

**CITY OF PASSAIC
COUNTY OF PASSAIC, NEW JERSEY**



RENT LEVELING BOARD

SPECIAL HEARING

MAY 29, 2025

6:00 P.M.

<https://tinyurl.com/RLB0529AGENDA>

**CITY COUNCIL CHAMBERS - CITY HALL
330 PASSAIC STREET, PASSAIC, NEW JERSEY**

PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, PUBLIC LAWS OF 1975 ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY THE RENT LEVELING BOARD OF THE CITY OF PASSAIC BY SCHEDULING A SPECIAL HEARING FOR THURSDAY, MAY 29, 2025, AT 6:00 P.M. TO BE HELD AT CITY HALL, CITY COUNCIL CHAMBERS, 330 PASSAIC STREET, PASSAIC, NEW JERSEY 07055.

NOTICE OF THIS MEETING WAS PUBLISHED IN THE HERALD NEWS AND POSTED ON THE CITY OF PASSAIC WEBSITE AT: WWW.CITYOFPASSAIC.COM (RENT LEVELING BOARD), AND PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK

- I. ROLL CALL**

- II. PLEDGE OF ALLEGIANCE**

- III. INVOCATION**

- IV. PUBLIC COMMENT**

In accordance with the Open Public Meetings Act (N.J.S.A. § 10:4-1 et seq.), the Board opens every public meeting for comments from the public. However, pursuant to N.J.S.A. § 10:4-12, the Board retains the discretion to regulate participation at meetings. Each speaker will be limited to five (5) minutes. The Board will not entertain comments from individuals who communicate obscene material, make statements deemed as bias intimidation or harassment, or use offensive language. Any individual violating these guidelines will forfeit their speaking time.

V. HEARING

1. GUILLERMO ARRIAGA, et al. vs. XDEV AT MARKET, LLC

Docket Number: PAS-RLB-0001-24

- Margaret E. Fiori, Esq. of Make the Road New Jersey as Attorney on behalf of Tenants: Guillermo Arriaga, Javier Arriaga, Alberto Fierro, Reyna Sanchez, and Facunda Simon (collectively referred to as “Tenants” hereinafter)
- Bruce E. Gudin, Esq., Partner of Ehrlich Petriello Gudin Plaza & Reed, P.C. as Attorney on behalf of Landlord: Xdev at Market, LLC (referred to as “Landlord” hereinafter)
- This Hearing shall address the formal complaint submitted on behalf of Tenants (all of whom assert that they have maintained continuous residence at 96 Market since prior to December 9, 1999), alleging certain violations of § 231-4, specifically, with respect to their yearly rental increases, which they posit exceeded the provisions of § 231-4.
- By way of this Complaint, Tenants request that the Rent Leveling Board make a determination as to the current lawful rent for each of the Tenants, as well as assess whether Tenants are entitled to recover rent credits, and if so, in what amount.
- Tenants also seek the imposition of fines against Landlord for any and all violations of the Ordinance pursuant to § 231-7 and § 231-14.

- Tenants further request a determination by the Rent Leveling Board that Landlord violated the Anti-Harassment provision of the Ordinance, § 231-13, by filing allegedly frivolous eviction complaints against two of the Tenants and/or by serving one of those Tenants with a Notice to Cease and a Notice to Quit.

96 Market Street, Passaic, NJ 07055

- a. **Apt. 1 | Facunda Simon vs. Xdev at Market, LLC**
Current Rent (as of September, 2024): \$912.50
Pre of post 1999: Pre 1999
- b. **Apt. 10 | Alberto Fierro vs. Xdev at Market, LLC**
Current Rent (as of September, 2024): \$889.29
Pre of post 1999: Pre 1999
- c. **Apt. 13 | Reyna Sanchez vs. Xdev at Market, LLC**
Current Rent (as of September, 2024): \$1,365.85
Pre of post 1999: Pre 1999
- d. **Apt. 16 | Javier Arriaga vs. Xdev at Market, LLC**
Current Rent (as of September, 2024): \$853.11
Pre of post 1999: Pre 1999
- e. **Apt. 18 | Guillermo Arriaga vs. Xdev at Market, LLC**
Current Rent (as of September, 2024): \$934.97
Pre of post 1999: Pre 1999

VI. RESOLUTIONS

- 2. **RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE RENT LEVELING BOARD OF THE CITY OF PASSAIC ON MAY 29, 2025, AT 6:00 P.M. OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS, AND PERSONNEL MATTERS**

VII. ADJOURNMENT

Next Scheduled Meeting: June 2, 2025