

ASSEMBLY, No. 4220

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 8, 2020

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Clarifies residential occupancy regulations apply to short-term rentals during COVID-19 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/18/2020)

1 **AN ACT** concerning occupancy standards for short-term rental units
2 during COVID-19 pandemic.

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

6
7 1. a. (1) Notwithstanding any law, rule, regulation, or order to
8 the contrary, regulations adopted pursuant to P.L.1966, c.168
9 (C.2A:42-74 et seq.), and pursuant to the "Hotel and Multiple
10 Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), that establish
11 standards limiting the number of persons that may legally occupy,
12 and sleep in, certain residential units shall apply to short-term rental
13 units during the COVID-19 pandemic.

14 (2) The provisions of this section shall apply to a contract or
15 agreement, for use of a short-term rental during the COVID-19
16 pandemic, established between a guest and a short-term rental
17 owner prior to enactment of this section. If, prior to a guest's use of
18 a short-term rental, the contract or agreement is found to be in
19 violation of the occupancy regulations promulgated by P.L.1966,
20 c.168 (C.2A:42-74 et seq.) and P.L.1967, c.76 (C.55:13A-1 et seq.),
21 the contract shall be deemed null and void or invalid and the guest
22 shall be refunded in full within 30 business days.

23 (3) Officers and agencies responsible for enforcing P.L.1966,
24 c.168 (C.2A:42-74 et seq.) and P.L.1967, c.76 (C.55:13A-1 et seq.)
25 shall enforce the provisions of this section.

26 (4) The Division of Codes and Standards in the Department of
27 Community Affairs shall publish information on its website to alert
28 the public and enforcement officers of the provisions of this section.

29 b. As used in this section:

30 "COVID-19" means the coronavirus disease 2019, as announced
31 by the World Health Organization on February 11, 2020, and first
32 identified in Wuhan, China.

33 "COVID-19 pandemic" means the period beginning March 9,
34 2020 and continuing for as long as a public health emergency,
35 pursuant to the "Emergency Health Powers Act," P.L.2005, c.222
36 (C.26:13-1 et seq.), or a state of emergency, pursuant to P.L.1942,
37 c. 251 (C.App.A.9-33 et seq.), or both, that has been declared by the
38 Governor in response to COVID-19, is in effect.

39 "Short-term rental" means the rental of a residential unit for 90
40 or fewer consecutive days, including, but not limited to, a room in a
41 hotel or a room or rooms in, or an entire, private residential
42 property.

43
44 2. This act shall take effect immediately and shall expire on the
45 first day of the seventh month following the conclusion of the
46 public health emergency or state of emergency, whichever is later.

STATEMENT

This bill clarifies that residential occupancy standards apply to short-term rental units during the COVID-19 pandemic.

Regulations adopted under the State Housing Code, P.L.1966, c.168 (C.2A:42-74 et seq.), and the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), establish standards limiting the number of persons that may legally occupy, and sleep in, certain residential units. This bill clarifies that those regulations apply to short-term rental units during the COVID-19 pandemic and for six months following the conclusion of the public health emergency or state of emergency, whichever is later.

The bill would also apply to a contract or agreement, for use of a short-term rental during the COVID-19 pandemic, established between a guest and a short-term rental owner prior to enactment of this bill. If, prior to a guest's use of a short-term rental, the contract or agreement is found to be in violation of the occupancy regulations promulgated by P.L.1966, c.168 (C.2A:42-74 et seq.) and P.L.1967, c.76 (C.55:13A-1 et seq.), the contract would be deemed null and void or invalid and the guest would be refunded in full within 30 business days.

Due to the social distancing requirements necessary to limit the spread of COVID-19, it is prudent to ensure that short-term rental units comply with the occupancy standards during the pandemic.

Officers and agencies responsible for enforcing the State Housing Code and the "Hotel and Multiple Dwelling Law" would enforce the provisions of this bill.

The bill directs the Division of Codes and Standards in the Department of Community Affairs to publish information on its website to alert the public and enforcement officers of the provisions of this bill.