CHAPTER 313

AN ACT establishing a program to facilitate the prevention of residential evictions.

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

1. As used in this act:

"Commissioner" means the Commissioner of Community Affairs.

"DCA navigator" means a not-for-profit or other entity, qualified in accordance with department standards, that facilitates the prevention of residential evictions in one or more vicinages of the State through fulfilling the responsibilities of the program delegated to the DCA navigator pursuant to a contract with the department.

"Department" means the Department of Community Affairs.

"Eligible tenant" means a tenant facing or at risk of facing a nonpayment eviction action who has directly or indirectly incurred financial hardship because of the COVID-19 pandemic and whose household income is not more than 120 percent of the area median income for a household of the same size and composition.

"Nonpayment eviction action" means a residential eviction action for nonpayment, for habitual late payment of rent, or for refusal to pay or agree to a rental increase.

"Program" means the Rental Assistance Navigation Program, established pursuant to section 2 of this act.

"Resource navigator" means an employee or contractor of a DCA navigator.

"Rental assistance" means cash payments to compensate for unpaid rent provided to the landlord by any federal, State, county, or local rental assistance program.

2. The "Rental Assistance Navigation Program" shall be established in the department, and be administered by the department as a program to facilitate the diversion from and prevention of residential evictions due to nonpayment and habitual late payment of rent or for refusal to pay or agree to a rental increase. The department may contract the responsibilities of the program to one or more DCA navigators, as deemed appropriate by the commissioner. The purpose of the program is to provide support for tenants facing or at risk of eviction who have suffered financial hardship as a result of the COVID-19 pandemic and provide resources to alleviate the burden placed on landlord-tenant courts that may be facing increased caseloads and additional resource constraints as a result of the COVID-19 pandemic.

a. The department shall publish information about the program on the department's Internet website, and shall engage in efforts to enhance public awareness of the program among the residential landlords and tenants in the State.

b. As part of the program, Resource Navigators shall be allocated to court vicinages in the State for one year beginning on the effective date of P.L.2021, c.313. Resource Navigators may be proportionally allocated to vicinages based on need, as determined by the number of nonpayment eviction filings in the vicinage or according to other criteria established by the department.

c. Each Resource Navigator shall attend eviction proceedings where possible in the Resource Navigator's vicinage or vicinages and shall otherwise conduct outreach and work in conjunction with the department, the Administrative Office of the Courts, and local resource agencies of the county or counties that comprise the Resource Navigator's assigned vicinage or vicinages to identify eligible tenants as defined by section 1 of P.L.2021, c.313.

d. A Resource Navigator shall provide services to eligible tenants in the Resource Navigator's vicinage or vicinages in the form of information and connections to resources that may help the eligible tenant avoid eviction, which may include but need not be limited to:

(1) information about the availability of local, State, or federal rental assistance and other benefits, including benefits intended to provide relief due to hardships incurred because of the COVID-19 pandemic, and about how to apply for such assistance and other benefits;

(2) information about how to obtain protections against evictions, including those protections established in subsection d. of section 3 of P.L.2021, c.188 (C.52:27D-287.9) for households that were unable to pay rent due to circumstances arising from the COVID-19 pandemic;

(3) connections to counseling, legal services, and other resources related to helping eligible tenants prevent evictions;

(4) connections to other intervention supports for households facing financial hardships; and

(5) any other services or supports the department or the DCA navigator deems necessary to assist an eligible tenant in avoiding eviction.

e. A DCA navigator and a Resource Navigator shall have experience in fulfilling one or more responsibilities of the program and shall be qualified in accordance with criteria established by the department.

3. The department may collaborate with counties and municipalities that received an allocation of federal Emergency Rental Assistance from the United States Department of the Treasury to facilitate the collection of applications for and distribution of such assistance.

4. On or before June 1, 2023, the commissioner, in consultation with the Administrative Director of the Courts, shall submit a report to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to detail the outcomes of the program, providing information that shall include, but shall not be limited to:

a. the number of eligible tenants who have been served by the program; and

b. non-personally identifiable information on the race, ethnicity, gender, primary language spoken, household size, and vicinage of tenants assisted by the program.

5. Notwithstanding the limitations established in section 1 of P.L.2011, c.215 (C.52:14B-3a) on the use of regulatory guidance documents, the commissioner may prepare and disseminate regulatory guidance documents as defined in subsection d. of section 1 of P.L.2011, c.215 (C.52:14B-3a), in advance of the adoption of regulations as necessary for the administration of this act.

6. The Commissioner of Community Affairs shall consult with the Division of Disaster Recovery and Mitigation to effectuate the purposes of this act, to establish appropriate administrative costs, and to ensure that any expenditure of federal funds in connection to this act are expended in compliance with federal rules and guidance, including with respect to the American Rescue Plan Act, Pub.L.117-2.

7. This act shall take effect immediately.

Approved December 21, 2021.