



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

**BUSINESS MEETING MINUTES
RENT CONTROL BOARD
February 10, 2011**

Present: Joseph Casna; David Gavigan, Jim Farrell, Peter Dansereau Tom Calter (at 7:12)
Others Present: Attorney Robert Kraus;

7:00 Mr. Casna opened the meeting

The Board reviewed and discussed the changes made to the Rules and Regulations.

Attorney Kraus was present and stated that he is in the process of re-applying for a rental increase for Town & Country Estates. He stated that he would welcome a meeting between the members of the Association and attorneys prior to filing. Mr. Kraus commented on the Rules and Regulations and the definition of the Tenant Association and referenced the Quinn case. Mr. Kraus referenced Subsection N of the Rules and Regulations. He stated that it needs to be looked at further as to how far and to what length to go to reach a mutual settlement and that it could create an imbalance with the parties who seek the action.

Mr. Casna stated that it cost a lot of tax dollars at the last hearing and by lowering the fees for an uncontested action it may benefit the parties to reach a resolution.

There were further discussions about the Tenant Association and the park owner meeting to try to work out a mutual agreement. Attorney Kraus suggested that a member of the Board could sit in on the meeting. Mr. Calter stated that he had offered in the past but the park owner did not want to accept. Attorney Kraus stated that there could be a meeting with the owner and the association without attorneys and that financials would be provided. He requested that this be done prior to adopting the Rules and Regulation to give time to review and to provide the Quinn case.

Mr. Calter moved to defer the issue of voting on the Rules and Regulations for 30 days. In the meantime a copy of the Quinn ruling can be reviewed to see what affect it has and next month be prepared to vote. Mr. Farrell seconded. After discussion, the vote carried unanimously.

It was further discussed and suggested that the owner and tenant association for the next 30 days attempt to reach an agreement.

Mr. Calter moved that with respect to the filing fee, if there is an uncontested application that it be taken into consideration an adjustment of the application fee only after input from Town Counsel to review to let the Board know the actual cost. Mr. Farrell seconded. There was discussion that the Board is open to the issue but need to make sure to cover costs for legal counsel to ratify. The vote carried unanimously.

Attorney Kraus requested an intermediary be appointed from the Board. Mr. Calter suggested that it be run by Town Counsel for a conflict and also that both parties need to agree.

The next meeting will be scheduled for March 10, 2011 for the purpose of ratifying the Rules and Regulations.

At 8:00 the meeting ended for a short break and reconvened at 8:08.

Mr. Farrell moved to schedule the next hearing for March 10, 2011 at 7:00. Mr. Gavigan seconded. The vote carried unanimously.

There was discussion regarding the budget. Mr. Calter moved to accept the budget. Mr. Gavigan seconded. The vote carried unanimously.

The letter from Attorney Kraus regarding his intent to refile a petition for rent increase for Town & Country Estates was reviewed

There was discussion of possibly having Tom O'Brien as an intermediary.

It was unanimously voted to adjourn the meeting at 8:20 pm.

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