

[First Reprint]

**SENATE, No. 3412**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED JANUARY 31, 2019

**Sponsored by:**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Senator STEVEN V. OROHO**

**District 24 (Morris, Sussex and Warren)**

**Senator DAWN MARIE ADDIEGO**

**District 8 (Atlantic, Burlington and Camden)**

**SYNOPSIS**

Requires DCA to produce and maintain database and interactive map concerning residential properties under foreclosure; increases certain recording fees as funding mechanism.

**CURRENT VERSION OF TEXT**

As reported by the Senate Community and Urban Affairs Committee on February 7, 2019, with amendments.



1 AN ACT concerning residential properties under foreclosure,  
 2 supplementing P.L.2008, c.127 (C.55:14K-82 et al.).  
 3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
 5 *of New Jersey:*  
 6

7 1. a. The Department of Community Affairs shall produce a  
 8 database with an interactive mapping component which details, and  
 9 provides a graphic representation to allow the department to  
 10 visualize, the extent to which residential properties in this State are  
 11 under foreclosure pursuant to the "Fair Foreclosure Act," P.L.1995,  
 12 c.244 (C.2A:50-53 et seq.). The department shall develop,  
 13 maintain, and update the database <sup>1</sup>**[in real time]**<sup>1</sup> based upon  
 14 information submitted to the department by, and in cooperation  
 15 with, <sup>1</sup>the county clerks, the county registers of deeds and  
 16 mortgages, the county sheriffs, and<sup>1</sup> the Administrative Office of  
 17 the Courts pursuant to section 2 of <sup>1</sup>**[this act]** P.L. , c. (C. )  
 18 (pending before the Legislature as this bill)<sup>1</sup>, and information  
 19 obtained from any other public sources.

20 b. The database shall contain, and the map shall represent:

21 (1) The location of each residential property under foreclosure  
 22 by county, municipality, lot and block number;

23 (2) the current owner of record;

24 (3) the date <sup>1</sup>**[that]**<sup>1</sup> the <sup>1</sup>**[notice of intention to foreclose]** lis  
 25 pendens<sup>1</sup> is filed;

26 (4) the date the foreclosure complaint is filed;

27 (5) the date of judgment of foreclosure; and

28 (6) the date of any deed transfer pursuant to a sheriff's sale and  
 29 the name of the purchaser.

30 <sup>1</sup>c. The Commissioner of Community Affairs may adopt rules  
 31 and regulations, pursuant to the "Administrative Procedure Act,"  
 32 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the provisions of  
 33 P.L. , c. (C. ) (pending before the Legislature as this bill).<sup>1</sup>  
 34

35 2. The <sup>1</sup>county clerks, the county registers of deeds and  
 36 mortgages, the county sheriffs, and the<sup>1</sup> Administrative Office of  
 37 the Courts shall <sup>1</sup>, as appropriate,<sup>1</sup> provide the Department of  
 38 Community Affairs with as much of the information listed in  
 39 subsection b. of section 1 of <sup>1</sup>**[this act]** P.L. , c. (C. )  
 40 (pending before the Legislature as this bill)<sup>1</sup> with respect to <sup>1</sup>**[the]**  
 41 residential<sup>1</sup> property under foreclosure<sup>1</sup> as is reasonably available  
 42 from records maintained by, or accessible to, the <sup>1</sup>**[office]** offices<sup>1</sup>.  
 43 The information shall be provided <sup>1</sup>**[in real time]** daily<sup>1</sup> in <sup>1</sup>**[a]** an  
 44 electronic<sup>1</sup> format <sup>1</sup>**[, electronic or otherwise,]**<sup>1</sup> as is useful to the  
 45 department to develop, maintain <sup>1</sup>,<sup>1</sup> and update the database and

1 map required by section 1 of <sup>1</sup>["this act"] P.L. , c. (C. )  
2 (pending before the Legislature as this bill)<sup>1</sup>.

3  
4 3. As of the effective date of <sup>1</sup>["this act"] P.L. , c. (C. )  
5 (pending before the Legislature as this bill)<sup>1</sup>, the revenue from  
6 additional fees for recording deeds and lis pendens fees collected by  
7 county clerks and registers of deeds and mortgages and received by  
8 the Department of Community Affairs, pursuant to <sup>1</sup>["subsection b.  
9 of section 2 of P.L.1965, c.123 (C.22A:4-4.1)"] section 4 of P.L. ,  
10 c. (C. ) (pending before the Legislature as this bill)<sup>1</sup>, shall be  
11 deposited into a separate fund within the department and shall only  
12 be used by the department for the purpose of developing,  
13 maintaining, and updating the database <sup>1</sup>and map<sup>1</sup> created pursuant  
14 to section 1 of <sup>1</sup>["this act"] P.L. , c. (C. ) (pending before the  
15 Legislature as this bill)<sup>1</sup>.

16  
17 4. In addition to each fee for the recording of a deed or a lis  
18 pendens collected by county clerks and registers of deeds and  
19 mortgages pursuant to section 2 of P.L.1965, c.123 (C.22A:4-4.1)  
20 and any other rule, regulation, or law, an amount of \$30 shall be  
21 collected by the county clerks and registers of deeds and mortgages  
22 on the recording of each deed or lis pendens. The revenues  
23 obtained from these increased amounts, after deduction of any  
24 actual administrative costs incurred by county clerks <sup>1</sup>["and"] ,  
25 county<sup>1</sup> registers of deeds and mortgages <sup>1</sup>, and county sheriffs<sup>1</sup> in  
26 carrying out the provisions of <sup>1</sup>["this subsection"] P.L. ,  
27 c. (C. ) (pending before the Legislature as this bill)<sup>1</sup>, shall be  
28 transmitted quarterly by the <sup>1</sup>["office of the"] county <sup>1</sup>["clerk or  
29 <sup>register of deeds and mortgages, as appropriate,"]<sup>1</sup> to the  
30 Department of Community Affairs for the purposes set forth in  
31 sections 1 through 3 of <sup>1</sup>["this act"] P.L. , c. (C. ) (pending  
32 before the Legislature as this bill)<sup>1</sup>.</sup>

33  
34 5. This act shall take effect on the first day of the seventh  
35 month next following the date of enactment <sup>1</sup>, but the  
36 Commissioner of Community Affairs may take such anticipatory  
37 administrative action in advance thereof as shall be necessary for  
38 the implementation of this act<sup>1</sup>.