Okay.

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1 **1100-1102 NEW YORK AVENUE APT# 1A -**
2 **RENT DISPUTE:**

3
4 MR. MAROTTA: The next matter is
5 1100-1102 New York Avenue. This matter is on
6 remand from the Superior Court. The board had
7 already heard this matter, issued a ruling, a
8 resolution, and it was appealed up to the Superior
9 Court. And the Superior Court remanded it back to
10 the board to be reheard.

11 In light of what happened this past week
12 for me, I was not able to review it with the
13 attorney that was appointed for the City's defense
14 in the Superior Court matter. I do not handle the
15 court matters, our Joint Insurance Fund provides
16 counsel to cover those matters. So Mr. Fahrney
17 and I spoke and basically decided, you know, we
18 want to make sure we're ready. And, you know, the
19 other counsel was fine with carrying the matter
20 until another date.

21 CHAIRMAN MILAN: Okay.

22 MR. MAROTTA: So we have to confirm that
23 date.

24 CHAIRMAN MILAN: Do we have -- and,
25 again, totally understandable, but do we have any

1 date that the Superior Court Judge has put as a
2 "give us by"?

3 MR. MAROTTA: No. The court didn't
4 state it had to be by a certain date. And counsel
5 for the property owner is -- actually I know him,
6 he's understanding. And we do have to pick a date
7 though and we'll do that shortly.

8 CHAIRMAN MILAN: Okay, good. And then
9 also please make sure that obviously the counsel
10 for the landlord is also available on that date.

11 MR. MAROTTA: Of course.

12 CHAIRMAN MILAN: So we can simplify the
13 process.

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1 **539-541 28TH STREET, APT. #1 -**

2 **SUCCESSION OF RIGHTS:**

3
4 MR. MAROTTA: And finally we have
5 539-541 28th Street, Apartment 1 before us,
6 succession of rights. Is the property owner here
7 for that matter? And tenants?

8 Okay. Can you please come up and state
9 your name for the record and do you speak English?

10 AUDIENCE MEMBER: Yes, I understand,
11 but --

12 MS. RIVERA: We have a translator.

13 MR. MAROTTA: We have an interpreter,
14 yes. I'm going to ask that you move a little bit
15 closer, maybe over here so she can hear
16 everything.

17
18 B U J A R H A J R E D I N A J, after having been
19 duly sworn or affirmed, did testify as follows:

20
21 MR. HAJREDINAJ: Bujar Hajredinaj,
22 B-U-J-A-R H-A-J-R-E-D-I-N-A-J.

23 MR. MAROTTA: Okay. Mr. Hajredinaj, can
24 you please state to the board the basis of your
25 appeal?

1 MR. HAJREDINAJ: First off --

2 MR. MAROTTA: I'm sorry, one more
3 procedural step, we have to swear in the
4 interpreter.

5
6 J O S E G O N Z A L E Z, an interpreter of the
7 SPANISH language, after having been duly sworn,
8 did interpret the following testimony:

9
10 MR. MAROTTA: Basically explain to the
11 board why you're here.

12 MR. HAJREDINAJ: Okay. I have a lease
13 here basically with the tenant, which passed away,
14 and I'm sorry to her on losing her mother. But we
15 have this lease on 2021 and there was no -- with
16 us as owner to the property. There was never like
17 a restriction of who lives there or how many
18 people live there. We gave them the lease, they
19 signed the lease, and it's only one person on the
20 lease.

21 Now, when the lady passed away, the
22 daughter had called me and said, "you know, I want
23 to speak to you because my mother passed away." I
24 said, "okay."

25 I came over and speak to her, she's

1 telling me she's like, "listen, you know, I want
2 to stay in this apartment, I want to take the
3 apartment."

4 I said, "you can't do that, you know,
5 this is not just like that. You're not my tenant
6 and you're not on the lease."

7 "Well, you know, please, give me a
8 month, give me this."

9 I said, "no problem, I'll give you a
10 month, but I need the apartment back." She never
11 said that I live here. Now, we went through the
12 court --

13 MR. MAROTTA: At this point, I'm just
14 going to interrupt because I just wanted a
15 preliminary statement by you what the case was
16 about. And then counsel for the tenant would be
17 able to present what her position is. And then
18 you would be able to layout all your evidence and
19 your argument. It's procedural steps, one is an
20 opening statement, just to give the board an idea
21 what this is about.

22 MR. HAJREDINAJ: This is basically that
23 she's claiming that she lived there when she
24 didn't.

25 MR. MAROTTA: Great. Then I'm going to

1 ask Ms. Rivera to state her position.

2 MS. RIVERA: So there were submissions
3 showing that not only did she live there, at
4 least, for at least two years, which is what's
5 contained in the Ordinance -- but she's lived
6 there for about 12 years and she had submitted
7 proofs showing how long she lived there. And I
8 think it's part of the packages.

9 You'll see the proofs showing that her
10 license has been renewed for the past ten years at
11 this address. When she received unemployment from
12 2019, she was residing at that address and, you
13 know, various -- you'll hear testimony that she
14 was also a long-term tenant there.

15 So pursuant to the Ordinance, she has
16 the right to remain in this under the right of
17 succession.

18 MR. HAJREDINAJ: But why didn't she put
19 her name on the lease? If we gave them a lease,
20 her mother signed and her mother's language was,
21 you know, not as good, like, you know, her English
22 wasn't good, so they have to translate for most
23 part of it --

24 MR. MAROTTA: Mr. Hajredinaj, I'm going
25 to ask that now you present your argument why you

1 don't believe she resided there, okay. And then
2 Ms. Rivera --

3 MR. HAJREDINAJ: She was ordered by the
4 court, by the judge -- the judge decided that
5 she's not a tenant. First off --

6 MR. MAROTTA: Ms. Rivera then has the
7 opportunity to question you, okay. Just want to
8 go through the steps.

9 MR. HAJREDINAJ: She was asked in the
10 courthouse how many beds in the apartment, there's
11 only one bed. Why didn't you have a bed? She
12 said, "I don't have the money to buy a bed."
13 Well, how you going have money to pay the rent if
14 you don't have money to buy a bed? Who sleeps
15 with their mother like that? I don't know her age
16 exactly, but at her age --

17 MR. MAROTTA: Okay.

18 MR. HAJREDINAJ: This is not like --
19 we're not like -- I feel bad that this came out
20 like this because like I said, the lease has been
21 given to them. And we didn't have restriction who
22 lives there or how many people. So when she
23 called me and I went there and I told her no. She
24 said, "you know, give us a month and we'll give
25 you the apartment back." And then all of a sudden

1 now there's a lawyer involved and there's people
2 and she's lying saying I lived there. Just
3 because you have a license there, you could have a
4 license anywhere, you know, with a fake bill or
5 something, just say that I live there.

6 MR. MAROTTA: Okay.

7 MR. HAJREDINAJ: And if it wasn't that
8 was enough proof, the judge ordered her to leave
9 because they granted that she was not the tenant.
10 And at the same time, me being the landlord, by
11 the State of New Jersey, I get to choose who I
12 have as a tenant.

13 What if, you know, you guys -- somebody
14 walks in an apartment and says I live here and
15 comes over here, then you guys to say, yeah,
16 you're the tenant. But maybe he killed my mother
17 and then what? You guys decided on this without
18 me being present. And this was all after she was
19 ordered to leave by the court.

20 MR. MAROTTA: Okay. I'm going to ask
21 Ms. Rivera then to -- if you're finished, I'm
22 sorry?

23 MR. HAJREDINAJ: I'm finished.

24 MR. MAROTTA: Okay. Although at this
25 point, I'm going to ask -- maybe it's better if

1 Mr. Ng is able to present the basis for the
2 determination by the board, okay.

3 MS. RIVERA: I'm sorry?

4 MR. MAROTTA: The board made a
5 determination and it's being appealed by the
6 property owner. So I think it's best if Mr. Ng
7 goes ahead and presents the reasons why he made
8 the ruling, okay. So can I --

9 MR. NG: I just got to read.

10 MR. MAROTTA: That's your argument, your
11 position.

12 CHAIRMAN MILAN: Do we need him sworn?
13

14 K E N N E D Y N G, after having been duly sworn
15 or affirmed, did testify as follows:
16

17 MR. NG: Kennedy Ng. I'm going to read
18 the letter that I signed that we sent.

19 CHAIRMAN MILAN: Okay.

20 MR. NG: "Please be advised that Ms.
21 Nelly Gallardo Ubilla came to our office and made
22 an application requesting a determination whether
23 or not she has the right to succeed her mother,
24 Clemencia Vento, in the above listed apartment and
25 obtain a "renewal lease", in accordance with the

1 above Ordinance. Please see the copy of the
2 Ordinance attached hereto. Ms. Vento passed away
3 on November 29, 2023. Ms. Ubilla claims that she
4 resided with her mother for 12 years immediately
5 preceding Ms. Vento's death. Based on the proofs
6 submitted, it is this Office's determination that
7 Ms. Ubilla qualifies for a renewal lease and
8 protection from eviction.

9 "Section 2(a) of the Ordinance,
10 'succession rights of family members', provides:
11 'A family member has the right to a renewal lease
12 or protection from eviction if he or she resided
13 with the tenant as a resident in the apartment for
14 two (2) years immediately prior to the death of or
15 permanent departure from the apartment by the
16 tenant.

17 "First, it must be established that Ms.
18 Vento was a tenant in the apartment. A review of
19 the lease and rent registration statements, filed
20 by both current and prior owners, established that
21 Ms. Vento was a tenant. Please see the lease and
22 rent registration statements attached hereto as
23 Exhibit "A".

24 "Second, as stated, Ms. Ubilla submits
25 that she is the daughter of Ms. Vento and has

1 lived in the apartment for 12 years. Ms. Ubilla
2 must establish residency. She provided several
3 documents in support of her contention. She
4 submitted four copies of her driver's licenses.
5 The licenses were issued and expired as follows:
6 February 24, 2012, November, 2014; November 18,
7 2014 - November 30, 2018; and November 16, 2018 -
8 November 8, 2022. Ms. Ubilla's current license
9 was issued September 22, 2022, with an expiration
10 date of November 8, 2026. All driver's licenses
11 list 541 28th Street, Apt. 1 as her address.
12 Please see driver's licenses attached hereto as
13 Exhibit "B".

14 "Ms. Ubilla provided the following
15 additional information: GEN-14-A, unemployment
16 form dated May 29, 2020; State of New Jersey
17 department of treasury life insurance notice,
18 dated March 5, 2020; W-2 forms for 2013, 2019, and
19 2022; letter from Mendoza Tax Service, dated
20 February 5, 2014; payroll statement for the pay
21 period ending June 28, 2021. All documents list
22 541 - 28th, Apt. 1, as Ms. Ubilla's address. See
23 documents attached hereto as Exhibit "C".

24 "In addition to the foregoing proof of
25 residency, this office spoke with the prior

1 property owner, Paul Pagnozzi. Mr. Pagnozzi
2 confirmed that he knew Ms. Ubilla, that she was
3 Ms. Vento's daughter and that she lived with her
4 mother. Mr. Pagnozzi advised that he did not
5 attempt to have Ms. Ubilla removed from the
6 property.

7 "The applicant must also provide
8 evidence that she is related to the tenant. Ms.
9 Ubilla has provided a birth certificate
10 establishing that she is Ms. Vento's daughter.
11 See birth certificate attached hereto as Exhibit
12 "D".

13 "Further, in accordance with Section 3
14 of the Ordinance, determinations of a family
15 member's rights to succession shall be made by the
16 Rent Regulation Officer or his designee. First,
17 it must be determined that the property is subject
18 to rent control. A review of the file provides
19 the property is subject to rent control. The
20 property is comprised of 4 units. Rent Control
21 applies to residential properties consisting of
22 3 units, unless owner occupied, in which case it
23 is exempt from rent control, and 4 or more units,
24 irrespective of occupancy by the owner. The Rent
25 registration Statements from the prior and current

1 owner, attached hereto, lists 4 units.

2 "On October 19, 2018, you submitted a
3 affidavit claiming that you occupied the property
4 and therefore the property was not subject to rent
5 control. This claim was determined to not be
6 valid. In April 2018, the Rent Control Ordinance
7 was amended as provided above. After this date,
8 all four-unit buildings were subject to rent
9 control. The Rent Control Office requires
10 documents to be submitted in support of the
11 affidavit. The proofs submitted were not
12 sufficient to establish owner's occupancy. All
13 proofs, other than a house utility bill submitted
14 by the property owner were dated after April,
15 2018.

16 "Finally, the rent control office
17 submitted two letters to you, dated December 14,
18 2022, and February 2, 2024, requesting that you
19 file a Rent Registration Statement. You did not
20 respond to the letters. Please see letters
21 attached hereto, Exhibit "E".

22 "In light of the foregoing, the Office
23 finds that the property is subject to Rent
24 Control. The office further finds that Ms. Ubilla
25 is the daughter of Ms. Vento and that she resided

1 in the apartment for more than two years
2 immediately preceding Ms. Vento's death. Based on
3 these findings, it is my determination that Ms.
4 Ubilla qualifies for and has the right to a
5 renewal lease, and her removal would be in
6 violation of this Ordinance.

7 "Please note, in light of the exigent
8 circumstances, namely the entry of an order for
9 ejectment, this determination is effective,
10 immediately, as authorized by the Ordinance.

11 This decision may be appealed in writing
12 to the Rent Leveling Board of the City of Union
13 City within 30 calendar days of the date of this
14 letter. Appeal cost is \$40."

15 And this letter was signed by me as the
16 Rent Regulation Officer.

17 MR. MAROTTA: Okay. Actually, I'd like
18 to have the letter marked as B-1.

19
20 (Letter dated 2-16-24 received
21 and marked B-1.)

22
23 MR. MAROTTA: Mr. Hajredinaj, do you
24 have any questions for Mr. Ng or any comments?

25 MR. HAJREDINAJ: My question is if she

1 lived there, why is she not on the lease? And how
2 come I never received any payment from her? And
3 the last payment after her mother deceased, she
4 has given me check on her mother's name. How
5 could she do that?

6 MR. MAROTTA: If you're able to --

7 MR. HAJREDINAJ: After she's deceased?

8 MR. NG: I think that's more legal
9 question because sometimes people live in your
10 house are not part of the lease and the owner
11 knows they live there, but nobody say anything.
12 So the mother passed away --

13 MR. HAJREDINAJ: No, by legal --

14 MR. NG: If I --

15 MR. MAROTTA: I'm just going ask if you
16 know the answer?

17 MR. NG: I don't know. I just give --

18 MR. HAJREDINAJ: This is New Jersey -

19 MR. NG: He doesn't --

20 MR. HAJREDINAJ: This is not a lease
21 that I made up. This is a lease by New Jersey
22 state and we filled it up and we give it to them.
23 They could have put their name. Like I said, we
24 were not against it. There was no problems with
25 that. And what makes me very upset about it that

1 her mother was a very sweet lady, we never had any
2 issue whatsoever. Even on the rent that we
3 increased it on the registration, I told her that
4 you don't have to pay that, it was only \$31
5 difference and I never asked for that.

6 Now, just looking at that, like, I am
7 not that type of person that I would have said no
8 or, you know, like -- we were not looking to be
9 specific like or be pushy to get rid of her or
10 anything. My problem is why are you lying? You
11 were not the tenant. You were not living there.
12 If you were living there, why are you not on
13 lease? Why didn't you put your name on the lease.

14 Second off, why would you -- you know,
15 when I was there, she asked me to go and talk to
16 her. And she said, "I want to take the
17 apartment." I'm like, "you can't just do that.
18 Like, first off, your mother just passed away, you
19 could be talking to me nice and say something like
20 we're trying to figure out things or something."
21 But automatically said I want to take over the
22 apartment.

23 And I said, "you can't do that."

24 And she was like, "give us a month,
25 we're going to move all the stuff out." Then she

1 went through -- her brother called me and said
2 that they're going to go with a lawyer. He said
3 or you could give us -- I have it on a text
4 message -- you give us a certain amount of money
5 and we can give you the apartment.

6 Like you don't decide on that. That's
7 just like -- I'm not trying to be -- I don't know
8 if I'm saying it correctly, but it's just
9 disrespectful. How would you do this like -- this
10 is not the right thing. And the same time, by New
11 Jersey state, I decide who I choose as a tenant.

12 MS. RIVERA: I just have one question
13 for Mr. Ng.

14 In your February 16, 2024, letter that
15 you just read into the record, you indicated that
16 you spoke with the prior owner; is that correct?

17 MR. NG: The office did. Sometimes my
18 assistants are the ones who contact landlords and
19 previous owner.

20 MS. RIVERA: And the previous owner
21 confirmed that he knew Ms. Ubilla and that she was
22 Ms. Vento's daughter and she had lived with her
23 mother and that he also did not have her removed;
24 is that correct?

25 MR. NG: Yes.

1 MS. RIVERA: Okay. And your office went
2 through all of the attachments to this letter,
3 specifically the licenses?

4 MR. NG: That was my point when he
5 interrupt me that I was trying to explain about
6 the license. As the board is probably aware, in
7 order for you to get a New Jersey driver's
8 license, it's not only going there and present I
9 live there. No. You have to present I believe
10 like 11 points that you have to present, five or
11 six documentation with the same address and
12 everything. And we're not talking about only one
13 year, this is several years with renewing.

14 MR. HAJREDINAJ: So I'm sorry to
15 interrupt you again --

16 MR. MAROTTA: I'm sorry, can you let Ms.
17 Rivera finish?

18 MR. HAJREDINAJ: I'm sorry.

19 MR. MAROTTA: There's a procedure.

20 MR. NG: So that was the statement that
21 I wanted to explain to the board before the
22 gentleman interrupt me in my speech, you know, in
23 reference to this.

24 MS. RIVERA: And you also reviewed her
25 tax documents, right? The W-2 and her pay stub;

1 is that not correct?

2 MR. NG: The office did.

3 MS. RIVERA: And they all reflect the
4 address where she's living, correct?

5 MR. NG: Yes.

6 MS. RIVERA: And there was a period of
7 time when Ms. Ubilla was unemployed, right?

8 MR. NG: Yes.

9 MS. RIVERA: And your office looked
10 at -- attached to your letter, I guess, her notice
11 of benefit determination and that as well
12 reflected --

13 MR. NG: Yes.

14 MS. RIVERA: -- the address in question.
15 And that was dated all the way back in 2019,
16 correct?

17 MR. NG: Correct.

18 MS. RIVERA: So the Ordinance, you're
19 familiar with, and it has to just -- it just
20 requires a showing of two years prior?

21 MR. NG: Two years.

22 MS. RIVERA: But she exceeds that?

23 MR. NG: More, more than that.

24 MS. RIVERA: Nothing further.

25 CHAIRMAN MILAN: Sir, do you have a

1 question for Mr. Ng?

2 MR. HAJREDINAJ: My question is if you
3 have to have 10 points of proving that you live
4 there to get a license, where's those 10 points?

5 MR. NG: That's my not call.

6 MR. HAJREDINAJ: But that's --

7 CHAIRMAN MILAN: That's DMV.

8 MR. HAJREDINAJ: You have to have some
9 type of bill. When I got my license because I had
10 moved in the property when I bought the property.
11 And I had to get a bill, one of the -- you know.

12 MR. NG: I understand.

13 MR. HAJREDINAJ: A bill, a utility bill.

14 MR. NG: Sir, you're asking me if I have
15 the points to get the license. When the police
16 officer stop you, right there, because you cross
17 the red light, they don't ask you for the points,
18 they ask you for the license. If you --

19 MR. HAJREDINAJ: Well, that --

20 MR. NG: Excuse me. If you present your
21 license, it's because the department that provide
22 the license already got the proof of the points.

23 CHAIRMAN MILAN: And they did that
24 review.

25 MR. NG: Exactly. That's not my call.

1 That's not my office's call.

2 MR. MAROTTA: Okay. Any questions
3 for --

4 CHAIRMAN MILAN: No. I think the case
5 is quite clear, I mean, on what we're arguing.

6 MR. MAROTTA: I don't know if Ms. Rivera
7 would like to present her client?

8 MS. RIVERA: I don't know if that's
9 overkill at this point. I think I can ask her to
10 reiterate.

11
12 N E L L Y U B I L L A, after having been duly
13 sworn or affirmed, did testify as follows through
14 the interpreter:

15
16 MS. UBILLA: Nelly Ubilla, N-E-L-L-Y
17 U-B-I-L-L-A.

18 MS. RIVERA: Ms. Ubilla, where do you
19 currently reside?

20 MS. UBILLA: 541 28th Street, Union
21 City.

22 MS. RIVERA: How long have you lived
23 there?

24 MS. UBILLA: Twelve years.

25 MS. RIVERA: And you lived there with

1 your mother?

2 MS. UBILLA: Yes.

3 MS. RIVERA: And she just recently
4 passed, correct?

5 MS. UBILLA: Yes.

6 MS. RIVERA: And you were there -- she
7 was 87?

8 MS. UBILLA: Yes.

9 MS. RIVERA: And you were taking care of
10 her before her passing?

11 MS. UBILLA: That's why I stayed with
12 her.

13 MS. RIVERA: And that was for
14 twelve years?

15 MS. UBILLA: Yes.

16 MS. RIVERA: I have nothing further.

17 CHAIRMAN MILAN: Mr. Hajredinaj, do you
18 have any questions for Ms. Ubilla?

19 MR. HAJREDINAJ: My question is why
20 aren't you on the lease? If you were living
21 there, there was no restriction, why didn't you
22 put your name on the lease?

23 MS. UBILLA: I never put it on there.
24 He knew that I lived there.

25 MR. HAJREDINAJ: I've seen this person

1 maybe two times in the whole time -- in what, like
2 six years that I own the property.

3 MR. MAROTTA: Mr. Hajredinaj, I'm going
4 to ask you to ask her questions. You can have a
5 closing statement at the end, if you like.

6 MR. HAJREDINAJ: I'm sorry.

7 MR. MAROTTA: You're not familiar with
8 the procedure, but it's okay.

9 MR. HAJREDINAJ: Thank you.

10 CHAIRMAN MILAN: We understand that.
11 Okay. Any of the board members have any questions
12 for Ms. Ubilla? No. Thank you very much.

13 MS. UBILLA: Thank you.

14 CHAIRMAN MILAN: Final closing
15 statements?

16 MR. HAJREDINAJ: I mean that's all I
17 have. This is all I can say, you know, she's not
18 on the lease. She's trying to, you know, hostage
19 the place, basically. And I'm going just like
20 by -- according to the state -- New Jersey state
21 rules, I should choose who I -- you know, New
22 Jersey law is I choose who I keep as a tenant.
23 Not that -- like I said, you know, we never have
24 any restriction with this. Why didn't she put her
25 name on the lease? How come I never received any

1 checks from her?

2 CHAIRMAN MILAN: Okay. That's it?

3 MR. HAJREDINAJ: That's it.

4 CHAIRMAN MILAN: Ms. Rivera?

5 MS. RIVERA: I'll just say I think the
6 documents speak for themselves. The language in
7 the Ordinance mandates that she is entitled to
8 stay there under succession rights. Ms. Ubilla
9 had more than ample documents to show she's been
10 there for more than the required two years. And
11 it's, you know -- as well as just as New Jersey
12 law dictates, the Ordinance dictates. And the
13 Ordinance says that she has the right to stay
14 there under the succession rights. This is a rent
15 control apartment, so whether it's her or anyone
16 else -- I mean it's just going to continue on with
17 the rent control. So it doesn't -- I don't see
18 what the big deal is allowing her to stay in. So
19 I submit that she's entitled to stay there
20 pursuant to the Ordinance.

21 CHAIRMAN MILAN: I make a motion that we
22 close testimony and go into deliberation.

23 VICE CHAIRPERSON VASQUEZ: I'll second
24 that.

25 MR. NG: Motion was made by our

1 Chairman, Mr. Milan, and second by our Vice
2 Chairman Commissioner Sandra Vasquez. Roll call.

3 Commissioner Norma Guevara.

4 COMMISSIONER GUEVARA: Yes.

5 MR. NG: Commissioner Ydaly Pozo.

6 COMMISSIONER POZO: Yes.

7 MR. NG: Commissioner Vice Chairwoman
8 Sandra Vasquez.

9 VICE CHAIRPERSON VASQUEZ: Yes.

10 MR. NG: Commissioner Rosana Colon.

11 COMMISSIONER COLON: Yes.

12 MR. NG: Chairman Juan Milan.

13 CHAIRMAN MILAN: Yes.

14 MR. NG: Motion has passed.

15 MR. MAROTTA: Would you like me to opine
16 on the Ordinance?

17 CHAIRMAN MILAN: Please give us an
18 opinion on the Ordinance.

19 MR. MAROTTA: So the Ordinance was
20 created, as it says in preamble, that there's an
21 emergent shortage of housing in Union City, and
22 that has continued, of affordable housing. And
23 that, currently, family members who reside with
24 the named tenant, for example, upon that person's
25 death are subject to eviction. And the Ordinance

1 seeks to provide protection for those family
2 members who qualify pursuant to the terms of the
3 Ordinance as succession rights to their parent or
4 sibling, it sets forth the relationships, in the
5 home that they've lived in.

6 And in this instance or pursuant to the
7 Ordinance, it states a family member has the right
8 to a renewal lease or protection from eviction if
9 he or she resided with the tenant as a resident in
10 the apartment for two years immediately prior to
11 the death of or permanent departure from the
12 apartment by the tenant.

13 So it also goes on, I don't think it's
14 relevant, it discusses whether the family member's
15 a senior, then it's only one year they have to
16 live there one year before, okay. And that is the
17 law that's presented. And for the determination
18 based upon the evidence presented to you to make a
19 decision whether or not Ms. Ubilla is entitled to
20 succession rights and a determination on the
21 appeal by the property owner.

22 CHAIRMAN MILAN: Okay. As I see it, I
23 think it's pretty clear. Licenses require, as Mr.
24 Ng said before, a lot of points. Those points
25 usually are only brought out and added to the

1 count with things like passports, which in and of
2 themselves, have a lot of other requirements,
3 Social Security -- and you have to do like two
4 major proofs and a couple of minor ones. I don't
5 really recall off the top. But I do remember
6 having to go through a lot of issues simply
7 because one time getting a ticket, a family
8 member, the policeman saw the middle initial as a
9 different thing. And we had to go all the way to
10 Wayne, or whatever, with a lot of documents. So I
11 do know there is a requirement that is not good
12 and not easy to meet.

13 So four times -- I mean one time, you
14 could say maybe, you know, they got lucky and got
15 an agent that put it right through, which is never
16 easy. But, let's say, four times? I think we're
17 asking for too much to believe that --

18 MR. HAJREDINAJ: One time. Sorry to
19 interrupt, once you get the license once, you
20 never have to do it to prove anything, you just
21 renew it.

22 CHAIRMAN MILAN: Not necessarily.

23 MR. HAJREDINAJ: Second, like I said --
24 please, I'm sorry, can I interrupt?

25 MR. MAROTTA: It's up to the board if

1 they want to reopen for any comments. The board
2 already closed, so it's up to the board if they
3 wish to do so.

4 CHAIRMAN MILAN: To me, you do have to
5 open it. You do have to put all those cases in
6 there, even though it's a renewal, they do check.
7 And besides that, there are other documents that
8 show --

9 MR. NG: Mr. Milan, excuse me. Can we
10 stop for a minute because the vice chairman --

11 CHAIRMAN MILAN: Walked out. Yes, can
12 we go off the record for five minutes.

13

14 (Whereupon a short recess was taken.)

15

16 MR. MAROTTA: Back on the record.

17 CHAIRMAN MILAN: Basically, between the
18 licenses and other proofs, to me, one of the most
19 really strong arguments for it is the prior owner
20 said he recognized fully that she lived there. I
21 mean that's for those six years and then she's
22 continued -- she keeps getting the licenses, keeps
23 getting everything. I don't see any other way to
24 go about this case but to say, yes, she has
25 succession rights. But I'll open it up to others

1 for their arguments.

2 VICE CHAIRPERSON VASQUEZ: I'm in
3 agreement.

4 COMMISSIONER GUEVARA: I'm in agreement.

5 VICE CHAIRPERSON VASQUEZ: We have
6 enough evidence.

7 CHAIRMAN MILAN: You feel there's enough
8 evidence?

9 COMMISSIONER COLON: I agree, yes.

10 CHAIRMAN MILAN: I make a motion that we
11 state that Nelly Ubilla has succession rights to
12 be the tenant in the apartment that her mother
13 Clemencia Vento had before.

14 MR. NG: So motion was made by Chairman
15 Mr. Milan.

16 COMMISSIONER POZO: I second it.

17 MR. NG: Seconded by Commissioner Ydaly
18 Pozo. Roll call.

19 Commissioner Norma Guevara.

20 COMMISSIONER GUEVARA: Yes.

21 MR. NG: Commissioner Ydaly Pozo.

22 COMMISSIONER POZO: Yes.

23 MR. NG: Commissioner Vice Chairwoman
24 Sandra Vasquez.

25 VICE CHAIRPERSON VASQUEZ: Yes.

1 MR. NG: Commissioner Rosana Colon.

2 COMMISSIONER COLON: Yes.

3 MR. NG: Chairman Mr. Milan.

4 CHAIRMAN MILAN: Yes.

5 MR. NG: Motion has passed.

6 CHAIRMAN MILAN: Thank you.

7 MR. MAROTTA: Okay. All right. At the
8 next meeting or thereafter, we will have a
9 resolution which is a written document setting
10 forth the decision of the board, which they will
11 ratify -- or memorialize is actually the correct
12 term. That will be sent to you and Ms. Rivera.
13 You will have 45 days after the receipt of that
14 document to appeal the matter to the Superior
15 Court, if you desire.

16 MR. HAJREDINAJ: Okay. That's it?

17 MR. MAROTTA: That's it.

18 I guess we can go off the record give
19 you some time to read.

20 CHAIRMAN MILAN: Let's read the
21 resolutions.

22

23 (Whereupon a short recess was taken.)

24

25

RESOLUTIONS:

711 10TH STREET, APT. 3L:

CHAIRMAN MILAN: I make a motion that we accept the finding of fact resolution for 711 10th Street, Apartment 3L, for a hardship application rent increase.

VICE CHAIRPERSON VASQUEZ: I'll second that.

MR. NG: Motion was made by Mr. Milan, our Chairman; second by Commissioner Vice Chairman Sandra Vasquez. Roll call.

Commissioner Guevara.

COMMISSIONER GUEVARA: Yes.

MR. NG: Commissioner Ydaly Pozo.

COMMISSIONER POZO: Yes.

MR. NG: Commissioner Vice Chairwoman Sandra Vasquez.

VICE CHAIRPERSON VASQUEZ: Yes.

MR. NG: Commissioner Rosana Colon.

COMMISSIONER COLON: Yes.

MR. NG: Chairman Mr. Milan.

CHAIRMAN MILAN: Yes.

MR. NG: Motion has passed.

RESOLUTIONS:

510 45TH STREET:

CHAIRMAN MILAN: I make a motion that we accept the finding of fact resolution for 510 45th Street, Union City, New Jersey, for a new construction applicability of Rent Control Ordinance.

MR. NG: Again, motion was made by Chairman, Mr. Milan.

COMMISSIONER POZO: I second it.

MR. NG: Second by Commissioner Pozo.
Roll call.

Commissioner Norma Guevara.

COMMISSIONER GUEVARA: Yes.

MR. NG: Commissioner Ydaly Pozo.

COMMISSIONER POZO: I abstain.

MR. NG: Commissioner Vice Chairwoman Sandra Vasquez.

VICE CHAIRPERSON VASQUEZ: Yes.

MR. NG: Commissioner Rosana Colon.

COMMISSIONER COLON: Yes.

MR. NG: Chairman Mr. Milan.

CHAIRMAN MILAN: Yes.

MR. NG: Motion has passed.

OTHER BUSINESS:

MR. MAROTTA: Just so everybody knows on a motion, it doesn't matter whether you were at the meeting or not. All you're doing when you do a motion is to present it for discussion before the board for a vote, okay. So you can do that at any time. So there's no conflict, there's no, so you make your motion or your second, then the vote comes. And you're voting whether or not the resolution accurately reflects what took place. If you weren't there, you can't do that. That's the only reason.

VICE CHAIRPERSON VASQUEZ: Okay.

MR. NG: So we need the public session.

CHAIRMAN MILAN: Yes. I make a motion that we open the public session of this meeting.

MR. NG: Motion was made.

COMMISSIONER COLON: I second it.

MR. NG: Motion was made by Chairman Milan and seconded by Commissioner Rosana Colon. Commissioner Norma Guevara.

COMMISSIONER GUEVARA: Yes.

MR. NG: Commissioner Ydaly Pozo.

COMMISSIONER POZO: Yes.

1 MR. NG: Commissioner Vice Chairwoman
2 Sandra Vasquez.

3 VICE CHAIRPERSON VASQUEZ: Yes.

4 MR. NG: Commissioner Rosana Colon.

5 COMMISSIONER COLON: Yes.

6 MR. NG: Chairman Milan.

7 CHAIRMAN MILAN: Yes.

8 MR. NG: Motion has passed.

9 CHAIRMAN MILAN: Thank you.

10 Anyone in the public wants to say
11 anything?

12 MR. MAROTTA: There being no public
13 present...

14 CHAIRMAN MILAN: I make a motion that we
15 close the public session.

16 COMMISSIONER POZO: Second.

17 MR. NG: All in favor?

18

19 (Whereupon, all Commissioners indicate
20 in the affirmative.)

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ADJOURNMENT :

MR. NG: Now we need to adjourn the meeting.

CHAIRMAN MILAN: Make a motion to adjourn.

COMMISSIONER COLON: I second it.

VICE CHAIRPERSON VASQUEZ: I second.

MR. NG: All in favor?

(Whereupon, all Commissioners indicate in the affirmative.)

(Whereupon the meeting was adjourned at 7:59 p.m.)

C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as taken stenographically by me at the time, place, and on the date hereinbefore set forth.

SUSAN BISCHOFF, CCR, RPR
LICENSE NO. 30XI00233700