

ASSEMBLY, No. 1380

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

SYNOPSIS

Requires residential landlords to install protective covers on steam radiators.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** requiring residential landlords to install covers on steam
2 radiators and supplementing P.L.1983, c.383 (C.52:27D-192 et
3 seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. An owner of a residential rental property shall cover each
9 steam radiator in the structure with an insulating material or guard
10 that protects tenants, occupants, and other persons on the premises
11 from receiving burns due to contact with the radiator.

12 b. (1) If a municipal ordinance requires a certificate of
13 occupancy, certificate of inspection, or other documentary
14 certification of compliance with laws and regulations relating to the
15 safety, healthfulness, and upkeep of the premises for a change of
16 occupancy of a property subject to the requirements of subsection a.
17 of this section, the certificate shall not issue until the municipal
18 officer or agency responsible for its issuance has determined that
19 each steam radiator in the property is equipped with a cover as
20 required by subsection a. of this section.

21 (2) If the provisions of paragraph (1) of this subsection do not
22 apply to a change of occupancy of a property subject to the
23 requirements of subsection a. of this section, an owner shall not
24 lease the property without first obtaining from the enforcing agency
25 a certificate evidencing that each steam radiator in the property is
26 equipped with a cover as required by subsection a. of this section.
27 The local governing body with jurisdiction over the enforcing
28 agency or, if the Bureau of Fire Safety is the enforcing agency, the
29 Commissioner of Community Affairs, shall establish a fee that
30 covers the cost of inspection and of issuance of the certificate.

31 c. An owner who leases any property subject to the
32 requirements of subsection a. of this section in violation of the
33 requirements of this section shall be subject to a fine of not more
34 than \$500, which may be collected and enforced by the enforcing
35 agency by summary proceeding pursuant to the "Penalty
36 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

37 d. A tenant, occupant, or other person on the premises who
38 sustains an injury as a result of the failure of an owner to comply
39 with the requirements of subsection a. of this section may bring an
40 action in any court of competent jurisdiction for any appropriate
41 legal or equitable relief.
42

43 2. This act shall take effect on the first day of the third month
44 next following the date of enactment.
45

46 STATEMENT

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48 This bill would require residential landlords to install covers on
49 steam radiators in order to protect tenants, occupants, and other

1 persons on the premises from burns. Under the bill, a certificate of
2 occupancy could not be issued following a change of occupancy if a
3 landlord has not complied with this requirement. In municipalities
4 that do not require a certificate of occupancy for a change of
5 occupancy, a landlord would have to obtain a certificate evidencing
6 compliance with this requirement from the applicable enforcing
7 agency before leasing the property. The bill provides that a
8 landlord who violates any of its provisions can be fined up to \$500.

9 The bill also expressly provides that any person who sustains any
10 injury due to a residential landlord's failure to cover a steam
11 radiator may bring a civil suit for appropriate legal or equitable
12 relief.