

# COLONNADE RESIDENTS COALITION NEWSLETTER

FALL 2014, ISSUE 1



*Tenant news from our website for those of you without computers or smartphones.*

## RENT CONTROL ORDINANCE

### WHAT TO DO ABOUT A 4% RENT INCREASE

**Posted online on December 2,  
2014**

The Colonnade (and Pavilion and Hallmark House) landlord informed Maria Hernandez, of Newark's Rent Control Office, months ago that they would not comply with the RCO and would sue the City.

They have not contacted her since Judge Funari denied the landlord's motion for declaratory relief and a restraining order on Nov. 21. The lawsuit continues.

Per New Jersey Tenant's Organization (NJTO), landlords cannot legally request nor receive illegal rent increases.

Our obligation and right as tenants is to pay the legal increase allowed. Maria Hernandez emphatically stated that tenants should pay the legal CPI-U based rent increase and

accompany the rent payment with an explanatory letter.

The language of that letter is consistent with NJTO's advice.

Tenants who have already signed leases agreeing with the illegal 4% rent increase should notify the Rent Control Office. They should send a letter to the landlord and the Rent Control Office noting that the rent increase was illegal and they will adjust their rent payments to reflect the CPI-U accordingly.

Send your letters via Regular and Certified Mail to the landlord, and via Regular Mail to the Rent Control Office. Also give a copy of your letter to the CRC. Tenants should be credited with any overages they have paid.

Once it's determined whether or not every Colonnade tenant receiving an illegal rent will be required to file a Rent Adjustment Petition, we will notify you.

### WHAT IS THE VALUE OF THE CPI-U?

CPI-U Rates are calculated monthly. Below are June 2014 – January 2015 rates.

June	1.3%	Oct	1.6%
July	1.6%	Nov	1.3%
August	1.9%	Dec	1%
Sept	1.7%	Jan	1.3%

**If you can, do attend the first Rent Control Board Hearing about an illegal 4% rent increase, finally being held on Thursday, Dec. 18 at 6pm in City Hall, Room B-29!**

Hopefully, this hearing will set a precedent for us all.

Visit the CRC online at <http://ColonnadeResidentsCoalition.Wordpress.com>

## DEFENDING YOUR RENT CONTROL ORDINANCE

"Four tenants associations - the 380-402 Mt. Prospect Tenants Association, the Pavilion Apartments Tenants Association, the Colonnade Residents Coalition, and the Forest Hill Towers Tenants Association have come together and hired the law firm of Di Giovanni & Ephraim, LLC to intervene in the lawsuit the landlords filed against the city claiming our new Rent Control Law is unconstitutional. The name of the lawsuit is Newark Apartment Owners Association et al v. City of Newark.

All of the tenants in these four complexes are significantly affected by the new rent laws protections and would be harmed greatly if the landlords were to succeed. We want to make sure that the best possible legal case is presented against this lawsuit.

We feel that has not happened up until now, and we cannot be confident that it will happen as the case proceeds to trial.

The three lawyers working on the case for us are all new attorneys, willing to accept a relatively small fee for their services, but are dedicated to the cause of tenants' rights and are committed to doing a thorough and excellent job defending us from this baseless lawsuit by the landlord group. One of the lawyers, while having a law degree (J.D.), is not yet licensed to practice in New Jersey, but is likely the most experienced of the three in landlord/tenant law because of his history as a tenant organizer.

We are very hopeful that we will win this battle in Superior Court, but it is essential that a proper "record" is established in these proceedings, so that the landlords will not have any advantage if they decide to appeal to a higher court (the Appellate Division). No new information can be added at appeal, only legal arguments, so it is very important that all relevant facts are put on the record."

Matt Shapiro, President of NJTO

Neighbors please participate in this effort by contributing whatever you can. Each association has agreed to raise \$500 plus share the costs of filing a Motion to Intervene, which must happen on Dec. 15. As tenants, it's become obvious that we have to step up and protect ourselves in getting the Rent Control Ordinance implemented.

The City of Newark passed the ordinance in May, and it became effective in June, yet we are still receiving (and many of us are actually paying) 4% increases that became illegal on June 20.

Thank you, thank you, THANK YOU for helping yourselves and each other and acting in your own self-interest as a tenant in a rent controlled building, and thank you NJTO for supporting Newark's tenants.

## GROWTH OF THE CRC & ELECTION OF THE BOARD

Neighbors, its time to step up and become active (or passive) dues-paying members of the Colonnade Residents Coalition, the in-house, registered 501(c)3 Tenants organization, chartered by the New Jersey Tenants Organization (NJTO) that has been **FIGHTING FOR YOU!**

As a tenant, you have a stake and a voice in how you live on these premises and it should be spoken, heard and answered with dignity and respect.

An extremely diverse community populates the Colonnade buildings. No matter your age, birthplace, ethnicity, language, religion, marital, citizenship, immigration or economic status, occupation, number of years you've lived here, size of your apartment or personal preferences, you are ultimately

### A RENT PAYING TENANT

We need Colonnade residents from **every** demographic to join the CRC, be represented and heard as a collective, respected and powerful voice.

Newark Legislators realize that most Newark tenants have not received a 4% salary increase every year, and thus passed a Rent Control Ordinance (RCO), effective June 20, 2014.

The RCO affects us all, and makes a great unifying focal point. Now is the time for all good tenants (bad ones too) to unify, act in concert for our own collective self-interest, and speak with one voice that will respectfully be heard. How can we all do that?

### JOIN THE CRC

The CRC is in transition, growing, and needs new and current members to elect a Board of Officers and adopt its drafted By-Laws, modifying them if needed.

Who is on the Board? Per the By-Laws, elected officers include:

President  
C Building Vice-President  
D Building Vice President  
Secretary  
Treasurer

Would you, or a fellow neighbor be willing and successful as an elected officer? Can you lend your time and skills as a

- Committee Chair
- Committee Member
- Floor Captain
- Tenant Law Advisor?

Plan to join and lend your time and skills. A quarterly and occasional ad hoc meeting, bi-monthly Board meetings and monthly, informative newsletters are my suggestions for the revised CRC operations.

Before our former President, Carlton Tilley, and former Acting President Diane Speights resigned, I volunteered to handle the communications for the CRC.

Carlton's notable and lasting achievements on our behalf include getting the CRC its IRS 501(c)3 status and its official charter with NJTO. Unfortunately, Dianne's temporary tenure was interrupted by the high demands of her job.

With the input of fellow Colonnade tenants, Newark Tenants United, and NJTO, my contributions to the CRC include a dynamic, resourceful and informative Website, a Facebook Page, Twitter Account, and now, a Newsletter.

Hazel Currie, Danielle Sykes, Taylor Welborn, Shawn Johnson and of course, Carlton Tilley and Diane Speights have all been instrumental in keeping the CRC growth on course, and moving it towards reorganization.

Many of you have been extremely supportive during this time of transition with new ideas, pointing out issues that need to be resolved or corrected, and making suggestions to be adopted, and I thank you all for your support.

### WE NEED YOU TO FURTHER HELP RUN THE CRC AND THE BOARD ELECTIONS ARE THE NEXT STEP.

Call, text, or email me to indicate the role you would like to play beyond membership in the CRC. Let's hold elections no later than January 2015.

Very Best Neighborly Regards,

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