

ASSEMBLY, No. 5648

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Establishes “Home Repair and Modification for Aging Parents Program”; appropriates \$5 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/14/2021)

1 AN ACT establishing a home repair assistance program for
2 homeowners to accommodate their aging parents, supplementing
3 Title 52 of the Revised Statutes, and making an appropriation.
4

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

8 1. P.L. , c. (C.) (pending before the Legislature as this
9 bill) shall be known and may be cited as the “Home Repair and
10 Modification for Aging Parents Act.”
11

12 2. As used in P.L. , c. (C.) (pending before the
13 Legislature as this bill):

14 “Aging Parent” means a parent of 65 years of age or older, who
15 permanently resides in a home with their adult child, who is the
16 homeowner of the same residence.

17 “Department” means the Department of Community Affairs.

18 “Homeowner” means an individual who holds legal title to a
19 residential property in this State, which serves as the individual’s
20 primary residence.

21 “Letter of necessity” means a letter signed by a licensed
22 physician that details that an individual identified as a caregiver is
23 providing assistance to an aging parent with the following activities
24 of daily living, which shall include but not be limited to:

25 Bathing and grooming;

26 Dressing and undressing;

27 Meal preparation and feeding;

28 Functioning transfers such as getting and out of a car or shower;

29 Safe restroom use and maintaining continence;

30 Assistance moving around the home; or

31 Memory care and stimulation.

32 “Program” means the “Home Repair and Modification for Aging
33 Parents Program” developed pursuant to section 3 of P.L. , c.
34 (C.) (pending before the Legislature as this bill).
35

36 3. The Department of Community Affairs shall develop and
37 implement a program to be known as the “Home Repair and
38 Modification for Aging Parents Program,” the purpose of which
39 shall be to assist homeowners across the State in making repairs or
40 modifications to their homes to accommodate and make a
41 homeowner’s aging parent feel more comfortable in moving into the
42 homeowner’s primary residence. The program shall offer a grant to
43 a homeowner to assist with these repairs or modifications. The
44 program shall include, but not shall be limited to, the following
45 guidelines:

46 a. The repairs or modifications authorized under the program
47 shall include, but need not be limited to:

1 (1) alterations to facilitate the safe movement of an aging parent
2 inside a homeowner's home, such as the installation of hand rails in
3 a bathroom and other accessibility modifications; and

4 (2) major structural alterations to increase the amount of space
5 inside a homeowner's home, such as adding a second story,
6 modular addition, otherwise adding livable space to an existing
7 structure, and other home additions.

8 b. Determination of a homeowner's eligibility for program
9 participation shall include:

10 (1) review of a joint written application to be submitted by a
11 homeowner and an aging parent, or a person with power of attorney
12 or durable power of attorney for health care for the aging parent,
13 prior to the commencement of qualifying repairs or modifications,
14 and which includes, among other information, documents
15 containing the aging parent's proof of age and residence at time of
16 application;

17 (2) verification of the need for the repairs or modifications
18 requested by a homeowner as evidenced by an inspection by the
19 local code enforcement officer;

20 (3) verification that the homeowner's total household annual
21 income is not more than \$250,000; and

22 (4) confirmation that a homeowner shall perform a minimum of
23 at least three caregiver activities through the submission of a letter
24 of necessity.

25 c. The amount awarded in the grant shall not exceed the costs
26 involved in making the approved repairs or modifications by a
27 homeowner, with the maximum grant amount of \$25,000 per
28 homeowner.

29 d. (1) A grant shall be provided to a homeowner once the
30 department has verified that an aging parent has continuously
31 resided in a homeowner's home for a minimum of three years.

32 (2) If an aging parent, that has maintained residence with the
33 homeowner, dies before the three-year residency requirement has
34 been fulfilled, the homeowner who has been made repairs or
35 modifications under the program shall be entitled to the grant
36 amount upon providing the department with proof of the aging
37 parent's death.

38
39 4. Within 120 days following the effective date of P.L. , c.
40 (C.) (pending before the Legislature as this bill), the
41 Commissioner of Community Affairs shall, pursuant to the
42 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
43 seq.), promulgate rules and regulations necessary to implement its
44 provisions.

45
46 5. There is appropriated from the General Fund the sum of
47 \$5,000,000 to the Department of Community Affairs for the

1 purposes of effectuating the provisions of P.L. , c. (C.)
2 (pending before the Legislature as this bill).

3
4 6. This act shall take effect immediately.

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7 STATEMENT

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9 This bill establishes the “Home Repair and Modification for
10 Aging Parents Program” (program), and appropriates \$5 million.

11 This bill would require the Department of Community Affairs to
12 establish the program to assist homeowners across the State in
13 making repairs or modifications to their homes to accommodate and
14 make their aging parent feel more comfortable in moving into the
15 homeowner’s primary residence. Eligible repairs or modifications
16 to a home would include alterations to facilitate the safe movement
17 of an aging parent inside a homeowner’s home, and major structural
18 alterations to increase the amount of space inside a homeowner’s
19 home.

20 In determining a homeowner’s eligibility for the program, the
21 following would be considered:

22 (1) reviewing a joint written application to be submitted by a
23 homeowner and an aging parent, or a person with power of attorney
24 or durable power of attorney for health care for the aging parent,
25 prior to the commencement of qualifying repairs or modifications,
26 and which includes, among other information, documents
27 containing the aging parent’s proof of age and residence at time of
28 application;

29 (2) verification of the need for the repairs or modifications
30 requested by a homeowner as evidenced by an inspection by the
31 local code enforcement officer;

32 (3) verification that the homeowner’s total household annual
33 income is not more than \$250,000; and

34 (4) confirmation that a homeowner shall perform a minimum of
35 at least three caregiver activities through the submission of a letter
36 of necessity.

37 Under the bill, “letter of necessity” means a letter signed by a
38 licensed physician that details that an individual identified as a
39 caregiver is providing assistance to an aging parent with the
40 following activities of daily living, which shall include but not be
41 limited to:

42 Bathing and grooming;

43 Dressing and undressing;

44 Meal preparation and feeding;

45 Functioning transfers such as getting and out of a car or shower;

46 Safe restroom use and maintaining continence;

47 Assistance moving around the home; or

48 Memory care and stimulation.

1 The bill provides that the program would award a grant that
2 would not exceed the costs involved in making the approved repairs
3 or modifications by a homeowner, with the maximum grant amount
4 of \$25,000 per homeowner. Additionally, a grant would be
5 provided to a homeowner once the department has verified that an
6 aging parent has continuously resided in a homeowner's home for a
7 minimum of three years. If an aging parent, that has maintained
8 residence with the homeowner, dies before the three-year residency
9 requirement has been fulfilled, the homeowner who has been made
10 repairs or modifications under the program shall be entitled to the
11 grant amount upon providing the department with proof of the aging
12 parent's death.

13 This bill would appropriate \$5 million from the General Fund to
14 the Department of Community Affairs as initial funding for the
15 program.