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Assemblywoman Jimenez, Assemblyman Giblin, Assemblywomen Jasey,
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SYNOPSIS
Establishes “2020 New Jersey Emergency Rental Assistance Program”; appropriates $100 million.

CURRENT VERSION OF TEXT
As reported by the Assembly Commerce and Economic Development Committee on May 7, 2020, with amendments.

(Sponsorship Updated As Of: 5/14/2020)
AN ACT establishing the “2020 New Jersey Emergency Rental Assistance Program,” and making an appropriation.

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

1. a. There is established the “2020 New Jersey Emergency Rental Assistance Program” for the purpose of helping residential tenants who experienced financial setbacks attributable to the COVID-19 crisis to satisfy their rental obligations. To the extent the Commissioner of Community Affairs deems feasible and appropriate, the commissioner shall administer this program in accordance with the "Homeless Prevention Program Regulations," N.J.A.C. 5:41-1 et seq., however, the commissioner shall, for the purpose of the “2020 New Jersey Emergency Rental Assistance Program,” modify the "Homeless Prevention Program Regulations" in the following ways:

   (1) A person or household shall be deemed to be in imminent danger of homelessness if the household is unable to make rental payments for reasons beyond the household's control which are attributable to the COVID-19 crisis.

   (2) A person or household need not have been served with a summons and complaint for eviction to be eligible for assistance under this program.

   (3) A person or household shall be eligible for assistance if their annualized current income (that is, 52 times current weekly income) is no more than the upper limit of "medium income," as defined in guidelines published annually by the United States Department of Housing and Urban Development, however, the commissioner may establish funding priorities to benefit low-income and moderate-income persons and households.

   (4) A person or household shall be eligible for assistance under this program although it may be unlikely for the person or household to be able to pay shelter costs after the period of assistance has ended.

   (5) The commissioner shall devise a formula for the distribution of an amount of program funds to each county and applicant based, in part, on the fair market rents in each county, according to the most recent fair market rents published by the U.S. Department of Housing and Urban Development. The commissioner shall distribute program funds to the Homelessness Prevention Program Agency in each county, however, for the purposes of this program, the commissioner may designate an additional agency or agencies to process applications and disburse emergency rental assistance payments in more populated, and more densely populated counties.

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.

Matter enclosed in superscript numerals has been adopted as follows:

1Assembly ACE committee amendments adopted May 7, 2020.
Program funds shall be used exclusively for providing emergency rental assistance payments in accordance with this program.

(6) A Homelessness Prevention Program Agency may award a grant of rental assistance to an applicant in an amount that is based upon the formula devised by the commissioner pursuant to paragraph (5) of this subsection with respect to the county in which the applicant resides, and that is based upon the amount of rent that is due and owing that is at least 30 days past due, after the Homelessness Prevention Program Agency has determined that the tenant is unable to pay the rent without program rental assistance, and has determined that the tenant has suffered a demonstrable loss in income due to the COVID-19 crisis.

(7) Prior to authorizing a disbursement of program funds, a Homelessness Prevention Program Agency shall verify with the landlord the amount of rent due and owing. A landlord shall cooperate with and respond to inquiries from a Homelessness Prevention Program Agency.

(8) Upon verification of the amount of rent due and owing, and a determination that an application satisfies all program requirements, a Homelessness Prevention Program Agency shall disburse a payment of program funds, to the extent funds are available, directly to the landlord on the tenant’s behalf and provide a copy of the disbursement directly to the tenant.

b. As used in this section:

“COVID-19 crisis” means the duration of the Public Health Emergency and of a State of Emergency throughout the State due to the public health hazard created by Coronavirus disease 2019.

c. The commissioner shall, in the most expeditious manner possible, seek federal government approval for a substantial action plan amendment to reallocate uncommitted, unexpended Community Development Block Grant Disaster Recovery (CDBG-DR) funds to the “2020 New Jersey Emergency Rental Assistance Program.”

d. The commissioner shall identify amounts of federal government assistance provided to this State with regard to the Coronavirus disease 2019 which may be available for the purposes of this program and allocate those amounts to this program.

2. There is appropriated to the Department of Community Affairs the sum of $100,000,000 to be credited to the “2020 New Jersey Emergency Rental Assistance Program” to effectuate the provisions of the act. The amounts appropriated herein shall be funded first from assistance provided from the federal government to the extent not prohibited by federal law, which shall include uncommitted, unexpended CDBG-DR funds reallocated pursuant to subsection c. of section 1 of this bill. The remaining amounts necessary to fund this program are appropriated from the General Fund.
3. This act shall take effect immediately and the program established pursuant to section 1 of this act shall expire upon the completion of processing of all applications for assistance submitted on or prior to the 90th day next following the end of the eviction moratorium ordered by the Governor pursuant to Executive Order No. 106 (2020) or modified by the Governor in a subsequent executive order.