

ASSEMBLY, No. 5318

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 29, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

Assemblywoman McKnight

SYNOPSIS

Expands definition of landlords required to provide receipt for rent cash payment made by tenant.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/22/2021)

1 AN ACT expanding the definition of landlords required to provide a
2 receipt for a rent cash payment made by a tenant and amending
3 P.L.2019, c.300.

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

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8 1. Section 3 of P.L.2019, c.300 (C.46:8-49.2) is amended to
9 read as follows:

10 3. a. A landlord shall provide a receipt, either printed or
11 emailed, to a tenant for each cash payment made to the landlord for
12 any amount due to the landlord pursuant to a residential lease,
13 renewal, or extension agreement. The receipt shall accurately
14 indicate the amount of the payment, the purpose of the payment,
15 when the payment was received, the printed or typed names of both
16 the landlord and tenant, and who accepted the payment.

17 b. A landlord who violates this section shall be subject to the
18 penalty provisions of section 5 of P.L.1975, c.310 (C.46:8-47),
19 except that the penalty shall be \$100 more for a second violation by
20 a landlord within a five-year period, and the penalty shall be \$200
21 more for each subsequent violation by a landlord within a five-year
22 period.

23 c. It shall be a valid defense in any action or proceeding against
24 a tenant to recover possession of real property for the nonpayment
25 of rent that the landlord violated this section with respect to the
26 months in which the violation or violations occurred.

27 d. As used in this section, “landlord” means any person who
28 rents or leases or offers to rent or lease, for a term of at least one
29 month, one or more dwelling units, except dwelling units in hotels,
30 motels, or other guest houses serving transient or seasonal tenants.
31 (cf: P.L.2019, c.300, s.3)

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill amends section 3 of P.L.2019, c.300 (C.46:8-49.2), to
39 expand the definition of landlords required to provide a receipt for a
40 rent cash payment made by a tenant. This bill expands the
41 definition of a “landlord” to include any person who rents or leases
42 or offers to rent or lease, for a term of at least one month, one or
43 more dwelling units, except dwelling units, hotels, motels or other
44 guest houses serving transient or seasonal tenants.

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.

A5318 SWAIN, TULLY

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1 Under current statute, a landlord includes any person who rents
2 or leases or offers to rent or lease, for a term of at least one month,
3 dwelling units, except dwelling units in rental premises containing
4 not more than two such units, or in owner-occupied premises of not
5 more than three dwelling units, or in hotels, motels, or other guest
6 houses serving transient or seasonal guests.