§1 –
C.2A:42-10.16a
§2 - C.46:8-49.3
§3 - Note

P.L. 2019, CHAPTER 316, ***approved January 13, 2020***
Senate, No. 3124 ***(First Reprint)***

AN ACT concerning tenant payment of rent to landlords, and supplementing P.L.1974, c.47 (C.2A:42-10.15 et seq.) and Title 46 of the Revised Statutes.

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

1. a. In an eviction action for nonpayment of rent, pursuant to subsection a. of section 2 of P.L.1974, c.49 (C.2A:18-61.1), the court shall provide a period of three business days after the date on which [1]**[**an eviction order or**]** a warrant for removal is posted to the unit or a[1] lockout is executed due to [1]**[**late payment**]** nonpayment[1] of rent, for [1]**[**all tenants**]** the tenant[1] to submit a rent payment. A late fee shall not be imposed [1]in excess of the amount set forth in the application for a warrant for removal[1] if [1]all[1] rent [1]due and owing[1] is paid [1]**[**on or before the third business day after the day on which the eviction order or lockout is executed**]** within the three business day period established by this subsection[1].

b. [1](1)[1] A landlord shall [1]**[**be required to**]**[1] accept all payments of rent made by a tenant within the three business day period established by subsection a. of this section and [1]**[**shall be required to relinquish control of the property to the tenant**]** upon payment of the rent due and owing, within two business days thereafter, the landlord shall provide the court with written notice that the rent due and owing was paid. A copy of this notice shall be provided to the tenant.

(2) Upon receipt of the written notice as provided in this subsection, the court shall dismiss with prejudice the action for nonpayment of rent.

(3) If the tenant makes a timely payment within the three business day period established by subsection a. of this section, and the landlord fails to provide the court with written notice of the rent payment, the tenant may file a motion to dismiss with prejudice the action for nonpayment of rent upon notice to the landlord[1].

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

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
[1]Senate SCU committee amendments adopted June 3, 2019.

2. a. A landlord shall [1]⟦be required to⟧[1] accept a rent payment made [1]⟦by any means, including but not limited to cash payments, personal checks, or payments made by third parties such as rental assistance programs or charitable organizations⟧ within the three business day period established by subsection a. of section 1 of P.L. , c. (C.) (pending before the Legislature as this bill), whether made by cash, certified check, or money order, or through any federal, State, or local rental assistance program or bona fide charitable organization[1] on behalf of the tenant. A landlord shall [1]⟦provide a signature on any forms or documents required for a tenant to secure rental assistance from a third party. A landlord shall not deny payment of rent due to the means by which the payment is made⟧ cooperate with any federal, State, or local rental assistance program or bona fide charitable organization which has committed to pay the rent due and owing[1]. If a landlord does not respond to a tenant's efforts to resolve the issue of late payment through a third party, the tenant may seek a remedy by requesting an order to show cause.

b. A landlord shall provide the tenant with a receipt after each rent payment [1]is[1] made [1]within the three business day period established by subsection a. of section 1 of P.L. , c. (C.) (pending before the Legislature as this bill),[1] which shall include the date on which the payment was made.

c. In the event that a landlord [1]of a rent-controlled property[1] is entitled to recover attorney's fees or expenses under the lease agreement, incurred as a result of the failure of the tenant to [1]⟦perform any agreement in the lease⟧ pay rent due and owing, unless otherwise limited by local ordinance[1], the [1]court shall take into consideration all factors associated with each case and may limit the[1] amount awarded to the landlord [1]⟦shall not exceed 30 percent of the attorney's fees and expenses paid by the landlord⟧ to a reasonable fee based on those factors[1].

d. A landlord who violates any provision of P.L. , c. (C.) (pending before the legislature as this bill), shall be subject to a penalty of not more than $500 for each offense. The penalty shall be collected and enforced by summary proceedings pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in [1]⟦the municipal⟧ a[1] court [1]⟦having⟧ of competent[1] jurisdiction.

3. This act shall take effect on the first day of the second month next following enactment.

Requires landlords to allow tenants to pay rent up to three business days after eviction order or lockout is executed and accept rent payments by any means.