Town of West New York
Hudson County, N.J.
Rent Control Board

Minutes of Meeting
September 14, 2026

Present Members:

MARILEIDYS BALDEO, Chairwoman (absent)
DEREK HERNANDEZ, Vice Chairman
JOHNNY RODRIGUEZ
MONICA CAPELLAN
CLAUDIA BLANCO
JESSELEE DE LA TORRE

A L S O P R E S E N T:
Carmen Mendiola, tenant advocate
MICHAEL SIMONE, ESQUIRE
Counsel to the West New York Rent Board
STEVEN COCHRANE, ESQUIRE
5 Counsel to the Landlord, 535 64th St, Apt #2
6 JOHN V. SALIERNO, ESQUIRE
Counsel to the Landlord, 210 60th St, Apt. #14
ANA LUNA- BOARD SECRETARY
Maurice Gutierrez- Zoom Coordinator

MR. SIMONE: It's 5:33. The meeting is hereby called to order.
We will begin with the, Pledge of the Flag.
(Whereupon, all rise for a recitation of the Pledge of Allegiance.)

The meeting notice in compliance was read by Mr. Simone

MR. SIMONE: Before we get into roll call, we have to reappoint Ms. Capellan and swear in new members Ms. Claudia Blanco and Ms. Jesselee De La Torre. I'm sorry, Miss, am I pronouncing that correct? Is it Jesselee?
MS. De LA TORRE: Yes, that's right.
MR. SIMONE: Great. Thank you so much.
I do not see Monica present, so we will jump straight into the swearing in.
We'll begin with you, Ms. Claudia Blanco. I'm going to read a statement. I will need you to repeat after me. And then I will get your signature. I will sign this as well. And this will be provided to the board.

Mis Blanco and Ms. De la Torre were sworn in.

MR. SIMONE: Ana, if you wouldn't mind doing a roll call.

MS. LUNA: Sure.
Marileidys Baldeo, she is excused. She cannot make it today.
Monica Capellan, is she still not signed in, Maurice? I don't see her.
MODERATOR: She's signing in right now, actually.
MS. LUNA: She's signing in.
MR. SIMONE: Oh, I think she just got signed on.
MS. LUNA: All right. Hello, Monica.
MS. CAPELLAN: Hi there, sorry, I had to park in, I mean, yeah, in the car.
MR. SIMONE: No worries. Just in time for roll call.
MS. LUNA: We are doing roll call.
MS. CAPELLAN: Yes, thank you.
MS. LUNA: Monica Capellan?
MS. CAPELLAN: Present.
MS. LUNA: Derek Hernandez?
MR. HERNANDEZ: Present.
MS. LUNA: Johnny Rodriguez? (No Response.)
MS. LUNA: I thought I saw Johnny somewhere.
MR. RODRIGUEZ: You said Johnny?
MR. SIMONE: Yes, Johnny Rodriguez.
MS. LUNA: Johnny. Yes.
MR. RODRIGUEZ: Yes, I am present.
MS. LUNA: Perfect.
Aylen Jover?
MS. JOVER: Present.
MS. LUNA: Perfect.
Claudia Blanco?

MS. BLANCO: Present.
MS. LUNA: Jesselee De La Torre?
MS. De La TORRE: Present.
MS. LUNA: Awesome.
We have quorum. We can continue.
MR. SIMONE: Thank you so much.
Turning to today's agenda, today's matters, I think we have one person waiting in the waiting room.
MODERATOR: Mr. Simone, I'm making some actions just to prevent various acts.
So I'm making everybody co-host as part of this meeting.
MR. SIMONE: Okay.
IT MODERATOR: For safe party.
MR. SIMONE: Yeah, I appreciate it, especially given what occurred during a previous meeting with the Alcohol Beverage Board.
MS. LUNA: Yep, no surprise today, please.
MR. SIMONE: Yes, hopefully not.
First on the agenda, this is 6A. This is memorialization of the resolution for overcharge application for property address 573 57th Street, apartment number 1.
MS. LUNA: Mr. Simone, can you please read the resolution, please?
MR. SIMONE: Certainly.
This is the resolution granting the complaint for the rental overcharge for 573 57th Street, apartment number 1, West New York, New Jersey. Whereas, on or about June 11th, 2026, Sasha Perez, the tenant, filed a complaint for overpayment of monthly rent for real property located at 573 357th Street, Apartment 1, West New York, New Jersey 07093, with the Town of West New York Rent Control Board pursuant to the Town of West New York's Rent Control Ordinance, and whereas on or about January 1st, 2018, with the occupancy reflected as beginning in November 2017, the tenant entered into a lease agreement with the prior landlord, Leeward Homes LLC, and later Apnagar Property Management LLC, known as the current landlord, for the rental of the subject premises located at 573 57th Street, Apartment 1, West New York, New Jersey 07093, at an initial base rent of $1,450 per month. And whereas the complaint alleged that the landlord improperly imposed a series of rent increases during the tenant's occupancy ranging from $50 to $200 between the months of March 2018 and April 2025, and whereas the subject property was not registered with the board at any time during the period from 2017 through early 2026, with the current landlord registering the property for the first time in March 2026. And, whereas, the total calculated rent overcharges accrued from January 2018 through April 2026 equal $14,544. And whereas the board, having conducted public hearings on July 13th, 2026, at a previous
hearing, at which time the board accepted certain exhibits into evidence, heard testimony, and considered the arguments in support of and in opposition to the

complaint. And whereas, on July 13th, 2026, the board, after due consideration of all relevant evidence, testimony, and legal principles, and deliberation thereupon, voted to grant the tenant's complaint and order the current landlord to reimburse tenant in the amount of $14,544 for improperly charged rent. Now, therefore be resolved by the Town of West New York Rent Control Board that the complaint of Sasha Perez for rent overcharge is hereby granted. And be it further resolved that the Town of West New York Rent Control Board hereby finds that the lawful rent for the subject apartment is $1,496 per month, reflecting the 2026 CPI adjustment applied to the $1,450 initial base rent established by the tenant's 2018 lease. And be it further resolved that the current landlord shall immediately issue a cash/lump sum reimbursement refund to the tenant Sasha Perez for the remaining balance of overpaid funds in the
amount of $14,544 for rent overpayments charged over the preceding 36 months.
And be it further resolved that the prospective rent for the subject premises shall be set at the legal rate going forward, subject only to future lawful adjustments pursuant to the Town of West New York Rent Control Ordinances. And be it further resolved that a copy of this resolution shall be provided to all interested parties.
Do we have a motion on the resolution?
MR. HERNANDEZ: Yeah, I'd like to motion to approve, pass it.
MS. LUNA: Anybody second?
MS. CAPELLAN: Second.
MS. JOVER: Second.
MS. LUNA: I -- I heard two persons second. Who did it first?
MS. CAPELLAN: Oh, that's fine. You can pick then whoever else did it.
MS. LUNA: Okay, so it was you and --
MS. JOVER: And me, Aylen.
MS. LUNA: Okay. So, all right, all right, so now Monica Capellan?
MS. CAPELLAN: Yes.
MS. LUNA: Derek Hernandez?
MR. HERNANDEZ: Yes.
MS. LUNA: Johnny Rodriguez?
MR. RODRIGUEZ: Yes.
MS. LUNA: Aylen Jover?
MS. JOVER: Yes.
MS. LUNA: Claudia Blanco?
MS. BLANCO: Yes.
MS. LUNA: I believe you need to abstain because you were not present at that meeting, right, Carmen?
MR. SIMONE: Yes, that's accurate, correct.
MS. LUNA: Okay. So, and Jesselee De La Torre also to abstain.
MS. De LA TORRE: Abstain.

MS. LUNA: Right? Motion passes. The resolution is approved, the memorialization for the new rent, and that's it. It passes.
MR. SIMONE: Thank you so much. Next on the agenda, this is 6B, approval of minutes from meeting for July 13th, 2026.
MS. LUNA: Does anybody motion?
MS. JOVER: Motion.
MR. HERNANDEZ: Second.
MS. BLANCO: All right.
MS. LUNA: Monica Capellan?
MS. CAPELLAN: Yes.
MS. LUNA: Johnny Rodriguez?
MR. RODRIGUEZ: Yes.
MS. LUNA: Aylen Jover?
MS. JOVER: Yes.
MS. LUNA: Derek Hernandez?
MR. HERNANDEZ: Yes.
MS. LUNA: And Claudia Blanco?
MS. BLANCO: Uh, I was not present, so I guess abstain.
MS. LUNA: Okay. Jesselee?
MS. De LA TORRE: I abstain.
MS. LUNA: Okay.
Did I call everybody else? Monica, did I call you?
MS. CAPELLAN: Yes.
MS. LUNA: Okay, got it. All right.
Motion passed. The minutes are approved.
MR. SIMONE: Excellent. Thank you very much. Okay, next is 6C.
This is an overcharge application from Ana Umanzor for the address 210 60th Street, apartment number 14.
MS. LUNA: That has been adjourned for the next meeting.
MR. SIMONE: Okay, thank you very much.
MS. LUNA: As well as, let me let you know about the other two that were requested an adjournment.
Carmen, would you like to mention the one for Dean?
MS. MENDIOLA: So the overcharge application -- and I apologize, I have laryngitis on top of allergies and a cold, so I'll try to speak as loud as I can and soft. So number D, 6D is an application from Miss Jimenez and Gomez and the property's listed on the agenda. That is -- we have resolved that case which commenced in court. Fast forward to about a month ago, was dismissed from the court, and counsel just came back from vacation on Monday. We agreed to adjourn it because he drafted the resolution of that case.

So that would be settled, but we'll bring you -- we might bring it back to the, to the board so they can adjust the rent calculations
accordingly.
MS. LUNA: Okay, that is 5300 Palisade Avenue. Apartment 302A, right?
MS. MENDIOLA: Correct.
MR. SIMONE: That's correct.
MS. LUNA: Okay, so that one is adjourned.
The other one, Carmen, do you want to mention the adjournment requested granted.
MS. MENDIOLA: The 6F, as in Frank, that's also an overcharge application by Christian Medina. The property is 411 61st Street, Apartment 9 basement. That is -- counsel requested an adjournment today. So we agreed to give them an adjournment based on the fact that I think there's an issue of notice. So that's adjourned for today as
well.
MR. SIMONE: And I believe the only other one is 6E, Fuentes and Canales overcharge applications.
MS. MENDIOLA: 6E, correct.
MR. SIMONE: And are those being adjourned today as well? I'm sorry, I may have missed that.
MS. MENDIOLA: No, that's on for today.
MR. SIMONE: Fantastic.
MS. MS. MENDIOLA: No, that's on for today.
MR. SIMONE: Fantastic.
MS. MENDIOLA: Yes.
MR. SIMONE: Then seeing how 6C, 6D, and 6F will be adjourned for the following meeting, we will proceed with agenda item 6E. This is the overcharge applications of Jose Fuentes/Daisy Canales, property address 535 64th Street, apartment number 2.
MS. LUNA: So we have counsel for --
MS. CAPELLAN: Good evening.
MR. COCHRANE: No, I'm here for the, I guess, respondent, defendant, landlord.
MS. MENDIOLA: And I think tenants were supposed to log in, I'm not sure if they were able to log in.
MS. LUNA: The tenants, they are trying. They were trying. I'm not sure.
Maurice, do you see anybody in trying to log in?
IT MODERATOR: No, no one's trying to log in.
MS. LUNA: Yeah, they will have an issue they are not savvy with the internet, unfortunately.
MS. MENDIOLA: Okay. Well, let me -- let me, let me -- I can present the application on their behalf. So, this is an overcharge application, I apologize, by Mr. Fuentes and Daisy Canales. The property is 535 64th Street, apartment number 2. This is an overcharge application, they filed and served the landlord on June 4th, 2026, via UPS certified mail.

The application is -- is based on the tenants in this matter moved into the apartment September 1st, 2025. At the time that they rented the premises, the property was -- they were – they signed a lease for $1,900. In the course of time, we came to learn that the calculations for that property were not correct. We went back in time, recalculated, a lot of time to recalculate the rents according to -- from when they started. And I think I provided the board members with a memo. We go back to January of 20 -- 1997, going forward. What we have here, the problem here is that the landlord would habitually file the rent registration statements late, number one. Number two, there were years when they didn't file any rent registration, the annual rent registration statement. So, what they do is you file it yearly, you have to file these statements. This is the municipal code. You file it and then you submit the rents that are registered. Submitted to -- I don't know why I'm ringing, but it says somebody's waiting in the room, some Zoom user. Can I let them in? I don't know how to do this.

IT MODERATOR: I take care of that, no worries, Carmen.

MS. MENDIOLA: Oh, okay. I apologize. So -- so what would happen -- so if you look at what the memo that I submitted, it is, there's habitual failure to file the annual landlord registration statement. West New York says you have to file it on an annual basis. You're permitted your CPI increases, there's no doubt you can -- the landlords can submit with the increase. What happened here is the landlord did not do that. So it's -- it's very sporadic. One time they may have filed it on time. I think as we speak in 2026 today, and I'm looking at the memo, they haven't filed the annual rent registration statement. And 2025, they did not file. So the rent should have been -- so, the tenants were charged $1,900. The rent, according to our calculations that we took a long time to go through these numerical numbers, should have been $720.72. I'll say it again, $720.72. The -- that's the legal rent. The actual rent that they were charged was $1,900. That gives you a monthly overcharge of $1,179.28.

Now we're talking a period of ten months. The tenants commenced their tenancy on October 2025, so we brought it up to June 2026.

The overcharged amount is $11,792.80. The memo that I provided you guys gives you the ordinances that are applicable to what you do when is the rent increases, what happens when you don't file the rent registration statement. Everything is detailed in that – in that memo.

What I have a problem with is, then there's -- and I'm sorry, I take that back -- there's caselaw that, and I'm not -- this is not a legal court or anything like that, but I also attached some caselaw that talk about what -- the overcharge application and how, you know, the tenant should be reimbursed for the -- the overcharge. So having said that, I'm asking to board to confirm that the rent is $720.72 per month, that the overcharge amount to the tenant was $11,792.80. I'm asking the board to also order, order a rent credit to the tenants. The tenants currently reside on the premises. They're still there.

So going forward, when that adjustment is given to the tenants, they can use that money going forward to apply to the rent. And then the last thing I would ask is that we -- the board find -- direct the landlord, and I guess you could do it with your submission and your resolution, is to have the landlord file the delinquent and outstanding rent registration statements. And this landlord is on notice.
This landlord owns a property, and I'm looking at the document, at least as far as 1997. There's no basis or any kind of reason given why this happened. They know. Everybody knows. You can't pretend that you don't know the law. We can't come in and say, I didn't know that wasn't the law. You have— you're charged with knowing the law. I think that counsel -- I just saw counsel who was in the court proceeding. I just saw him log in. I did speak with counsel many times to try to see if we can resolve this matter. And at the last minute, about ten minutes ago, I received some documentation from counsel of some numbers that they submitted, which frankly make no sense. And I'm going to object and I'll let counsel speak. So it's clear this is a case of bad, you know, judgment on the part of the landlords. And it's just -- it's appalling that you go charge a tenant $1,900 when the rent should have been $720.
We can't have that in West New York. MR. SIMONE: Thank you, Carmen. And I believe I understand the counsel for the landlord is present as well.
MS. MENDIOLA: Yeah, I saw him loggingin.
MR. COCHRANE: Yeah, I'm up here.
MR. SIMONE: Mr. Cochrane?

MR. COCHRANE: Steve Cochran, how you doing?
MR. SIMONE: Great. Please proceed.
MR. COCHRANE: Well, Carman, I like your calculations, very thorough. I'm impressed. But I'm looking at this worksheet, does it look like there were all late filings except for three years, 2015, 2021 -- No, I'm sorry. 2020 and 2026?
MS. MENDIOLA: Steve, I'm not -- I'm not here to be questioned. I'm sorry. Whatever is there that, I mean, you filed and I have -- MR. COCHRANE: I'm just asking you a question.
MS. MENDIOLA: Yeah. I'm objecting to the fact that I got this ten minutes ago. Notwithstanding --R. COCHRANE: No, I'm not talking about the most recent thing I sent you. I just got that, you know, at quarter to 5. I just figured I'd let my clients speak to it.
MS. MENDIOLA: Oh, I thought –
MR. COCHRANE: I'm not talking about that. I'm talking about your worksheet.
MS. MENDIOLA: Okay, I don't know what you're referring to. Whatever is on the document, it's on the document. I mean, I can't read --
MR. COCHRANE: I'm trying to build a record here, Carmen.
MS. MENDIOLA: Okay.
MR. COCHRANE: You don't know which years there were no filings.

MS. MENDIOLA: No, Steve, I'm going to -- I'm I'll say it again. I'll say it very slowly. Look, you have the calculations, you just said that it was an outstanding memo. You'll see it on the right-hand side where it says comment. You'll see when it was filed late, no files, or no registration. MR. COCHRANE: Okay, I got that. So it does say all late filings except for three: 2015, 2020, and 2026. Although you referenced 2025, but there's no late filing or no filing indicated there.

Testimony of Mr. Balvinder Sanghera

MR. COCHRANE: Thank you. Mr. Sanghera, what is your relationship to 535 64th Street in West New York?
MR. SANGHERA: I'm the general partner.
MR. COCHRANE: And when did you acquire ownership of this property?
MR. SANGHERA: 1995 or '96, around that time.
MR. COCHRANE: Okay, do you remember who you took possession from?
MR. SANGHERA: Yes, there was an individual, his last name was Mr. Fabolis, something like that.
MR. COCHRANE: I'm sorry, could you repeat that?
MR. SANGHERA: There's an individual, they also had a partnership, and I told his -- I believe his last name was Fabolis.
MR. COCHRANE: And when you purchased the property, did you take any steps with the rent control?
MR. SANGHERA: Yes, I did.
MR. COCHRANE: What steps did you take?
MR. SANGHERA: Well, he gave me a statement of the rent roll, and then, you know, I verified it. I came to the office; I verified those rents.
MR. COCHRANE: Do you recall who you verified it with?
MR. SANGHERA: There's an older woman there.
MR. COCHRANE: Connected with rent control, I presume.
MR. SANGHERA: Yes.
MR. COCHRANE: And was that before you purchased the property?
MR. SANGHERA: Oh, right around that same time. It could have been a couple of days before, and I know definitely after that I also took a look at it.
MR. COCHRANE: All right. And then subsequent to that, during your ownership of the property, what did you do in terms of annual registration?
MR. SANGHERA: Well, you know, I attempted to file, a lot of the time I did file, you know, and sometimes it was late, you know, because I have two jobs.
MR. COCHRANE: Well, when you sent the notices of rent registrations, did you contact rent control to find out what the annual increases were?

MR. SANGHERA: Sometimes, sometimes. You know, the thing is we know the ceiling and we try to stay below the ceiling. And the CPI, you know, we tried to attempt it the best we could.
MR. COCHRANE: Well, you said you knew the ceiling. How would you know the ceiling?
MR. SANGHERA: You know, West New York has -- used to have a 5 percent ceiling that you cannot increase anybody beyond 5 percent, you know, CPI.
MR. COCHRANE: And to the best of your knowledge, did you ever exceed 5 percent?
MR. SANGHERA: No.
MR. COCHRANE: And how would you notify tenants of increases?
MR. SANGHERA: I send them a notice of increase, rent increase.
MR. COCHRANE: How would you send them?
MR. SANGHERA: By mail or certified mail or even by hand.
MR. COCHRANE: All right. And you saw the submission that Miss Carmen Mendiola prepared, or Ana Luna, and it says that your late filings are all received except for three years. Is that correct?
MR. SANGHERA: Could be possible. Yes.
MR. COCHRANE: Well, did you review them? Like 2026, has that been filed yet?
MR. SANGHERA: No, not yet.
MS. SANGHERA: 2025 is filed.
MR. SANGHERA: Yeah, '25 is filed.
MR. COCHRANE: Well, what's the reason for the delay with 2026?
MR. SANGHERA: I think this issue here, you know.
MR. COCHRANE: When you got notice of this complaint, did you go to the office to try to get more information on this?
MR. SANGHERA: Well, I received the notice, and I believe I sent you the notice. I tried my best to go with a professional, understand the notice. But I did go to rent control. I did review my files, you know.
MR. COCHRANE: With Ms. Luna?
MR. SANGHERA: Yes, I believe so.
MR. COCHRANE: And you sent me a sheet with some numbers on it earlier this evening, going back to 1995 with a rent of $525. What does this represent?
MR. SANGHERA: The $525 represents what the previous owner registered, the rent.
MR. COCHRANE: How do you know that?
MR. SANGHERA: Because he gave us a statement when we purchased the property. I had to give the same numbers to my bank, and the property was appraised based on these rents. And then later on I verified them with rent control, which our banks require us to do, you know.
MR. COCHRANE: So these numbers that you gave me, are they based on 5 percent increases from 1995 -- I'm sorry -- 1994 through the present?

MR. SANGHERA: No, no, no, not all of them are 5 percent. They're based on the CPI and, you know, whatever, like 4 percent, around that range.
MR. COCHRANE: All right. So you said it used to be 5 percent. At some point, it became based on the CPI increase?
MR. SANGHERA: When I took over, the ordinance was 5 percent, maximum ceiling.
MR. COCHRANE: Did that change at some point?
MR. SANGHERA: Based on these numbers, if you look at the percentages, their CPI numbers, it did change. It did go to 6 percent.
MR. COCHRANE: What I'm trying to get to is that all of these increases are not all 5 percent; they vary.
MR. SANGHERA: Yes, they vary.
MR. COCHRANE: And they vary based on what?
MR. SANGHERA: If the CPI is lower.
MR. COCHRANE: And what are the numbers that you arrived at for 2026?
MR. SANGHERA: I arrived at $1,842.
MR. COCHRANE: Say that again?
MR. SANGHERA: $1,842.
MR. COCHRANE: Well, on this sheet that you gave me earlier, it came to $1,703.
MR. SANGHERA: Well, yes, she gave you it as of 2024.
MS. SANGHERA: It's $1,703.
MR. SANGHERA: It's $1,703.
MS. MENDIOLA: Counsel, I'm going to object. There's somebody directing him on what to say. He's looking at something. I can hear a back voice, somebody saying something. Please tell him to stop.
MR. COCHRANE: It's his wife.
MS. SANGHERA: I'm the one who prepared the sheets. May I?
MR. SIMONE: That's okay, but if you're going to give testimony, I'll need to swear you in.
MS. SANGHERA: That's okay.
MR. SANGHERA: No problem. She can explain a little better.

Testimony of Mrs. Baljit Sanghera

MR. SIMONE: Mrs. Sanghera, please give me your first name.
MS. SANGHERA: Baljit. B-A-L-J-I-T.
MR. SIMONE: And it's Baljit Sanghera as well?
MS. SANGHERA: Yes.
MR. SIMONE: Mrs. Sanghera, please raise your right hand. Do you swear the testimony that you will give today will be complete and accurate to the best of your knowledge?
MS. SANGHERA: Yes, I do.

MR. SIMONE: And do you understand the purpose of the oath that you just swore?
MS. SANGHERA: Yes, I do.
MR. SIMONE: Thank you. You may proceed.
MR. COCHRANE: Again, Mrs. Sanghera, I apologize for the late submission. I'm just trying to figure out what you prepared here. You went back to 1994. Why?
MS. SANGHERA: Yes. So what happened was the sheet that I gave you, the reason the number is different right now is because I caught my own mistake.

In the sheet, you'll see that we start with 1994. The rent in 1994 was $525. That's when we purchased the building.
MR. COCHRANE: And what is that number?
MS. SANGHERA: I applied 4 percent.
MR. COCHRANE: As Mr. Sanghera said, you got that number from the registration statement you received at closing?
MS. SANGHERA: From the previous owner, yes.
MR. COCHRANE: Okay.
MS. SANGHERA: On the first column, if you notice the years, what happened was I missed '22-'23, I believe. So if you look down the list, I was missing two years. Look at '19, '20, '21, '22, '23, '24, '25. I made a mistake and missed the two years. That's why the number you're looking at now is different, because I caught my error just as we were preparing the meeting.
MR. COCHRANE: Gotcha.
MS. SANGHERA: The number on the right, how I came up with that number since I did the calculation, is by applying 4 percent CPI since 1994. I just applied a blanket number.
MR. COCHRANE: Uniformly, 4 percent?
MS. SANGHERA: Yes. Nothing was ever issued at 5 percent. Nothing was ever increased at 5 percent. No one was ever increased at 5 percent.
MR. COCHRANE: Why did you choose 4 percent?
MS. SANGHERA: I think that was the number I thought was the allowed CPI. I didn't even realize it was 5 percent.
MR. COCHRANE: All right. So Mr. Sanghera testified the number was $1,800 and change. What does your calculation show?
MS. SANGHERA: Yes, $1,842. After those two years that you add, it would be $1,842. Today's rent should be $1,842.
MR. COCHRANE: And you've never been fined or prosecuted by the Town of West New York for filing late, have you?
MS. SANGHERA: No.
MR. COCHRANE: How is late filing done? You submit it by mail? You take it to the office?

MS. SANGHERA: I sent it by registered or certified mail, and I usually get a stamped card back. I believe this time I even sent it via email, and I had an email receipt as well. I have copies of hand-printed report receipts from the township. I have copies, if you want, I can give you those receipts.
MR. COCHRANE: But at no time did the town indicate to you that you were in jeopardy of any violation or fine under the ordinance?
MS. SANGHERA: Never. No, never.
MR. COCHRANE: And they accepted the filing?
MS. SANGHERA: Yes. I have a stamped receipt saying received on such and such date. I have those receipts with me.
MR. COCHRANE: And are you aware of any fines or penalties in the ordinance for late filing?
MS. SANGHERA: No, we're not.

Questions from Ms. Mendiola Regarding Registration and Rent Calculations

MS. MENDIOLA: Ma'am, you know that the Town of West New York requires you to file the annual rent registration statements on a yearly basis, correct?
MS. SANGHERA: Yes, I do know.
MS. MENDIOLA: Under Section 312.28 of the code, you could be fined if you failed to comply or lied in the annual rent registration statement. The fine could be up to $500 per violation, or imprisonment for no more than 30 days. It could be either or.

The document that counsel brought in is something I'm seeing for the first time about 10, 15, 20 minutes ago. I object to this because if I had seen this previously, we would have gone through it and had a discussion.

I know you called Ms. Ana Luna and had discussions concerning this. When you send in your rent registration statements and receive a stamped receipt, does that mean to you that the filing was accepted?
MS. SANGHERA: Yes.
MS. MENDIOLA: And you filed it a year late, correct? There's no question that it was filed late because you and your husband both testified that it's been filed late.
MS. SANGHERA: Right. Yes.
MS. MENDIOLA: Then you filed it with a 4 percent CPI?
MS. SANGHERA: The number we're talking about right now is just about apartment number 2. The registrations are actually at higher numbers than the actual rents. I don't recall what calculations were done. I'm sorry. I'm just looking at it and running it through.

MS. MENDIOLA: Right now, we're focused on this one apartment. The tenant moved in sometime in September 2025.
MS. SANGHERA: Right.
MS. MENDIOLA: At that point in time, according to our calculations, the rent should have been the amount reflected in the rent control office's records. It is our position that you're submitting the registrations late, number one, and that there are gaps in the filings.

I'm going to ask the board to consider the rent to be $720.72, and that there is an overcharge of $11,792.80.

The testimony and calculations presented were not accurate. If you need help calculating the CPI, our office can assist you. We do that with great pride.

I think perhaps this was an innocent mistake. But it is a lot for the tenant to go from what the rent should have been to what he was being charged.

I have no further questions because I think you were sincere in what you stated.

Discussion Between Counsel and Ms. Mendiola

MR. COCHRANE: The landlord is not trying to get any more than they were entitled to. If they applied 4 percent increases for all those years, when some years they could have gotten 5 percent, how are they benefiting?
MS. MENDIOLA: Counsel, I don't think there would have been a 5 percent increase. I think 5 percent stopped at some point in time. It hasn't been 5 percent for quite a while.
MR. COCHRANE: This is going back 30 years, and we're starting at essentially the same place: $525 in 1994.
MS. MENDIOLA: That's what you're supposed to do. You're supposed to register it according to what it is.
MR. COCHRANE: Every year, if they file late, they don't get a penalty. They don't get a violation. Their filings aren't rejected. The board receives them.
MS. MENDIOLA: They are received by the board. There's a big difference between received and accepted.
MR. COCHRANE: It doesn't get handed back to them saying this is way out of time.
MS. MENDIOLA: We have the numbers that we have. I'm not going back to a year. This tenant moved in a year ago. We're only calculating 10 months.

But the rent goes back in time, and we have to calculate it forward. That's why you have the memorandum that goes from $525 to $720.72. The numbers are the numbers.
MR. COCHRANE: How could it only go up $200 in 30 years?
MS. MENDIOLA: Ask your client that. That's not a question for me.

MR. COCHRANE: That's the penalty to the landlord. I don't think the ordinance was designed to penalize the landlord or keep them from making a fair rate of return. If so, there would be some penalty provision for filing late.

Questions About the Apartment and Tenant Nonpayment

MR. COCHRANE: Ms. Sanghera, what does this apartment consist of? How many rooms?
MR. SANGHERA: It's a two-bedroom apartment, living room, kitchen, bathroom, and it's a modern apartment.
MR. COCHRANE: And what started this was the tenants not paying rent. You had to take them to court for nonpayment?
MR. SANGHERA: Yes.
MS. SANGHERA: Yes, that's what started this.
MR. SANGHERA: From the second month they moved in, they started paying partial rent, then no rent.
MS. SANGHERA: There's only one month that we received the full rent. And we let it go for three months.
MR. SANGHERA: The thing was it was in court, and they retaliated against us. And they owe over $4,000.
MS. MENDIOLA: Counsel, can you control your clients, please? I don't like the word "retaliation." I don't think that's what happened here, so I would not use that word.

Questions About Water and Sewer Charges

MS. MENDIOLA: At the present time, how does the water bill get paid in the house? Who pays the water?
MR. SANGHERA: The utilities were separated before we moved.
MS. MENDIOLA: By whom?
MR. SANGHERA: The previous owner. He did that. And then, for the cold-water aspect, we applied for permits. We filed with you that the utilities are separate.
MS. MENDIOLA: I'm going to ask your counsel to find out for me. I need copies of the permits and anything that was filed.

I understand from other individuals at that location that they're paying for water and sewer, and I'm not so much concerned about electricity because I think everybody pays for their own electricity. But water and sewer seem to be divided among the tenants, and I don't know if we have any documents that would allow that.
MR. COCHRANE: All right, Carmen, you and I will talk about that. I don't have any information handy.

MS. MENDIOLA: I'm going to ask that your client provide us with documents concerning that.
MR. COCHRANE: I will speak to my client.
MS. MENDIOLA: Thank you. I have no further questions. I think there's confusion on their end. Again, we're there to help, and we're friendly to landlords in West New York. These matters happen, and it may not be your client's fault, but the numbers speak for themselves.

Discussion of Late Filings and Potential Penalties

MR. COCHRANE: What essentially is happening is that late registration is preventing my client from getting a fair annual increase, and that doesn't serve anybody's purpose.
MS. MENDIOLA: We need to hold landlords accountable when they're not understanding what needs to be done correctly. The summonses are not there yet, but we could go there. I just want to put that on the record.
MR. COCHRANE: What would be the penalty for late filing?
MS. MENDIOLA: A fine of not more than $500 per violation.
MR. COCHRANE: That's failure to file, not late filing. I'm making a distinction between failure to file and filing late. There needs to be something in the ordinance that addresses that distinction.
MS. MENDIOLA: The deadline to file a proper statement is October 1st. I don't have a copy of the 2026 filing, and I don't see a copy of the 2025 filing either, just so you're aware.

I can get back to the board and to you regarding late filing.
MR. COCHRANE: Okay. I didn't see it, but I don't see everything.
MS. MENDIOLA: It's in the ordinance. I had seen it before.

Motion to Table the Matter

MR. COCHRANE: Carmen, do you want to try to resolve it one more time?
MS. MENDIOLA: What's the procedure? Can we save the record and testimony and allow counsel and me to discuss whether this can be resolved before the board makes a determination?
MR. SIMONE: Yes. Based on my experience, an amicable resolution is always encouraged. We can table this and adjourn it for the following meeting, if necessary, unless a resolution is reached before then.
MS. MENDIOLA: I want to be clear on the record. We're going to need a motion to table this issue. No further testimony is needed because both landlords have testified.

The record would include any submissions. Steve, you're going to submit your document, which I received about half an hour ago, and I won't object to that.
MR. COCHRANE: Yes. I apologize. My client omitted two years. We'll correct it and resubmit it to you. Then we can talk about it.
MS. MENDIOLA: So, they're not coming back to testify, and you're going to send me the corrected document, hopefully within the next week or so.
MR. COCHRANE: I can get it to you probably tomorrow or the next day.
MR. SIMONE: We will need a motion to table this particular issue because testimony has been taken.
MR. HERNANDEZ: I'd like to make a motion to table this issue for the next meeting, if necessary.
MS. CAPELLAN: Second.

The board members were called upon to vote. The recorded responses were affirmative from Monica Capellan, Derek Hernandez, Johnny Rodriguez, Aylen Jover, and Jesselee De La Torre. Claudia Blanco's response was also affirmative after clarification.
MS. LUNA: We're moving this to the next meeting until further notice. We will hear this at the next meeting.
MR. SIMONE: Fantastic.
MR. COCHRANE: Thank you very much, everybody.
MR. SIMONE: Thank you, counsel.
MR. SANGHERA: Thank you.
MS. MENDIOLA: Thank you, everyone.

Public Comment Period

MR. SIMONE: Next on the agenda is 6G. We're going to open the meeting to the public for comments or suggestions. If you would like to speak, press *9 on your phone or enter your name in the chat. Participants will have three minutes to speak and are asked to provide their name and address for the record.

We request that everyone speaking on Zoom turn on their camera as well, if possible.

At this time, are there any members of the public who would like to comment on agenda items discussed today?
(No response.)
MR. SIMONE: I do not see anyone who has dialed in. I'll give another couple of seconds for anyone who wants to type their name.
(No response.)
MR. SIMONE: I do not see any members of the public requesting to be heard.

Public Comment Regarding 5701 Excel on the Hudson

FEMALE AUDIENCE MEMBER: Hi. I just want to ask a question pertaining to 5701 Excel on the Hudson.
MR. SIMONE: We do need your name and address for the record.
FEMALE AUDIENCE MEMBER: Is that absolutely necessary? I would rather just be anonymous.
MR. SIMONE: It's part of the Open Public Meetings Act. If you prefer to remain anonymous, I think you can submit something on the Rent Board's website.
MR. SIMONE: Once again, we request that everything be on the record. Participants have to give their name and address. If you do not feel comfortable doing so, you may submit an email to the Town of West New York Rent Control Board.

Public Comment Regarding Legal Fees

MS. ATKINSON: Hi, good afternoon.
MR. SIMONE: We require your name and address, and we ask that you turn on your camera for the record.
MS. ATKINSON: It says I cannot start my video because the host has disabled it.
IT MODERATOR: You should be able to turn your camera on now. Please state your full name and address.
MS. ATKINSON: My name is Shantae Atkinson. My address is 1 62nd Street, Apartment 1A, West New York, New Jersey.

I just had a general question. I was perusing the website and saw that you were having a meeting today. Do you handle issues involving lawyers' fees that my landlord is charging me, including legal fees and filing fees for going to court?
MR. SIMONE: Carmen Mendiola is the tenant advocate. She would absolutely be able to provide an answer to that question.
MS. ATKINSON: How do I contact Carmen?
MS. LUNA: You can come to the office at 428 60th Street, office number 14. We take an intake sheet with your information, and whatever question you have will be referred to Carmen for an appointment.
MS. ATKINSON: Do I have to come in to fill out the sheet to get an appointment, or can I do something online?
MS. LUNA: You can call also.
MS. ATKINSON: Is that the number listed on the Town of West New York website?
MS. LUNA: Correct.
MS. ATKINSON: And what's Carmen's last name?
MS. LUNA: Mendiola.
MR. SIMONE: Yes, M-E-N-D-I-O-L-A. She's the tenant advocate for West New York and other parts of the county.

MS. ATKINSON: Okay, so I call, provide my information, and get an appointment with Carmen. She'll determine whether this is something you advise on or deal with.
MR. SIMONE: She would be the one to deal with it.
MS. ATKINSON: All right. Thank you so much for the information.
MR. SIMONE: Thank you.

Public Comment Regarding Finding an Apartment and Verifying Rent

MR. SIMONE: We have one more member of the public, Jasmine Arriaza.
MS. ARRIAZA: Hello. My name is Jasmine Arriaza. I live at 206, Apartment First, West Newark, New Jersey.

Do you offer services to help people find apartments? I'm looking for an apartment and don't want to get scammed or have to pay very large fees that aren't necessary. Do you provide services to help people find apartments?
MR. SIMONE: My understanding is that this is not something the board provides assistance with.
MS. LUNA: Unfortunately, we don't have a list of available apartments or a way to find an apartment.
MS. ARRIAZA: Do you have any suggestions about what to look out for to avoid issues with landlords charging too much?
MS. LUNA: You can always request an OPRA and verify the rent being charged for that apartment.
MS. ARRIAZA: I'm sorry, can you repeat that?
MS. LUNA: You can verify the rent for a specific apartment in West New York when you're ready to rent a unit. You can request an OPRA, obtain the rent record, and get information about any applications pending for that specific unit.
MS. ARRIAZA: Okay, thank you.
MS. LUNA: You're welcome.
MR. SIMONE: I think Ms. Mendiola would be able to assist with that as well.
MS. ARRIAZA: All right, thank you.

MR. SIMONE: I do not see any additional members of the public who wish to speak. Do we have a motion to close today's meeting?
MR. HERNANDEZ: Motion.
MS. CAPELLAN: Motion. Second.

The board members were called upon to vote. The recorded responses were affirmative.
MS. LUNA: The meeting is adjourned. Thank you very much for attending.
MR. SIMONE: Thank you, everybody, for your time.
MS. LUNA: Thank you.

MR. HERNANDEZ: Thank you. Bye.
MS. JOVER: Thank you.
MR. RODRIGUEZ: Okay, good night.