

[Second Reprint]

ASSEMBLY, No. 4899

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED OCTOBER 17, 2024

Sponsored by:

Assemblywoman LINDA S. CARTER

District 22 (Somerset and Union)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Co-Sponsored by:

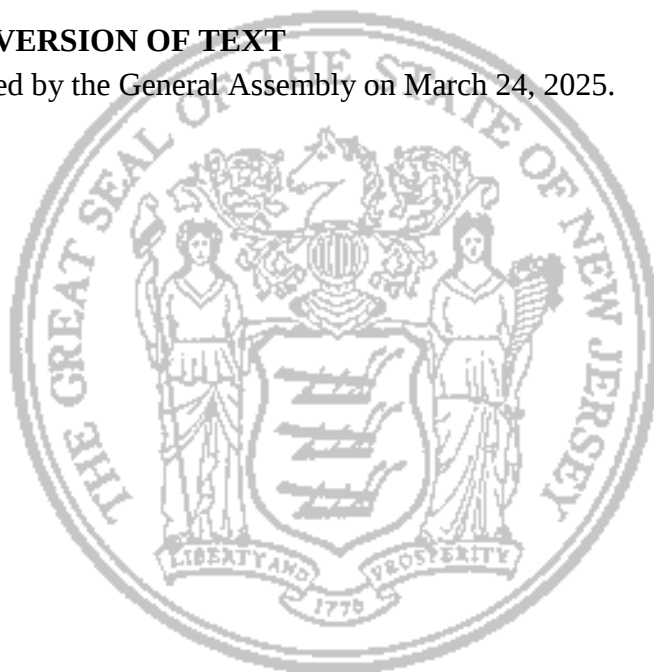
Assemblyman Atkins, Assemblywomen Sumter, Speight, Park, Haider, Morales, Assemblyman Miller, Assemblywomen Reynolds-Jackson, Donlon and Peterpaul

SYNOPSIS

Limits amount of residential rental property application fee; establishes penalty.

CURRENT VERSION OF TEXT

As amended by the General Assembly on March 24, 2025.



(Sponsorship Updated As Of: 5/22/2025)

1 AN ACT limiting the amount of residential rental ¹property¹
 2 application fees and supplementing chapter 8 of Title 46 of the
 3 Revised Statutes.

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

7
 8 1. ¹**[An]** a. A¹ landlord, or agent thereof, shall not require an
 9 application ¹or other similar¹ fee to ¹apply to¹ lease or sublease
 10 ¹**[the]** a¹ residential ¹rental¹ property for dwelling purposes ¹**[of**
 11 more than a sum equal to the actual cost of a credit check or other
 12 related services paid for by the landlord or agent to a third party,
 13 unless the sum exceeds \$30. If the expense to the landlord or agent
 14 for services associated with the application exceeds \$30, however,
 15 then the landlord or agent shall not require more than \$30 as an
 16 application fee] , which exceeds \$50.

17 b. A landlord, or agent thereof, who violates subsection a. of this
 18 section shall be liable for a penalty of \$1,500 for each offense,
 19 which shall be collected and enforced by summary proceedings
 20 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999,
 21 c.274 (C.2A:58-10 et seq.). The Superior Court, Law Division,
 22 Special Civil Part in the county in which the residential rental
 23 property is located shall have jurisdiction over the proceedings.
 24 Process shall be in the nature of a summons or warrant, and shall
 25 issue upon the complaint of the Director of the Division of
 26 Consumer Affairs in the Department of Law and Public Safety or
 27 the Attorney General. Following the proceedings, \$250 from the
 28 collected penalty shall be remitted to the applicant or prospective
 29 tenant.

30 c. The requirements of subsection a. of this section shall not
 31 apply to a dwelling unit located in a one-family or two-family
 32 dwelling that is offered for rent¹.

33 ²d. Beginning on January 1 of the year next following
 34 enactment of P.L. , c. (C.) (pending before the Legislature
 35 as this bill) and each year thereafter, the amount of the fee
 36 limitation established pursuant to subsection a. of this section shall
 37 be adjusted by the Director of the Division of Consumer Affairs in
 38 the Department of Law and Public Safety in direct proportion to the
 39 percent change in the Consumer Price Index over a 12-month period
 40 ending October 31 of the previous year. For the purpose of this
 41 section, "Consumer Price Index" means the Consumer Price Index
 42 for All Urban Consumers, New York-Northern New Jersey-Long
 43 Island Metropolitan Area, All Items (1982-84=100), as published by
 44 the Bureau of Labor Statistics in the United States Department of

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 AHO committee amendments adopted October 24, 2024.

²Assembly floor amendments adopted March 24, 2025.

1 Labor. The State Treasurer shall determine the amount of the
2 adjustment by December 1 of each year and the adjustment to the
3 limitation shall become effective for fees charged during the
4 calendar year following the December 1 determination, beginning
5 with fees made on or after January 1 of each calendar year. An
6 adjustment in the fee limitation shall be made only if the percent
7 change in the Consumer Price Index for the period specified is
8 greater than zero. The Director of the Division of Consumer
9 Affairs shall annually publish the fee limitation applicable pursuant
10 to this section on the division's Internet website.²

11
12 ¹2. A landlord who violates section 1 of P.L. , c. (C.)
13 (pending before the Legislature as this bill) shall:

14 a. be liable for a penalty of \$250, which shall be collected and
15 enforced by summary proceedings pursuant to the "Penalty
16 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).
17 The Superior Court, Law Division, Special Civil Part in the county
18 in which the residential rental property is located shall have
19 jurisdiction over the proceedings. Process shall be in the nature of a
20 summons or warrant, and shall issue upon the complaint of the
21 Commissioner of Community Affairs or the Attorney General; and

22 b. at the discretion of the applicant for the residential rental
23 property, be subject to a separate cause of action by the applicant in
24 the Superior Court, Law Division, Special Civil Part in the county
25 in which the rental premises are located. The applicant may recover
26 \$250 for an offense by the landlord, in addition to reasonable
27 attorney's fees or expenses.¹

28
29 ¹2. The Director of the Division of Consumer Affairs in the
30 Department of Law and Public Safety shall, in accordance with the
31 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
32 adopt rules and regulations as necessary to implement
33 P.L. , c. (C.) (pending before the Legislature as this bill),
34 including rules setting forth a mechanism for applicants or prospective
35 tenants to report violations of P.L. , c. (C.) (pending before
36 the Legislature as this bill), which the director shall make available on
37 the Internet website of the Division of Consumer Affairs.¹

38
39 3. This act shall take effect on the first day of the fourth month
40 next following ¹the date of¹ enactment ¹, except that the Director of
41 the Division of Consumer Affairs in the Department of Law and
42 Public Safety shall be permitted to take anticipatory action necessary
43 to effectuate the provisions of this act¹.