

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 10-175

**RESOLUTION AUTHORIZING ENFORCEMENT OF RESOLUTION
OF TENANT COMPLAINT ENTERED BY THE RED BANK RENT
LEVELING BOARD ON MARCH 25, 2010**

Ms. Horgan offered the following resolution and moved its adoption:

WHEREAS, the Red Bank Rent Leveling Board after public hearing and testimony passed a Resolution on March 25, 2010 requiring landlords Ralph and Laura Molinari, with rental property located at 62 and 64 Shrewsbury Avenue, Red Bank, New Jersey, to reimburse their tenants, Joy and Bradley Sherman, then located at 64A Shrewsbury Avenue, Red Bank, New Jersey, now who were improperly assessed rents in the total amount of \$2,346.00; and

WHEREAS, the aforesaid landlords were to make said reimbursement to the tenants within thirty (30) days of execution of the aforesaid Resolution of March 25, 2010; and

WHEREAS, the aforesaid landlords failed to make reimbursement or to file an appeal to the Red Bank Borough Council within twenty (20) days of the aforesaid Resolution execution; and

WHEREAS, the aforesaid landlords have failed to make full reimbursement to date.

NOW, THEREFORE BE IT RESOLVED by the Red Bank Borough Council that, pursuant to Section 12-2.16(A) and (B) of the Rent Control Ordinance, the Council hereby authorizes and directs that the Borough Code Enforcement Officer sign a Complaint and prosecute the aforesaid landlords for violation of the aforesaid Rent Control Ordinance within thirty (30) days of the adoption of this Resolution against Ralph and Laura Molinari, and seek fines and associated penalties for each day that violation of the Red Bank Rent Leveling Board's Resolution continues from the day following the thirty (30) day period prescribed by the Red Bank Rent Leveling Board's Resolution for reimbursement to the day of full payment of all reimbursements ordered by the Red Bank Rent Leveling Board in its March 25, 2010 Resolution.

BE IT FURTHER RESOLVED that the Red Bank Borough Council, pursuant to the aforesaid Ordinance considers each day that reimbursement does not take place in full as a separate violation.

Seconded by Ms. Lewis adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. Murphy	(x)	()	()	()

Dated: July 12, 2010

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on July 12, 2010.

Pamela Borghi

Pamela Borghi, Municipal Clerk