

CHAPTER 405

AN ACT limiting the amount of residential rental property application fees and supplementing chapter 8 of Title 46 of the Revised Statutes.

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

C.46:8-18.1 Residential rental property application fee not to exceed \$50.

1. a. A landlord, or agent thereof, shall not require an application or other similar fee to apply to lease or sublease a residential rental property for dwelling purposes, which exceeds \$50.

b. A landlord, or agent thereof, who violates subsection a. of this section shall be liable for a penalty of up to \$500 for a first offense, up to \$750 for a second offense, and up to \$1,000 for each subsequent offense, which 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.). The Superior Court, Law Division, Special Civil Part in the county in which the residential rental property is located shall have jurisdiction over the proceedings. Process shall be in the nature of a summons or warrant and shall issue upon the complaint of the Director of the Division of Consumer Affairs in the Department of Law and Public Safety or the Attorney General. Following the proceedings, the amount wrongfully charged shall be taken from the collected penalty and shall be remitted to the applicant or prospective tenant.

c. The requirements of subsection a. of this section shall not apply to:

- (1) a dwelling unit located in a one-family or two-family dwelling that is offered for rent; or
- (2) a licensee of the New Jersey Real Estate Commission, unless the licensee is the landlord of the residential rental property.

d. Beginning on January 1 of the year next following enactment of P.L.2025, c.405 (C.46:8-18.1 et seq.) and each year thereafter, the amount of the fee limitation established pursuant to subsection a. of this section shall be adjusted by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety in direct proportion to the percent change in the Consumer Price Index over a 12-month period ending October 31 of the previous year. For the purpose of this section, "Consumer Price Index" means the Consumer Price Index for All Urban Consumers, New York-Northern New Jersey-Long Island Metropolitan Area, All Items (1982-84=100), as published by the Bureau of Labor Statistics in the United States Department of Labor. The State Treasurer shall determine the amount of the adjustment by December 1 of each year, and the adjustment to the limitation shall become effective for fees charged during the calendar year following the December 1 determination, beginning with fees made on or after January 1 of each calendar year. An adjustment in the fee limitation shall be made only if the percent change in the Consumer Price Index for the period specified is greater than zero. The Director of the Division of Consumer Affairs shall annually publish the fee limitation applicable pursuant to this section on the division's Internet website.

C.46:8-18.2 Adoption of rules and regulations; mechanism for reporting violations.

2. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations as necessary to implement P.L.2025, c.405 (C.46:8-18.1 et seq.), including rules setting forth a mechanism for applicants or prospective tenants to report violations of P.L.2025, c.405 (C.46:8-18.1 et seq.), which the director shall make available on the Internet website of the Division of Consumer Affairs.

3. This act shall take effect on the first day of the fourth month next following the date of enactment, except that the Director of the Division of Consumer Affairs in the Department of Law and Public Safety shall be permitted to take anticipatory action necessary to effectuate the provisions of this act.

Approved January 20, 2026.