

# ASSEMBLY HOUSING COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 271

# STATE OF NEW JERSEY

DATED: NOVEMBER 7, 1996

The Assembly Housing Committee reports favorably Assembly Bill No. 271.

This bill makes various amendments to the "Rooming and Boarding House Act of 1979," P.L.1979, c.496 (C.55:13B-1 et seq.), including amending the act to include a definition of the term "congregate living arrangement." This term is used in the definition of "boarding house," but was not defined in the act. The bill would define "congregate living arrangement" as a single family house or apartment that is under the control of an entity organized or established for the purpose of creating a therapeutic environment for residents.

The bill requires the Commissioners of Human Services, Health, Corrections and Community Affairs, within three months, to each prepare a list of the community residential facilities that each department licenses or operates or with which each respective department is under contract to provide services to clients of the department. Each commissioner is to provide the list to the chairmen of the Senate and General Assembly standing reference committees with jurisdiction over human services.

The bill would also provide greater flexibility to nonprofit corporations or associations to institute eviction proceedings, by exempting a hotel, motel, or established guesthouse operated by a nonprofit corporation or association offering living or sleeping accommodations in conjunction with a general program of community facilities at the same location, from compliance with provisions concerning eviction without due cause established by section 6 of P.L.1979, c.496 (C.55:13B-6). In addition, under the bill, the operator of a rooming or boarding house would be permitted to live off-site, provided that the Commissioner of Community Affairs has approved an alternate arrangement which adequately protects the health, safety and welfare of the residents of the rooming or boarding house.

The bill also provides that a license to operate a rooming and boarding house will not be granted if the operation of that building as a rooming or boarding house would violate a municipal zoning ordinance or any other applicable law.

This bill was pre-filed for introduction in the 1996-1997 legislative session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.