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**Fwd: Challenge to Nominating Petition of Shamiq Syed for member of Teaneck Board of Education**

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Thu, Aug 5, 2021 at 6:27 PM

From: **Paul Kaufman** <[REDACTED]>

Date: Thu, Aug 5, 2021 at 6:23 PM

Subject: Challenge to Nominating Petition of Shamiq Syed for member of Teaneck Board of Education

To: Shamiq Syed <[REDACTED]>

Cc: Chong, Steve <[REDACTED]>, Taranto, Sabrina <[REDACTED]>, Gerald Reiner <[REDACTED]>

Melissa Simmons ([MSimmons@teaneckschools.org](mailto:MSimmons@teaneckschools.org)) <[MSimmons@teaneckschools.org](mailto:MSimmons@teaneckschools.org)>, Jaime Placek

<[REDACTED]>, Clemente, Catherine <[REDACTED]>

Dear Mr. Syed: as you know, we are general counsel to the Bergen County Clerk's Office ("Clerk's Office"). The Elections Division has received an objection to your nominating petition asserting that you have not been a Teaneck resident for the statutory period prior to the November 2021 election. The Elections Division has requested documentation from you establishing your residency and has examined all documentation provided and has considered your arguments contained in your various emails. The Elections Division of the Clerk's Office has determined that you have failed to establish your residency in Teaneck as required. Specifically, we find the following: 1 - the Notice to Vacate your prior residence in Weehawken was not dated and served until October 25, 2020. We requested several times that you provide a copy of your lease or other occupancy agreement and you failed to do so. As such, we conclude that you were a month-to-month tenant and the Notice to Vacate constituted the 30 day notice required to terminate a month-to-month tenancy. As such, your tenancy in Weehawken continued through the end of November 2020.

2 – in the November 2020 election you voted in Weehawken. You allege that you moved mid-September 2020, which gave you at least 6 weeks to move your voter registration to Teaneck. You did not do so. We do not assert that it was impermissible for you to have voted in Weehawken only that (i) if you moved in October, that would have provided an appropriate explanation; and (ii) if you moved in September, you could have simply changed your address and voted, at the least, provisionally in Teaneck. Neither appears to be the case, however.

3 – we requested that you provide a copy of the invoice or receipt from a moving company documenting the date on which you moved to Teaneck. In response, you advised that you only moved a crib "and left the rest of our furniture in Weehawken....". That all of your furniture remained in Weehawken evidences an intent to reside in Weehawken.

4 – you assert that your father purchased the property at 306 Harding in Teaneck on your behalf because it had to be an all-cash deal. No documentation has been provided reflecting that intent. Nor did you provide any documentation that the seller required your father to acquire the property and would not permit your father to provide the funds and hold a mortgage, even if placed of record following the closing. We find this explanation to be strained at best.

5 – you have referenced as proof of residency a bill of lading shipping a motor vehicle from Vancouver to Teaneck in September 2020 and 2 Paychex reports mailed to you in Teaneck. Neither proves that you resided in Teaneck. All it proves is that you had someone in Teaneck who would accept your vehicle and several pieces of mail. Regarding the vehicle, it would not be unreasonable to believe that the building in which you rented did not have the facilities (i.e. another parking space) to accommodate your Porsche. The problem is that you have presented no evidence to the contrary.

6 – we requested that you provide copies of credit card change of address notifications. We did not receive a single such notice or even a credit card invoice in November addressed to you in Teaneck.

7 – neither your Certification nor your father's contained any documentation supporting the statements contained therein.

8 – while you claim that you have paid carrying charges on 306 Harding, no documents have been provided reflecting the payment of any carrying costs at either Harding or Fabry in Teaneck (other than 1 property tax payment and that would be appropriate to an investment).

As we advised in an earlier email, when challenged, the burden of establishing residency is on the nominee. As detailed above, you have failed to meet that burden. Accordingly, the Clerk's Office is rejecting your Nominating Petition as a Candidate for the Teaneck Board of Education. You may regard this email as the final decision of the Clerk's Office if you determine to pursue any legal remedies. Very truly yours, Paul Kaufman

**For the foreseeable future, I will be working out of the office but will be receiving emails. If you need to discuss anything with me, please call me on my cell.**

Paul Kaufman, Esq.

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