

# ASSEMBLY HOUSING COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 1321**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 22, 1995

The Assembly Housing Committee reports favorably Assembly Bill No. 1321, with committee amendments.

This bill amends P.L.1993, c.290 which permitted municipalities to license rooming and boarding houses. The bill clarifies that rooming and boarding houses licensed by a municipality, through regulations adopted by ordinance, are still required to be licensed by and comply with the regulations pertaining to rooming and boarding houses promulgated by the Department of Community Affairs, pursuant to the "Rooming and Boarding House Act of 1979," P.L.1979, c.496. Municipal regulations must not be inconsistent with the State's regulations.

The bill grants power to a municipality to refuse to issue or renew a license if the municipal licensing agency makes a determination that the issuance or renewal of a license to a particular person would be contrary to the best interests of the residents of any rooming or boarding house or of the public generally. In addition, renewal would be contingent upon compliance with any municipal regulations which may be adopted pursuant to the bill.

The bill also removes the requirement that owners of rooming or boarding houses be United States citizens and residents of New Jersey. These requirements do not exist for owners of rooming and boarding homes licensed by the Department of Community Affairs, and may unreasonably, and perhaps unconstitutionally, restrict the rights of some individuals to own property or operate a business.

Finally, the bill directs that if a code enforcing agent of a municipality has been contracted by the Department of Community Affairs to perform an inspection pursuant to the "Rooming and Boarding House Act of 1979," P.L.1979, c.496, then that inspection may suffice for the investigation required to be performed by a municipal licensing agent.

The committee made amendments to the bill which were technical in nature.

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.