

ASSEMBLY, No. 3263

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Assemblywoman ANNETTE CHAPARRO
District 33 (Hudson)

SYNOPSIS

Prohibits municipal vacant property registration fees in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT prohibiting municipal vacant property registration fees in
2 certain circumstances and amending P.L.1965, c.187.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 7 of P.L.1965, c.187 (C.54:5-97.1) is amended to
8 read as follows:

9 7. a. No search fee, counsel fee, or other fee related to certified
10 mailings shall be allowed a plaintiff other than a municipality in the
11 foreclosure of a tax lien unless, prior to the filing of the complaint,
12 the plaintiff shall have given 30 days' written notice to the parties
13 entitled to redeem whose interests appear of record at the time of
14 the tax sale, by certified mail with postage prepaid thereon,
15 addressed to the last known address of such persons, of intention to
16 file such complaint. The notice shall also contain the amount due
17 on such tax lien as of the date of the notice. A copy of such notice
18 shall also be filed with the municipal tax collector's office. Upon
19 the filing and service of such notice, a plaintiff shall be entitled to
20 such fees and expenses.

21 b. A municipality, by ordinance, may authorize the tax
22 collector to charge to a lienholder a fee not to exceed \$50 for the
23 calculation of the amount due to redeem the tax lien required to be
24 provided pursuant to this section. Any request for a redemption
25 calculation shall specify the date to be used for the calculation,
26 which shall be the date of the notice. Neither the tax collector or
27 the municipality shall be liable for an incorrect calculation. The fee
28 paid to the municipality shall not become part of the lien and shall
29 not be passed on to any party entitled to redeem pursuant to
30 R.S.54:5-54.

31 c. A municipality shall not impose any fee for the registration
32 of a vacant or abandoned property on which a judgment has been
33 entered pursuant to R.S.54:5-87 or section 36 of P.L.1948, c.96
34 (C.54:5-104.64) for the one-year period following the entry of that
35 judgment or the one-year period following the date on which the
36 plaintiff gains possession of the property that is the subject of the
37 judgment, whichever time period is greater, provided that a copy of
38 the judgment is recorded in the office of the county clerk or register
39 of deeds and mortgages, as the case may be, of the county in which
40 the property is located.

41 (cf: P.L.2009, c.320, s.11)

42
43 2. This act shall take effect immediately and shall be
44 retroactive to January 1, 2020.

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 STATEMENT

2

3 This bill would prohibit, for a limited time, a municipality from
4 imposing a vacant or abandoned property registration fee with
5 respect to property that is the subject of a judgment barring the right
6 of redemption in a tax sale foreclosure action. The prohibition on
7 imposing a vacant or abandoned property registration fee would last
8 for either the one-year period following the entry of the tax sale
9 judgment or the one-year period following the date on which the
10 purchaser gains possession of the property, whichever is greater.

11 The provisions of this bill would be applicable to both in
12 personam and in rem tax sale foreclosure actions. In addition, the
13 bill would be retroactive to January 1, 2020, meaning a vacant or
14 abandoned property registration fee could not be imposed and
15 collected from that date on if prohibited under the bill.