

SENATE, No. 2873

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED SEPTEMBER 14, 2020

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator JOSEPH P. CRYAN

District 20 (Union)

Co-Sponsored by:

Senator Pou

SYNOPSIS

Requires landlord to allow tenant to make rent payment using credit card during COVID-19 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/24/2020)

1 **AN ACT** concerning rent payments by tenants during coronavirus
2 disease 2019 pandemic.

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

6
7 1. The Legislature finds and declares that:

8 a. The COVID-19 pandemic is forcing many New Jersey
9 residents and businesses to endure prolonged depletions of income;

10 b. The State's tenants are entitled to be provided with sufficient
11 options for rent payment during this emergency and its aftermath;
12 and

13 c. It is, therefore, necessary and in the public interest for the
14 Legislature to temporarily require the State's commercial and
15 residential landlords, with limited exception, to accept rent payments
16 by credit card.

17
18 2. a. A landlord shall permit a tenant to make a rent payment
19 using a credit card, as long as the rent payment is due prior to the
20 expiration of this act, following the state of emergency and public
21 health emergency declared by the Governor pursuant to Executive
22 Order No. 103 of 2020 in response to the COVID-19 pandemic.

23 b. A landlord shall make any necessary accommodations to
24 allow a tenant to make a rent payment using a credit card.

25 c. A landlord may shift to the tenant the responsibility for the
26 payment of all transaction fees associated with the use of a credit
27 card when making a rent payment to a landlord pursuant to the
28 provisions of this section. No provision of this section shall be
29 construed to affect the requirement to pay rent due and owing by
30 the tenant to the landlord pursuant to a lease or rental agreement.

31 d. With respect to a landlord who has a previously agreed upon
32 rent payment taken back by a tenant through the use of a credit card
33 chargeback, no provision of this section shall be construed to
34 prevent the landlord from considering the charged-back rent as
35 unpaid rent.

36 e. As used in this section:

37 "Chargeback" means a consumer protection tool that allows a
38 consumer to get their money back for fraudulent charges or
39 purchases that do not live up to standards by submitting a dispute
40 with their card issuer.

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

44 "Landlord" means any person who rents or leases, for a term of
45 at least one month, commercial space or residential dwelling units
46 other than dwelling units in a premises containing not more than
47 two such units, or in an owner-occupied premises of not more than

1 three dwelling units, or in hotels, motels, or other guest houses
2 serving transient or seasonal guests.

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4 3. This act shall take effect immediately and shall expire one
5 year after the end of both the state of emergency and the public
6 health emergency declared by the Governor in response to the
7 coronavirus disease 2019 pandemic.

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10 STATEMENT

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12 This bill requires a landlord to allow a tenant to make a rent
13 payment using a credit card by requiring the landlord to make any
14 necessary accommodations to satisfy the tenant's request.
15 Additionally, this bill specifies that the tenant is responsible for any
16 transaction fees associated with the use of a credit card and
17 ensuring that the landlord receives the rent payment on or before
18 the rent due date contained in the previously agreed upon lease
19 between the landlord and the tenant.

20 This bill allows a landlord to shift to the tenant the responsibility
21 for the payment of all transaction fees associated with the use of a
22 credit card when making a rent payment. Furthermore, a landlord
23 who has a previously agreed upon rent payment taken back by a
24 tenant through the use of a credit card chargeback, shall consider
25 the charged-back rent as unpaid rent.

26 The COVID-19 pandemic is forcing many New Jersey residents
27 and businesses to endure prolonged depletions of income. This bill
28 ensures that the State's tenants are provided with sufficient options
29 for rent payment during this emergency and its aftermath.

30 This bill shall take effect immediately and shall expire one year
31 after the end of both the state of emergency and the public health
32 emergency declared in response to the COVID-19 pandemic.