

SENATE, No. 426

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Co-Sponsored by:

Senators Rice, Turner and Stack

SYNOPSIS

Revises definition of “landlord” to include rooming and boarding house owners and operators with regard to ordinances holding landlords to certain standards of responsibility.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning owners and operators of rooming houses and
2 amending P.L.1993, c.127.

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

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7 1. Section 2 of P.L.1993, c.127 (C.40:48-2.12o) is amended to
8 read as follows:

9 2. As used in this act:

10 "Hearing officer" means a person designated pursuant to
11 subsection b. of section 3 of P.L.1993, c.127 (C.40:48-2.12p) to
12 hear and determine proceedings under P.L.1993, c.127 (C.40:48-
13 2.12n et seq.).

14 "Landlord" means the person or persons who own or purport to
15 own a building in which there is rented or offered for rent housing
16 space for living or dwelling under either a written or oral lease
17 which building contains no more than four dwelling units , or is the
18 owner or operator of a rooming house or boarding house, as defined
19 by section 3 of P.L.1979, c.496 (C.55:13B-3). In the case of a
20 mobile home park, "landlord" shall mean the owner of an individual
21 dwelling unit within the mobile home park.

22 "Substantiated complaint" means a complaint which may form
23 the basis for proceedings in accordance with subsection a. of
24 section 4 of P.L.1993, c.127 (C.40:48-2.12q).

25 (cf: P.L.2009, c.170, s.2)

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27 2. This act shall take effect immediately and shall be applicable
28 to ordinances adopted on or after the effective date of this act.

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STATEMENT

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33 This bill would revise the definition of "landlord" for purposes
34 of P.L.1993, c.127 (C.40:48-2.12o et seq.) in order to include
35 owners and operators of rooming and boarding houses. This would
36 authorize a municipality to adopt ordinances to enforce standards of
37 responsible conduct in a community with respect to these houses.

38 Section 3 of P.L.1993, c.127 (C.40:48-2.12p) grants a
39 municipality the authority to adopt an ordinance to curb and
40 discourage occasional excesses arising from irresponsible rentals in
41 an effort to protect a community's interest in preserving peace and
42 tranquility. Currently, only smaller, non-professionally managed
43 rental properties of less than four units and owners of mobile home
44 units may be the subject of such an ordinance. This bill extends the

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.

1 definition of “landlord” in section 2 of P.L.1993, c.127 (C.40:48-
2 2.12o) to include owners and operators of rooming and boarding
3 houses. Specifically, this revision would authorize the governing
4 body of a municipality to adopt an ordinance holding owners and
5 operators of rooming and boarding houses to the same standards of
6 responsibility as may be required of smaller, non-professionally
7 managed rental properties of less than four units and mobile home
8 owners.

9 This revision would not impact the applicability of any existing
10 municipal ordinance. If a municipality has adopted an ordinance
11 pursuant to section 3 of P.L.1993, c.127 (C.40:48-2.12p), another
12 ordinance would have to be adopted with respect to owners and
13 operators of rooming and boarding houses.