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RESOLUTION NO.

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING SETTLEMENT OF APPEAL TO THE TOWNSHIP COMMITTEE BY THE WILLOW WOODS MANUFACTURED HOME COMMUNITY FROM THE AUGUST 30, 2011 DECISION OF THE OF MULTIPLE DWELLINGS REGULATION BOARD

WHEREAS, on or about June 30, 2011, the Willow Woods Manufactured Home Community submitted an application for a 2011 rent increase to the Multiple Dwellings Regulation Board of the Township of West Deptford, pursuant to Chapter 128-1 of the Code of the Township of West Deptford; and

WHEREAS, the application was reviewed by the Township Administrator and was deemed complete, as required by Code Chapter 128-2N(8), and the Township Zoning and Construction Officials further inspected the property on August 29, 2011, and they issued a finding that the Willow Woods Manufactured Home Community was in compliance with the West Deptford Property Maintenance Code, as required by Code Chapter 128-3B, thereby allowing the application to go forward and be heard by the Township Multiple Dwellings Regulation Board; and

WHEREAS, on August 30, 2011, a hearing took place before the Multiple Dwellings Regulation Board over the 2011 Rent Increase application, and during that hearing, the Board heard testimony and considered evidence that was submitted by the Willow Woods Manufactured Home Community, and heard testimony from residents of the Willow Woods community; and

WHEREAS, following the hearing, on August 30, 2011 the Multiple Dwellings Regulation Board denied the 2011 Rent Increase application of the Willow Woods Manufactured Home Community, in its entirety; and

WHEREAS, on or about September 12, 2011 the Willow Woods Manufactured Home Community filed a timely appeal from the Board's decision to the Township Committee of the Township of West Deptford, pursuant to Code Chapter 128-2N(26); and

WHEREAS, the Township Committee scheduled hearings over the appeal on February 11, 2012 and March 1, 2012, and prior to the hearing that was scheduled for March 1, 2012, counsel for the Township and the appellant discussed the terms of settlement of the matter, whereby:

1. Willow Woods Manufactured Home Community withdraws its appeal from the decision of the Multiple Dwellings Regulation Board, which withdrawal the appellant will confirm in writing; and

2. The 2011 Rent Increase is approved to permit adjustments to rent for taxes, water, and sewer charges, as set forth in the rent increase application documents, which adjustment shall be retroactive to September 1, 2011; and

3. The 2011 Rent Increase is denied where the appellant requests a rent adjustment in the amount of 2 ½ per cent consistent with the Consumer Price Index; and

WHEREAS, the Township Committee of the Township of West Deptford, having considered the application for a 2011 Rent Increase and its various components of requested rent adjustments and their justifications, and having reviewed the decision of the Multiple Dwellings Regulation Board, and having considered the time and expense of further administrative and potential litigation proceedings over the 2011 Rent Increase;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Deptford, in Gloucester County, New Jersey, assembled in public session on this 8th day of March, 2012, that:

1. The Township Committee hereby approves the proposed settlement in this matter, consistent with the above settlement terms.


ADOPTED at the Public Meeting of the Township Committee of the Township of West Deptford held on March 8, 2012.

TOWNSHIP OF WEST DEPTFORD

By:


RAYMOND CHINTALL, Mayor

ATTEST:


AMY LESO, Acting Township Clerk