

CITY OF PASSAIC
COUNTY OF PASSAIC, NEW JERSEY



RENT LEVELING BOARD

REGULAR MEETING
MAY 01, 2025
7:00 P.M.

<https://tinyurl.com/RLB0501AGENDA>

CITY COUNCIL CHAMBERS – CITY HALL
330 PASSAIC STREET, PASSAIC, NEW JERSEY

PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, PUBLIC LAWS OF 1975 ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY RESOLUTION OF THE RENT LEVELING BOARD ADOPTED ON FEBRUARY 26, 2025, SETTING FORTH THE SCHEDULE OF MEETINGS FOR THE YEAR 2025; SAID NOTICE WAS PROVIDED VIA FAX TO THE HERALD NEWS, POSTED ON THE CITY OF PASSAIC WEBSITE AT: WWW.CITYOFPASSAIC.COM (RENT LEVELING BOARD), AND PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK.

I. ROLL CALL

Commissioners Present: Chairman Arthur G. Soto, Commissioner Maryann Capursi, Commissioner Luis W. Colon, Commissioner Jorge H. Palacios, Commissioner Itamar Roman,
Staff Present: Christopher M. Rodriguez/Board Attorney, Andrea M. Beckford/ R&R Legal Advisors Attorney, Emely Vazquez/Board Secretary

II. PLEDGE OF ALLEGIANCE

III. MINUTES

- April 8, 2025 - Rent Leveling Board Regular Meeting.
Motion: Jorge H. Palacios
Second: Maryann Capursi
For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
X	X	X		

IV. PUBLIC COMMENT

In accordance with the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), the Board opens every public meeting for comments from the public. However, pursuant to N.J.S.A. 10:4-12, the Board retains the discretion to regulate participation at meetings. Each speaker will be limited to five (5) minutes. The Board will not entertain comments from individuals who communicate obscene material, make statements deemed as bias intimidation or harassment, or use offensive language. Any individual violating these guidelines will forfeit their speaking time.

- 1. Shade Boyd | 44 4th Street, Apt B

Inquiry regarding her hearing, item #32a

- 2. Sergio Lopez | 40 4th Street

Inquiry regarding his hearing, item #32b

Please note: these matters will be discussed later on the agenda during the respective hearing portion

Motion: Jorge H. Palacios

Second: Maryann Capursi

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
x	x	x		

V. COMMUNICATIONS

- 2. **40-44 4th Street, Passaic, NJ**

Property Owner: Joseph D' Amico vs. Tenant: Shade Boyd

Notice re: Rent Increase Violation

Docket #: PAS-RLB-0002-25

Date: April 11, 2025

- 3. **28-30 Sherman St, Unit 9, Passaic, NJ**

Property Owner: 28-30 Sherman LLC vs. Tenant: Juan Chavez

Notice re: Rent Increase Violation

Docket #: PAS-RLB-0021-25

Date: April 14, 2025

4. **50 Burgess Pl, Passaic, NJ**

Property Owner: Johnnie Eva Estrict
Notice re: Two-Family Owner-Occupied Exemption
Date: April 25, 2025

5. **70 Passaic St, Unit 4, Passaic, NJ**

Property Owner: HighSky Management vs. Tenant: Julio Luna
Notice re: Rent Increase Violation & CHALLENGE TO SURRENDER AND RELEASE AGREEMENT
Docket #: PAS-RLB-0004-25
Date: April 24, 2025

6. **72 4th Street, Apt. 2, Passaic, NJ**

Property Owner: Christopher Varrgas vs. Tenant: Jose R. Gomez
Notice re: Rent Control Violation Per Ch. 231-4(A)
Date: April 2025

7. **216 4th Street, Apt. 4, Passaic, NJ**

Property Owner: River Park View, LLC vs. Tenant: Agnes Zsiors
Notice re: Adjournment of Below Market Rent Increase Application
Docket #: PAS-RLB-0017-25
Date: April 1, 2025

Consent to approve items 2-7 in V. Communications

Motion: Jorge H. Palacios

Second: Maryann Capursi

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
X	X	X		

VI. RESOLVED MATTERS

8. **1 Third Street, Passaic, NJ**

Property Owner: 1 Third Street LLC vs. Tenant: Domingo Ramirez
Docket #: PAS-RLB-0003-25
Date: March 17, 2025

9. **496 Boulevard, Apt. 205, Passaic, NJ**

Property Owner: Candice Sawicki vs Tenant: Addison (Sonny) Glazer
Docket #: PAS-RLB-0011-25
Date: April 1, 2025

10. 28-30 Sherman Street, Passaic, NJ

- a. Unit 2: Property Owner: 28-30 Sherman LLC vs. Tenant: Josefa Casado
Docket #: PAS-RLB-0019-25
Date: April 7, 2025
- b. Unit 9: Property Owner: 28-30 Sherman LLC vs. Tenant: Candelaria Chavez
Docket #: PAS-RLB-0021-25
Date: April 18, 2025

11. 216 4th Street, Passaic, NJ

- a. Apt.1 Property Owner: River Park View, LLC vs. Tenant: Joseph Benton
Docket #: PAS-RLB-0016-25
Date: April 1, 2025
- b. Apt. 2 Property Owner: River Park View, LLC vs. Tenant: Istvan Pocasi
Docket #: PAS-RLB-0018-25
Date: April 1, 2025
- c. Apt. 4 Property Owner: River Park View, LLC vs. Tenant: Agnes Zsiors
Docket #: PAS-RLB-0017-25
Date: April 1, 2025

12. 5-7 Myrtle Ave, Apt. 5, Passaic, NJ

Property Owner: O.P.D. Investment LLC vs. Tenant: Evelisse and Carlos Concepcio
Docket #: PAS-RLB-0005-25
Date: April 25, 2025

13. 198 Market Street, Apt. 3, Passaic, NJ

Property Owner: John J. Labash vs. Tenant: Crisanta Gonzalez
Docket #: PAS-RLB-0012-25
Date: April 23, 2025

14. 198 Market Street, Apt. 5, Passaic, NJ

Property Owner: John J. Labash vs. Tenant: Carlos Pagan
Docket #: PAS-RLB-0013-25
Date: April 23, 2025

15. 42 Monroe Street, Apt. 4, Passaic, NJ

Property Owner: John J. Labash vs. Tenant: Alexis Jimenez
Docket #: PAS-RLB- 0014-25
Date: April 23, 2025

16. 200 Market Street, Apt. 2, Passaic, NJ

Property Owner: John J. Labash vs. Tenant: Martin Olaya
Docket #: PAS-RLB-0015-25
Date: April 23, 2025

17. 32 Vreeland Ave, Passaic, NJ

Property Owner: Urbo Property Management vs. Tenant: Yohanny Peralta
Docket #: PAS-RLB-0008-25
Date: April 25, 2025

Consent to approve items 8-17 in VI. Resolved Matters.

Motion: Maryann Capursi

Second: Jorge H. Palacios

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
x	x	x		

VII. NEW RENTAL INCREASE COMPLAINTS

18. 105 Gregory Ave, Apt. C10, Passaic, NJ

Property Owner: 105 Gregory LLC vs Tenant: Narendra Patel
Notice re: Rent Control Violation Per Ch. 231-4(A) & Tenant Complaint Form
Docket #: PAS-RLB-0031-25
Date: April 14, 2025

19. 23 Jackson Street, Apt 2, Passaic, NJ

Property Owner: JD Property MGT LLC vs. Tenant: Abel Rosendo
Rent: \$1,668.00 **Increase To:** \$1996.50 **Percent Increase:** **19.7%**
Effective Increase Date: May 1, 2025
Docket #: PAS-RLB-0025-25
Ordinance Violation – Chapter 231-23 (A)

20. 28-30 Sherman Street, Passaic, NJ

a. Unit 4: Property Owner: 28-30 Sherman LLC vs. Tenant: Ely Ortiz
Rent: \$1,275.00 **Increase To:** \$1,515.00 **Percent Increase:** **18.8%**
Effective Increase Date: May 1, 2025
Docket #: PAS-RLB-0027-25
Ordinance Violation – Chapter 231-23 (A)

b. Unit 8: Property Owner: 28-30 Sherman LLC vs. Tenant: Maria Perez
Rent: \$950.00 **Increase To:** \$1,700.00 **Percent Increase:** **79%**
Effective Increase Date: May 1, 2025
Docket #: PAS-RLB-0037-25
Ordinance Violation – Chapter 231-23 (A)

- c. Unit 11: Property Owner: 28-30 Sherman LLC vs. Tenant: Guillermo Piedra
Rent: \$1,225.00 **Increase To:** \$1,475.00 **Percent Increase:** **20.41%**
Effective Increase Date: May 1, 2025
Docket #: PAS-RLB-0026-25
Ordinance Violation – Chapter 231-23 (A)
21. **956 Main Ave, Apt. 2, Passaic, NJ**
Property Owner: Sercan Ozcelik vs. Tenant: Bertha Torres
Rent: \$820.00 **Increase To:** \$1,200.00 **Percent Increase:** **46.34%**
Effective Increase Date: May 1, 2025
Docket #: PAS-RLB-0028-25
Ordinance Violation – Chapter 231-4
22. **40-44 4th Street, Apt. 6, Passaic, NJ**
Property Owner: Joseph D'Amico vs. Tenant: Erica Tlalpan and Sergio Lopez
Rent: \$1,624.50 **Increase To:** \$1,949.40 **Percent Increase:** **19.99%**
Effective Increase Date: June 1, 2025
Docket #: PAS-RLB-0030-25
Ordinance Violation – Chapter 231-23 (A)
23. **232 3rd Street, Apt. 6, Passaic, NJ**
Property Owner: Weinmark Properties LLC vs. Tenant: Arnolando Martinez
Rent: \$1,520.00 **Increase To:** \$1,824.00 **Percentage Increase:** **20%**
Effective Increase Date: May 1, 2025
Docket #: PAS-RLB-0033-25
Ordinance Violation – Chapter 231-23(A)
24. **60 Wall Street, Passaic, NJ**
Property Owner: Grun Management vs. Tenant: Maria Segura
Rent: \$1,300.00 **Increase To:** \$2,200.00 **Percentage Increase:** **69%**
Effective Increase Date: February 1, 2025
Docket #: PAS-RLB-0006-25
Ordinance Violation – Chapter 231-23 (A)
25. **347 Aycrigg Ave, Apt. C11, Passaic, NJ (Under Rent Control)**
Property Owner: 347 Aycrigg LLC vs. Tenant: Yomaira Lopez
Rent: \$1,400.00 **Increase To:** \$1,500.00 **Percent Increase:** **7.14%**
Effective Increase Date: May 1, 2025
Docket #: PAS-RLB-0029-25
Ordinance Violation – Chapter 231-4
26. **162 Meade Ave, Unit. 5, Passaic, NJ (Under Rent Control)**
Property Owner: Neil J. Gonter vs Tenant: Isabel Tiburcio
Rent: \$1,410.82 **Increase To:** \$1,523.69 **Percent Increase:** **8%**
Effective Increase Date: June 1, 2025
Docket #: PAS-RLB-0032-25
Ordinance Violation – Chapter 231-4

27. 70 Passaic Street, Apt. 5, Passaic, NJ

Property Manager: Highskymanagement vs. Tenant: Eulalia Luna

Effective Increase Date: March 1, 2025

Rent: \$1493.00 Increase To: \$2000.00 Percentage Increase: 34%

Docket #: PAS-RLB-0034-25

Ordinance Violation – Chapter 231-23 (A)

28. 61 Richard Street, Fl. 1, Passaic, NJ

Property owner: Martin Mendez vs. Tenant: Edwin Ortiz

Effective Increase Date: May 1, 2025

Rent: \$1,300.00 Increase To: \$2,000 Percentage Increase: 53.9%

Docket #: PAS-RLB-0035-25

Ordinance Violation – Chapter 231-23 (A)

Consent to approve items 18-28 in VII. New Rental Increase Complaints.

Motion: Maryann Capursi

Second: Jorge H. Palacios

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
x	x	x		

VIII. HEARINGS

29. 70 Passaic Street, Unit 2, Passaic, NJ

Property Manager: Highskymanagement vs. Tenant: Cynthia Milagros Marmolejos

Docket #: PAS-RLB-0001-25

Current Rent: \$1,570.00 Increase To: \$2,200 Percentage Increase: 40.1%

Application Type: Rent Increase Dispute

The hearing was adjourned as neither party appeared. It will be rescheduled for the next meeting.

Motion: Jorge H. Palacios

Second: Maryann Capursi

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)

X	X	X		
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30. 41 Highland Avenue, Passaic, NJ

Property Owner: John J. Augusto vs. Tenants: Alfonso & Isoline Sierra
Docket #: PAS-RLB-0007-25

Current Rent: \$2,000.00 **Increase To:** \$2,300 **Percentage Increase:** 15%

Application Type: Rent Increase Dispute

The complaint was withdrawn on the record, as both parties reached a mutual agreement.

31. 216 4th Street, Passaic, NJ - presently incomplete to be supplemented at or before hearing

Property Owner: River Park View, LLC
Attorney for Landlord: Matthew A. Sebera, Esq.

a. **Apt. 1**

Tenants: Joseph Benton

Number of bedrooms: TBD

Pre or Post 1999: Post

Current Rent: \$975.00 **Increase To:** \$1,700.00 **Percent Increase:** 74.4%

Application Type: Below Market Rent Increase Application

b. **Apt. 2**

Tenants: Istvan Pocasi

Number of bedrooms: 1

Pre or Post 1999: Post

Current Rent: \$975.00 **Increase To:** \$1,700.00 **Percent Increase:** 74.4%

Application Type: Below Market Rent Increase Application

Attorney Matthew A. Sebera, Esq. of Ehrlich Petriello Gudini Plaza & Reed Attorneys at Law requested an adjournment, as they will be seeking an additional Below Market Rent Increase Application.

Consent to approve items 30-31 in VIII. Hearings

Motion: Jorge H. Palacios

Second: Maryann Capursi

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
X	X	X		

32. 40-44 4th Street, Passaic, NJ - presently incomplete to be supplemented at or before hearing

Property Owner: Joseph D' Amico

a. **Apt. 44 B**

Tenant: Shade Boyd

Number of bedrooms: 1

Pre or Post 1999: Post

Docket #: PAS-RLB-0002-25

Current Rent: \$1,300.75 **Increase to:** \$2,050.00 **Percentage Increase:** **57.6%**

Application Type: Rental Increase Dispute and Crossclaim for Below Market Rent Increase Application

b. **Apt. 6**

Tenants: Erica Tlalpan and Sergio Lopez

Number of bedrooms: 2

Pre or Post 1999: Post

Docket #: PAS-RLB-0030-25

Current Rent: \$1,624.50 **Increase to:** \$1,949.40 **Percentage Increase:** **20%**

Application Type: Rental Increase Dispute and Crossclaim for Below Market Rent Increase Application

Below Market Rent Increase Applications were denied as the current rent exceeds the permitted Low-Home Rent Limits. The rent will be adjusted to a 6% increase.

Motion: Jorge H. Palacios

Second: Maryann Capursi

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
x	x	x		

IX. PENDING HEARINGS

33. Make the Road New Jersey on behalf of Arriaga vs. Xdev, 96 Market Street, Passaic NJ Amended Complaint to the Passaic Rent Leveling Board hearing will take place May 29, 2025 at 6 pm in the Council Chambers.

Motion: Jorge H. Palacios

Second: Maryann Capursi

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)

X	X	X		
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X. RESOLUTIONS

34. **RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE RENT LEVELING BOARD OF THE CITY OF PASSAIC ON MAY 1, 2025, AT 7:00 P.M. OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS, AND PERSONNEL MATTERS**

No need for closed session

Motion: Jorge H. Palacios

Second: Maryann Capursi

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
X	X	X		

XI. ADJOURNMENT

Motion: Maryann Capursi

Second: Jorge H. Palacios

For: 3

Chairman Soto	Commissioner Palacios	Commissioner Capursi	Commissioner Roman (ALT)	Commissioner Colon (ALT)
X	X	X		

Next Scheduled Meeting: June 5, 2025