SENATE, No. 3912

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 10, 2021

Sponsored by:
Senator BRIAN P. STACK
District 33 (Hudson)
Senator JOSEPH A. LAGANA
District 38 (Bergen and Passaic)

Co-Sponsored by:
Senator O'Scanlon

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: 12/6/2021)

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

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

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

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

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

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

d. As used in this section, "landlord" means any person who rents or leases or offers to rent or lease, for a term of at least one month, one or more dwelling units, except dwelling units in hotels, motels, or other guest houses serving transient or seasonal tenants.

(cf: P.L.2019, c.300, s.3)

2. This act shall take effect immediately.

STATEMENT

This bill amends section 3 of P.L.2019, c.300 (C.46:8-49.2), to expand the definition of landlords required to provide a receipt for a rent cash payment made by a tenant. This bill expands the definition of a "landlord" to include any person who rents or leases or offers to rent or lease, for a term of at least one month, one or more dwelling units, except dwelling units, hotels, motels or other 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.

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