

[Second Reprint]  
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.

3

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

**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.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly AHO committee amendments adopted September 19, 1996.

<sup>2</sup> Senate SCO committee amendments adopted October 28, 1996.

1 the requirements for licensure by the Department of Community  
2 Affairs; [and]

3 d. That the owner and operator, either individually or jointly, have  
4 established sufficient guarantee of financial and other responsibility to  
5 assure appropriate relocation of the residents of the rooming or  
6 boarding house to suitable facilities in the event that the license is  
7 subsequently revoked or its renewal denied. The Department of  
8 Community Affairs shall determine, in the case of each type of  
9 rooming and boarding house under its jurisdiction, what constitutes  
10 suitable facilities for this purpose[.]; and

11 e. At the discretion of the licensing municipality and pursuant to  
12 an ordinance, that the owner has paid all municipal property taxes  
13 <sup>1</sup>[assessed] due and owing<sup>1</sup> on the rooming and boarding house, <sup>2</sup>or  
14 in the case of an initial application, the applicant has paid all municipal  
15 property taxes due and owing on any other rooming and boarding  
16 house located within the municipality and owned by the applicant,<sup>2</sup>  
17 provided that the owner has received written notice of <sup>1</sup>[the  
18 assessment] any payment delinquency<sup>1</sup> which has remained unpaid for  
19 more than 120 days. <sup>2</sup>The provisions of this subsection shall not be  
20 construed as denying or limiting the rights of any displaced residents  
21 to relocation assistance in accordance with P.L.1971, c.362 (C.20:4-  
22 1 et seq.).<sup>2</sup>  
23 (cf: P.L.1993, c.290, s.5)

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25 2. This act shall take effect immediately.

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