



**Office of  
Kingston Rent Control Board**  
Town House  
26 Evergreen Street  
Kingston, MA 02364

**BUSINESS MEETING MINUTES  
RENT CONTROL BOARD  
September 18, 2008**

**MEMBERS PRESENT:** David Gavigan; Joseph Casna; Shawn O'Donnell; Tom Calter; Jim Farrell  
John Goldrosen, Town Counsel

Mr. O'Donnell opened the meeting at 7:08 pm. Joseph Casna was introduced as a new member of the Board.

Town & Country Estates

Attorney Robert Kraus was present on behalf of the applicant regarding a general rent adjustment at Town & Country Estates. Mr. O'Donnell stated that he felt the financial information submitted by Atty Kraus on behalf of his client is not sufficient to have discussions concerning rental increases.

Tom Calter stated that it is incumbent upon the applicant to provide the information. Atty Kraus stated that he feels the financial information provided is sufficient. Mr. Kraus referenced stated that the operation and maintenance is exponentially expensive and submitted that the financial statements provided and checks of actual payments provide sufficient information regarding maintenance and operations of maintaining the housing community. Mr. Kraus reiterated that the 60 days starts tonight and added that he has not reviewed Attorney Creed's letter of September 18, 2008 and made reference to the information in the letter of August 25, 2008. He stated that this petition is the first increase since 2003. Atty Kraus discussed the elements for income; fair market value, interest rates and expenses. He stated the petition is not based on a percentage of increases, it is based on the expenses of last year. They are seeking a \$100 increase. Mr. Calter stated that he doesn't feel the review meets the standards, it uses the valuation of property. Mr. Calter feels that a third party independent source should review the financials. Mr. Kraus stated he would provide a full appraisal at the next meeting. Mr. O'Donnell referenced the Rules and Regulations and that the Board can request reviewed financials and added that he does not feel the Board has enough information to render a decision and proposed to continue the hearing until receipt of financials.

James Creed of Creed & Formica represents Town & Country Tenants Association referenced his letter of September 18, 2008. He stated that the information provided by Attorney for the petitioner is deficient, inaccurate and contradictory and fails to make the required showing for the approval of a rent increase which is more detailed in the referenced letter of September 18, 2008.

Mr. O'Donnell asked if there were any comments from the public. No one came forward.

The Board was polled and the consensus was that the hearing should be continued so as to allow more time to obtain the additional information that is required.

It was unanimously voted to continue the hearing to October 16, 2008 at 7:00.

The meeting adjourned at 8:15 pm.