

ASSEMBLY, No. 215

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

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District 28 (Essex)

SYNOPSIS

Requires minimum temperature in senior citizen housing projects to be maintained at 70 degrees from October 1 to May 1.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning temperature standards in senior citizen housing
2 and supplementing Title 55 of the Revised Statutes.

3

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

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7 1. As used in this act:

8 “Landlord” means, in the case of a senior citizen housing project
9 in which dwelling units are rented or offered for rent under either a
10 written or oral lease, the person or persons who purport to own the
11 building, structure, or complex of buildings or structures in which
12 those rental dwelling units are situated. In the case of a senior
13 citizen housing project that is organized or operated as a planned
14 real estate development, landlord means the governing board or
15 body of that development.

16 “Senior citizen” means a person 62 years of age or older.

17 “Senior citizen housing project” means any building or structure,
18 and any land appurtenant thereto, having three or more dwellings
19 units, be they rental or owner-occupied, intended for, and solely
20 occupied by, senior citizens; except that, it shall not include owner-
21 occupied premises having not more than three dwelling units that
22 are rented or offered for rent, or any health care facility licensed
23 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

24

25 2. a. Every landlord of a senior citizen housing project who
26 permits to be occupied any unit of senior citizen housing therein
27 under any agreement, expressed or implied, to supply or furnish
28 heat to the occupants thereof, shall supply heat adequate to maintain
29 therein a minimum inside temperature in all habitable rooms,
30 bathrooms, and water closet compartments of 70 degrees Fahrenheit
31 from October 1 of each year to the next succeeding May 1. The
32 temperature shall be measured at least one foot away from any
33 surface at the coldest portion of the space subject to regular use by
34 occupants of any such room.

35 b. The Department of Community Affairs shall promulgate
36 rules and regulations pursuant to the “Administrative Procedure
37 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the
38 purposes of this section.

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40 3. This act shall take effect immediately.

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STATEMENT

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45 This bill requires the landlord of a senior citizen housing project
46 to maintain a heating system adequate to maintain an inside
47 temperature in all habitable rooms, bathrooms, and water closets of
48 at least 70 degrees Fahrenheit from October 1 of each year to May 1

1 of each year. To determine landlord compliance with the bill, room
2 temperature will be measured at least one foot away from any
3 surface at the coldest portion of the space subject to regular use by
4 its occupants. Current law permits a local board of health to adopt
5 ordinances and make rules and regulations establishing minimum
6 heating temperatures for buildings designed to be occupied as
7 residences by more than two families.

8 Current State regulations governing heating standards in hotels,
9 multiple dwelling units, and rooming and boarding houses require
10 dwellings to have heating facilities that are capable of safely and
11 adequately heating all habitable rooms, bathrooms, and water closet
12 compartments to a temperature of at least 68 degrees. The
13 “Standards of Habitability” established by the State Housing Code
14 (N.J.A.C.5:28-1 et seq.) require dwelling owners to supply or
15 furnish heat adequate to maintain an inside temperature in all
16 habitable rooms, bathrooms, and water closets of 68 degrees
17 Fahrenheit from 6:00 A.M. to 11:00 P.M. and 65 degrees Fahrenheit
18 from 11:00 P.M. to 6:00 A.M., from October 1 of each year to the
19 next succeeding May 1.