

ASSEMBLY, No. 1086

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Extends grace periods for rental late charges for certain tenants who receive public assistance payments.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/1/2021)

1 AN ACT concerning late fees for certain rental payments and
2 revising various parts of P.L.1976, c.100.

3

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

6

7 1. Section 1 of P.L.1976, c.100 (C.2A:42-6.1) is amended to
8 read as follows:

9 1. a. A person to whom rent is due and payable **【on the first of**
10 **the】** each month upon a lease or other agreement shall allow a
11 period of five business days grace in which the rent due by a
12 qualified tenant shall be paid. No delinquency or other late charge
13 shall be made which includes the period before the expiration of the
14 grace period of five business days.

15 b. For any month in which rent is due and payable, the grace
16 period shall not commence before the date on which the qualified
17 tenant receives payment of public assistance. If the qualified tenant
18 receives multiple payments of public assistance during any month
19 for which rent is due and payable, the grace period shall not
20 commence before the date on which the qualified tenant receives
21 the final payment of public assistance. The lease or other
22 agreement of the qualified tenant shall set forth the dates on which
23 the qualified tenant is scheduled to receive public assistance during
24 any month for which rent is due and payable.

25 c. As used in this section **【, "business】** :

26 "Business day" means any day other than a Saturday, Sunday, or
27 State or federal holiday.

28 "Public assistance" means payments received pursuant to Social
29 Security Old Age Pensions, Railroad Retirement Pensions, other
30 governmental pensions in lieu of Social Security Old Age Pensions,
31 Social Security Disability Benefits, Supplemental Security Income,
32 or Work First New Jersey.

33 "Qualified tenant" includes any recipient of public assistance.

34 (cf: P.L.2001, c.142, s.1)

35

36 2. Section 3 of P.L.1976, c.100 (C.2A:42-6.3) is repealed.

37

38 3. This act shall take effect on the 90th day after enactment and
39 shall apply to any lease or other agreement that is entered into, or
40 renewed, on or after that date.

41

42

43 STATEMENT

44

45 This bill extends the grace period for rental late charges for

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 certain persons who receive public assistance payments.

2 Under current law, certain tenants are entitled to a grace period
3 of five business days following the date in which rent is due and
4 payable. During this grace period, a landlord may not impose
5 delinquency or other late charges on unpaid rent. This law
6 currently applies to the following tenants, to whom rent is payable
7 on the first of each month: senior citizens receiving Social Security
8 Old Age Pensions, Railroad Retirement Pensions, or other
9 governmental pensions in lieu of Social Security Old Age Pensions;
10 and recipients of Social Security Disability Benefits, Supplemental
11 Security Income, or benefits under Work First New Jersey (i.e.,
12 “qualified tenants”).

13 This bill extends the current grace period to include the period of
14 time before a qualified tenant receives a monthly public assistance
15 payment. For example, if the rent of a qualified tenant is due on the
16 first day of the month, but the tenant receives payment of public
17 assistance on the 10th day of the month, then the landlord may only
18 impose late charges after the fifth business day following the 10th
19 day of the month. Under the bill, the lease agreement of a qualified
20 tenant would be required to set forth the dates on which the
21 qualified tenant is scheduled to receive public assistance for each
22 month in which rent is due and payable.

23 As used in the bill, “public assistance” is defined as payments
24 received pursuant to Social Security Old Age Pensions, Railroad
25 Retirement Pensions, other governmental pensions in lieu of Social
26 Security Old Age Pensions, Social Security Disability Benefits,
27 Supplemental Security Income, or Work First New Jersey.

28 The provisions of this bill apply to the same persons who are
29 currently entitled to the grace period, except that the grace period
30 would be provided for any qualified tenant, regardless of whether
31 rent is due on the first of the month.

32 The bill would take effect on the 90th day after enactment of the
33 bill and would apply to any lease or other agreement that is entered
34 into or renewed thereafter.