

[First Reprint]

**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, Haider and Morales**

**SYNOPSIS**

Limits amount of residential rental property application fee; establishes penalty.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Housing Committee on October 24, 2024, with amendments.



**(Sponsorship Updated As Of: 12/9/2024)**

1 AN ACT limiting the amount of residential rental <sup>1</sup>property<sup>1</sup>  
2 application fees and supplementing chapter 8 of Title 46 of the  
3 Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. <sup>1</sup>[An] a. A<sup>1</sup> landlord, or agent thereof, shall not require an  
9 application <sup>1</sup>or other similar<sup>1</sup> fee to <sup>1</sup>apply to<sup>1</sup> lease or sublease <sup>1</sup>[the]  
10 a<sup>1</sup> residential <sup>1</sup>rental<sup>1</sup> property for dwelling purposes <sup>1</sup>[of more than a  
11 sum equal to the actual cost of a credit check or other related services  
12 paid for by the landlord or agent to a third party, unless the sum  
13 exceeds \$30. If the expense to the landlord or agent for services  
14 associated with the application exceeds \$30, however, then the  
15 landlord or agent shall not require more than \$30 as an application  
16 fee] , which exceeds \$50.

17 b. A landlord, or agent thereof, who violates subsection a. of this  
18 section shall be liable for a penalty of \$1,500 for each offense, which  
19 shall be collected and enforced by summary proceedings pursuant to  
20 the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10  
21 et seq.). The Superior Court, Law Division, Special Civil Part in the  
22 county 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 Director of the Division of Consumer Affairs in the Department of  
26 Law and Public Safety or the Attorney General. Following the  
27 proceedings, \$250 from the collected penalty shall be remitted to the  
28 applicant or prospective tenant.

29 c. The requirements of subsection a. of this section shall not apply  
30 to a dwelling unit located in a one-family or two-family dwelling that  
31 is offered for rent<sup>1</sup>.

32  
33 <sup>1</sup>[2.A landlord who violates section 1 of P.L. , c. (C. )  
34 (pending before the Legislature as this bill) shall:

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

43 b. at the discretion of the applicant for the residential rental  
44 property, be subject to a separate cause of action by the applicant in

**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:

<sup>1</sup>Assembly AHO committee amendments adopted October 24, 2024.

1 the Superior Court, Law Division, Special Civil Part in the county  
2 in which the rental premises are located. The applicant may recover  
3 \$250 for an offense by the landlord, in addition to reasonable  
4 attorney's fees or expenses. **1**<sup>1</sup>

5  
6 <sup>1</sup>2. The Director of the Division of Consumer Affairs in the  
7 Department of Law and Public Safety shall, in accordance with the  
8 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),  
9 adopt rules and regulations as necessary to implement  
10 P.L. , c. (C. ) (pending before the Legislature as this bill),  
11 including rules setting forth a mechanism for applicants or prospective  
12 tenants to report violations of P.L. , c. (C. ) (pending before  
13 the Legislature as this bill), which the director shall make available on  
14 the Internet website of the Division of Consumer Affairs.<sup>1</sup>

15  
16 3. This act shall take effect on the first day of the fourth month  
17 next following <sup>1</sup>the date of<sup>1</sup> enactment <sup>1</sup>, except that the Director of  
18 the Division of Consumer Affairs in the Department of Law and  
19 Public Safety shall be permitted to take anticipatory action necessary  
20 to effectuate the provisions of this act<sup>1</sup>.