

CHAPTER 379

AN ACT concerning construction defects in common interest communities and amending N.J.S.2A:14-1.

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

1. N.J.S.2A:14-1 is amended to read as follows:

6 years.

2A:14-1. a. Every action at law for trespass to real property, for any tortious injury to real or personal property, for taking, detaining, or converting personal property, for replevin of goods or chattels, for any tortious injury to the rights of another not stated in N.J.S.2A:14-2 and N.J.S.2A:14-3, or for recovery upon a contractual claim or liability, express or implied, not under seal, or upon an account other than one which concerns the trade or merchandise between merchant and merchant, their factors, agents and servants, shall be commenced within six years next after the cause of any such action shall have accrued.

b. This section shall not apply to any action for breach of any contract for sale governed by N.J.S.12A:2-725.

c. The period of time for the filing of a claim by a condominium association, cooperative corporation, or other planned real estate development association against a developer or any person acting through, on behalf of or at the behest of the developer under subsection a. of this section, shall be tolled until an election is held and the owners comprise a majority of the board pursuant to paragraph (3) of subsection a. of section 5 of P.L.1993, c.30 (C.45:22A-47), or subsection d. of section 2 of P.L.1979, c.157 (C.46:8B-12.1). Any cause of action involving a condominium, cooperative, or other planned real estate development under the provisions of subsection a. of this section that has not been subject to a final judgment dismissing the claim as of the effective date of P.L.2021, c.379 shall be subject to the terms of this subsection.

2. This act shall take effect immediately.

Approved January 18, 2022.