THE CITY OF EAST ORANGE

44 CITY HALL PLAZA • EAST ORANGE, NEW JERSEY 07018

www.eastorange-nj.gov

MAYOR, TED R. GREEN

Mark Barner
Director

DEPARTMENT OF PROPERTY MAINTENANCE
RENT CONTROL BOARD
Tel: 973-266-5401 • FAX: 973-675-4192

Wanda Watson
Rent Regulation Officer

Mike Galloway
Chairperson
Cheryl Crawford
Vice Chairperson

CAPITAL IMPROVEMENT APPLICATION

Dear Landlord/ Agent:

Please find attached a notice and an application for a Capital Improvement Increase. The procedure for filing this application is as follows:

(1) Pursuant to Chapter 218-16, please fill out and post the attached notice in order to notify tenants of the filing of this application. The notice must be posted in a conspicuous place and must be posted for fifteen (15) consecutive dates prior to your hearing date. Notarized Certification of posting of this notice must be received in this office within five days of submission of your application.

(2) In addition, tenants must be notified of this application by mail, return receipt prior to the hearing date. This notice must state that the tenants may contest this application in person or may be represented by a named tenant representative or by an attorney, at their expense. It must further state that all documentation submitted in support of this application will be open for inspection by the tenant(s) in the Office of Property Maintenance, Rent Control Division, prior to the hearing date.

(3) A Capital Improvement surcharge shall not be afforded to a landlord of a newly constructed or refurbished building that has entered an agreement with the City of East Orange for payments in lieu of taxes.

(4) Complete the attached application and return it to the address listed above. Please be advised that a Current Rent Role must be on file with this Office at the time of filing this application.

(5) The fee for filing this application is as follow

$150.00 for ten (10) units or less

$300.00 for eleven (11) to twenty (20) units

$400.00 for twenty (20) units or more

A money order of Certified Check for the appropriate amount, made out to The City of East Orange, must accompany this application. Ordinance 24 of 1989, Section 218-1 (A-C)

(6) Please attach, in chronological order, a legible copy of all bills, receipts, statements, canceled checks and any additional information you feel necessary to substantiate the information enclosed in this application. If further information, clarification and or documentation are required, you will be notified to that effect. In addition, all City of East Orange records pertaining to this building will be reviewed in conjunction with this application.

(7) A request, in writing to the Rent Regulation Officer, for the appearance of the Real Estate Appraiser shall be made to the Division of Complacence, ten (10) days prior to the hearing date if his/her presence is required. The real estate appraiser shall appear at the cost of the requesting landlord or tenant. Failure to request the presence of the appraiser shall be deemed a waiver of the right to cross-examine him/her by the aggrieved party at the hearing. Upon receipt and review of completed application, you will receive notification of a hearing date.

(8) The Rent Control Board shall make a determination within forty-five (45) days of receiving your completed application. Should this application be rejected and returned for incomplete documentation the forty-five-day period will commence upon the Rent Leveling Office receiving the re-submitted application together with additional, requested information.

Should you require any additional information, please contact me at the number listed above.

Respectfully,

Wanda Watson

Wanda Watson
Rent Regulation Officer

CAPITAL IMPROVEMENTS INCREASE CHECKLIST

In order to process your application, you must provide the following information:

1. **A Certified Copy of your current Rent Roll Registration for premises in which landlord seeks Capital Improvement Increase, including a list of names and apartment numbers of each tenant;**

2. **Certification from the Tax Collector's Office as to the amount of Municipal Property Taxes for said property and certification that said property taxes are current.**

3. **Certification from the Water Department that the water and sewer charges for said property is current.**

4. **Certification of Proof of the actual life on the Capital improvement.**

5. **Work schedule indicating the approximate dates work is to begin and when work is to be completed. Also, please include a reasonable estimate the length of interruption of all essential services.**

6. **Certification from all contractors that they are licensed to perform the work to be done.**

7. **All work performed on the premised must be done with local approval as evidenced by permits and compliance with fire, health and other code regulation.**

8. **Payment of applicable filing fee.**

NOTICE

ADDRESS OF PROPERTY

TO ALL TENANTS:

Please be advised that I have made an application to the Rent Control Board of the City of East Orange for a

CAPITAL IMPROVEMENT RENT SURCHARGE 218-16.

My application is available for review in the office of Rent Leveling, located at 44 City Hall Plaza, East Orange, New Jersey.

218-16 H (2) any request by the landlord or tenant for the appearance of the real estate appraiser shall be made, in writing to the Rent Regulation Officer 10 days prior to the hearing date. Failure to request the presence of the appraiser shall be deemed a waiver of the right to cross-examine him by the aggrieved party at the hearing.

Date_____ _____

Owner/Agent

CAPITAL IMPROVEMENT APPLICATION

Address of Premises:

_____	_____
(Landlord's Name)	(Managing Agent)
_____	_____
(Landlords Address)	(Managing Agent's Address)
_____	_____
Tele No: _____	**Tele No:** _____
No. of rental units in premises: ___	**No. of commercial units:** _____

Explain in details the nature of the capital improvements: _____

_____

_____

_____

_____

If the capital improvement requires the purchase of equipment of fixtures, please state the name and address of the supplier and the name and model number of the equipment.

_____

_____

_____

If the capital improvement involves construction, please list names and addresses of the Contractors.

_____ _____ _____

_____ _____ _____

CAPITAL IMPROVEMENT

Total cost of improvement: $_____

Useful lifetime of improvement: _____

Expected date of completion of improvement: _____/_____/_____

If capital improvement requires financing (HUD, NJHFA, LOAN,) please state name and address of financier:

_____

Amount of term of loan: _____

Itemize the proposed increase to cover this improvement. (If additional space is needed, please use separate sheet of paper)

Apt.#	Present rent Apt.#	Amt. of Increase	% Of increase	Apt.#	Present rent Apt.#	Amt. of Increase	% Of increase

Date: _____/ _____ /_____ **_____**

(Signature of Landlord or Agent)

PLEASE ATTACH COPIES OF EQUIPMENT PURCHASE ORDERS, CONTRACTOR'S BIDS, LOAN CONTRACTS OR AGREEMENTS, CANCELLED CHECKS, ETC. IN SUPPORT OF THIS APPLICATION.

Capital Improvement §218-16 Quick Sheet

- **Capital Improvement is a substantial monetary investment that provides additional services, benefits or amenities for tenants that did not exist prior to improvements.**
- Capital improvement surcharge is a privilege granted by the City of East Orange to promote **property preservation**.
- **Capital improvement is not normal up keep**, repair, and replacement, rehabilitation, painting roofing or mailboxes. **What is considered Capital Improvements?** Converting Oil heat to gas heat, installation of furnaces, new appliance in units, new bathrooms and kitchens throughout all dwelling units (but not limited to), is considered Capital Improvement**.**
- **How can a landlord recover the actual cost of Capital Improvement?**
- 50% of the actual cost of expenditures can be recovered over 5 consecutive years in 60 equally monthly installments divided fairly among tenants excluding interest and carrying costs**.**
- **How do you apply?** You can obtain an application from the Rent Regulation Officer or on line.
- Applicable information should be filed with application, once completed, accepted and filed by the Rent Regulation Officer; landlord shall give notice to tenants by certified mail and post throughout building that an application for **Capital Improvement Recovery** has been filed.
- **What documentations should you file with the application?** Current Rent Roll, certification that property tax, water and sewer is current, work schedule of approximate dates work is to be done and completed, proof of license contractors, estimate of interruption of essential services, approval of permits(**but not limited to**) and evidence that Capital Improvement was done.
- The property is then inspected for Property Maintenance code violations.
- The Rent Regulation Officer will schedule a hearing before the Rent Board.
- Once the Rent Control Board review all relevant information for Capital Improvement request, decision granted are based on the successful completion of all work to be completed.
- The Rent Regulation Officer will have the property inspected for final approval.
- All Capital Improvement surcharges shall be assessed within 60 days after final approval by the Board.
- Landlord must file a Rent Roll Registration with The Department of Property Maintenance/ Rent Leveling Division showing the Capital surcharge information.