

ASSEMBLY, No. 4899

STATE OF NEW JERSEY 221st LEGISLATURE

INTRODUCED OCTOBER 17, 2024

Sponsored by:

Assemblywoman LINDA S. CARTER

District 22 (Somerset and Union)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblyman Atkins, Assemblywomen Sumter, Speight, Park and Haider

SYNOPSIS

Prohibits residential landlord from charging application fee greater than cost of credit check or related service.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT limiting the amount of residential rental application fees
2 and supplementing chapter 8 of Title 46 of the Revised Statutes.

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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. An landlord, or agent thereof, shall not require an
8 application fee to lease or sublease the residential property for
9 dwelling purposes of more than a sum equal to the actual cost of a
10 credit check or other related services paid for by the landlord or
11 agent to a third party, unless the sum exceeds \$30. If the expense to
12 the landlord or agent for services associated with the application
13 exceeds \$30, however, then the landlord or agent shall not require
14 more than \$30 as an application fee.

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16 2. A landlord who violates section 1 of P.L. , c. (C.)
17 (pending before the Legislature as this bill) shall:

18 a. be liable for a penalty of \$250, which shall be collected and
19 enforced by summary proceedings pursuant to the "Penalty
20 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
21 The Superior Court, Law Division, Special Civil Part in the county
22 in which the residential rental property is located shall have
23 jurisdiction over the proceedings. Process shall be in the nature of a
24 summons or warrant, and shall issue upon the complaint of the
25 Commissioner of Community Affairs or the Attorney General; and

26 b. at the discretion of the applicant for the residential rental
27 property, be subject to a separate cause of action by the applicant in
28 the Superior Court, Law Division, Special Civil Part in the county
29 in which the rental premises are located. The applicant may recover
30 \$250 for an offense by the landlord, in addition to reasonable
31 attorney's fees or expenses.

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

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STATEMENT

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39 This bill prohibits landlords from charging potential residential
40 rental tenants application fees greater than the actual cost of a credit
41 check or other related services paid by the landlord, to a maximum
42 of \$30.

43 The bill also establishes a penalties for a landlord's violation of
44 the bill of \$250, enforceable in an action brought by the
45 Commissioner of Community Affairs or Attorney General and in a
46 separate cause of action brought by and at the discretion of the
47 applicant for the landlord's residential property, who may recover,

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1 in addition to the \$250 penalty, reasonable attorney's fees or
2 expenses.

3 This bill would take effect on the first day of the fourth month
4 next following enactment.