

ASSEMBLY, No. 2217

STATE OF NEW JERSEY

INTRODUCED JUNE 27, 1996

By Assemblyman AZZOLINA, Assemblywoman J. SMITH,
Assemblymen Corodemus, LeFevre and Blee

1 AN ACT concerning the licensing of rooming and boarding homes and
2 amending P.L.1993, c.290.

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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 5 of P.L.1993, c. 290 (C.40:52-13) is amended to read
8 as follows:

9 5. It shall be the duty of the licensing authority to receive
10 applications made pursuant to section 4 of this act and to conduct such
11 investigations as may be necessary to establish:

12 a. With respect to the premises for which a license is sought (1)
13 that they are in compliance with all applicable building, housing, health
14 and safety codes and regulations; (2) that the location of the premises
15 will not, in conjunction with the proximity of other rooming and
16 boarding houses, lead to an excessive concentration of such facilities
17 in the municipality or a particular section thereof;

18 b. With respect to the owner or owners of the premises: (1) if a
19 natural person or persons, that he or they are 21 years of age or older,
20 citizens of the United States and residents of the State of New Jersey,
21 and never convicted, in this State or elsewhere, of a crime involving
22 moral turpitude, or of any crime under any law of this State licensing
23 or regulating a rooming or boarding house, and have never had a
24 license required pursuant to P.L.1979, c.496 (C.55:13B-1 et al.)
25 revoked; (2) if a corporation, that all officers and members of the
26 board of directors, and every stockholder holding 10% or more of the
27 stock of the corporation, directly or indirectly having a beneficial
28 interest therein, have the same qualifications as set forth in this
29 subsection for an applicant who is a natural person;

30 c. With respect to the operator or proposed operator, that he meets
31 the requirements for licensure by the Department of Community
32 Affairs; [and]

33 d. That the owner and operator, either individually or jointly, have

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 established sufficient guarantee of financial and other responsibility to
2 assure appropriate relocation of the residents of the rooming or
3 boarding house to suitable facilities in the event that the license is
4 subsequently revoked or its renewal denied. The Department of
5 Community Affairs shall determine, in the case of each type of
6 rooming and boarding house under its jurisdiction, what constitutes
7 suitable facilities for this purpose[.] : and

8 e. At the discretion of the licensing municipality and pursuant to
9 an ordinance, that the owner has paid all municipal property taxes
10 assessed on the rooming and boarding house, provided that the owner
11 has received written notice of the assessment which has remained
12 unpaid for more than 120 days.

13 (cf: P.L.1993, c.290, s.5)

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15 2. This act shall take effect immediately.

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STATEMENT

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20 This bill would permit those municipalities which have opted to
21 license rooming and boarding houses, to deny licenses or refuse to
22 renew licenses of those rooming and boarding houses for which
23 property taxes have not been paid. Under current law, the reasons a
24 municipality may deny a license are limited to those pertaining to
25 density issues or for fitness of the premises for a rooming and boarding
26 house. In some instances, municipalities have been unable to deny
27 licenses to owners of rooming and boarding homes who fail to pay
28 significant amounts of property taxes assessed against the facilities.
29 Thus, this bill will provide an enforcement tool for licensing
30 municipalities to better regulate those rooming and boarding houses
31 under their control.

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37 Permits municipalities to deny licenses to rooming and boarding
houses for unpaid property taxes.