

## **BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION**

NOTICE is hereby given that **Ordinance 22-2022** - Ordinance of the Borough of Eatontown Entitled “**An Ordinance Amending Chapter 256 “Rent Control”, Section 256-16 “Vacant Housing Decontrolled” Requiring a Landlord of any Housing Space, Dwelling, Apartment or Mobile Home Space to Notify the Borough’s Housing Officer of the Addresses or Unit Identifications of All Rent Controlled Units Under Their Ownership or Control on an Annual Basis**” was passed after a public hearing at the regular meeting of “**November 10, 2022**” by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

### **ORDINANCE 22-2022**

#### **BOROUGH OF EATONTOWN**

#### **COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**AN ORDINANCE AMENDING CHAPTER 256 “RENT CONTROL”, SECTION 256-16 “VACANT HOUSING DECONTROLLED” REQUIRING A LANDLORD OF ANY HOUSING SPACE, DWELLING, APARTMENT OR MOBILE HOME SPACE TO NOTIFY THE BOROUGH’S HOUSING OFFICER OF THE ADDRESSES OR UNIT IDENTIFICATIONS OF ALL RENT CONTROLLED UNITS UNDER THEIR OWNERSHIP OR CONTROL ON AN ANNUAL BASIS.**

**WHEREAS** the Borough Code imposes rent control on dwelling l and mobile home units throughout the Borough pursuant to Chapter 256 of the Borough Code.

**WHEREAS** Section 256-16 of the Borough Code requires that once any housing space, dwelling, apartment or mobile home becomes decontrolled pursuant to this section, such unit shall no longer be rent controlled including the right to seek relief from the Rent Control Board.

**WHEREAS**, the Borough has found it difficult to keep track of the remaining rent controlled units over time and is unable to identify the rental units which are continuing to be subject to rent control; and

**WHEREAS** the Borough Council finds it to be in the best interests of the Borough to require landlords to identify the remaining rent controlled units on an annual basis to the Borough for the protection of the residents.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, that Chapter 256 “Rent Control”, Section 256-16 “Vacant Housing Decontrolled” as follows:

[additions are underlined, and deletions are noted through strike-out]

#### **§256-16**

Any housing space, dwelling, apartment or mobile home which is presently vacant or which becomes vacant during or at the end of any lease term shall be permanently decontrolled, therefore allowing the landlord to set the rent at market rate. Once any housing space, dwelling, apartment or mobile home becomes decontrolled pursuant to this section, such unit shall no longer be afforded the rights or remedies set forth in this chapter, including the right to seek relief from the Rent Control Board. **The landlord of any housing space, dwelling, apartment or mobile home park shall provide to the Borough Housing Officer the address or other identifying information of all rent controlled units under their ownership or control on January 1 of each year. Any person found guilty of violating the requirement to provide the information set forth in this section to the Borough Housing Officer shall be subject to a fine not exceeding \$2,000. Each and every day that such violation continues shall be considered a separate violation.**

**IT IS FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**IT IS FURTHER ORDAINED** that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**IT IS FURTHER ORDAINED** that this Ordinance shall take effect upon passage and publication in accordance with applicable law.