

# SENATE, No. 992

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 4, 2010

**Sponsored by:**

**Senator DIANE B. ALLEN**

**District 7 (Burlington and Camden)**

**SYNOPSIS**

Allows persons affected by certain plant closings, transfers and mass layoffs to receive one year suspension of payment of interest on mortgage loan.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the mortgage interest liability of persons  
2 affected by certain plant closings, transfers and mass layoffs and  
3 supplementing P.L.2007, c.212 (C.34:21-1 et seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
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8 1. a. Notwithstanding the provisions of any other law to the  
9 contrary, a person who is domiciled in this State and who is an  
10 aggrieved employee, or former employee, of an employer who has  
11 violated the provisions of P.L.2007, c.212 (C.34:21-1 et seq.), may  
12 secure, if a request is made within 365 days of a court order of such  
13 a violation pursuant to section 6 of P.L.2007, c.212 (C.34:21-6), a  
14 suspension of the payment of interest on a mortgage loan that was  
15 secured by the person, or the person and another person jointly,  
16 before the date of the court order.

17 b. A person may make a request pursuant to subsection a. of  
18 this section by mailing a written request to the mortgagee which  
19 shall include: (1) a copy of the court order pursuant to section 6 of  
20 P.L.2007, c.212 (C.34:21-6) finding a violation of P.L.2007, c. 212  
21 (C.34:21-1 et seq.); and (2) an affidavit stating that the person is an  
22 aggrieved employee or former employee of the employer named in  
23 the order and further that the person is a mortgagor of the mortgage  
24 loan with respect to which the request is being made. Upon receipt  
25 of the request with the required information, the mortgagee shall  
26 grant a suspension of the payment of interest, effective as of the  
27 date of the court order. The suspension shall remain in effect for  
28 365 days from the date of the order and interest that was incurred  
29 during that time shall be paid, after the expiration of the suspension,  
30 in equal installments over the remaining term of the mortgage loan.

31 c. Nothing contained in this section shall affect the payment of  
32 loan principal, escrow, or other fees, as required by the mortgage  
33 loan agreement.

34 d. As used in this section:

35 "Mortgagee" means the holder of a mortgage loan.

36 "Mortgage loan" means a loan made to a natural person or  
37 persons to whom credit is offered or extended primarily for  
38 personal, family or household purposes which is secured by a  
39 mortgage constituting a lien upon real property located in this State  
40 on which there is erected or to be erected a structure, which is the  
41 primary residence of the natural person or persons, containing one  
42 to six dwelling units, a portion of which structure may be used for  
43 nonresidential purposes, in the making of which the mortgagee  
44 relies primarily upon the value of the mortgaged property.  
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46 2. This act shall take effect immediately.

STATEMENT

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3       This bill will allow an aggrieved employee or former employee  
4 of an employer who has been found to be in violation of the  
5 “Millville Dallas Airmotive Plant Job Loss Notification Act,”  
6 P.L.2007, c.212 (C.34:21-1 et seq.), also more commonly referred  
7 to as the “plant closing law,” or the “NJ WARN Act,” to request a  
8 suspension of the payment of interest on a mortgage loan that was  
9 secured by the person before entry of the court order finding a  
10 violation of that act. The suspension would remain in effect for one  
11 year from the date of the order and interest that was incurred during  
12 that time shall be paid, after the expiration of the suspension, in  
13 equal installments over the remaining term of the mortgage loan.

14       The bill would only apply to a person who is domiciled in this  
15 State and to a mortgage securing a primary residence located in this  
16 State.

17       To obtain the suspension, a person would submit to the  
18 mortgagee a written request which shall include: (1) a copy of the  
19 court order finding a violation of P.L.2007, c.212 (C.34:21-1 et  
20 seq.); and (2) an affidavit stating that the person is an aggrieved  
21 employee or former employee of the employer named in the order  
22 and further that the person is a mortgagor of the mortgage loan with  
23 respect to which the request is being made.