

Bond Case Briefs

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RENT CONTROL - NEW JERSEY

Heyert v. Taddese

Superior Court of New Jersey, Appellate Division - June 25, 2013 - A.3d - 2013 WL 3184626

Tenants claimed that landlords violated the New Jersey Consumer Fraud Act (CFA), N.J.S.A. 56:8-1 to -195, by charging rent in excess of that allowed by local rent control ordinances, and that the municipality erred in granting the landlords a hardship rent increase. The landlords claimed that the municipality's rent control ordinance is unconstitutional and that the legal base rent calculated under the ordinance was arbitrary, capricious and unreasonable.

The appeals court held that:

- The CFA applied to the landlords;
- The landlords committed an affirmative act of unlawful conduct by charging the tenants rent in excess of that allowed by the City's rent control ordinance;
- The landlords violated the CFA;
- The tenants were not required to seek reimbursement prior to filing suit; and
- The City's rent control ordinance is not unconstitutionally vague.