

[First Reprint]

SENATE, No. 2332

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED APRIL 9, 2020

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SYNOPSIS

Establishes “2020 New Jersey Emergency Rental Assistance Program”; appropriates \$100 million.

CURRENT VERSION OF TEXT

As reported by the Assembly Commerce and Economic Development Committee on May 7, 2020, with amendments.

(Sponsorship Updated As Of: 5/14/2020)

1 AN ACT establishing the “2020 New Jersey Emergency Rental
2 Assistance Program,” and making an appropriation.

3

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

6

7 1. a. There is established the “2020 New Jersey Emergency
8 Rental Assistance Program” for the purpose of helping residential
9 tenants who experienced financial setbacks attributable to the
10 COVID-19 crisis to satisfy their rental obligations. To the extent
11 the Commissioner of Community Affairs deems feasible and
12 appropriate, the commissioner shall administer this program in
13 accordance with the "Homeless Prevention Program Regulations,"
14 N.J.A.C. 5:41-1 et seq., however, the commissioner shall, for the
15 purpose of the “2020 New Jersey Emergency Rental Assistance
16 Program,” modify the "Homeless Prevention Program Regulations"
17 in the following ways:

18 (1) A person or household shall be deemed to be in imminent
19 danger of homelessness if the household is unable to make rental
20 payments for reasons beyond the household's control which are
21 attributable to the COVID-19 crisis.

22 (2) A person or household need not have been served with a
23 summons and complaint for eviction to be eligible for assistance
24 under this program.

25 (3) A person or household shall be eligible for assistance if their
26 annualized current income (that is, 52 times current weekly income)
27 is no more than the upper limit of "medium income," as defined in
28 guidelines published annually by the United States Department of
29 Housing and Urban Development, however, the commissioner may
30 establish funding priorities to benefit low-income and moderate-
31 income persons and households.

32 (4) A person or household shall be eligible for assistance under
33 this program although it may be unlikely for the person or
34 household to be able to pay shelter costs after the period of
35 assistance has ended.

36 (5) The commissioner shall devise a formula for the distribution
37 of an amount of program funds to each county and applicant based,
38 in part, on the fair market rents in each county, according to the
39 most recent fair market rents published by the U.S. Department of
40 Housing and Urban Development. The commissioner shall
41 distribute program funds to the Homelessness Prevention Program
42 Agency in each county, however, for the purposes of this program,
43 the commissioner may designate an additional agency or agencies
44 to process applications and disburse emergency rental assistance
45 payments in more populated, and more densely populated counties.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACE committee amendments adopted May 7, 2020.

1 Program funds shall be used exclusively for providing emergency
2 rental assistance payments in accordance with this program.

3 (6) A Homelessness Prevention Program Agency may award a
4 grant of rental assistance to an applicant in an amount that is based
5 upon the formula devised by the commissioner pursuant to
6 paragraph (5) of this subsection with respect to the county in which
7 the applicant resides, and that is based upon the amount of rent that
8 is due and owing and that is at least 30 days past due, after the
9 Homelessness Prevention Program Agency has determined that the
10 tenant is unable to pay the rent without program rental assistance,
11 and has determined that the tenant has suffered a demonstrable loss
12 in income due to the COVID-19 crisis.

13 (7) Prior to authorizing a disbursement of program funds, a
14 Homelessness Prevention Program Agency shall verify with the
15 landlord the amount of rent due and owing. A landlord shall
16 cooperate with and respond to inquiries from a Homelessness
17 Prevention Program Agency.

18 (8) Upon verification of the amount of rent due and owing, and
19 a determination that an application satisfies all program
20 requirements, a Homelessness Prevention Program Agency shall
21 disburse a payment of program funds, to the extent funds are
22 available, directly to the landlord on the tenant's behalf and provide
23 a copy of the disbursement directly to the tenant.

24 b. As used in this section:

25 "COVID-19 crisis" means the duration of the Public Health
26 Emergency and of a State of Emergency throughout the State due to
27 the public health hazard created by Coronavirus disease 2019.

28 c. The commissioner shall, in the most expedient manner
29 possible, seek federal government approval for a substantial action
30 plan amendment to reallocate uncommitted, unexpended
31 Community Development Block Grant Disaster Recovery (CDBG-
32 DR) funds to the "2020 New Jersey Emergency Rental Assistance
33 Program."

34 d. The commissioner shall identify amounts of federal
35 government assistance provided to this State with regard to the
36 Coronavirus disease 2019 which may be available for the purposes
37 of this program and allocate those amounts to this program.

38

39 2. There is appropriated to the Department of Community
40 Affairs the sum of \$100,000,000 to be credited to the "2020 New
41 Jersey Emergency Rental Assistance Program" to effectuate the
42 provisions of the act. The amounts appropriated herein shall be
43 funded first from assistance provided from the federal government
44 to the extent not prohibited by federal law ¹, which shall include
45 uncommitted, unexpended CDBG-DR funds reallocated pursuant to
46 subsection c. of section 1 of this bill¹. The remaining amounts
47 necessary to fund this program are appropriated from the General
48 Fund.

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1 3. This act shall take effect immediately and the program
2 established pursuant to section 1 of this act shall expire upon the
3 completion of processing of all applications for assistance
4 submitted on or prior to the 90th day next following the end of the
5 eviction moratorium ordered by the Governor pursuant to Executive
6 Order No. 106 (2020) or modified by the Governor in a subsequent
7 executive order.