

SENATE, No. 1998

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1997

By Senator BASSANO

1 AN ACT concerning inspections to multiple dwellings and
2 supplementing P.L. 1967, c. 76 (C. 55:13A-1 et seq.).

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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. Whenever it is necessary to enter a dwelling premises for the
8 purpose of an inspection to be made pursuant to P.L.1967, c.76
9 (55:13A-1 et seq.), the tenant or owner occupying the premises shall
10 be notified of the pending inspection and of his or her right to refuse,
11 in writing, to grant access to the dwelling premises in his or her
12 absence.

13 a. Any tenant or owner refusing to grant such access shall include
14 in the written refusal his or her name, address and telephone number
15 or numbers at which the tenant may be reached during the day and
16 evening.

17 b. Upon receipt of a written refusal to grant access from a tenant
18 or owner, the inspector shall use his or her best efforts to arrange for
19 a convenient time for access to be granted in the presence of the tenant
20 or resident, including such times as evening hours or Saturdays or
21 Sundays.

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23 2. This act shall take effect immediately.

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STATEMENT

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28 Under the "Hotel and Multiple Dwelling Law," P.L.1967, c.76
29 (55:13A-1 et seq.), most apartment buildings and condominiums are
30 required to be inspected every five years, pursuant to rules
31 promulgated by the Commissioner of Community Affairs, to assure
32 that these multiples dwellings are "constructed and maintained in such
33 a manner as is consistent with, and will protect, the health safety and
34 welfare of the occupants thereof, or of the public generally." This bill
35 would require the inspectors performing these inspections to notify the
36 tenant or owner occupying the dwelling premises of the inspection and
37 of his or her right to refuse in writing access to the premises in his or

1 her absence.

2 Currently, tenants have the right to refuse such access, but are not
3 required to be notified of their right to refuse. The regulations provide
4 that for those tenants that do refuse to grant access, the commissioner
5 must then obtain search warrants to conduct the inspections. Many
6 tenants have complained that these procedures contain no safeguard
7 of their rights to privacy or to protect their property.

8 The bill requires that a tenant be notified of his right to refuse to
9 grant access to his apartment or unit in his absence. In addition, the
10 bill clarifies that if a tenant refuses to grant access to his apartment in
11 his absence, his written refusal must include a telephone number at
12 which he can be reached to arrange for a mutually convenient time for
13 the inspection wherein access may be obtained in the presence of the
14 tenant. The inspectors would be required to perform evening or
15 weekend inspections, if necessary, to accommodate the needs of the
16 tenant or owner.

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21 Requires inspectors of multiple dwellings under the "Hotel and
22 Multiple Dwelling Law" to accommodate tenant needs.