

Maria Cody

From: Clarimar Ramos <cramos@NBNJHA.ORG>
Sent: Monday, June 15, 2026 4:52 PM
To: Maria Cody; james@jameshardinglaw.com
Cc: Daniel Dominguez; Patricia Rivera; Clarimar Ramos
Subject: Re: Calculations 167 Howard St.
Attachments: Gomez,A rent calculation.pdf

Good Afternoon,

Please refer to the two attached spreadsheets showing the calculations for the two different rent amounts. Based on the original rent of 1,646.00, the overpayment calculation for the HAP subsidy from New Brunswick Housing for the period of May to December 2025 amounts to \$10,280, while the tenant's overpayment to the landlord is \$152.00.

Thanks,

Clarimar Ramos, P.H.M., S.H.M.
HCV Director
Housing Authority of the City of New Brunswick
7 Van Dyke Avenue
New Brunswick, NJ 08901
Direct phone: 732-745-0134
Fax: 732-745-0512
E-mail: cramos@nbnjha.org

Clarimar Ramos, P.H.M., S.H.M.
Acting HCV Director
Franklin Township Housing Authority
25 Parkside Street
Somerset N.J. 08873
Direct: 732-545-9430 Ext. 102
Fax: 732-545-3667
Email: Cramos@ftha.org

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From: Maria Cody <mcody@cityofnewbrunswick.org>
Sent: Thursday, June 11, 2026 3:58 PM
To: Clarimar Ramos <cramos@NBNJHA.ORG>; james@jameshardinglaw.com <james@jameshardinglaw.com>
Cc: Daniel Dominguez <ddominguez@cityofnewbrunswick.org>; Patricia Rivera <privera@cityofnewbrunswick.org>; Maria Cody <mcody@cityofnewbrunswick.org>
Subject: RE: Calculations 167 Howard St.

Good afternoon,
Clarimar,

I have consulted with the board attorney and upon further inquiry, it is our understanding that a landlord cannot keep or pass on funds that were provided with a housing voucher.
The law requires a repayment calculation of the landlords portion received by the voucher, and the tenants rent portion.
Please see the findings below.

The board has already determined an overcharge. The division of the funds should be calculated by the Housing Authority. The board has determined a rent credit in the amount \$10,108.30
Please let me know how you would like to proceed.

Yes, several specific federal regulations, state statutes, and contract laws explicitly govern how this money must be split.

1. Federal Law (HUD Regulations)

Under federal law, a housing voucher setup is legally considered a "three-way partnership" governed by 24 CFR Part 982. [1, 2]

- **The HAP Contract Rule:** Your landlord signed a Housing Assistance Payments (HAP) contract with the Public Housing Agency (PHA). This contract states that the PHA will pay a specific portion (the subsidy), and the tenant will pay a specific portion (usually 30% of income). [1, 2, 3]
- **Fraud Prevention:** Under HUD Office of Inspector General guidelines, a landlord keeping or giving away government subsidy funds to a third party constitutes program fraud and overcharging. The landlord is legally obligated to return any excess agency funds directly to the PHA. [1, 2]

2. New Jersey State & Consumer Fraud Law

In New Jersey, a landlord who violates local rent control limits faces consequences under state law. [1, 2]

- **NJ Consumer Fraud Act (N.J.S.A. 56:8-1 et seq.):** Overcharging a tenant in a rent-controlled jurisdiction is classified as an unlawful practice. If a landlord returns money to a tenant that actually belonged to the government, they remain liable to the state for the unreturned government funds. [1, 2]
- **Unjust Enrichment:** Under New Jersey common law, a tenant cannot legally keep a cash refund for money they did not personally pay. Retaining funds paid by the Housing Authority would be considered "unjust enrichment" and a violation of your family obligations under the voucher program. [1, 2]

Sincerely,

Maria Cody (she, her, hers)

UEZ Coordinator

Rent Control Administrator

City of New Brunswick

Department of Planning, Community, & Economic Development

732.745.5050

732.565.7532 Fax

mcody@cityofnewbrunswick.org

<https://link.edgepilot.com/x/vqfN949uesfe3cQ6ChFb4qc?u=http://www.cityofnewbrunswick.org/rentcontrol>



From: Clarimar Ramos <cramos@NBNJHA.ORG>
Sent: Wednesday, June 10, 2026 2:50 PM
To: Patricia Rivera <privera@cityofnewbrunswick.org>; Maria Cody <mcody@cityofnewbrunswick.org>
Cc: Clarimar Ramos <cramos@NBNJHA.ORG>
Subject: Re: Calculations 167 Howard St.

Good Afternoon,

I hope this email finds you well. Following a thorough review of Ms. Brunson's case, we have determined that this agency will accept the overpayment only if she is required to make such a payment; this decision is based on our assessment that she complied with HUD rules and regulations, as well as New Brunswick Housing policy, regarding Fair Market Rent.

As requested, please find attached the two rent calculations, which reflect the two different amounts. Should you have any questions regarding this matter, please do not hesitate to contact me.

Thanks,

Clarimar Ramos, P.H.M., S.H.M.
HCV Director
Housing Authority of the City of New Brunswick
7 Van Dyke Avenue
New Brunswick, NJ 08901
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Clarimar Ramos, P.H.M., S.H.M.
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From: Patricia Rivera <privera@cityofnewbrunswick.org>
Sent: Monday, June 8, 2026 9:00 AM

To: Clarimar Ramos <cramos@NBNJHA.ORG>
Cc: Maria Cody <mcody@cityofnewbrunswick.org>
Subject: FW: Calculations 167 Howard St.

Patricia Rivera, Rent Control Officer
City of New Brunswick
Department of Planning, Community, & Economic Development
25 Kirkpatrick Street, 2nd Floor
PO Box 269 (mail)
New Brunswick, NJ 08903

732.745.5050 Direct
732.565.7532 Fax
privera@cityofnewbrunswick.org



From: Maria Cody <mcody@cityofnewbrunswick.org>
Sent: Friday, June 5, 2026 12:04 PM
To: cramos@nnbnijha.org
Cc: Patricia Rivera <privera@cityofnewbrunswick.org>; james@jameshardinglaw.com
Subject: Calculations 167 Howard St.

Good afternoon, Ms. Ramos,

Thank you for meeting with me yesterday regarding the tenant at 167 Howard St. As we discussed, this tenant was involved in a complaint alleging illegal rent overcharges. During the hearing, the landlord stated that the tenant receives a subsidy. The Board voted to refund the tenant an appropriate amount of rent. Attached is the rent calculation showing the overcharges. The tenant signed a lease for \$2,950.00 per month in January 2025, while the allowable rent at that time was \$1,686.45. The Board approved the landlord's application for Market Vacancy Decontrol, effective January 1, 2026. If the rent control office approves the application, the rent will increase to \$2,950.00 on that date. Please provide the calculations for the tenant's portion and the Housing Authority's portion. Additionally, could you provide a letter stating whether the landlord should return funds to the Housing Authority?

Sincerely,

Maria Cody (she, her, hers)

UEZ Coordinator
Rent Control Administrator
City of New Brunswick
Department of Planning, Community, & Economic Development

732.745.5050

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mcody@cityofnewbrunswick.org

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