

ASSEMBLY, No. 1780

STATE OF NEW JERSEY

INTRODUCED MARCH 25, 1996

By Assemblyman GEIST

1 AN ACT concerning municipal rent control and rent leveling  
2 ordinances, amending P.L.1987, c.153 and validating certain  
3 municipal ordinances.

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

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8 1. Section 1 of P.L.1987, c.153 (C.2A:42-84.1) is amended to read  
9 as follows:

10 1. As used in this act:

11 a. "Completion of construction" means issuance of a certificate of  
12 occupancy pursuant to section 15 of the "State Uniform Construction  
13 Code Act," P.L.1975, c.217 (C.52:27D-133);

14 b. "Constructed" means constructed, erected or converted but  
15 excludes rehabilitation of premises rented previously for residential  
16 purposes without an intervening use for other purposes for a period of  
17 at least two years prior to conversion. Mere vacancy shall not be  
18 considered an intervening use for the purposes of this subsection;

19 c. "Constructed after the effective date of this act" means  
20 constructed pursuant to a construction permit issued on or after the  
21 effective date of this act;

22 d. "Constructed for senior citizens" means constructed under a  
23 governmental program restricting occupancy of at least 90% of the  
24 dwelling units to senior citizens and any members of their immediate  
25 households or their occupant surviving spouses, or constructed as a  
26 retirement subdivision or retirement community as defined in the  
27 "Retirement Community Full Disclosure Act," P.L.1969, c.215  
28 (C.45:22A-1 et seq.);

29 e. "Multiple dwelling" means any building or structure and land  
30 appurtenant thereto containing four or more dwelling units, other than  
31 dwelling units constructed for occupation by senior citizens, rented or  
32 offered for rent to four or more tenants or family units. "Multiple  
33 dwelling" shall not mean any dwelling unit occupied by a senior citizen  
34 that is a manufactured home installed in a mobile home park;

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 f. "Period of amortization" means the time during which the  
2 principal amount of the mortgage loan and interest thereon would be  
3 paid entirely through periodic payments, whether or not the term of  
4 the mortgage loan is for a shorter period concluding with a balloon  
5 payment; and

6 g. "Senior citizens" means persons 62 years of age or older, and on  
7 and after the effective date of P.L. , c. (C. ).(pending before  
8 the Legislature as this bill), persons 55 years of age or older.  
9 (cf: P.L.1987, c.153, s.1)

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11 2. Any municipal rent control, leveling or stabilization ordinance  
12 adopted prior to the effective date of P.L.1987, c.153 that included  
13 manufactured homes installed in mobile home parks as dwellings  
14 subject to rent control, leveling or stabilization is hereby validated,  
15 notwithstanding the definition of "multiple dwelling" set forth in  
16 section 1 of P.L.1987, c.153 (C.2A:42-84.1); provided, however, that  
17 no action, suit or other proceeding of any nature to contest the validity  
18 of any such ordinance has been instituted prior to the effective date of  
19 this act and within the time fixed therefor by or pursuant to law or rule  
20 of court or when such time has not heretofore expired, is instituted  
21 within 30 days after the effective date of this act.

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23 3. This act shall take effect immediately.

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26 STATEMENT

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28 This bill clarifies that manufactured homes occupied by senior  
29 citizens and installed in a mobile home park are not included in the  
30 definition of "multiple dwelling" for the purposes of P.L.1987, c.153.  
31 That law was intended to encourage the construction of new rental  
32 housing by exempting their construction from municipal rent control,  
33 leveling or stabilization ordinances. The sponsor believes that the  
34 definition of "multiple dwelling" was not intended to include  
35 manufactured homes occupied by senior citizens and installed in a  
36 mobile home park and so this bill merely clarifies that original intent  
37 with specific language. In addition, the bill also modifies the definition  
38 of "senior citizen" by reducing the age from 62 to 55 years, beginning  
39 on the date of enactment of this bill. Persons who reside in a multiple  
40 dwelling constructed for ages 55 and older after June 25, 1987 (the  
41 effective date of P.L.1987, c.153) would not be entitled to refunds for  
42 past years in which the municipal rent control ordinance would have  
43 applied had the multiple dwelling qualified as senior citizen housing  
44 under the age reduction proposed by this bill.

45 The bill also contains a section validating municipal rent control,  
46 leveling and stabilization ordinances adopted prior to June 25, 1987

1 that included manufactured homes as dwellings subject to rent control,  
2 leveling or stabilization.

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7 Clarifies and guarantees that mobile homes occupied by senior citizens  
8 are subject to municipal rent control, leveling and stabilization  
9 ordinances; validates certain ordinances.