

ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 362

STATE OF NEW JERSEY

DATED: JANUARY 17, 2019

The Assembly Housing and Community Development Committee reports favorably Senate Bill No. 362 (1R).

This bill provides that a deed restriction on affordable housing is not extinguished as a result of a foreclosure on that property.

The bill amends foreclosure laws to require that notice be given to the municipal clerk, the affordable housing liaison, and the Commissioner of Community Affairs whenever a debtor is notified of a pending foreclosure proceeding on any residential property that is subject to affordability controls. The foreclosing lender is also required to provide the debtor with the address and phone number of the municipal affordable housing liaison and the New Jersey Housing and Mortgage Finance Agency. The bill removes the ability of a foreclosing lender to use alternative methods of foreclosure which do not include a public sale, such as the optional foreclosure procedure without sale, when the housing unit involved is subject to affordability controls.

As reported, this bill is identical to Assembly Bill No. 3833, as amended and reported by the committee.