

## CHAPTER 316

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:

C.2A:42-10.16a Three-day period for tenant to submit rent payment.

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 a warrant for removal is posted to the unit or a lockout is executed due to nonpayment of rent, for the tenant to submit a rent payment. A late fee shall not be imposed in excess of the amount set forth in the application for a warrant for removal if all rent due and owing is paid within the three business day period established by this subsection.

b. (1) A landlord shall accept all payments of rent made by a tenant within the three business day period established by subsection a. of this section and 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.

C.46:8-49.3 Acceptance by landlord of rent payment during three-day period.

2. a. A landlord shall accept a rent payment made within the three business day period established by subsection a. of section 1 of P.L.2019, c.316 (C.2A:42-10.16a), whether made by cash, certified check, or money order, or through any federal, State, or local rental assistance program or bona fide charitable organization on behalf of the tenant. A landlord shall 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. 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 is made within the three business day period established by subsection a. of section 1 of P.L.2019, c.316 (C.2A:42-10.16a), which shall include the date on which the payment was made.

c. In the event that a landlord of a rent-controlled property is entitled to recover attorney's fees or expenses under the lease agreement, incurred as a result of the failure of the tenant to pay rent due and owing, unless otherwise limited by local ordinance, the court shall take into consideration all factors associated with each case and may limit the amount awarded to the landlord to a reasonable fee based on those factors.

d. A landlord who violates any provision of P.L.2019, c.316 (C.2A:42-10.16a et al.), 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 a court of competent jurisdiction.

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

Approved January 13, 2020.