SYNOPSIS
Requires DCA to issue regulations and conduct inspections for bed bugs; provides loan forgiveness for remediation of bed bug infestations in certain properties.

CURRENT VERSION OF TEXT
As introduced.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. (New section) The agency shall reduce the principal of an eligible loan made to any nonprofit housing sponsor, which has as one of its purposes the construction, improvement, or rehabilitation of housing projects for persons and families of low- and moderate-income, in an amount equal to any costs incurred for the remediation of a bed bug infestation, as certified by a certified and licensed pesticide applicator pursuant to subsection (c) of section 16 of P.L.1967, c.76 (C.55:13A-16), in a housing project financed through the eligible loan. The agency shall utilize moneys from the "General Fund," established pursuant to section 31 of P.L.1983, c.530 (C.55:14K-31), to offset any reduction of the principal of an eligible loan pursuant to this section.

2. Section 7 of P.L.1967, c.76 (C.55:13A-7) is amended to read as follows:

7. The commissioner shall issue and promulgate, in the manner specified in section 8 of P.L.1967, c.76 (C.55:13A-8), such regulations as the commissioner may deem necessary to assure that any hotel or multiple dwelling will be maintained in such manner as is consistent with, and will protect, the health, safety and welfare of the occupants or intended occupants thereof, or of the public generally. Any such regulations issued and promulgated by the commissioner pursuant to this section shall provide standards and specifications for such maintenance materials, methods and techniques, fire warning and extinguisher systems, elevator systems, emergency egresses, and such other protective equipment as the commissioner shall deem reasonably necessary to the health, safety and welfare of the occupants or intended occupants of any units of dwelling space in any hotel or multiple dwelling, including but not limited to:

(a) Structural adequacy ratings;
(b) Methods of egress, including fire escapes, outside fireproof stairways, independent stairways, and handrails, railings, brackets, braces and landing platforms thereon, additional stairways, and treads, winders, and risers thereof, entrances and ramps;
(c) Bulkheads and scuttles, partitions, walls, ceilings and floors;
(d) Garbage and refuse collection and disposal, cleaning and janitorial services, repairs, and extermination services;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
(e) Electrical wiring and outlets, and paints and the composition thereof;
(f) Doors, and the manner of opening thereof;
(g) Transoms, windows, shafts and beams;
(h) Chimneys, flues and central heating units;
(i) Roofing and siding materials;
(j) Lots, yards, courts and garages, including the size and location thereof;
(k) Intakes, open ducts, offsets and recesses;
(l) Windows, including the size and height thereof;
(m) Rooms, including the area and height thereof, and the permissible number of occupants thereof;
(n) Stairwells, skylights and alcoves;
(o) Public halls, including the lighting and ventilation thereof;
(p) Accessory passages to rooms;
(q) Cellars, drainage and air space;
(r) Water-closets, bathrooms and sinks;
(s) Water connections, including the provision of drinking and hot and cold running water;
(t) Sewer connections, privies, cesspools, and private sewers;
(u) Rain water and drainage conductors;
(v) Entrances and ramps; and
(w) Presence of lead-based paint hazards in multiple dwellings and in single-family and two-family dwellings, exclusive of owner-occupied dwelling units, subject to P.L.2003, c.311 (C.52:27D-437.1 et al.). In a common interest community, any inspection fee for and violation found within a unit which is solely related to this subsection shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit; and
(x) Infestation by bed bugs.
(cf: P.L.2007, c.251, s.5)

3. Section 16 of P.L.1967, c.76 (C.55:13A-16) is amended to read as follows:

16. (a) If the commissioner shall discover any violation of the provisions of this act or any rules and regulations promulgated thereunder upon any inspection of any hotel or multiple dwelling, then the commissioner shall issue and cause to be served on the owner thereof a written order requiring said owner to terminate, or cause to be terminated, any such violation. Such written order shall state the nature of any such violation and a reasonable specified time within which any such violation must be terminated. Such written order shall also require and direct the owner to whom it is issued to take, or cause to be taken, such affirmative action as may be necessary to correct any such violation.

(b) The commissioner may petition the Superior Court of this State for mandatory injunctive relief enforcing any order issued by
the commissioner pursuant to subsection (a) of this section. In any such proceeding the Superior Court may proceed in a summary manner or otherwise, and shall have power to grant such temporary relief or restraining order as it may deem just and proper, and to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part any order issued by the commissioner pursuant to subsection (a) of this section.

(c) In addition to issuing an order pursuant to subsection (a) of this section, if the commissioner discovers a violation of any regulations promulgated pursuant to subsection (x) of section 7 of P.L.1967, c.76 (C.55:13A-7), then the owner shall hire a pesticide applicator, certified and licensed pursuant to the "Pesticide Control Act of 1971," P.L.1971, c.176 (C.13:1F-1 et seq.), and any regulations adopted pursuant thereto, to correct the violation. The certified and licensed pesticide applicator shall certify to the department that the owner has corrected the violation and shall also certify the costs incurred by the owner in correcting the violation on a form prescribed by the department.

(cf: P.L.1967, c.76, s.16)

4. This act shall take effect immediately.

STATEMENT

This bill would require the Commissioner of Community Affairs to adopt regulations concerning the inspection for and remediation of bed bug infestations in hotels and multiple dwellings. The bill also directs the New Jersey Housing and Mortgage Finance Agency (HMFA) to reduce the principal of an HMFA loan made to a nonprofit provider of affordable housing in an amount equal to any costs incurred for the remediation of a bed bug infestation in housing financed through the HMFA loan.

The bill would require the Department of Community Affairs to inspect hotels and multiple dwellings for the presence of bed bugs. If the department discovers bed bugs, then the department would issue a written order requiring the owner of the hotel or multiple dwelling to eliminate the bed bug infestation. The bill would require the owner of the hotel or multiple dwellings to hire a pesticide applicator, certified and licensed pursuant to the "Pesticide Control Act of 1971," and any regulations adopted pursuant to that act, to correct the violation. The certified and licensed pesticide applicator would certify to the department that the owner has corrected the violation. The certified and licensed pesticide applicator would also certify the costs incurred by the owner in correcting the violation.

Additionally, the recipient of an HMFA loan who has a bed bug infestation remediated in one of its properties that was financed
through the HMFA loan could reduce the principal of the loan in an
amount equal to the cost of the remediation. The loan recipient
would have to submit to the HMFA the pesticide applicator's
certification of the price of the remediation. In order to receive a
loan reduction under this bill, the loan recipient must be a nonprofit
organization, which has as one of its purposes the construction,
improvement, or rehabilitation of housing projects for persons and
families of low- and moderate-income.