



MEMORANDUM

TO: Hoboken City Council Members

FROM: Ravi S. Bhalla

RE: Rent Control & Stabilization Board Appointments

CC: Brian Aloia, Esq., Corporation Counsel
Suzanne Hetman, Rent Control Administrator
Victor Afanador, Esq., Rent Control Board Attorney

DATE: March 12, 2018

I respectfully submit this memorandum to request your advice and consent for the appointment of Warren Hall and Heath Urban as members of the Rent Control & Stabilization Board ("Rent Control Board"). Resolutions of appointment are attached. (Attachment A)

As you are aware, prior resolutions were placed on the February 21, 2018 City Council agenda regarding these two appointments, along with five other individuals, in order to have a full seven (7) member Rent Control Board. The appointments of Mr. Hall and Mr. Urban were pulled from the February 21st City Council agenda, without explanation.

At the same meeting, an Ordinance was introduced and passed on 1st reading that purports to transfer appointment authority of three (3) full rent board members and two (2) alternates from the Mayor and to the City Council.

On March 5, 2018, the Law Department submitted a legal memorandum advising you that the City Council does not have the legal authority to unilaterally appoint members to the Rent Control Board. (See, Attachment B) This appointment authority rests with the Mayor, upon the advice and consent of the City Council, as explained in the Law Department's memorandum.

Despite the March 5th legal memorandum, this Ordinance is still on the March 15, 2018 City Council Agenda, along with a series of resolutions wherein the City Council appears to be illegally attempting to appoint Rent Control Board members. These items should be removed from

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the City Council agenda, as you have been advised that you do not have the legal authority to take such actions.

Accordingly, I respectfully renew my prior request for the advice and consent of Mr. Hall and Mr. Urban as full members of the Rent Control Board. I have reviewed the qualifications of both individuals, discussed their prospective appointments, and our shared commitment to enforcement of the Rent Control Ordinance and advancement of affordable housing in Hoboken. Both Mr. Hall and Mr. Urban share my commitment to advance the purpose of the rent control ordinance, "to protect tenants" as per the Preamble of the Ordinance. I share that commitment, along with these two individuals. To the extent that you do not believe Mr. Hall and Mr. Urban are deserving of your advice and consent, I would further respectfully request that you place on the record the reasons why you believe these candidates lack the qualifications to serve on the Rent Control Board.

Thank you for your consideration of this matter.