



Legislation Details (With Text)

File #: 12-0386 **Version:** 4 **Name:** Rent Control Ordinance - Tax Surcharge
Type: Ordinance **Status:** Filed
File created: 2/8/2012 **In control:** Municipal Council and City Clerk
On agenda: 2/16/2012 **Final action:** 5/16/2012
Title: AN ORDINANCE AMENDING TITLE 19, RENT CONTROL OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, BY ADDING A NEW SUB-SECTION TO SECTION 19:2-5.2, TO CHANGE THE PROCEDURE BY WHICH LANDLORDS MAY OBTAIN A TAX SURCHARGE.
Deferred 8-b 021612
Deferred 9-a 030712
Deferred 9-a 032112
Deferred 9-a 040412

Sponsors:

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|-----------------------------------|--------|
| 5/16/2012 | 4 | Municipal Council | Close on Public Hearing and Adopt | Pass |
| 5/2/2012 | 4 | Municipal Council | Adopt on First Reading | Pass |
| 4/18/2012 | 4 | Municipal Council | Advance to First Reading | Pass |
| 4/4/2012 | 3 | Municipal Council | Defer on pending | Pass |
| 3/21/2012 | 3 | Municipal Council | Defer on pending | Pass |
| 3/7/2012 | 2 | Municipal Council | Defer on pending | Pass |
| 2/16/2012 | 1 | Municipal Council | Defer on Communications | Pass |

AN ORDINANCE AMENDING TITLE 19, RENT CONTROL OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, BY ADDING A NEW SUB-SECTION TO SECTION 19:2-5.2, TO CHANGE THE PROCEDURE BY WHICH LANDLORDS MAY OBTAIN A TAX SURCHARGE.

Deferred 8-b 021612
Deferred 9-a 030712
Deferred 9-a 032112
Deferred 9-a 040412

WHEREAS, the Newark Municipal Council wishes to amend the process by which a landlord may obtain a tax surcharge under the Newark Rent Control Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

Section 1: Title 19, Rent Control, Chapter 2, Rent Control Regulations; Rent Control Board, Section 19:2-5.2,

is hereby amended and supplemented as follows:

19:2-5.2 Petition for Surcharge.

a. Any landlord seeking a surcharge shall petition the Board for approval and shall give notice to the tenant and the Board, at least thirty (30) days prior to the increase sought, of the calculations involved in computing the tax surcharge including the present property tax for the dwelling; the property tax for the dwelling for the previous year; total rent rolls of all units, occupied or unoccupied in the dwelling; the percentage of the increase over the total rent roll; the rent of the tenant; and the percentage of his/her present rent compared to the total rent roll.

b. Prior to making a determination on a landlord's petition for a tax surcharge, the Board shall obtain a report from the Division of Inspections and Enforcement to determine whether there are any outstanding code violations on the subject property. In the event that the report reveals outstanding code violations, the Board shall deny the landlord's application or defer action on the application until the landlord has abated the violations and proof of same has been submitted to the Board.

Section 2: Any ordinances or parts thereof inconsistent with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect upon final passage and publication and in accordance with the laws of the State of New Jersey.

STATEMENT

This ordinance changes the procedure by which a landlord may obtain a tax surcharge under the Newark Rent Control Ordinance.