

February 24, 2016

Re: Recent Unreported Appellate Division Decision Regarding Municipal Inspection of Residential Rental Units

Dear Mayor,

We recommend that you forward this notice to your municipal attorney and housing inspection officials.

A recent unreported Appellate decision, [State of New Jersey v. Mill Village Apartments](#), strongly limits a previous decision, [Timber Glen Phase III v. Township of Hamilton](#).

An analysis of *Mill Village Apartments* by the League's counsel can be found [here](#).

By way of background, *Timber Glen* curbed the ability of municipalities to regulate residential rental properties through the Licensing Act. Following *Timber Glen*, many lawsuits have been filed challenging municipal residential rental ordinances. *Mill Village Apartments* clarifies municipal authority related to inspections. Thus, *Mill Village Apartments* may be beneficial for municipalities currently in litigation or reviewing their ordinances in light of *Timber Glen*.

Contact: Ed Purcell Esq. at (609) 695-3481 x. 137 or epurcell@njslom.org

Very truly yours,

Michael Darcy, CAE Executive
Director