

ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5084

STATE OF NEW JERSEY

DATED: JUNE 6, 2019

The Assembly Housing and Community Development Committee reports favorably Assembly Bill No. 5084.

This bill establishes registration requirements for vacant and abandoned residential and commercial properties and provides enforcement tools to help ensure that these properties are properly maintained.

Specifically, the bill requires the responsible party for a vacant and abandoned property to annually register the property with the municipality in which the property is located. The certificate of registration would be required to include evidence of liability insurance and contact information for the person authorized to receive complaints of property maintenance violations and the person responsible for maintaining the property.

Under the bill, a property would be considered vacant and abandoned if the property is not legally occupied by a mortgagor or tenant for residential or business purposes, cannot be legally reoccupied, and at least two conditions which indicate abandonment exist. The bill also defines a “responsible party” as the title holder or mortgage lender responsible for maintaining a property pursuant to section 17 of P.L.2008, c.127 (C.46:10B-51).

Additionally, the bill authorizes municipalities to establish annual registration and renewal fees for vacant and abandoned properties, as follows: (1) an initial registration fee of not more than \$250; (2) a renewal fee of not more than \$500 if an outstanding property maintenance or code violation remains unabated at the time of renewal; (3) a renewal fee of not more than \$750 if a prior violation, or new violation, remains unabated upon a subsequent renewal; and (4) a renewal fee of not more than \$250 if there is no property maintenance or code violation on the property. However, if a greater fee for the registration or renewal of a vacant and abandoned property was established by a municipal ordinance prior to the enactment of the bill, then the greater fee may continue to be imposed and collected.

The bill also authorizes municipalities to require responsible parties for vacant and abandoned properties to undertake certain protective measures regarding the properties. Specifically, a municipality would be able to require a responsible party to enclose

and secure the property against unauthorized entry, post a sign on the property with pertinent contact information, and maintain liability insurance.

Any responsible party that violates the provision of the bill would be punishable by a fine of not less than \$500 and not more than \$1,000 for each day in which a violation exists. However, if a municipal ordinance adopted prior to the enactment of the bill provides for greater penalties, then those penalties may continue to be imposed and collected. Any penalty imposed under the bill would be recoverable by a summary proceeding under the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court, Law Division, in the county, or the municipal court of the municipality, in which the property is located would have jurisdiction to enforce the penalty.