

SENATE, No. 4843

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Establishes distinction between residential tenant and other occupants of hotel or motel for purpose of determining permitted removal actions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/19/2026)

1 AN ACT distinguishing tenant from other hotel or motel occupants
2 and supplementing chapter 42 of Title 2A of the New Jersey
3 Statutes.

4

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

7

8 1. For the purposes of P.L. , c. (C.) (pending before
9 the Legislature as this bill):

10 “Commissioner” means the Commissioner of Community
11 Affairs.

12 “Department” means the Department of Community Affairs.

13 “Expedited judicial proceeding” means a summary judicial
14 proceeding to be conducted by the Superior Court for the purpose of
15 determining whether the removal of a transient guest from a hotel or
16 motel is authorized pursuant to P.L. , c. (C.) (pending
17 before the Legislature as this bill), with authority to issue an order
18 of removal, enforceable by law enforcement.

19 “Minor child” means a child under the age of 18 years but
20 excludes a child residing in a placement funded or approved by the
21 Division of Child Protection and Permanency in the Department of
22 Children and Families pursuant to either a voluntary placement
23 agreement or court order.

24 “Minor ward” means a minor child for whom a guardian is
25 appointed.

26 "State or federal tenant-based housing subsidy" means a tenant-
27 based subsidy, enabled pursuant to a State or federal tenant-based
28 housing program, administered by the department of other State
29 agency, and available to low- or moderate-income households,
30 including but not limited to section 3 of P.L.2004, c.140 (C.52:27D-
31 287.3), commonly known as the State rental assistance program, the
32 federal section 8 Housing Choice Voucher Program, or emergency
33 assistance benefits pursuant to section 8 of P.L.1997, c.14 (C.44:10-
34 51). A "State or federal tenant-based housing subsidy" shall include
35 a subsidy issued through a housing authority.

36 “Temporary assisted housing occupant” means a household that
37 is assisted by a State or federal tenant-based housing subsidy.

38 “Transient guest” means an individual occupying a room or
39 lodging unit in a hotel or motel for temporary lodging purposes
40 who:

41 (1) has not established the hotel or motel as the individual's
42 primary residence;

43 (2) occupies the room pursuant to a daily, weekly, or other short-
44 term lodging arrangement;

45 (3) retains the right to occupy the room only so long as the
46 applicable lodging charges are paid and the rules of the
47 establishment are observed; and

1 (4) has not otherwise been determined to be a tenant pursuant to
2 section 2 of P.L. , c. (C.) (pending before the Legislature
3 as this bill).

4
5 2. a. For the purposes of determining whether a property
6 owner shall be required to comply with the residential eviction
7 process, and the restrictions on the removal of a tenant established
8 pursuant to the Anti-Eviction Act, P.L.1974, c.49 (C.2A:18-61.1 et
9 seq.), in order to remove an occupant of a hotel or motel, the factors
10 provided in this subsection, subject to judicial discretion with
11 respect to any additional facts of the case, shall be considered
12 unless the occupant is prohibited from being considered a tenant
13 pursuant to subsection b. of this section.

14 (1) If the following factors, and any additional facts as
15 determined by judicial review, are generally accurate, the occupant
16 of a hotel or motel shall be considered a tenant, not a transient
17 guest:

18 (a) the occupant has demonstrated an intent to stay for a long
19 period of time through actions that may include, but shall not be
20 limited to, remaining for three consecutive months or longer in the
21 same unit, changing their primary address on official government
22 identification such as the guest's driver's license or New Jersey
23 non-driver identification card to the hotel or motel address,
24 registering to vote and utilizing the hotel or motel as their legal
25 primary address, or sending the occupant's children or minor ward
26 to a public school, or any combination of the above;

27 (b) the owner or operator of the hotel or motel was notified that
28 the occupant intended to be a long-term guest for three months or
29 longer;

30 (c) the hotel or motel is the occupant's only place of residence;

31 (d) the majority of other occupants of the hotel or motel are
32 long-term occupants, and consider the hotel or motel as their
33 primary residence; and

34 (e) the owner or operator has received regular payments of rent,
35 or other compensation, in exchange for the occupant's exclusive
36 possession of the living space.

37 (2) If an occupant of a hotel or motel cannot be definitively
38 identified as a tenant or transient guest following consideration of
39 the factors established pursuant to paragraph (1) of this subsection,
40 then the following factors shall be considered, and if generally
41 accurate, the occupant of a hotel or motel shall be considered a
42 tenant, not a transient guest if:

43 (a) the living space of the occupant contains a stove, oven, and
44 refrigerator; and

45 (b) the occupant has used personal linens, and has done their
46 own housekeeping.

47 b. (1) Notwithstanding the provisions of subsection a. of this
48 section, an occupant shall not be considered a tenant, and shall not

1 benefit from the restrictions on the removal of a tenant established
2 pursuant to the Anti-Eviction Act, P.L.1974, c.49 (C.2A:18-61.1 et
3 seq.), if the occupant has willfully not provided the owner or
4 operator with information necessary to register the occupant to the
5 unit in which the occupant is assigned. This paragraph shall not
6 apply to an occupant if an owner or operator willfully or negligently
7 fails to collect occupant information necessary to register the
8 occupant to the unit in which the occupant is assigned.

9 (2) The commissioner, pursuant to the rules and regulations
10 adopted pursuant to section 7 of P.L. , c. (C.) (pending
11 before the Legislature as this bill), shall establish protections to
12 ensure that an occupant:

13 (a) who lacks conventional forms of identification as a result of
14 barriers related to homelessness is not automatically considered to
15 be in violation of paragraph (1) of this subsection; and

16 (b) is provided with a reasonable opportunity to cure registration
17 deficiencies before an owner or operator considers the occupant to
18 be in violation of paragraph (1) of this subsection.

19 c. An individual shall not cease to be considered a transient
20 guest solely by reason of the length of occupancy. An individual
21 who has occupied a hotel or motel continuously for fewer than 90
22 days shall be presumed to be a transient guest unless the individual
23 establishes, by a preponderance of the evidence, that the individual
24 has otherwise acquired tenant status pursuant to the provisions of
25 this section. The provisions of this subsection shall not preclude a
26 court from considering the totality of the circumstances in
27 determining whether an individual has acquired tenant status.

28
29 3. The Administrative Director of the Courts shall establish an
30 expedited eviction process within the Superior Court for the
31 removal of an occupant of a hotel or motel in instances when,
32 pursuant to section 2 of P.L. , c. (C.) (pending before the
33 Legislature as this bill), the restrictions established pursuant to the
34 Anti-Eviction Act, P.L.1974, c.49 (C.2A:18-61.1 et seq.) are
35 required, and when an occupant has:

36 a. engaged in credible threats of violence, or actual violent
37 behavior, that are likely to provide other occupants with a
38 reasonable apprehension of the actions of the occupant;

39 b. willfully caused or allowed destruction, damage or injury to
40 the premises, as long as reasonable documentation standards are
41 satisfied; or

42 c. criminal activity in violation of subsection n., o., p., q., or r.
43 of section 2 of P.L.1974, c.49 (C.2A:18-61.1).

44
45 4. a. In addition to other process requirements for the removal
46 of an occupant of a hotel or motel, if the occupant qualifies as a
47 tenant or temporary assisted housing occupant pursuant to
48 subsection a. of section 2 of P.L. , c. (C.) (pending before

1 the Legislature as this bill) and the owner or operator intends to
2 remove the occupant for a non-threatening violation, the owner or
3 operator shall, prior to removal, provide the occupant with written
4 notice and an opportunity to cure of no less than 72 hours following
5 receipt of the written notice. The notice and cure requirements of
6 this subsection shall apply only to an occupant determined to be a
7 tenant or temporary assisted housing occupant, and shall not apply
8 to a transient guest whose occupancy is governed by a daily or
9 short-term lodging arrangement.

10 b. The commissioner shall provide guidance, through the rules
11 and regulations adopted pursuant to section 7 of P.L. , c.
12 (C.) (pending before the Legislature as this bill), on what
13 actions shall constitute a non-threatening violation.
14

15 5. a. The provisions of subsection a. of section 2 of P.L. , c.
16 (C.) (pending before the Legislature as this bill), as used to
17 determine whether a hotel or motel occupant is a tenant or a
18 transient guest for the purposes of the residential eviction process,
19 shall apply regardless of whether or not a tenant is a temporary
20 assisted housing occupant.

21 b. The owner or operator of a hotel or motel may remove a
22 temporary assisted housing occupant following the expiration of a
23 State or federal tenant-based housing subsidy if the owner or
24 operator provides the temporary assisted housing occupant with
25 written notice, and an opportunity to provide payment to extend the
26 stay, of no less than five days following receipt of the written
27 notice, prior to removal. A temporary assisted housing occupant
28 shall receive not less than five days written notice of termination of
29 placement arising from the expiration, denial, or cessation of a State
30 or federal tenant-based housing subsidy. During such notice period,
31 the placing agency shall remain responsible for payment pursuant to
32 the applicable placement agreement.

33 c. The commissioner, pursuant to the rules and regulations
34 adopted pursuant to section 7 of P.L. , c. (C.) (pending
35 before the Legislature as this bill), shall require the department, or
36 other State agency that is administering a State or federal tenant-
37 based subsidy in support of a temporary assisted housing occupant,
38 to comply with the following requirements:

39 (1) 24-hour availability to respond to inquiries from the owner
40 or operator;

41 (2) the designation of a case manager for each temporary
42 assisted housing occupant residing in a hotel or motel;

43 (3) relocation planning assistance in advance of the termination
44 of a subsidy;

45 (4) documentation of when a subsidy terminates, and record
46 preservation of each subsidy termination for no less than 10 years;
47 and

1 (5) responsibility to financially compensate the owner or
2 operator in the event that a temporary assisted housing occupant is
3 not immediately relocated following the termination of a subsidy.

4 d. The provisions of this section shall not require an
5 administering agency to:

6 (1) provide a reimbursement of more than the reasonable
7 lodging costs incurred during the notice period following the
8 expiration or termination of the temporary housing assistance or
9 placement if the administering agency has not secured alternative
10 placement for the temporary assisted housing occupant before the
11 expiration of the notice period; or

12 (2) provide a reimbursement if the administering agency is not
13 the same administering agency that funded or authorized the hotel
14 or motel placement immediately preceding the expiration or
15 termination of assistance.

16

17 6. a. Regardless of whether an occupant of a hotel or motel
18 qualifies as a tenant or transient guest pursuant to subsection a. of
19 section 2 of P.L. , c. (C.) (pending before the Legislature
20 as this bill), the owner or operator shall not engage in a self-help
21 lockout of the occupant.

22 b. The commissioner shall establish, in consultation with the
23 Attorney General, through the adoption of rules and regulations
24 pursuant to section 7 of P.L. , c. (C.) (pending before the
25 Legislature as this bill):

26 (1) guidance on the actions that shall constitute a self-help
27 lockout in violation of subsection a. of this section, which actions
28 shall include, but shall not be limited to lock changes, utility shut-
29 offs, and the removal of belongings without legal process; and

30 (2) an expedited judicial proceeding for the purpose of removing
31 a transient guest from a hotel or motel.

32 c. If a temporary assisted housing occupant remains in a hotel or
33 motel beyond the statutory notice period solely because an
34 expedited judicial proceeding required pursuant to P.L. , c.
35 (C.) (pending before the Legislature as this bill) remains
36 pending, the administering agency that funded or authorized the
37 placement immediately preceding the expiration or termination of
38 assistance shall continue to reimburse the owner or operator at the
39 otherwise applicable program rate until the earliest of: (1) entry of
40 an order authorizing removal; (2) relocation of the occupant to
41 alternative housing; or (3) voluntary departure of the occupant.

42

43 7. In accordance with the "Administrative Procedure Act,"
44 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of
45 Community Affairs, in consultation with the Attorney General and
46 the Administrative Director of the Courts, shall adopt rules and
47 regulations to effectuate P.L. , c. (C.) (pending before the
48 Legislature as this bill) on or before the first day of the fourth

1 month next following enactment of P.L. , c. (C.) (pending
2 before the Legislature as this bill).

3
4 8. This act shall take effect on the first day of the fourth month
5 next following enactment, except that the Commissioner of
6 Community Affairs and the Administrative Director of the Courts
7 may take anticipatory action necessary to implement the provisions
8 of P.L. , c. (C.) (pending before the Legislature as this
9 bill).

10 11 12 STATEMENT

13
14 This bill establishes a distinction between residential tenants and
15 transient guests of a hotel or motel for the purpose of determining
16 permitted removal actions. The bill codifies a multi-factor test,
17 similar to the existing test established by New Jersey courts, to
18 apply in distinguishing between a tenant and a transient guest, as
19 defined in the bill. The bill also establishes the concept of a
20 “temporary assisted housing occupant,” defined in the bill to
21 include households assisted by certain State or federal housing
22 subsidies, and which may fall into the category of tenants or
23 transient guests based on the application of the test.

24 Specifically, in order to remove an occupant of a hotel or motel
25 and determine whether a property owner is required to comply with
26 the residential eviction process, and the restrictions on tenant
27 removal established by the Anti-Eviction Act, P.L.1974, c.49
28 (C.2A:18-61.1 et seq.), the bill requires several factors to be
29 considered, as provided in the bill. If the factors are generally
30 accurate, then the occupant of a hotel or motel is to be considered a
31 tenant, not a transient guest, unless the bill otherwise bars the
32 occupant from being considered a tenant, concerning the lack of
33 registration information. The bill expressly provides that a person
34 is not to be considered a tenant, as opposed to a transient guest,
35 solely due to their length of occupancy.

36 The bill provides that if an occupant has willfully not provided
37 the owner or operator with information necessary to register the
38 occupant to the hotel or motel unit, then the occupant is not to be
39 considered a tenant. The bill directs the Commissioner of
40 Community Affairs (commissioner) to adopt rules and regulations
41 to establish protections ensuring that occupants have a reasonable
42 opportunity to cure registration deficiencies, and that an occupant
43 who lacks conventional forms of identification as a result of barriers
44 related to homelessness is not automatically considered to be in
45 violation of this requirement. The bill also provides that if an
46 owner or operator willfully or negligently fails to collect occupant
47 information necessary to register the occupant to the unit in which

1 the occupant is assigned, the lack of registration is not to affect an
2 occupant's qualification for tenancy.

3 The bill requires the Administrative Director of the Courts to
4 establish an expedited eviction process within the Superior Court
5 for the removal of an occupant of a hotel or motel in instances when
6 the restrictions of the Anti-Eviction Act, P.L.1974, c.49 (C.2A:18-
7 61.1 et seq.) are required, and when an occupant has:

- 8 • engaged in certain violent behavior;
- 9 • willfully caused or allowed destruction, damage or injury to
10 the premises; or
- 11 • engaged in certain criminal activities.

12 The bill provides that, if the owner or operator intends to remove
13 a tenant or temporary assisted housing occupant for a non-
14 threatening violation, the owner or operator is required to, in
15 addition to any other preconditions required for removal, provide
16 the occupant with written notice and an opportunity to cure of no
17 less than 72 hours following receipt of the written notice.

18 The bill provides that the owner or operator of a hotel or motel
19 may remove a temporary assisted housing occupant following the
20 expiration of the temporary assisted housing occupant's housing
21 subsidy if the owner or operator provides written notice, and an
22 opportunity to provide payment to extend the stay, of no less than
23 five days. The bill requires the Department of Community Affairs
24 (DCA), or other State agency administering the occupant's subsidy,
25 to provide:

- 26 • 24-hour availability to respond to certain inquiries;
- 27 • the designation of a case manager for each temporary
28 assisted housing occupant;
- 29 • relocation planning assistance;
- 30 • documentation of when a subsidy terminates; and
- 31 • responsibility to financially compensate the owner or
32 operator in the event that a temporary assisted housing
33 occupant is not immediately relocated following the
34 termination of a subsidy.

35 Regardless of whether an occupant of a hotel or motel qualifies
36 as a tenant or transient guest, the bill prohibits the owner or
37 operator from engaging in a self-help lockout. The bill directs the
38 commissioner to establish, in consultation with the Attorney
39 General, to establish:

- 40 • guidance on the actions that are to constitute a prohibited
41 self-help lockout, including but not limited to, lock changes,
42 utility shut-offs, and the removal of belongings without legal
43 process; and
- 44 • an expedited judicial proceeding, as defined in the bill, for
45 the purpose of removing a transient guest from a hotel or
46 motel.

1 The bill directs the commissioner, in consultation with the
2 Attorney General and the Administrative Director of the Courts, to
3 adopt rules and regulations to effectuate the provisions of the bill on
4 or before the first day of the fourth month following enactment.
5 The bill is to take effect on the first day of the fourth month
6 following enactment.