

A4871 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes	
REPRINT(S):	Yes	AHO 10/24/24 1R
TECHNICAL REVIEW:	No	
COMMITTEE STATEMENT:	ASSEMBLY:	Yes Appropriations Housing
	SENATE:	No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	Yes
VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	Available Upon Request

Steven Rodas - For South Jersey Times, 'State provides shelter from financial storm Mortgage relief law comes more than three years after remnants of Ida struck.', *South Jersey Times* (online), 1 Nov 2024
001<<https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/19C9237D5735F4A0>>

CL/MM

Title 52
Subtitle 3
Chapter 15D
(Rename)
Disaster Recovery
and Assistance
§§1-3
C.52:15D-15
to 52:15D-17

P.L. 2024, CHAPTER 85, *approved October 30, 2024*
Senate, No. 3670 (*First Reprint*)

1 AN ACT to provide mortgage payment relief and foreclosure
2 protection in response to the remnants of Hurricane Ida and
3 supplementing Title 52 of the Revised Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 ¹"Blue Acres" means the Blue Acres Community Development
11 Block Grant Disaster Recovery Program administered by the State
12 of New Jersey.¹

13 "Certification of ¹**[eligibility]** Eligibility¹ for ¹**[forbearance]"**
14 Forbearance"¹ means a final determination by the department that
15 an applicant has satisfied all eligibility criteria set forth in
16 subsection b. of section 2 of P.L. , c. (C.) (pending before
17 the Legislature as this bill) and is thus entitled to mortgage
18 forbearance in accordance with P.L. , c. (C.) (pending
19 before the Legislature as this bill).

20 "Complete application" means an application properly filed with
21 the department, which contains all information and documentation
22 required by subsection c. of section 2 of P.L. , c. (C.)
23 (pending before the Legislature as this bill) to determine whether
24 the applicant meets the eligibility criteria to receive a Certification
25 of Eligibility for Forbearance.

26 ¹"Commissioner" means Commissioner of Community Affairs.¹

27 "Department" means the Department of Community Affairs.

28 ¹**[**"Federal disaster assistance" means federal aid provided in
29 response to the remnants of Hurricane Ida, including but not limited
30 to, mitigation efforts, buy-out grants, assistance from the Federal
31 Emergency Management Agency, payments from the National

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:

¹Senate SBA committee amendments adopted October 7, 2024.

1 Flood Insurance Program, or Community Development Block
2 Grant—Disaster Recovery funding administered by the State.】

3 "HARP" means the Homeowner Assistance and Recovery
4 Program administered by the State of New Jersey.¹

5 "Hurricane Ida" means the major storm that made landfall in
6 New Jersey on September 1, 2021, for which a Presidential
7 declaration that a major disaster existed in New Jersey was issued
8 on September 5, 2021.

9 ¹"MAP" means the Mitigation Assistance Program administered
10 by the State of New Jersey.¹

11 "Mortgage" means a mortgage, trust deed, or other security in the
12 nature of a residential mortgage.

13 "Mortgage forbearance" or "forbearance" means a period during
14 which the obligations for mortgage principal and interest payments
15 of a storm-impacted homeowner who receives a Certification of
16 Eligibility for Forbearance are suspended. A storm-impacted
17 homeowner who receives a forbearance pursuant to
18 P.L. , c. (C.) (pending before the Legislature as this bill)
19 remains responsible for tax and insurance payments during the
20 period of forbearance, as well as maintenance of the property that is
21 the subject of the forbearance.

22 "Mortgage servicer" means the same as that term is defined in
23 section 2 of P.L.2019, c.65 (C.17:16F-28).

24 "Primary residence" means a homestead located in the State of
25 New Jersey that is occupied by a storm-impacted homeowner as
26 their permanent residence, or that would be so occupied but for
27 damage due to Hurricane Ida that has rendered the homestead
28 uninhabitable, as distinguished from a vacation home, property
29 owned and rented or offered for rent by the homeowner, and other
30 secondary real property holdings.

31 "Storm-impacted homeowner" means a ¹【mortgagor】 person¹
32 who ¹【, as of August 31, 2021, occupied the residential property】
33 holds a mortgage to a primary residence and,¹ as ¹【their】 a result of
34 the damage to that¹ primary residence ¹【and received federal
35 disaster assistance for needs related to damage sustained from the
36 remnants of】 due to¹ Hurricane Ida ¹: (1) is participating in HARP;
37 (2) applied to but was denied participation in HARP solely based on
38 HARP criteria excluding homes located in government-designated
39 flood-hazard areas or floodways; (3) has applied to and is pending
40 an award from MAP; or (4) has been invited to participate or is
41 participating in Blue Acres¹.

42
43 2. a. A person who meets the eligibility criteria set forth in
44 subsection b. of this section may file an application with the
45 Department of Community Affairs, requesting a Certification of
46 Eligibility for Forbearance, online through a system established by
47 the department. The department shall publish instructions for filing

1 an application requesting a Certification of Eligibility for
2 Forbearance on its Internet website by no later than 60 days after
3 the enactment of P.L. , c. (C.) (pending before the
4 Legislature as this bill). The department shall make the online
5 application system publicly available by no later than 90 days after
6 the enactment of P.L. , c. (C.) (pending before the
7 Legislature as this bill). All applications must be submitted to the
8 department by no later than 30 days following the date on which the
9 department makes the online application system publicly available
10 pursuant to this section.

11 b. To qualify for a Certification of Eligibility for Forbearance,
12 an applicant must satisfy the following eligibility criteria:

13 (1) meet the definition of "storm-impacted homeowner"
14 pursuant to section 1 of P.L. , c. (C.) (pending before the
15 Legislature as this bill);

16 (2) have a current mortgage obligation on their primary
17 residence; and

18 (3) submit a complete application to the department that
19 satisfies the requirements set forth in P.L. , c. (C.)
20 (pending before the Legislature as this bill).

21 A storm-impacted homeowner shall be eligible for a forbearance
22 regardless of whether the storm-impacted homeowner's primary
23 residence is already the subject of a foreclosure proceeding.

24 c. To be deemed complete, an application for a Certification of
25 Eligibility for Forbearance must comply with the instructions for
26 filing published by the department and include copies of the
27 following materials:

28 (1) documentation demonstrating that the applicant meets the
29 definition of storm-impacted homeowner pursuant to section 1 of
30 P.L. , c. (C.) (pending before the Legislature as this bill);

31 (2) proof that the applicant has a current mortgage obligation on
32 their primary residence;

33 (3) a written attestation by the applicant under penalty of law
34 that:

35 (a) the information submitted to the department in support of the
36 application for a Certification of Eligibility for Forbearance is true
37 and accurate to the best of the applicant's knowledge; and

38 (b) the applicant understands and accepts that the department
39 may, as part of its review process, take necessary steps to verify the
40 information submitted by the applicant, and agrees to cooperate
41 with the department in any such verification process; and

42 (4) any additional documentation requested by the department.

43 d. (1) Within ¹**[60]** ¹90¹ days from the ¹**[date]** conclusion¹
44 of ¹**[an]** the¹ application submission ¹period set forth in subsection
45 a. of this section¹, the department shall determine whether the
46 application:

47 (a) is complete, and, if not, the department shall provide
48 ¹**[immediate,]**¹ written notice to the applicant explaining why the

1 application is incomplete. An applicant who receives notice from
2 the department that their application is incomplete shall have 15
3 days after they receive such notice to resubmit their application.
4 Upon the applicant's resubmission, the ¹~~60-day~~ 90-day¹ review
5 period shall begin from the original date of submission; and

6 (b) meets the eligibility criteria set forth in subsection b. of this
7 section, and if so, issue a Certification of Eligibility for Forbearance
8 to the storm-impacted homeowner. ¹~~Upon their receipt of a~~
9 Certification of Eligibility for Forbearance, the storm-impacted
10 homeowner shall notify and provide a copy of the Certification of
11 Eligibility for Forbearance to the mortgage servicer identified in
12 their application.¹

13 (2) If the department determines that an application does not
14 meet the eligibility criteria, the department shall provide written
15 notice to the applicant explaining why the application does not meet
16 the eligibility criteria and providing information on the applicant's
17 ability to appeal the department's decision.

18 (3) If the department fails to act on an application that it has
19 deemed to be complete before the expiration of the ¹~~60-day~~ 90-
20 day¹ review period pursuant to ¹~~paragraph (2) of~~¹ this subsection,
21 the applicant shall be deemed to have satisfied the eligibility
22 criteria, and the department shall issue a Certification of Eligibility
23 for Forbearance to the storm-impacted homeowner.

24 ¹(4) Upon their receipt of a Certification of Eligibility for
25 Forbearance, the storm-impacted homeowner shall notify and
26 provide a copy of the Certification of Eligibility for Forbearance to
27 the mortgage servicer identified in their application.¹

28 e. The forbearance period shall conclude one year after the date
29 on which the department issues a Certification of Eligibility for
30 Forbearance to a storm-impacted homeowner unless the storm-
31 impacted homeowner discontinues the mortgage forbearance
32 pursuant to ¹subparagraph (a) of¹ paragraph (3) of subsection f. of
33 this section ¹, or the mortgage forbearance is terminated by the
34 commissioner pursuant to subparagraph (b) of paragraph (3) of
35 subsection f. of this section¹.

36 f. (1) Notwithstanding the provisions of any law, rule, or
37 regulation to the contrary, the repayment period of any mortgage
38 subject to the forbearance pursuant to the issuance of a Certification
39 of Eligibility for Forbearance shall be extended by the number of
40 months the forbearance is in effect. The payments not made during
41 the forbearance shall be due on a monthly basis during the period
42 constituting an extension of the mortgage, unless the storm-
43 impacted homeowner granted a Certification of Eligibility for
44 Forbearance has chosen to make these payments earlier.

45 (2) During the time of the forbearance, and during the period
46 constituting an extension of the mortgage, all terms and conditions
47 of the original mortgage, except with regard to default and

1 delinquency during forbearance, shall continue without
2 modification, and there shall be no fees assessed, including
3 attorney's fees, related to the forbearance or late payment, or
4 penalty for early repayment. A mortgage forbearance pursuant to
5 this section shall not be construed to impact a homeowner's
6 property tax or insurance obligations related to the property that is
7 the subject of the forbearance. A homeowner who receives a
8 Certification of Eligibility for Forbearance shall be responsible for
9 maintenance of the property that is the subject of the forbearance
10 during the period of forbearance.

11 (3) ¹(a)¹ A storm-impacted homeowner who receives a
12 Certification of Eligibility for Forbearance shall have the option to
13 discontinue the mortgage forbearance at any time at the election of
14 the storm-impacted homeowner upon written notice to the mortgage
15 servicer and to the department stating that they knowingly waive
16 any rights they would otherwise be afforded hereunder.

17 ¹(b) The commissioner may terminate a Certification of
18 Eligibility for Forbearance and the mortgage-forbearance period if
19 the commissioner determines that the storm-impacted homeowner
20 made a false or misleading statement, misrepresentation, or
21 omission of a material fact in any application or submission of
22 information to the department pursuant to P.L. , c. (C.)
23 (pending before the Legislature as this bill). Upon the termination
24 of a Certification of Eligibility for Forbearance or mortgage-
25 forbearance period pursuant to this subparagraph, the commissioner
26 shall provide notice to the storm-impacted homeowner of their right
27 to a hearing to contest the termination in accordance with the
28 requirements of the "Administrative Procedure Act," P.L.1968,
29 c.410 (C.52:14B-1 et seq.).¹

30 (4) During any period of mortgage forbearance granted pursuant
31 to this section, a mortgage servicer shall not, for the purposes of
32 foreclosure of a residential property that is the subject of a
33 Certification of Eligibility for Forbearance issued pursuant to this
34 section that is not vacant, abandoned or otherwise subject to
35 P.L.2003, c.210 (C.55:19-78 et al.):

36 (a) send a storm-impacted homeowner a notice of intention to
37 foreclose pursuant to section 4 of P.L.1995, c.244 (C.2A:50-56); or

38 (b) otherwise initiate the foreclosure process.

39 A deadline or time period for action by a party to the foreclosure
40 process for a residential property that is subject to a Certification of
41 Eligibility for Forbearance issued pursuant to this section, and filed
42 prior to the effective date of P.L. , c. (C.) (pending before
43 the Legislature as this bill) shall be tolled until the end of the period
44 of the mortgage forbearance.

45 g. A storm-impacted homeowner who has received a
46 Certification of Eligibility for Forbearance and is denied a
47 forbearance by a mortgage servicer licensed by the Department of
48 Banking and Insurance may file a complaint with the Department of

1 Banking and Insurance. The Department of Banking and Insurance
2 shall investigate the complaint and, if appropriate, shall order the
3 mortgage servicer to grant a forbearance to the storm-impacted
4 homeowner pursuant to this section.

5 h. (1) To the extent required by the Administrative Director
6 of the Courts, the mortgage servicer shall provide the docket
7 numbers, party names, and property addresses as to any pending
8 court actions involving any property granted a forbearance to the
9 Superior Court Clerk's Office.

10 (2) The mortgage servicer shall submit information on all
11 forbearances that the mortgage servicer has provided within the
12 State to the Department of Banking and Insurance on a monthly
13 basis, or on any alternative schedule directed by the Department of
14 Banking and Insurance, after removing all personally identifiable
15 information. This information shall be submitted in accordance
16 with any specifications required by the Department of Banking and
17 Insurance, and, to the extent required by the Department of Banking
18 and Insurance, shall be deemed to be government records and
19 subject to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.),
20 commonly known as the Open Public Records Act.

21 i. This section shall not apply to any mortgage loans made,
22 insured, or securitized by the Federal National Mortgage
23 Association, the Federal Home Loan Mortgage Corporation, the
24 Federal Housing Administration of the United States Department of
25 Housing and Urban Development, the Department of Veterans
26 Affairs, or the Rural Housing Service, nor shall this section apply to
27 any mortgage loans serviced pursuant to the policies of these
28 entities but not made, or insured, or securitized by the entities
29 unless the mortgage loan has been granted a forbearance pursuant to
30 this section prior to being serviced by these entities.

31 j. It shall be an unlawful discrimination in violation of the
32 "New Jersey Law Against Discrimination," P.L.1945, c.169
33 (C.10:5-1 et seq.) for a mortgage servicer to discriminate in
34 application of the provisions of this section on any basis protected
35 by subsection g. of section 11 of P.L.1945, c.169 (C.10:5-12).

36
37 3. A storm-impacted homeowner who is the subject of a
38 foreclosure proceeding shall be awarded, by the court and upon
39 application by the property owner for good cause shown, a stay in
40 the foreclosure proceedings. An application to the court by a storm-
41 impacted homeowner pursuant to this section shall be made prior to
42 the first day of the sixth month next following the effective date of
43 P.L. , c. (C.) (pending before the Legislature as this bill),
44 unless the courts in their discretion permit application submission
45 for a longer period. The receipt of a Certification of Eligibility for
46 Forbearance, issued to the storm-impacted homeowner pursuant to
47 section 2 of P.L. , c. (C.) (pending before the Legislature
48 as this bill), shall constitute good cause for the award of a stay

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7

1 pursuant to this subsection. The award of a stay pursuant to this
2 section shall conclude upon the earlier of:

3 a. the conclusion of one year following the initial award of a
4 stay of foreclosure proceedings; or

5 b. January 1, 2026.

6

7 4. This act shall take effect immediately.

8

9

10

11

12 _____
13 Provides for mortgage payment relief and foreclosure protection
for certain homeowners impacted by remnants of Hurricane Ida.

CHAPTER 85

AN ACT to provide mortgage payment relief and foreclosure protection in response to the remnants of Hurricane Ida and supplementing Title 52 of the Revised Statutes.

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

C.52:15D-15 Definitions.

1. As used in P.L.2024, c.85 (C.52:15D-15 et seq.):

"Blue Acres" means the Blue Acres Community Development Block Grant Disaster Recovery Program administered by the State of New Jersey.

"Certification of Eligibility for Forbearance" means a final determination by the department that an applicant has satisfied all eligibility criteria set forth in subsection b. of section 2 of P.L.2024, c.85 (C.52:15D-16) and is thus entitled to mortgage forbearance in accordance with P.L.2024, c.85 (C.52:15D-15 et seq.).

"Complete application" means an application properly filed with the department, which contains all information and documentation required by subsection c. of section 2 of P.L.2024, c.85 (C.52:15D-16) to determine whether the applicant meets the eligibility criteria to receive a Certification of Eligibility for Forbearance.

"Commissioner" means Commissioner of Community Affairs.

"Department" means the Department of Community Affairs.

"HARP" means the Homeowner Assistance and Recovery Program administered by the State of New Jersey.

"Hurricane Ida" means the major storm that made landfall in New Jersey on September 1, 2021, for which a Presidential declaration that a major disaster existed in New Jersey was issued on September 5, 2021.

"MAP" means the Mitigation Assistance Program administered by the State of New Jersey.

"Mortgage" means a mortgage, trust deed, or other security in the nature of a residential mortgage.

"Mortgage forbearance" or "forbearance" means a period during which the obligations for mortgage principal and interest payments of a storm-impacted homeowner who receives a Certification of Eligibility for Forbearance are suspended. A storm-impacted homeowner who receives a forbearance pursuant to P.L.2024, c.85 (C.52:15D-15 et seq.) remains responsible for tax and insurance payments during the period of forbearance, as well as maintenance of the property that is the subject of the forbearance.

"Mortgage servicer" means the same as that term is defined in section 2 of P.L.2019, c.65 (C.17:16F-28).

"Primary residence" means a homestead located in the State of New Jersey that is occupied by a storm-impacted homeowner as their permanent residence or that would be so occupied but for damage due to Hurricane Ida that has rendered the homestead uninhabitable, as distinguished from a vacation home, property owned and rented or offered for rent by the homeowner, and other secondary real property holdings.

"Storm-impacted homeowner" means a person who holds a mortgage to a primary residence and, as a result of the damage to that primary residence due to Hurricane Ida is participating in HARP, applied to but was denied participation in HARP solely based on HARP criteria excluding homes located in government-designated flood-hazard areas or floodways, has applied to and is pending an award from MAP, or has been invited to participate or is participating in Blue Acres.

C.52:15D-16 Certification of Eligibility for Forbearance, online application, eligibility.

2. a. A person who meets the eligibility criteria set forth in subsection b. of this section may file an application with the Department of Community Affairs, requesting a Certification of

Eligibility for Forbearance, online through a system established by the department. The department shall publish instructions for filing an application requesting a Certification of Eligibility for Forbearance on its Internet website by no later than 60 days after the enactment of P.L.2024, c.85 (C.52:15D-15 et seq.). The department shall make the online application system publicly available by no later than 90 days after the enactment of P.L.2024, c.85 (C.52:15D-15 et seq.). All applications must be submitted to the department by no later than 30 days following the date on which the department makes the online application system publicly available pursuant to this section.

b. To qualify for a Certification of Eligibility for Forbearance, an applicant must satisfy the following eligibility criteria:

(1) meet the definition of "storm-impacted homeowner" pursuant to section 1 of P.L.2024, c.85 (C.52:15D-15);

(2) have a current mortgage obligation on their primary residence; and

(3) submit a complete application to the department that satisfies the requirements set forth in P.L.2024, c.85 (C.52:15D-15 et seq.).

A storm-impacted homeowner shall be eligible for a forbearance regardless of whether the storm-impacted homeowner's primary residence is already the subject of a foreclosure proceeding.

c. To be deemed complete, an application for a Certification of Eligibility for Forbearance must comply with the instructions for filing published by the department and include copies of the following materials:

(1) documentation demonstrating that the applicant meets the definition of storm-impacted homeowner pursuant to section 1 of P.L.2024, c.85 (C.52:15D-15);

(2) proof that the applicant has a current mortgage obligation on their primary residence;

(3) a written attestation by the applicant under penalty of law that:

(a) the information submitted to the department in support of the application for a Certification of Eligibility for Forbearance is true and accurate to the best of the applicant's knowledge; and

(b) the applicant understands and accepts that the department may, as part of its review process, take necessary steps to verify the information submitted by the applicant, and agrees to cooperate with the department in any such verification process; and

(4) any additional documentation requested by the department.

d. (1) Within 90 days from the conclusion of the application submission period set forth in subsection a. of this section, the department shall determine whether the application:

(a) is complete, and, if not, the department shall provide written notice to the applicant explaining why the application is incomplete. An applicant who receives notice from the department that their application is incomplete shall have 15 days after they receive such notice to resubmit their application. Upon the applicant's resubmission, the 90-day review period shall begin from the original date of submission; and

(b) meets the eligibility criteria set forth in subsection b. of this section and, if so, issue a Certification of Eligibility for Forbearance to the storm-impacted homeowner.

(2) If the department determines that an application does not meet the eligibility criteria, the department shall provide written notice to the applicant explaining why the application does not meet the eligibility criteria and providing information on the applicant's ability to appeal the department's decision.

(3) If the department fails to act on an application that it has deemed to be complete before the expiration of the 90-day review period pursuant to this subsection, the applicant shall be deemed to have satisfied the eligibility criteria, and the department shall issue a Certification of Eligibility for Forbearance to the storm-impacted homeowner.

(4) Upon their receipt of a Certification of Eligibility for Forbearance, the storm-impacted homeowner shall notify and provide a copy of the Certification of Eligibility for Forbearance to the mortgage servicer identified in their application.

e. The forbearance period shall conclude one year after the date on which the department issues a Certification of Eligibility for Forbearance to a storm-impacted homeowner unless the storm-impacted homeowner discontinues the mortgage forbearance pursuant to subparagraph (a) of paragraph (3) of subsection f. of this section or the mortgage forbearance is terminated by the commissioner pursuant to subparagraph (b) of paragraph (3) of subsection f. of this section.

f. (1) Notwithstanding the provisions of any law, rule, or regulation to the contrary, the repayment period of any mortgage subject to the forbearance pursuant to the issuance of a Certification of Eligibility for Forbearance shall be extended by the number of months the forbearance is in effect. The payments not made during the forbearance shall be due on a monthly basis during the period constituting an extension of the mortgage unless the storm-impacted homeowner granted a Certification of Eligibility for Forbearance has chosen to make these payments earlier.

(2) During the time of the forbearance, and during the period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, shall continue without modification and there shall be no fees assessed, including attorney's fees, related to the forbearance or late payment or penalty for early repayment. A mortgage forbearance pursuant to this section shall not be construed to impact a homeowner's property tax or insurance obligations related to the property that is the subject of the forbearance. A homeowner who receives a Certification of Eligibility for Forbearance shall be responsible for maintenance of the property that is the subject of the forbearance during the period of forbearance.

(3) (a) A storm-impacted homeowner who receives a Certification of Eligibility for Forbearance shall have the option to discontinue the mortgage forbearance at any time at the election of the storm-impacted homeowner upon written notice to the mortgage servicer and to the department stating that they knowingly waive any rights they would otherwise be afforded hereunder.

(b) The commissioner may terminate a Certification of Eligibility for Forbearance and the mortgage-forbearance period if the commissioner determines that the storm-impacted homeowner made a false or misleading statement, misrepresentation, or omission of a material fact in any application or submission of information to the department pursuant to P.L.2024, c.85 (C.52:15D-15 et seq.). Upon the termination of a Certification of Eligibility for Forbearance or mortgage-forbearance period pursuant to this subparagraph, the commissioner shall provide notice to the storm-impacted homeowner of their right to a hearing to contest the termination in accordance with the requirements of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

(4) During any period of mortgage forbearance granted pursuant to this section, a mortgage servicer shall not, for the purposes of foreclosure of a residential property that is the subject of a Certification of Eligibility for Forbearance issued pursuant to this section that is not vacant, abandoned or otherwise subject to P.L.2003, c.210 (C.55:19-78 et al.):

(a) send a storm-impacted homeowner a notice of intention to foreclose pursuant to section 4 of P.L.1995, c.244 (C.2A:50-56); or

(b) otherwise initiate the foreclosure process.

A deadline or time period for action by a party to the foreclosure process for a residential property that is subject to a Certification of Eligibility for Forbearance issued pursuant to this

section and filed prior to the effective date of P.L.2024, c.85 (C.52:15D-15 et seq.) shall be tolled until the end of the period of the mortgage forbearance.

g. A storm-impacted homeowner who has received a Certification of Eligibility for Forbearance and is denied a forbearance by a mortgage servicer licensed by the Department of Banking and Insurance may file a complaint with the Department of Banking and Insurance. The Department of Banking and Insurance shall investigate the complaint and, if appropriate, shall order the mortgage servicer to grant a forbearance to the storm-impacted homeowner pursuant to this section.

h. (1) To the extent required by the Administrative Director of the Courts, the mortgage servicer shall provide the docket numbers, party names, and property addresses as to any pending court actions involving any property granted a forbearance to the Superior Court Clerk's Office.

(2) The mortgage servicer shall submit information on all forbearances that the mortgage servicer has provided within the State to the Department of Banking and Insurance on a monthly basis, or on any alternative schedule directed by the Department of Banking and Insurance, after removing all personally identifiable information. This information shall be submitted in accordance with any specifications required by the Department of Banking and Insurance, and, to the extent required by the Department of Banking and Insurance, shall be deemed to be government records and subject to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.), commonly known as the Open Public Records Act.

i. This section shall not apply to any mortgage loans made, insured, or securitized by the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Housing Administration of the United States Department of Housing and Urban Development, the Department of Veterans Affairs, or the Rural Housing Service nor shall this section apply to any mortgage loans serviced pursuant to the policies of these entities but not made, insured, or securitized by the entities unless the mortgage loan has been granted a forbearance pursuant to this section prior to being serviced by these entities.

j. It shall be an unlawful discrimination in violation of the "New Jersey Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.) for a mortgage servicer to discriminate in application of the provisions of this section on any basis protected by subsection g. of section 11 of P.L.1945, c.169 (C.10:5-12).

C.52:15D-17 Storm-impacted homeowner, stay, foreclosure proceeding.

3. A storm-impacted homeowner who is the subject of a foreclosure proceeding shall be awarded, by the court and upon application by the property owner for good cause shown, a stay in the foreclosure proceedings. An application to the court by a storm-impacted homeowner pursuant to this section shall be made prior to the first day of the sixth month next following the effective date of P.L.2024, c.85 (C.52:15D-15 et seq.), unless the courts in their discretion permit application submission for a longer period. The receipt of a Certification of Eligibility for Forbearance, issued to the storm-impacted homeowner pursuant to section 2 of P.L.2024, c.85 (C.52:15D-16), shall constitute good cause for the award of a stay pursuant to this subsection. The award of a stay pursuant to this section shall conclude upon the earlier of:

- a. the conclusion of one year following the initial award of a stay of foreclosure proceedings; or
- b. January 1, 2026.

4. This act shall take effect immediately.

Approved October 30, 2024.

SENATE, No. 3670

STATE OF NEW JERSEY 221st LEGISLATURE

INTRODUCED SEPTEMBER 26, 2024

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Senators Steinhardt, Amato and Zwicker

SYNOPSIS

Provides for mortgage payment relief and foreclosure protection for certain homeowners impacted by remnants of Hurricane Ida.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/30/2024)

1 AN ACT to provide mortgage payment relief and foreclosure
2 protection in response to the remnants of Hurricane Ida and
3 supplementing Title 52 of the Revised Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 "Certification of eligibility for forbearance" means a final
11 determination by the department that an applicant has satisfied all
12 eligibility criteria set forth in subsection b. of section 2 of P.L. , c.
13 (C.) (pending before the Legislature as this bill) and is thus
14 entitled to mortgage forbearance in accordance with
15 P.L. , c. (C.) (pending before the Legislature as this bill).

16 "Complete application" means an application properly filed with
17 the department, which contains all information and documentation
18 required by subsection c. of section 2 of P.L. , c. (C.)
19 (pending before the Legislature as this bill) to determine whether
20 the applicant meets the eligibility criteria to receive a Certification
21 of Eligibility for Forbearance.

22 "Department" means the Department of Community Affairs.

23 "Federal disaster assistance" means federal aid provided in response
24 to the remnants of Hurricane Ida, including but not limited to,
25 mitigation efforts, buy-out grants, assistance from the Federal
26 Emergency Management Agency, payments from the National Flood
27 Insurance Program, or Community Development Block Grant—
28 Disaster Recovery funding administered by the State.

29 "Hurricane Ida" means the major storm that made landfall in
30 New Jersey on September 1, 2021, for which a Presidential
31 declaration that a major disaster existed in New Jersey was issued
32 on September 5, 2021.

33 "Mortgage" means a mortgage, trust deed, or other security in the
34 nature of a residential mortgage.

35 "Mortgage forbearance" or "forbearance" means a period during
36 which the obligations for mortgage principal and interest payments
37 of a storm-impacted homeowner who receives a Certification of
38 Eligibility for Forbearance are suspended. A storm-impacted
39 homeowner who receives a forbearance pursuant to
40 P.L. , c. (C.) (pending before the Legislature as this bill)
41 remains responsible for tax and insurance payments during the
42 period of forbearance, as well as maintenance of the property that is
43 the subject of the forbearance.

44 "Mortgage servicer" means the same as that term is defined in
45 section 2 of P.L.2019, c.65 (C.17:16F-28).

46 "Primary residence" means a homestead located in the State of
47 New Jersey that is occupied by a storm-impacted homeowner as
48 their permanent residence, or that would be so occupied but for

1 damage due to Hurricane Ida that has rendered the homestead
2 uninhabitable, as distinguished from a vacation home, property
3 owned and rented or offered for rent by the homeowner, and other
4 secondary real property holdings.

5 "Storm-impacted homeowner" means a mortgagor who, as of
6 August 31, 2021, occupied the residential property as their primary
7 residence and received federal disaster assistance for needs related
8 to damage sustained from the remnants of Hurricane Ida.

9
10 2. a. A person who meets the eligibility criteria set forth in
11 subsection b. of this section may file an application with the
12 Department of Community Affairs, requesting a Certification of
13 Eligibility for Forbearance, online through a system established by
14 the department. The department shall publish instructions for filing
15 an application requesting a Certification of Eligibility for
16 Forbearance on its Internet website by no later than 60 days after
17 the enactment of P.L. , c. (C.) (pending before the
18 Legislature as this bill). The department shall make the online
19 application system publicly available by no later than 90 days after
20 the enactment of P.L. , c. (C.) (pending before the
21 Legislature as this bill). All applications must be submitted to the
22 department by no later than 30 days following the date on which the
23 department makes the online application system publicly available
24 pursuant to this section.

25 b. To qualify for a Certification of Eligibility for Forbearance,
26 an applicant must satisfy the following eligibility criteria:

27 (1) meet the definition of "storm-impacted homeowner"
28 pursuant to section 1 of P.L. , c. (C.) (pending before the
29 Legislature as this bill);

30 (2) have a current mortgage obligation on their primary
31 residence; and

32 (3) submit a complete application to the department that
33 satisfies the requirements set forth in P.L. , c. (C.)
34 (pending before the Legislature as this bill).

35 A storm-impacted homeowner shall be eligible for a forbearance
36 regardless of whether the storm-impacted homeowner's primary
37 residence is already the subject of a foreclosure proceeding.

38 c. To be deemed complete, an application for a Certification of
39 Eligibility for Forbearance must comply with the instructions for
40 filing published by the department and include copies of the
41 following materials:

42 (1) documentation demonstrating that the applicant meets the
43 definition of storm-impacted homeowner pursuant to section 1 of
44 P.L. , c. (C.) (pending before the Legislature as this bill);

45 (2) proof that the applicant has a current mortgage obligation on
46 their primary residence;

47 (3) a written attestation by the applicant under penalty of law
48 that:

- 1 (a) the information submitted to the department in support of the
2 application for a Certification of Eligibility for Forbearance is true
3 and accurate to the best of the applicant's knowledge; and
- 4 (b) the applicant understands and accepts that the department
5 may, as part of its review process, take necessary steps to verify the
6 information submitted by the applicant, and agrees to cooperate
7 with the department in any such verification process; and
- 8 (4) any additional documentation requested by the department.
- 9 d. (1) Within 60 days from the date of an application
10 submission, the department shall determine whether the application:
11 (a) is complete, and, if not, the department shall provide
12 immediate, written notice to the applicant explaining why the
13 application is incomplete. An applicant who receives notice from
14 the department that their application is incomplete shall have 15
15 days after they receive such notice to resubmit their application.
16 Upon the applicant's resubmission, the 60-day review period shall
17 begin from the original date of submission; and
- 18 (b) meets the eligibility criteria set forth in subsection b. of this
19 section, and if so, issue a Certification of Eligibility for Forbearance
20 to the storm-impacted homeowner. Upon their receipt of a
21 Certification of Eligibility for Forbearance, the storm-impacted
22 homeowner shall notify and provide a copy of the Certification of
23 Eligibility for Forbearance to the mortgage servicer identified in
24 their application.
- 25 (2) If the department determines that an application does not
26 meet the eligibility criteria, the department shall provide written
27 notice to the applicant explaining why the application does not meet
28 the eligibility criteria and providing information on the applicant's
29 ability to appeal the department's decision.
- 30 (3) If the department fails to act on an application that it has
31 deemed to be complete before the expiration of the 60-day review
32 period pursuant to paragraph (2) of this subsection, the applicant
33 shall be deemed to have satisfied the eligibility criteria, and the
34 department shall issue a Certification of Eligibility for Forbearance
35 to the storm-impacted homeowner.
- 36 e. The forbearance period shall conclude one year after the date
37 on which the department issues a Certification of Eligibility for
38 Forbearance to a storm-impacted homeowner unless the storm-
39 impacted homeowner discontinues the mortgage forbearance
40 pursuant to paragraph (3) of subsection f. of this section.
- 41 f. (1) Notwithstanding the provisions of any law, rule, or
42 regulation to the contrary, the repayment period of any mortgage
43 subject to the forbearance pursuant to the issuance of a Certification
44 of Eligibility for Forbearance shall be extended by the number of
45 months the forbearance is in effect. The payments not made during
46 the forbearance shall be due on a monthly basis during the period
47 constituting an extension of the mortgage, unless the storm-

1 impacted homeowner granted a Certification of Eligibility for
2 Forbearance has chosen to make these payments earlier.

3 (2) During the time of the forbearance, and during the period
4 constituting an extension of the mortgage, all terms and conditions
5 of the original mortgage, except with regard to default and
6 delinquency during forbearance, shall continue without
7 modification, and there shall be no fees assessed, including
8 attorney's fees, related to the forbearance or late payment, or
9 penalty for early repayment. A mortgage forbearance pursuant to
10 this section shall not be construed to impact a homeowner's
11 property tax or insurance obligations related to the property that is
12 the subject of the forbearance. A homeowner who receives a
13 Certification of Eligibility for Forbearance shall be responsible for
14 maintenance of the property that is the subject of the forbearance
15 during the period of forbearance.

16 (3) A storm-impacted homeowner who receives a Certification
17 of Eligibility for Forbearance shall have the option to discontinue
18 the mortgage forbearance at any time at the election of the storm-
19 impacted homeowner upon written notice to the mortgage servicer
20 and to the department stating that they knowingly waive any rights
21 they would otherwise be afforded hereunder.

22 (4) During any period of mortgage forbearance granted pursuant
23 to this section, a mortgage servicer shall not, for the purposes of
24 foreclosure of a residential property that is the subject of a
25 Certification of Eligibility for Forbearance issued pursuant to this
26 section that is not vacant, abandoned or otherwise subject to
27 P.L.2003, c.210 (C.55:19-78 et al.):

28 (a) send a storm-impacted homeowner a notice of intention to
29 foreclose pursuant to section 4 of P.L.1995, c.244 (C.2A:50-56); or

30 (b) otherwise initiate the foreclosure process.

31 A deadline or time period for action by a party to the foreclosure
32 process for a residential property that is subject to a Certification of
33 Eligibility for Forbearance issued pursuant to this section, and filed
34 prior to the effective date of P.L. , c. (C.) (pending before
35 the Legislature as this bill) shall be tolled until the end of the period
36 of the mortgage forbearance.

37 g. A storm-impacted homeowner who has received a
38 Certification of Eligibility for Forbearance and is denied a
39 forbearance by a mortgage servicer licensed by the Department of
40 Banking and Insurance may file a complaint with the Department of
41 Banking and Insurance. The Department of Banking and Insurance
42 shall investigate the complaint and, if appropriate, shall order the
43 mortgage servicer to grant a forbearance to the storm-impacted
44 homeowner pursuant to this section.

45 h. (1) To the extent required by the Administrative Director
46 of the Courts, the mortgage servicer shall provide the docket
47 numbers, party names, and property addresses as to any pending

1 court actions involving any property granted a forbearance to the
2 Superior Court Clerk's Office.

3 (2) The mortgage servicer shall submit information on all
4 forbearances that the mortgage servicer has provided within the
5 State to the Department of Banking and Insurance on a monthly
6 basis, or on any alternative schedule directed by the Department of
7 Banking and Insurance, after removing all personally identifiable
8 information. This information shall be submitted in accordance
9 with any specifications required by the Department of Banking and
10 Insurance, and, to the extent required by the Department of Banking
11 and Insurance, shall be deemed to be government records and
12 subject to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.),
13 commonly known as the Open Public Records Act.

14 i. This section shall not apply to any mortgage loans made,
15 insured, or securitized by the Federal National Mortgage
16 Association, the Federal Home Loan Mortgage Corporation, the
17 Federal Housing Administration of the United States Department of
18 Housing and Urban Development, the Department of Veterans
19 Affairs, or the Rural Housing Service, nor shall this section apply to
20 any mortgage loans serviced pursuant to the policies of these
21 entities but not made, or insured, or securitized by the entities
22 unless the mortgage loan has been granted a forbearance pursuant to
23 this section prior to being serviced by these entities.

24 j. It shall be an unlawful discrimination in violation of the
25 "New Jersey Law Against Discrimination," P.L.1945, c.169
26 (C.10:5-1 et seq.) for a mortgage servicer to discriminate in
27 application of the provisions of this section on any basis protected
28 by subsection g. of section 11 of P.L.1945, c.169 (C.10:5-12).

29
30 3. A storm-impacted homeowner who is the subject of a
31 foreclosure proceeding shall be awarded, by the court and upon
32 application by the property owner for good cause shown, a stay in
33 the foreclosure proceedings. An application to the court by a storm-
34 impacted homeowner pursuant to this section shall be made prior to
35 the first day of the sixth month next following the effective date of
36 P.L. , c. (C.) (pending before the Legislature as this bill),
37 unless the courts in their discretion permit application submission
38 for a longer period. The receipt of a Certification of Eligibility for
39 Forbearance, issued to the storm-impacted homeowner pursuant to
40 section 2 of P.L. , c. (C.) (pending before the Legislature
41 as this bill), shall constitute good cause for the award of a stay
42 pursuant to this subsection. The award of a stay pursuant to this
43 section shall conclude upon the earlier of:

44 a. the conclusion of one year following the initial award of a
45 stay of foreclosure proceedings; or

46 b. January 1, 2026.

47

48 4. This act shall take effect immediately.

STATEMENT

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This bill would provide mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida.

Hurricane Ida initially approached the Gulf Coast as a category 4 hurricane, and caused severe damage to a large area of the south and northeast regions of the country. In New Jersey, thousands of families have been displaced and unable to return to their homes as a result of this storm. This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of the storm-impacted homeowners.

The bill defines a "storm-impacted homeowner" as a mortgagor who, as of August 31, 2021, occupied the residential property as their primary residence and received federal disaster assistance for needs related to damage sustained from the remnants of Hurricane Ida.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs (department) for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the department makes the application publicly available. The department would be required to review each application to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance may appeal that decision, and any homeowner who obtains a Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance may file a complaint with that agency, which must investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and, on a monthly basis, submit certain information on all forbearances that the

S3670 SINGLETON, MCKNIGHT

8

1 mortgage servicer has provided within the State to the Department
2 of Banking and Insurance, except as provided in the bill.

3 Further, a storm-impacted homeowner who is the subject of a
4 foreclosure proceeding would be awarded, by the court and upon
5 application by the property owner for good cause shown, a stay in
6 the foreclosure proceedings. An application to the court by a storm-
7 impacted homeowner would be required to be made prior to the first
8 day of the sixth month following the effective date of the bill,
9 unless the courts in their discretion permit application submission
10 for a longer period. The award of a stay pursuant to the bill would
11 conclude upon the earlier of:

- 12 • the conclusion of one year following the initial award of a
13 stay of foreclosure proceedings; or
- 14 • January 1, 2026.

[First Reprint]

SENATE, No. 3670

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED SEPTEMBER 26, 2024

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

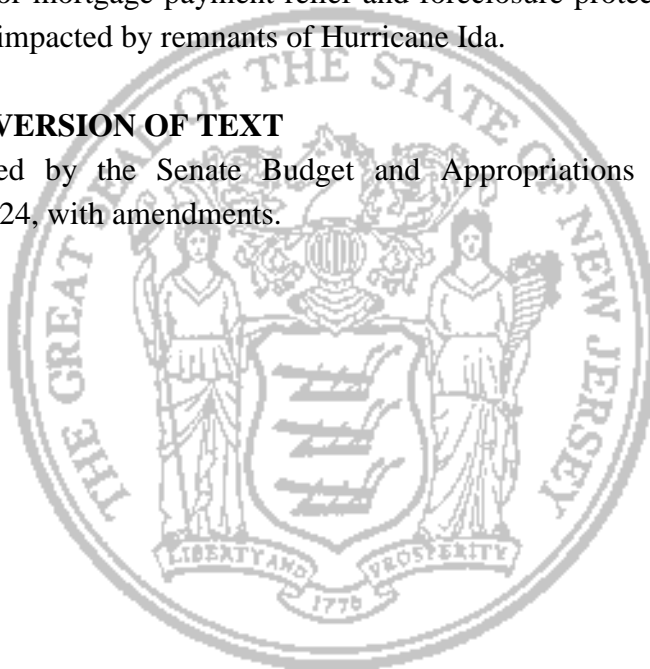
Senators Steinhardt, Amato, Zwicker and Timberlake

SYNOPSIS

Provides for mortgage payment relief and foreclosure protection for certain homeowners impacted by remnants of Hurricane Ida.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on October 7, 2024, with amendments.



(Sponsorship Updated As Of: 10/28/2024)

1 AN ACT to provide mortgage payment relief and foreclosure
2 protection in response to the remnants of Hurricane Ida and
3 supplementing Title 52 of the Revised Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 ¹"Blue Acres" means the Blue Acres Community Development
11 Block Grant Disaster Recovery Program administered by the State
12 of New Jersey.¹

13 "Certification of ¹**[eligibility]** Eligibility¹ for ¹**[forbearance]**
14 Forbearance"¹ means a final determination by the department that
15 an applicant has satisfied all eligibility criteria set forth in
16 subsection b. of section 2 of P.L. , c. (C.) (pending before
17 the Legislature as this bill) and is thus entitled to mortgage
18 forbearance in accordance with P.L. , c. (C.) (pending
19 before the Legislature as this bill).

20 "Complete application" means an application properly filed with
21 the department, which contains all information and documentation
22 required by subsection c. of section 2 of P.L. , c. (C.)
23 (pending before the Legislature as this bill) to determine whether
24 the applicant meets the eligibility criteria to receive a Certification
25 of Eligibility for Forbearance.

26 ¹"Commissioner" means Commissioner of Community Affairs.¹

27 "Department" means the Department of Community Affairs.

28 ¹**[**"Federal disaster assistance" means federal aid provided in
29 response to the remnants of Hurricane Ida, including but not limited
30 to, mitigation efforts, buy-out grants, assistance from the Federal
31 Emergency Management Agency, payments from the National
32 Flood Insurance Program, or Community Development Block
33 Grant—Disaster Recovery funding administered by the State.**]**

34 "HARP" means the Homeowner Assistance and Recovery
35 Program administered by the State of New Jersey.¹

36 "Hurricane Ida" means the major storm that made landfall in
37 New Jersey on September 1, 2021, for which a Presidential
38 declaration that a major disaster existed in New Jersey was issued
39 on September 5, 2021.

40 ¹"MAP" means the Mitigation Assistance Program administered
41 by the State of New Jersey.¹

42 "Mortgage" means a mortgage, trust deed, or other security in the
43 nature of a residential mortgage.

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:

¹Senate SBA committee amendments adopted October 7, 2024.

1 "Mortgage forbearance" or "forbearance" means a period during
2 which the obligations for mortgage principal and interest payments
3 of a storm-impacted homeowner who receives a Certification of
4 Eligibility for Forbearance are suspended. A storm-impacted
5 homeowner who receives a forbearance pursuant to
6 P.L. , c. (C.) (pending before the Legislature as this bill)
7 remains responsible for tax and insurance payments during the
8 period of forbearance, as well as maintenance of the property that is
9 the subject of the forbearance.

10 "Mortgage servicer" means the same as that term is defined in
11 section 2 of P.L.2019, c.65 (C.17:16F-28).

12 "Primary residence" means a homestead located in the State of
13 New Jersey that is occupied by a storm-impacted homeowner as
14 their permanent residence, or that would be so occupied but for
15 damage due to Hurricane Ida that has rendered the homestead
16 uninhabitable, as distinguished from a vacation home, property
17 owned and rented or offered for rent by the homeowner, and other
18 secondary real property holdings.

19 "Storm-impacted homeowner" means a ¹**["mortgagor"] person¹**
20 **who ¹["as of August 31, 2021, occupied the residential property"]**
21 **holds a mortgage to a primary residence and,¹ as ¹["their"] a result of**
22 **the damage to that¹ primary residence ¹["and received federal**
23 **disaster assistance for needs related to damage sustained from the**
24 **remnants of"] due to¹ Hurricane Ida ¹: (1) is participating in HARP;**
25 **(2) applied to but was denied participation in HARP solely based on**
26 **HARP criteria excluding homes located in government-designated**
27 **flood-hazard areas or floodways; (3) has applied to and is pending**
28 **an award from MAP; or (4) has been invited to participate or is**
29 **participating in Blue Acres¹.**

30
31 2. a. A person who meets the eligibility criteria set forth in
32 subsection b. of this section may file an application with the
33 Department of Community Affairs, requesting a Certification of
34 Eligibility for Forbearance, online through a system established by
35 the department. The department shall publish instructions for filing
36 an application requesting a Certification of Eligibility for
37 Forbearance on its Internet website by no later than 60 days after
38 the enactment of P.L. , c. (C.) (pending before the
39 Legislature as this bill). The department shall make the online
40 application system publicly available by no later than 90 days after
41 the enactment of P.L. , c. (C.) (pending before the
42 Legislature as this bill). All applications must be submitted to the
43 department by no later than 30 days following the date on which the
44 department makes the online application system publicly available
45 pursuant to this section.

46 b. To qualify for a Certification of Eligibility for Forbearance,
47 an applicant must satisfy the following eligibility criteria:

1 (1) meet the definition of "storm-impacted homeowner"
2 pursuant to section 1 of P.L. , c. (C.) (pending before the
3 Legislature as this bill);

4 (2) have a current mortgage obligation on their primary
5 residence; and

6 (3) submit a complete application to the department that
7 satisfies the requirements set forth in P.L. , c. (C.)
8 (pending before the Legislature as this bill).

9 A storm-impacted homeowner shall be eligible for a forbearance
10 regardless of whether the storm-impacted homeowner's primary
11 residence is already the subject of a foreclosure proceeding.

12 c. To be deemed complete, an application for a Certification of
13 Eligibility for Forbearance must comply with the instructions for
14 filing published by the department and include copies of the
15 following materials:

16 (1) documentation demonstrating that the applicant meets the
17 definition of storm-impacted homeowner pursuant to section 1 of
18 P.L. , c. (C.) (pending before the Legislature as this bill);

19 (2) proof that the applicant has a current mortgage obligation on
20 their primary residence;

21 (3) a written attestation by the applicant under penalty of law
22 that:

23 (a) the information submitted to the department in support of the
24 application for a Certification of Eligibility for Forbearance is true
25 and accurate to the best of the applicant's knowledge; and

26 (b) the applicant understands and accepts that the department
27 may, as part of its review process, take necessary steps to verify the
28 information submitted by the applicant, and agrees to cooperate
29 with the department in any such verification process; and

30 (4) any additional documentation requested by the department.

31 d. (1) Within ¹~~60~~ 90¹ days from the ¹~~date~~ conclusion¹
32 of ¹~~an~~ the¹ application submission ¹period set forth in subsection
33 a. of this section¹, the department shall determine whether the
34 application:

35 (a) is complete, and, if not, the department shall provide
36 ¹~~immediate,~~¹ written notice to the applicant explaining why the
37 application is incomplete. An applicant who receives notice from
38 the department that their application is incomplete shall have 15
39 days after they receive such notice to resubmit their application.
40 Upon the applicant's resubmission, the ¹~~60-day~~ 90-day¹ review
41 period shall begin from the original date of submission; and

42 (b) meets the eligibility criteria set forth in subsection b. of this
43 section, and if so, issue a Certification of Eligibility for Forbearance
44 to the storm-impacted homeowner. ¹~~Upon their receipt of a~~
45 Certification of Eligibility for Forbearance, the storm-impacted
46 homeowner shall notify and provide a copy of the Certification of

1 Eligibility for Forbearance to the mortgage servicer identified in
2 their application.】¹

3 (2) If the department determines that an application does not
4 meet the eligibility criteria, the department shall provide written
5 notice to the applicant explaining why the application does not meet
6 the eligibility criteria and providing information on the applicant's
7 ability to appeal the department's decision.

8 (3) If the department fails to act on an application that it has
9 deemed to be complete before the expiration of the ¹【60-day】 90-
10 day¹ review period pursuant to ¹【paragraph (2) of】¹ this subsection,
11 the applicant shall be deemed to have satisfied the eligibility
12 criteria, and the department shall issue a Certification of Eligibility
13 for Forbearance to the storm-impacted homeowner.

14 ¹(4) Upon their receipt of a Certification of Eligibility for
15 Forbearance, the storm-impacted homeowner shall notify and
16 provide a copy of the Certification of Eligibility for Forbearance to
17 the mortgage servicer identified in their application.¹

18 e. The forbearance period shall conclude one year after the date
19 on which the department issues a Certification of Eligibility for
20 Forbearance to a storm-impacted homeowner unless the storm-
21 impacted homeowner discontinues the mortgage forbearance
22 pursuant to ¹subparagraph (a) of¹ paragraph (3) of subsection f. of
23 this section ¹, or the mortgage forbearance is terminated by the
24 commissioner pursuant to subparagraph (b) of paragraph (3) of
25 subsection f. of this section¹.

26 f. (1) Notwithstanding the provisions of any law, rule, or
27 regulation to the contrary, the repayment period of any mortgage
28 subject to the forbearance pursuant to the issuance of a Certification
29 of Eligibility for Forbearance shall be extended by the number of
30 months the forbearance is in effect. The payments not made during
31 the forbearance shall be due on a monthly basis during the period
32 constituting an extension of the mortgage, unless the storm-
33 impacted homeowner granted a Certification of Eligibility for
34 Forbearance has chosen to make these payments earlier.

35 (2) During the time of the forbearance, and during the period
36 constituting an extension of the mortgage, all terms and conditions
37 of the original mortgage, except with regard to default and
38 delinquency during forbearance, shall continue without
39 modification, and there shall be no fees assessed, including
40 attorney's fees, related to the forbearance or late payment, or
41 penalty for early repayment. A mortgage forbearance pursuant to
42 this section shall not be construed to impact a homeowner's
43 property tax or insurance obligations related to the property that is
44 the subject of the forbearance. A homeowner who receives a
45 Certification of Eligibility for Forbearance shall be responsible for
46 maintenance of the property that is the subject of the forbearance
47 during the period of forbearance.

1 (3) ¹(a)¹ A storm-impacted homeowner who receives a
2 Certification of Eligibility for Forbearance shall have the option to
3 discontinue the mortgage forbearance at any time at the election of
4 the storm-impacted homeowner upon written notice to the mortgage
5 servicer and to the department stating that they knowingly waive
6 any rights they would otherwise be afforded hereunder.

7 ¹(b) The commissioner may terminate a Certification of
8 Eligibility for Forbearance and the mortgage-forbearance period if
9 the commissioner determines that the storm-impacted homeowner
10 made a false or misleading statement, misrepresentation, or
11 omission of a material fact in any application or submission of
12 information to the department pursuant to P.L. , c. (C.)
13 (pending before the Legislature as this bill). Upon the termination
14 of a Certification of Eligibility for Forbearance or mortgage-
15 forbearance period pursuant to this subparagraph, the commissioner
16 shall provide notice to the storm-impacted homeowner of their right
17 to a hearing to contest the termination in accordance with the
18 requirements of the "Administrative Procedure Act," P.L.1968,
19 c.410 (C.52:14B-1 et seq.).¹

20 (4) During any period of mortgage forbearance granted pursuant
21 to this section, a mortgage servicer shall not, for the purposes of
22 foreclosure of a residential property that is the subject of a
23 Certification of Eligibility for Forbearance issued pursuant to this
24 section that is not vacant, abandoned or otherwise subject to
25 P.L.2003, c.210 (C.55:19-78 et al.):

26 (a) send a storm-impacted homeowner a notice of intention to
27 foreclose pursuant to section 4 of P.L.1995, c.244 (C.2A:50-56); or

28 (b) otherwise initiate the foreclosure process.

29 A deadline or time period for action by a party to the foreclosure
30 process for a residential property that is subject to a Certification of
31 Eligibility for Forbearance issued pursuant to this section, and filed
32 prior to the effective date of P.L. , c. (C.) (pending before
33 the Legislature as this bill) shall be tolled until the end of the period
34 of the mortgage forbearance.

35 g. A storm-impacted homeowner who has received a
36 Certification of Eligibility for Forbearance and is denied a
37 forbearance by a mortgage servicer licensed by the Department of
38 Banking and Insurance may file a complaint with the Department of
39 Banking and Insurance. The Department of Banking and Insurance
40 shall investigate the complaint and, if appropriate, shall order the
41 mortgage servicer to grant a forbearance to the storm-impacted
42 homeowner pursuant to this section.

43 h. (1) To the extent required by the Administrative Director
44 of the Courts, the mortgage servicer shall provide the docket
45 numbers, party names, and property addresses as to any pending
46 court actions involving any property granted a forbearance to the
47 Superior Court Clerk's Office.

1 (2) The mortgage servicer shall submit information on all
2 forbearances that the mortgage servicer has provided within the
3 State to the Department of Banking and Insurance on a monthly
4 basis, or on any alternative schedule directed by the Department of
5 Banking and Insurance, after removing all personally identifiable
6 information. This information shall be submitted in accordance
7 with any specifications required by the Department of Banking and
8 Insurance, and, to the extent required by the Department of Banking
9 and Insurance, shall be deemed to be government records and
10 subject to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.),
11 commonly known as the Open Public Records Act.

12 i. This section shall not apply to any mortgage loans made,
13 insured, or securitized by the Federal National Mortgage
14 Association, the Federal Home Loan Mortgage Corporation, the
15 Federal Housing Administration of the United States Department of
16 Housing and Urban Development, the Department of Veterans
17 Affairs, or the Rural Housing Service, nor shall this section apply to
18 any mortgage loans serviced pursuant to the policies of these
19 entities but not made, or insured, or securitized by the entities
20 unless the mortgage loan has been granted a forbearance pursuant to
21 this section prior to being serviced by these entities.

22 j. It shall be an unlawful discrimination in violation of the
23 "New Jersey Law Against Discrimination," P.L.1945, c.169
24 (C.10:5-1 et seq.) for a mortgage servicer to discriminate in
25 application of the provisions of this section on any basis protected
26 by subsection g. of section 11 of P.L.1945, c.169 (C.10:5-12).

27
28 3. A storm-impacted homeowner who is the subject of a
29 foreclosure proceeding shall be awarded, by the court and upon
30 application by the property owner for good cause shown, a stay in
31 the foreclosure proceedings. An application to the court by a storm-
32 impacted homeowner pursuant to this section shall be made prior to
33 the first day of the sixth month next following the effective date of
34 P.L. , c. (C.) (pending before the Legislature as this bill),
35 unless the courts in their discretion permit application submission
36 for a longer period. The receipt of a Certification of Eligibility for
37 Forbearance, issued to the storm-impacted homeowner pursuant to
38 section 2 of P.L. , c. (C.) (pending before the Legislature
39 as this bill), shall constitute good cause for the award of a stay
40 pursuant to this subsection. The award of a stay pursuant to this
41 section shall conclude upon the earlier of:

42 a. the conclusion of one year following the initial award of a
43 stay of foreclosure proceedings; or

44 b. January 1, 2026.

45

46 4. This act shall take effect immediately.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 3670

STATE OF NEW JERSEY

DATED: SEPTEMBER 30, 2024

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 3670.

This bill would provide mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida.

Hurricane Ida initially approached the Gulf Coast as a category 4 hurricane, and caused severe damage to a large area of the south and northeast regions of the country. In New Jersey, thousands of families have been displaced and unable to return to their homes as a result of this storm. This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of the storm-impacted homeowners.

The bill defines a "storm-impacted homeowner" as a mortgagor who, as of August 31, 2021, occupied the residential property as their primary residence and received federal disaster assistance for needs related to damage sustained from the remnants of Hurricane Ida.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs (department) for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the department makes the application publicly available. The department would be required to review each application to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance may appeal that decision, and any homeowner who obtains a Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance may file a complaint with that agency, which must investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without

modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and, on a monthly basis, submit certain information on all forbearances that the mortgage servicer has provided within the State to the Department of Banking and Insurance, except as provided in the bill.

Further, a storm-impacted homeowner who is the subject of a foreclosure proceeding would be awarded, by the court and upon application by the property owner for good cause shown, a stay in the foreclosure proceedings. An application to the court by a storm-impacted homeowner would be required to be made prior to the first day of the sixth month following the effective date of the bill, unless the courts in their discretion permit application submission for a longer period. The award of a stay pursuant to the bill would conclude upon the earlier of:

- the conclusion of one year following the initial award of a stay of foreclosure proceedings; or
- January 1, 2026.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3670

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 7, 2024

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 3670.

As amended, this bill would provide mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida.

Hurricane Ida initially approached the Gulf Coast as a category 4 hurricane, and caused severe damage to a large area of the south and northeast regions of the country. In New Jersey, thousands of families have been displaced and unable to return to their homes as a result of this storm. This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of the storm-impacted homeowners.

The bill defines a "storm-impacted homeowner" as a person who holds a mortgage to a primary residence and, as a result of the damage to that primary residence due to Hurricane Ida: (1) is participating in the Homeowner Assistance and Recovery Program (HARP); (2) has applied to but was denied participation in HARP, solely based on HARP criteria excluding homes located in government-designated flood-hazard areas or floodways; (3) has applied to and is pending an award from the Mitigation Assistance Program; or (4) has been invited to participate or is participating in the Blue Acres Community Development Block Grant Disaster Recovery Program.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs (department) for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the department makes the application publicly available. The department would be required to review each application, as specified in the bill, to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance would be permitted to appeal that decision, and any homeowner who obtains a

Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance would be permitted to file a complaint with that agency, which must investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and, on a monthly basis, submit certain information on all forbearances that the mortgage servicer has provided within the State to the Department of Banking and Insurance, except as provided in the bill.

Further, a storm-impacted homeowner who is the subject of a foreclosure proceeding would be awarded, by the court and upon application by the property owner for good cause shown, a stay in the foreclosure proceedings. An application to the court by a storm-impacted homeowner would be required to be made prior to the first day of the sixth month following the effective date of the bill, unless the courts in their discretion permit application submission for a longer period. The award of a stay pursuant to the bill would conclude upon the earlier of: the conclusion of one year following the initial award of a stay of foreclosure proceedings; or January 1, 2026.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) define a "storm-impacted homeowner" as a person who holds a mortgage to a primary residence and, as a result of the damage to that primary residence due to Hurricane Ida: (1) is participating in the Homeowner Assistance and Recovery Program (HARP); (2) applied to but was denied participation in HARP, solely based on HARP criteria excluding homes located in government-designated flood-hazard areas or floodways; (3) has applied to and is pending an award from the Mitigation Assistance Program (MAP); or (4) has been invited to participate or is participating in the Blue Acres Community Development Block Disaster Recovery Program (Blue Acres);

(2) provide a definition for HARP, MAP, and Blue Acres, as used in the bill;

(3) require the Department of Community Affairs to review and make determinations concerning an application for a Certification of Eligibility for Forbearance within 90 days from the conclusion of the application period for storm-impacted homeowners set forth in the bill, instead of 60 days;

(4) authorize the Commissioner of Community Affairs (commissioner) to terminate a Certification of Eligibility for Forbearance and the mortgage-forbearance period if the commissioner determines that the storm-impacted homeowner made a false or misleading statement, misrepresentation, or omission of a material fact in any application or submission of information to the department;

(5) require the commissioner to provide notice to the storm-impacted homeowner of their right to a hearing to contest the termination; and

(6) make technical changes.

FISCAL IMPACT:

The Office of Legislative Services (OLS) anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans. The OLS cannot determine the number of homeowners with mortgages through State agencies who will request and be eligible for the mortgage forbearance, for how many months they will suspend payment, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.

The OLS determines that there may be an indeterminate State expenditure increase as a result of administrative responsibilities assigned to the Department of Community Affairs, which include developing an online application, reviewing applications, awarding Certifications of Eligibility for Forbearance, and conducting hearings concerning certificates terminated by the commissioner.

The OLS finds there may also be a State expenditure increase associated with the bill's requirement that the Department of Banking and Insurance investigate certain complaints made by storm-impacted homeowners who were denied a forbearance and maintain certain records.

The OLS finds that there may also be an indeterminate fiscal impact on the Judiciary related to potential costs incurred and costs avoided associated with stays in foreclosure proceedings allowed pursuant to the bill.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 3670
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: OCTOBER 7, 2024

SUMMARY

- Synopsis:** Provides for mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida.
- Type of Impact:** Time-limited delay in State revenue collections; time-limited State expenditure increase.
- Agencies Affected:** Housing and Mortgage Finance Agency; State entities holding mortgage loans; Department of Banking and Insurance; Department of Community Affairs, the Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2025 – FY 2026</u>
Potential State Revenue Shift	Indeterminate
Potential State Expenditure Impact	Indeterminate

- The Office of Legislative Services (OLS) anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans.
- The OLS cannot determine the number of homeowners with mortgages through State agencies who will request and be eligible for the mortgage forbearance, for how many months they will suspend payment, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.
- The OLS determines that there may be an indeterminate State expenditure increase as a result of administrative responsibilities assigned to the Department of Community Affairs, which include developing an online application within 90 days of enactment, reviewing applications, and awarding Certifications of Eligibility for Forbearance.
- The OLS finds there may also be a State expenditure increase associated with the bill's requirement that the Department of Banking and Insurance investigate certain complaints made by storm-impacted homeowners who were denied a forbearance and maintain certain records.

- The OLS finds that there may also be an indeterminate fiscal impact on the Judiciary related to potential costs incurred and costs avoided associated with stays in foreclosure proceedings allowed pursuant to the bill.

BILL DESCRIPTION

This bill would require mortgage servicers to grant a mortgage forbearance of one year to certain storm-impacted homeowners who have successfully applied for and have been granted a Certification of Eligibility for Forbearance by the Department of Community Affairs. Storm-impacted homeowners would have 30 days following the date on which the department makes an online application publicly available to apply for a certification. To qualify for a certification, an applicant would be required to satisfy the following eligibility criteria: (1) meet the bill's definition of "storm-impacted homeowner;" (2) have a current mortgage obligation on their primary residence; and (3) submit a complete application to the department, which satisfies the requirements set forth in the bill. A successful applicant would receive mortgage forbearance for a period of one year following the issuance of a certification, unless the applicant discontinues the mortgage forbearance. During a period of forbearance, a mortgage servicer would be prohibited from initiating the foreclosure process. The bill would extend the repayment period of any mortgage subject to a forbearance by a certification, by the number of months the forbearance is in effect. A deadline or time period for an action by a party to the foreclosure process for a residential property, which that is subject to a certification and filed prior to the effective date of the bill, would be tolled until the end of the period of the mortgage forbearance.

The Department of Community Affairs would be required, within 90 days of enactment of this bill, to make an online application system publicly available on its Internet website. Within 60 days of an application submission, the department would be required to determine if the application: (1) is complete; and (2) meets the eligibility criteria. The bill would require the Department of Banking and Insurance to investigate complaints filed by storm-impacted homeowners granted a certification but denied a forbearance from a mortgage servicer.

The bill would permit the Administrative Director of the Courts to require the mortgage servicer to provide the docket numbers, party names, and property addresses for any pending court actions involving a property granted a forbearance pursuant to the bill to the Superior Court Clerk's Office. A mortgage servicer would be required to submit information to the Department of Banking and Insurance concerning all forbearances that the mortgage servicer provided within the State pursuant to the bill.

The bill would direct the court to award a stay in a foreclosure proceeding following an application by a storm-impacted homeowner. The receipt of a certificate would constitute good cause for the award of a stay. The award of such a stay would conclude one year following the initial award of the stay, or January 1, 2026, whichever is earlier.

The bill provides exceptions to mortgage loans made, insured, or securitized by certain organizations. The bill would take effect immediately.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans. The OLS cannot determine the number of homeowners with mortgages through State agencies who will request, and be eligible for, the mortgage forbearance, for how many months payment may be suspended, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.

The OLS determines that there may be an indeterminate State expenditure increase as a result of administrative responsibilities assigned to the Department of Community Affairs, which include developing an online application within 90 days of enactment, reviewing applications, and awarding Certifications of Eligibility for Forbearance. The OLS finds there may also be a State expenditure increase associated with the bill's requirement that the Department of Banking and Insurance investigate certain complaints made by storm-impacted homeowners who were denied a forbearance and maintain certain records. The OLS finds that there may also be an indeterminate fiscal impact on the Judiciary related to potential costs incurred and costs avoided associated with stays in foreclosure proceedings allowed pursuant to the bill.

Section: Local Government

*Analyst: Grace Ahlin
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3670 STATE OF NEW JERSEY 221st LEGISLATURE

DATED: OCTOBER 21, 2024

SUMMARY

- Synopsis:** Provides for mortgage payment relief and foreclosure protection for certain homeowners impacted by remnants of Hurricane Ida.
- Type of Impact:** Time-limited delay in State revenue collections time-limited State expenditure increase.
- Agencies Affected:** Housing and Mortgage Finance Agency; State entities holding mortgage loans; Department of Banking and Insurance; Department of Community Affairs; the Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2025 – FY 2026</u>
Potential State Revenue Shift	Indeterminate
Potential State Expenditure Impact	Indeterminate

- The Office of Legislative Services (OLS) anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans.
- The OLS cannot determine the number of homeowners with mortgages through State agencies who will request and be eligible for the mortgage forbearance, for how many months they will suspend payment, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.
- The OLS determines that there may be an indeterminate State expenditure increase as a result of administrative responsibilities assigned to the Department of Community Affairs, which include developing an online application process, reviewing applications, awarding Certifications of Eligibility for Forbearance, and conducting hearings concerning certificates terminated by the commissioner.

- The OLS finds there may also be a State expenditure increase associated with the bill's requirement that the Department of Banking and Insurance investigate certain complaints made by storm-impacted homeowners who were denied a forbearance and maintain certain records.
- The OLS finds that there may also be an indeterminate fiscal impact on the Judiciary related to potential costs incurred and costs avoided associated with stays in foreclosure proceedings allowed pursuant to the bill.

BILL DESCRIPTION

This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of a storm-impacted homeowners, as defined in the bill.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the application becomes publicly available. The department would be required to review each application, as specified in the bill, to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance would be permitted to appeal that decision, and any homeowner who obtains a Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance would be permitted to file a complaint with that agency, which would be required to investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: (1) submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and (2) submit certain information on all forbearances that the mortgage servicer has provided within the State to the Department of Banking and Insurance on a monthly basis, except as provided in the bill.

Further, a storm-impacted homeowner who is the subject of a foreclosure proceeding would be awarded, by the court and upon application by the property owner for good cause shown, a stay in the foreclosure proceedings. An application to the court by a storm-impacted homeowner would be required to be made prior to the first day of the sixth month following the effective date of the bill, unless the courts in their discretion permit application submission for a longer period. The award of a stay pursuant to the bill would conclude upon the earlier of: the conclusion of one year following the initial award of a stay of foreclosure proceedings; or January 1, 2026.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans. The OLS cannot determine the number of homeowners with mortgages through State agencies who will request and be eligible for the mortgage forbearance, for how many months they will suspend payment, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.

The OLS determines that there may be an indeterminate State expenditure increase as a result of administrative responsibilities assigned to the Department of Community Affairs, which include developing an online application process, reviewing applications, awarding Certifications of Eligibility for Forbearance, and conducting hearings concerning certificates terminated by the commissioner. The OLS finds that there may also be a State expenditure increase associated with the bill's requirement that the Department of Banking and Insurance investigate certain complaints made by storm-impacted homeowners who were denied a forbearance and maintain certain records. The OLS finds that there may also be an indeterminate fiscal impact on the Judiciary related to potential costs incurred and costs avoided associated with stays in foreclosure proceedings allowed pursuant to the bill.

Section: Local Government

*Analyst: Grace Ahlin
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 4871

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED SEPTEMBER 26, 2024

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Provides for mortgage payment relief and foreclosure protection for certain homeowners who were impacted by the remnants of Hurricane Ida.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT to provide mortgage payment relief and foreclosure
2 protection in response to the remnants of Hurricane Ida and
3 supplementing Title 52 of the Revised Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 "Certification of eligibility for forbearance" means a final
11 determination by the department that an applicant has satisfied all
12 eligibility criteria set forth in subsection b. of section 2 of P.L. , c.
13 (C.) (pending before the Legislature as this bill) and is thus
14 entitled to mortgage forbearance in accordance with P.L. ,c. (C.)
15 (pending before the Legislature as this bill).

16 "Complete application" means an application properly filed with
17 the department, which contains all information and documentation
18 required by subsection c. of section 2 of P.L. , c. (C.)
19 (pending before the Legislature as this bill) to determine whether
20 the applicant meets the eligibility criteria to receive a Certification
21 of Eligibility for Forbearance.

22 "Department" means the Department of Community Affairs.

23 "Federal disaster assistance" means federal aid provided in response
24 to the remnants of Hurricane Ida, including but not limited to,
25 mitigation efforts, buy-out grants, assistance from the Federal
26 Emergency Management Agency, payments from the National Flood
27 Insurance Program, or Community Development Block Grant—
28 Disaster Recovery funding administered by the State.

29 "Hurricane Ida" means the major storm that made landfall in
30 New Jersey on September 1, 2021, for which a Presidential
31 declaration that a major disaster existed in New Jersey was issued
32 on September 5, 2021.

33 "Mortgage" means a mortgage, trust deed, or other security in the
34 nature of a residential mortgage.

35 "Mortgage forbearance" or "forbearance" means a period during
36 which the obligations for mortgage principal and interest payments
37 of a storm-impacted homeowner who receives a Certification of
38 Eligibility for Forbearance are suspended. A storm-impacted
39 homeowner who receives a forbearance pursuant to P.L. , c. (C.)
40 (pending before the Legislature as this bill) remains responsible for
41 tax and insurance payments during the period of forbearance, as
42 well as maintenance of the property that is the subject of the
43 forbearance.

44 "Mortgage servicer" means the same as that term is defined in
45 section 2 of P.L.2019, c.65 (C.17:16F-28).

46 "Primary residence" means a homestead located in the State of
47 New Jersey that is occupied by a storm-impacted homeowner as
48 their permanent residence, or that would be so occupied but for

1 damage due to Hurricane Ida that has rendered the homestead
2 uninhabitable, as distinguished from a vacation home, property
3 owned and rented or offered for rent by the homeowner, and other
4 secondary real property holdings.

5 "Storm-impacted homeowner" means a mortgagor who, as of
6 August 31, 2021, occupied the residential property as their primary
7 residence and received federal disaster assistance for needs related
8 to damage sustained from the remnants of Hurricane Ida.

9
10 2. a. A person who meets the eligibility criteria set forth in
11 subsection b. of this section may file an application with the
12 Department of Community Affairs, requesting a Certification of
13 Eligibility for Forbearance, online through a system established by
14 the department. The department shall publish instructions for filing
15 an application requesting a Certification of Eligibility for
16 Forbearance on its Internet website by no later than 60 days after
17 the enactment of P.L. , c. (C.) (pending before the
18 Legislature as this bill). The department shall make the online
19 application system publicly available by no later than 90 days after
20 the enactment of P.L. , c. (C.) (pending before the
21 Legislature as this bill). All applications must be submitted to the
22 department by no later than 30 days following the date on which the
23 department makes the online application system publicly available
24 pursuant to this section.

25 b. To qualify for a Certification of Eligibility for Forbearance,
26 an applicant must satisfy the following eligibility criteria:

27 (1) meet the definition of "storm-impacted homeowner"
28 pursuant to section 1 of P.L. , c. (C.) (pending before the
29 Legislature as this bill);

30 (2) have a current mortgage obligation on their primary
31 residence; and

32 (3) submit a complete application to the department that
33 satisfies the requirements set forth in P.L. , c. (C.)
34 (pending before the Legislature as this bill).

35 A storm-impacted homeowner shall be eligible for a forbearance
36 regardless of whether the storm-impacted homeowner's primary
37 residence is already the subject of a foreclosure proceeding.

38 c. To be deemed complete, an application for a Certification of
39 Eligibility for Forbearance must comply with the instructions for
40 filing published by the department and include copies of the
41 following materials:

42 (1) documentation demonstrating that the applicant meets the
43 definition of storm-impacted homeowner pursuant to section 1 of
44 P.L. , c. (C.) (pending before the Legislature as this bill);

45 (2) proof that the applicant has a current mortgage obligation on
46 their primary residence;

47 (3) a written attestation by the applicant under penalty of law
48 that:

- 1 (a) the information submitted to the department in support of the
2 application for a Certification of Eligibility for Forbearance is true
3 and accurate to the best of the applicant's knowledge; and
- 4 (b) the applicant understands and accepts that the department
5 may, as part of its review process, take necessary steps to verify the
6 information submitted by the applicant, and agrees to cooperate
7 with the department in any such verification process; and
- 8 (4) any additional documentation requested by the department.
- 9 d. (1) Within 60 days from the date of an application
10 submission, the department shall determine whether the application:
11 (a) is complete, and, if not, the department shall provide
12 immediate, written notice to the applicant explaining why the
13 application is incomplete. An applicant who receives notice from
14 the department that their application is incomplete shall have 15
15 days after they receive such notice to resubmit their application.
16 Upon the applicant's resubmission, the 60-day review period shall
17 begin from the original date of submission; and
- 18 (b) meets the eligibility criteria set forth in subsection b. of this
19 section, and if so, issue a Certification of Eligibility for Forbearance
20 to the storm-impacted homeowner. Upon their receipt of a
21 Certification of Eligibility for Forbearance, the storm-impacted
22 homeowner shall notify and provide a copy of the Certification of
23 Eligibility for Forbearance to the mortgage servicer identified in
24 their application.
- 25 (2) If the department determines that an application does not
26 meet the eligibility criteria, the department shall provide written
27 notice to the applicant explaining why the application does not meet
28 the eligibility criteria and providing information on the applicant's
29 ability to appeal the department's decision.
- 30 (3) If the department fails to act on an application that it has
31 deemed to be complete before the expiration of the 60-day review
32 period pursuant to paragraph (2) of this subsection, the applicant
33 shall be deemed to have satisfied the eligibility criteria, and the
34 department shall issue a Certification of Eligibility for Forbearance
35 to the storm-impacted homeowner.
- 36 e. The forbearance period shall conclude one year after the date
37 on which the department issues a Certification of Eligibility for
38 Forbearance to a storm-impacted homeowner unless the storm-
39 impacted homeowner discontinues the mortgage forbearance
40 pursuant to paragraph (3) of subsection f. of this section.
- 41 f. (1) Notwithstanding the provisions of any law, rule, or
42 regulation to the contrary, the repayment period of any mortgage
43 subject to the forbearance pursuant to the issuance of a Certification
44 of Eligibility for Forbearance shall be extended by the number of
45 months the forbearance is in effect. The payments not made during
46 the forbearance shall be due on a monthly basis during the period
47 constituting an extension of the mortgage, unless the storm-

1 impacted homeowner granted a Certification of Eligibility for
2 Forbearance has chosen to make these payments earlier.

3 (2) During the time of the forbearance, and during the period
4 constituting an extension of the mortgage, all terms and conditions
5 of the original mortgage, except with regard to default and
6 delinquency during forbearance, shall continue without
7 modification, and there shall be no fees assessed, including
8 attorney's fees, related to the forbearance or late payment, or
9 penalty for early repayment. A mortgage forbearance pursuant to
10 this section shall not be construed to impact a homeowner's
11 property tax or insurance obligations related to the property that is
12 the subject of the forbearance. A homeowner who receives a
13 Certification of Eligibility for Forbearance shall be responsible for
14 maintenance of the property that is the subject of the forbearance
15 during the period of forbearance.

16 (3) A storm-impacted homeowner who receives a Certification
17 of Eligibility for Forbearance shall have the option to discontinue
18 the mortgage forbearance at any time at the election of the storm-
19 impacted homeowner upon written notice to the mortgage servicer
20 and to the department stating that they knowingly waive any rights
21 they would otherwise be afforded hereunder.

22 (4) During any period of mortgage forbearance granted pursuant
23 to this section, a mortgage servicer shall not, for the purposes of
24 foreclosure of a residential property that is the subject of a
25 Certification of Eligibility for Forbearance issued pursuant to this
26 section that is not vacant, abandoned or otherwise subject to
27 P.L.2003, c.210 (C.55:19-78 et al.):

28 (a) send a storm-impacted homeowner a notice of intention to
29 foreclose pursuant to section 4 of P.L.1995, c.244 (C.2A:50-56); or

30 (b) otherwise initiate the foreclosure process.

31 A deadline or time period for action by a party to the foreclosure
32 process for a residential property that is subject to a Certification of
33 Eligibility for Forbearance issued pursuant to this section, and filed
34 prior to the effective date of P.L. , c. (C.) (pending before
35 the Legislature as this bill) shall be tolled until the end of the period
36 of the mortgage forbearance.

37 g. A storm-impacted homeowner who has received a
38 Certification of Eligibility for Forbearance and is denied a
39 forbearance by a mortgage servicer licensed by the Department of
40 Banking and Insurance may file a complaint with the Department of
41 Banking and Insurance. The Department of Banking and Insurance
42 shall investigate the complaint and, if appropriate, shall order the
43 mortgage servicer to grant a forbearance to the storm-impacted
44 homeowner pursuant to this section.

45 h. (1) To the extent required by the Administrative Director
46 of the Courts, the mortgage servicer shall provide the docket
47 numbers, party names, and property addresses as to any pending

1 court actions involving any property granted a forbearance to the
2 Superior Court Clerk's Office.

3 (2) The mortgage servicer shall submit information on all
4 forbearances that the mortgage servicer has provided within the
5 State to the Department of Banking and Insurance on a monthly
6 basis, or on any alternative schedule directed by the Department of
7 Banking and Insurance, after removing all personally identifiable
8 information. This information shall be submitted in accordance
9 with any specifications required by the Department of Banking and
10 Insurance, and, to the extent required by the Department of Banking
11 and Insurance, shall be deemed to be government records and
12 subject to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.),
13 commonly known as the Open Public Records Act.

14 i. This section shall not apply to any mortgage loans made,
15 insured, or securitized by the Federal National Mortgage
16 Association, the Federal Home Loan Mortgage Corporation, the
17 Federal Housing Administration of the United States Department of
18 Housing and Urban Development, the Department of Veterans
19 Affairs, or the Rural Housing Service, nor shall this section apply to
20 any mortgage loans serviced pursuant to the policies of these
21 entities but not made, or insured, or securitized by the entities
22 unless the mortgage loan has been granted a forbearance pursuant to
23 this section prior to being serviced by these entities.

24 j. It shall be an unlawful discrimination in violation of the
25 "New Jersey Law Against Discrimination," P.L.1945, c.169
26 (C.10:5-1 et seq.) for a mortgage servicer to discriminate in
27 application of the provisions of this section on any basis protected
28 by subsection g. of section 11 of P.L.1945, c.169 (C.10:5-12).

29
30 3. A storm-impacted homeowner who is the subject of a
31 foreclosure proceeding shall be awarded, by the court and upon
32 application by the property owner for good cause shown, a stay in
33 the foreclosure proceedings. An application to the court by a storm-
34 impacted homeowner pursuant to this section shall be made prior to
35 the first day of the sixth month next following the effective date of
36 P.L. , c. (C.) (pending before the Legislature as this bill),
37 unless the courts in their discretion permit application submission
38 for a longer period. The receipt of a Certification of Eligibility for
39 Forbearance, issued to the storm-impacted homeowner pursuant to
40 section 2 of P.L. , c. (C.) (pending before the Legislature
41 as this bill), shall constitute good cause for the award of a stay
42 pursuant to this subsection. The award of a stay pursuant to this
43 section shall conclude upon the earlier of:

44 a. the conclusion of one year following the initial award of a
45 stay of foreclosure proceedings; or

46 b. January 1, 2026.

47

48 4. This act shall take effect immediately.

STATEMENT

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This bill would provide mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida.

Hurricane Ida initially approached the Gulf Coast as a category 4 hurricane, and caused severe damage to a large area of the south and northeast regions of the country. In New Jersey, thousands of families have been displaced and unable to return to their homes as a result of this storm. This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of the storm-impacted homeowners.

The bill defines a "storm-impacted homeowner" as a mortgagor who, as of August 31, 2021, occupied the residential property as their primary residence and received federal disaster assistance for needs related to damage sustained from the remnants of Hurricane Ida.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs (department) for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the department makes the application publicly available. The department would be required to review each application to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance may appeal that decision, and any homeowner who obtains a Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance may file a complaint with that agency, which must investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and, on a monthly basis, submit certain information on all forbearances that the

1 mortgage servicer has provided within the State to the Department
2 of Banking and Insurance, except as provided in the bill.

3 Further, a storm-impacted homeowner who is the subject of a
4 foreclosure proceeding would be awarded, by the court and upon
5 application by the property owner for good cause shown, a stay in
6 the foreclosure proceedings. An application to the court by a storm-
7 impacted homeowner would be required to be made prior to the first
8 day of the sixth month following the effective date of the bill,
9 unless the courts in their discretion permit application submission
10 for a longer period. The award of a stay pursuant to the bill would
11 conclude upon the earlier of:

- 12 • the conclusion of one year following the initial award of a
13 stay of foreclosure proceedings; or
- 14 • January 1, 2026.

[First Reprint]

ASSEMBLY, No. 4871

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED SEPTEMBER 26, 2024

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Provides for mortgage payment relief and foreclosure protection for certain homeowners impacted by remnants of Hurricane Ida.

CURRENT VERSION OF TEXT

As reported by the Assembly Housing Committee on October 24, 2024, with amendments.



1 AN ACT to provide mortgage payment relief and foreclosure
2 protection in response to the remnants of Hurricane Ida and
3 supplementing Title 52 of the Revised Statutes.

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

7
8 1. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 ¹"Blue Acres" means the Blue Acres Community Development
11 Block Grant Disaster Recovery Program administered by the State of
12 New Jersey.¹

13 "Certification of ¹**[eligibility]** Eligibility¹ for ¹**[forbearance]**
14 Forbearance"¹ means a final determination by the department that an
15 applicant has satisfied all eligibility criteria set forth in subsection b. of
16 section 2 of P.L. , c. (C.) (pending before the Legislature as
17 this bill) and is thus entitled to mortgage forbearance in accordance
18 with P.L. , c. (C.) (pending before the Legislature as this bill).

19 "Complete application" means an application properly filed with
20 the department, which contains all information and documentation
21 required by subsection c. of section 2 of P.L. , c. (C.) (pending
22 before the Legislature as this bill) to determine whether the applicant
23 meets the eligibility criteria to receive a Certification of Eligibility for
24 Forbearance.

25 ¹"Commissioner" means Commissioner of Community Affairs.¹

26 "Department" means the Department of Community Affairs.

27 ¹**[**"Federal disaster assistance" means federal aid provided in
28 response to the remnants of Hurricane Ida, including but not limited to,
29 mitigation efforts, buy-out grants, assistance from the Federal
30 Emergency Management Agency, payments from the National Flood
31 Insurance Program, or Community Development Block Grant—
32 Disaster Recovery funding administered by the State.**]**

33 "HARP" means the Homeowner Assistance and Recovery Program
34 administered by the State of New Jersey.¹

35 "Hurricane Ida" means the major storm that made landfall in New
36 Jersey on September 1, 2021, for which a Presidential declaration that
37 a major disaster existed in New Jersey was issued on September 5,
38 2021.

39 ¹"MAP" means the Mitigation Assistance Program administered
40 by the State of New Jersey.¹

41 "Mortgage" means a mortgage, trust deed, or other security in the
42 nature of a residential mortgage.

43 "Mortgage forbearance" or "forbearance" means a period during
44 which the obligations for mortgage principal and interest payments 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.

1 a storm-impacted homeowner who receives a Certification of
2 Eligibility for Forbearance are suspended. A storm-impacted
3 homeowner who receives a forbearance pursuant to
4 P.L. , c. (C.) (pending before the Legislature as this bill)
5 remains responsible for tax and insurance payments during the period
6 of forbearance, as well as maintenance of the property that is the
7 subject of the forbearance.

8 "Mortgage servicer" means the same as that term is defined in
9 section 2 of P.L.2019, c.65 (C.17:16F-28).

10 "Primary residence" means a homestead located in the State of
11 New Jersey that is occupied by a storm-impacted homeowner as their
12 permanent residence, or that would be so occupied but for damage due
13 to Hurricane Ida that has rendered the homestead uninhabitable, as
14 distinguished from a vacation home, property owned and rented or
15 offered for rent by the homeowner, and other secondary real property
16 holdings.

17 "Storm-impacted homeowner" means a ¹ **["mortgagor"] person¹** who
18 ¹ **["as of August 31, 2021, occupied the residential property"]** holds a
19 mortgage to a primary residence and,¹ as ¹ **["their"]** a result of the
20 damage to that¹ primary residence ¹ **["and received federal disaster**
21 **assistance for needs related to damage sustained from the remnants of"]**
22 due to¹ Hurricane Ida ¹: (1) is participating in HARP; (2) applied to
23 but was denied participation in HARP solely based on HARP criteria
24 excluding homes located in government-designated flood-hazard areas
25 or floodways; (3) has applied to and is pending an award from MAP;
26 or (4) has been invited to participate or is participating in Blue Acres¹.

27
28 2. a. A person who meets the eligibility criteria set forth in
29 subsection b. of this section may file an application with the
30 Department of Community Affairs, requesting a Certification of
31 Eligibility for Forbearance, online through a system established by the
32 department. The department shall publish instructions for filing an
33 application requesting a Certification of Eligibility for Forbearance on
34 its Internet website by no later than 60 days after the enactment of
35 P.L. , c. (C.) (pending before the Legislature as this bill). The
36 department shall make the online application system publicly available
37 by no later than 90 days after the enactment of P.L. , c. (C.)
38 (pending before the Legislature as this bill). All applications must be
39 submitted to the department by no later than 30 days following the
40 date on which the department makes the online application system
41 publicly available pursuant to this section.

42 b. To qualify for a Certification of Eligibility for Forbearance, an
43 applicant must satisfy the following eligibility criteria:

44 (1) meet the definition of "storm-impacted homeowner" pursuant
45 to section 1 of P.L. , c. (C.) (pending before the Legislature as
46 this bill);

1 (2) have a current mortgage obligation on their primary residence;
2 and

3 (3) submit a complete application to the department that satisfies
4 the requirements set forth in P.L. , c. (C.) (pending before the
5 Legislature as this bill).

6 A storm-impacted homeowner shall be eligible for a forbearance
7 regardless of whether the storm-impacted homeowner's primary
8 residence is already the subject of a foreclosure proceeding.

9 c. To be deemed complete, an application for a Certification of
10 Eligibility for Forbearance must comply with the instructions for filing
11 published by the department and include copies of the following
12 materials:

13 (1) documentation demonstrating that the applicant meets the
14 definition of storm-impacted homeowner pursuant to section 1 of
15 P.L. , c. (C.) (pending before the Legislature as this bill);

16 (2) proof that the applicant has a current mortgage obligation on
17 their primary residence;

18 (3) a written attestation by the applicant under penalty of law that:

19 (a) the information submitted to the department in support of the
20 application for a Certification of Eligibility for Forbearance is true and
21 accurate to the best of the applicant's knowledge; and

22 (b) the applicant understands and accepts that the department may,
23 as part of its review process, take necessary steps to verify the
24 information submitted by the applicant, and agrees to cooperate with
25 the department in any such verification process; and

26 (4) any additional documentation requested by the department.

27 d. (1) Within ¹~~60~~ 90¹ days from the ¹~~date~~ conclusion¹ of
28 ¹~~an~~ the¹ application submission ¹period set forth in subsection a. of
29 this section¹, the department shall determine whether the application:

30 (a) is complete, and, if not, the department shall provide
31 ¹~~immediate,~~¹ written notice to the applicant explaining why the
32 application is incomplete. An applicant who receives notice from the
33 department that their application is incomplete shall have 15 days after
34 they receive such notice to resubmit their application. Upon the
35 applicant's resubmission, the ¹~~60-day~~ 90-day¹ review period shall
36 begin from the original date of submission; and

37 (b) meets the eligibility criteria set forth in subsection b. of this
38 section, and if so, issue a Certification of Eligibility for Forbearance to
39 the storm-impacted homeowner. ¹~~Upon their receipt of a Certification~~
40 ~~of Eligibility for Forbearance, the storm-impacted homeowner shall~~
41 ~~notify and provide a copy of the Certification of Eligibility for~~
42 ~~Forbearance to the mortgage servicer identified in their application.~~¹

43 (2) If the department determines that an application does not meet
44 the eligibility criteria, the department shall provide written notice to
45 the applicant explaining why the application does not meet the
46 eligibility criteria and providing information on the applicant's ability
47 to appeal the department's decision.

1 (3) If the department fails to act on an application that it has
2 deemed to be complete before the expiration of the ¹~~60-day~~ 90-day¹
3 review period pursuant to ¹~~paragraph (2) of~~¹ this subsection, the
4 applicant shall be deemed to have satisfied the eligibility criteria, and
5 the department shall issue a Certification of Eligibility for Forbearance
6 to the storm-impacted homeowner.

7 ¹(4) Upon their receipt of a Certification of Eligibility for
8 Forbearance, the storm-impacted homeowner shall notify and provide
9 a copy of the Certification of Eligibility for Forbearance to the
10 mortgage servicer identified in their application.¹

11 e. The forbearance period shall conclude one year after the date
12 on which the department issues a Certification of Eligibility for
13 Forbearance to a storm-impacted homeowner unless the storm-
14 impacted homeowner discontinues the mortgage forbearance pursuant
15 to ¹subparagraph (a) of¹ paragraph (3) of subsection f. of this section ¹,
16 or the mortgage forbearance is terminated by the commissioner
17 pursuant to subparagraph (b) of paragraph (3) of subsection f. of this
18 section¹.

19 f. (1) Notwithstanding the provisions of any law, rule, or
20 regulation to the contrary, the repayment period of any mortgage
21 subject to the forbearance pursuant to the issuance of a Certification of
22 Eligibility for Forbearance shall be extended by the number of months
23 the forbearance is in effect. The payments not made during the
24 forbearance shall be due on a monthly basis during the period
25 constituting an extension of the mortgage, unless the storm-impacted
26 homeowner granted a Certification of Eligibility for Forbearance has
27 chosen to make these payments earlier.

28 (2) During the time of the forbearance, and during the period
29 constituting an extension of the mortgage, all terms and conditions of
30 the original mortgage, except with regard to default and delinquency
31 during forbearance, shall continue without modification, and there
32 shall be no fees assessed, including attorney's fees, related to the
33 forbearance or late payment, or penalty for early repayment. A
34 mortgage forbearance pursuant to this section shall not be construed to
35 impact a homeowner's property tax or insurance obligations related to
36 the property that is the subject of the forbearance. A homeowner who
37 receives a Certification of Eligibility for Forbearance shall be
38 responsible for maintenance of the property that is the subject of the
39 forbearance during the period of forbearance.

40 (3) ¹(a)¹ A storm-impacted homeowner who receives a
41 Certification of Eligibility for Forbearance shall have the option to
42 discontinue the mortgage forbearance at any time at the election of the
43 storm-impacted homeowner upon written notice to the mortgage
44 servicer and to the department stating that they knowingly waive any
45 rights they would otherwise be afforded hereunder.

46 ¹(b) The commissioner may terminate a Certification of Eligibility
47 for Forbearance and the mortgage-forbearance period if the

1 commissioner determines that the storm-impacted homeowner made a
2 false or misleading statement, misrepresentation, or omission of a
3 material fact in any application or submission of information to the
4 department pursuant to P.L. , c. (C.) (pending before the
5 Legislature as this bill). Upon the termination of a Certification of
6 Eligibility for Forbearance or mortgage-forbearance period pursuant to
7 this subparagraph, the commissioner shall provide notice to the storm-
8 impacted homeowner of their right to a hearing to contest the
9 termination in accordance with the requirements of the
10 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
11 seq.).¹

12 (4) During any period of mortgage forbearance granted pursuant to
13 this section, a mortgage servicer shall not, for the purposes of
14 foreclosure of a residential property that is the subject of a
15 Certification of Eligibility for Forbearance issued pursuant to this
16 section that is not vacant, abandoned or otherwise subject to P.L.2003,
17 c.210 (C.55:19-78 et al.):

18 (a) send a storm-impacted homeowner a notice of intention to
19 foreclose pursuant to section 4 of P.L.1995, c.244 (C.2A:50-56); or

20 (b) otherwise initiate the foreclosure process.

21 A deadline or time period for action by a party to the foreclosure
22 process for a residential property that is subject to a Certification of
23 Eligibility for Forbearance issued pursuant to this section, and filed
24 prior to the effective date of P.L. , c. (C.) (pending before the
25 Legislature as this bill) shall be tolled until the end of the period of the
26 mortgage forbearance.

27 g. A storm-impacted homeowner who has received a Certification
28 of Eligibility for Forbearance and is denied a forbearance by a
29 mortgage servicer licensed by the Department of Banking and
30 Insurance may file a complaint with the Department of Banking and
31 Insurance. The Department of Banking and Insurance shall investigate
32 the complaint and, if appropriate, shall order the mortgage servicer to
33 grant a forbearance to the storm-impacted homeowner pursuant to this
34 section.

35 h. (1) To the extent required by the Administrative Director of
36 the Courts, the mortgage servicer shall provide the docket numbers,
37 party names, and property addresses as to any pending court actions
38 involving any property granted a forbearance to the Superior Court
39 Clerk's Office.

40 (2) The mortgage servicer shall submit information on all
41 forbearances that the mortgage servicer has provided within the State
42 to the Department of Banking and Insurance on a monthly basis, or on
43 any alternative schedule directed by the Department of Banking and
44 Insurance, after removing all personally identifiable information. This
45 information shall be submitted in accordance with any specifications
46 required by the Department of Banking and Insurance, and, to the
47 extent required by the Department of Banking and Insurance, shall be
48 deemed to be government records and subject to the provisions of

1 P.L.1963, c.73 (C.47:1A-1 et seq.), commonly known as the Open
2 Public Records Act.

3 i. This section shall not apply to any mortgage loans made,
4 insured, or securitized by the Federal National Mortgage Association,
5 the Federal Home Loan Mortgage Corporation, the Federal Housing
6 Administration of the United States Department of Housing and Urban
7 Development, the Department of Veterans Affairs, or the Rural
8 Housing Service, nor shall this section apply to any mortgage loans
9 serviced pursuant to the policies of these entities but not made, or
10 insured, or securitized by the entities unless the mortgage loan has
11 been granted a forbearance pursuant to this section prior to being
12 serviced by these entities.

13 j. It shall be an unlawful discrimination in violation of the "New
14 Jersey Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et
15 seq.) for a mortgage servicer to discriminate in application of the
16 provisions of this section on any basis protected by subsection g. of
17 section 11 of P.L.1945, c.169 (C.10:5-12).

18
19 3. A storm-impacted homeowner who is the subject of a
20 foreclosure proceeding shall be awarded, by the court and upon
21 application by the property owner for good cause shown, a stay in
22 the foreclosure proceedings. An application to the court by a storm-
23 impacted homeowner pursuant to this section shall be made prior to
24 the first day of the sixth month next following the effective date of
25 P.L. , c. (C.) (pending before the Legislature as this bill),
26 unless the courts in their discretion permit application submission
27 for a longer period. The receipt of a Certification of Eligibility for
28 Forbearance, issued to the storm-impacted homeowner pursuant to
29 section 2 of P.L. , c. (C.) (pending before the Legislature
30 as this bill), shall constitute good cause for the award of a stay
31 pursuant to this subsection. The award of a stay pursuant to this
32 section shall conclude upon the earlier of:

- 33 a. the conclusion of one year following the initial award of a
34 stay of foreclosure proceedings; or
35 b. January 1, 2026.

36
37 4. This act shall take effect immediately.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4871

STATE OF NEW JERSEY

DATED: OCTOBER 24, 2024

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4871 (1R).

This bill would provide mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida.

Hurricane Ida initially approached the Gulf Coast as a category 4 hurricane, and caused severe damage to a large area of the south and northeast regions of the country. In New Jersey, thousands of families have been displaced and unable to return to their homes as a result of this storm. This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of the storm-impacted homeowners.

The bill defines a "storm-impacted homeowner" as a person who holds a mortgage to a primary residence and, as a result of the damage to that primary residence due to Hurricane Ida: (1) is participating in the Homeowner Assistance and Recovery Program (HARP); (2) has applied to but was denied participation in HARP, solely based on HARP criteria excluding homes located in government-designated flood-hazard areas or floodways; (3) has applied to and is pending an award from the Mitigation Assistance Program; or (4) has been invited to participate or is participating in the Blue Acres Community Development Block Grant Disaster Recovery Program.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs (department) for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the department makes the application publicly available. The department would be required to review each application, as specified in the bill, to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance would be permitted to appeal that decision, and any homeowner who obtains a

Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance would be permitted to file a complaint with that agency, which must investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and, on a monthly basis, submit certain information on all forbearances that the mortgage servicer has provided within the State to the Department of Banking and Insurance, except as provided in the bill.

Further, a storm-impacted homeowner who is the subject of a foreclosure proceeding would be awarded, by the court and upon application by the property owner for good cause shown, a stay in the foreclosure proceedings. An application to the court by a storm-impacted homeowner would be required to be made prior to the first day of the sixth month following the effective date of the bill, unless the courts in their discretion permit application submission for a longer period. The award of a stay pursuant to the bill would conclude upon the earlier of: the conclusion of one year following the initial award of a stay of foreclosure proceedings; or January 1, 2026.

FISCAL IMPACT:

The Office of Legislative Services (OLS) anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans.

The OLS cannot determine the number of homeowners with mortgages through State agencies who will request and be eligible for the mortgage forbearance, for how many months they will suspend payment, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.

The OLS determines that there may be an indeterminate State expenditure increase as a result of administrative responsibilities assigned to the Department of Community Affairs, which include developing an online application process, reviewing applications, awarding Certifications of Eligibility for Forbearance, and conducting hearings concerning certificates terminated by the commissioner.

The OLS determines that there may be an indeterminate State expenditure increase associated with the bill's requirement that the Department of Banking and Insurance investigate certain complaints made by storm-impacted homeowners who were denied a forbearance and maintain certain records.

The OLS finds that there also may be an indeterminate fiscal impact on the Judiciary related to potential costs incurred and costs avoid associated with stays in foreclosure proceedings allowed pursuant to the bill.

ASSEMBLY HOUSING COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4871

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 24, 2024

The Assembly Housing Committee reports favorably and with committee amendments Assembly Bill No. 4871.

As amended, this bill would provide mortgage payment relief and foreclosure protection for certain homeowners impacted by the remnants of Hurricane Ida.

Hurricane Ida initially approached the Gulf Coast as a category 4 hurricane, and caused severe damage to a large area of the south and northeast regions of the country. In New Jersey, thousands of families have been displaced and unable to return to their homes as a result of this storm. This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of the storm-impacted homeowners.

The bill defines a "storm-impacted homeowner" as a person who holds a mortgage to a primary residence and, as a result of the damage to that primary residence due to Hurricane Ida: (1) is participating in the Homeowner Assistance and Recovery Program (HARP); (2) has applied to but was denied participation in HARP, solely based on HARP criteria excluding homes located in government-designated flood-hazard areas or floodways; (3) has applied to and is pending an award from the Mitigation Assistance Program; or (4) has been invited to participate or is participating in the Blue Acres Community Development Block Grant Disaster Recovery Program.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs (department) for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the department makes the application publicly available. The department would be required to review each application, as specified in the bill, to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance would be permitted to appeal that decision, and any homeowner who obtains a

Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance would be permitted to file a complaint with that agency, which must investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and, on a monthly basis, submit certain information on all forbearances that the mortgage servicer has provided within the State to the Department of Banking and Insurance, except as provided in the bill.

Further, a storm-impacted homeowner who is the subject of a foreclosure proceeding would be awarded, by the court and upon application by the property owner for good cause shown, a stay in the foreclosure proceedings. An application to the court by a storm-impacted homeowner would be required to be made prior to the first day of the sixth month following the effective date of the bill, unless the courts in their discretion permit application submission for a longer period. The award of a stay pursuant to the bill would conclude upon the earlier of: the conclusion of one year following the initial award of a stay of foreclosure proceedings; or January 1, 2026.

As amended by the committee, Assembly Bill No. 4871 is identical to Senate Bill No. 3670 (1R).

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- define a "storm-impacted homeowner" as a person who holds a mortgage to a primary residence and, as a result of the damage to that primary residence due to Hurricane Ida: (1) is participating in the Homeowner Assistance and Recovery Program (HARP); (2) applied to but was denied participation in HARP, solely based on HARP criteria excluding homes located in government-designated flood-hazard areas or floodways; (3) has applied to and is pending an award from the Mitigation Assistance Program (MAP); or (4) has been invited to participate or is participating in the Blue Acres Community Development Block Disaster Recovery Program (Blue Acres);
- provide a definition for HARP, MAP, and Blue Acres, as used in the bill;
- require the Department of Community Affairs to review and make determinations concerning an application for a

Certification of Eligibility for Forbearance within 90 days from the conclusion of the application period for storm-impacted homeowners set forth in the bill, instead of 60 days;

- authorize the Commissioner of Community Affairs (commissioner) to terminate a Certification of Eligibility for Forbearance and the mortgage-forbearance period if the commissioner determines that the storm-impacted homeowner made a false or misleading statement, misrepresentation, or omission of a material fact in any application or submission of information to the department;
- require the commissioner to provide notice to the storm-impacted homeowner of their right to a hearing to contest the termination; and
- make technical changes.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4871

STATE OF NEW JERSEY 221st LEGISLATURE

DATED: OCTOBER 30, 2024

SUMMARY

- Synopsis:** Provides for mortgage payment relief and foreclosure protection for certain homeowners impacted by remnants of Hurricane Ida.
- Type of Impact:** Time-limited delay in State revenue collections; time-limited State expenditure increase.
- Agencies Affected:** Housing and Mortgage Finance Agency; State entities holding mortgage loans; Department of Banking and Insurance; Department of Community Affairs; the Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2025 – FY 2026</u>
Potential State Revenue Shift	Indeterminate
Potential State Expenditure Impact	Indeterminate

- The Office of Legislative Services (OLS) anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans.
- The OLS cannot determine the number of homeowners with mortgages through State agencies who will request and be eligible for the mortgage forbearance, for how many months they will suspend payment, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.
- The OLS determines that there may be an indeterminate State expenditure increase as a result of administrative responsibilities assigned to the Department of Community Affairs, which include developing an online application process, reviewing applications, awarding Certifications of Eligibility for Forbearance, and conducting hearings concerning certificates terminated by the commissioner.

- The OLS finds there may also be a State expenditure increase associated with the bill's requirement that the Department of Banking and Insurance investigate certain complaints made by storm-impacted homeowners who were denied a forbearance and maintain certain records.
- The OLS finds that there may also be an indeterminate fiscal impact on the Judiciary related to potential costs incurred and costs avoided associated with stays in foreclosure proceedings allowed pursuant to the bill.

BILL DESCRIPTION

This bill would offer certain homeowners impacted by the remnants of Hurricane Ida temporary protections against foreclosure, and would require mortgage servicers to provide a temporary pause in the mortgage payment obligations of a storm-impacted homeowners, as defined in the bill.

The bill permits eligible homeowners, meeting the requirements set forth in the bill, to apply to the Department of Community Affairs for Certifications of Eligibility for Forbearance online through a system established by the department no later than 30 days after the date the application becomes publicly available. The department would be required to review each application, as specified in the bill, to determine whether the applicant meets eligibility criteria demonstrating their need for assistance, and if they do, issue a Certification of Eligibility for Forbearance to the applicant, which would entitle the applicant to receive a one-year mortgage forbearance from their mortgage servicer. Any homeowner who is denied a Certification of Eligibility for Forbearance would be permitted to appeal that decision, and any homeowner who obtains a Certification of Eligibility for Forbearance but is denied a forbearance from a mortgage servicer licensed by the Department of Banking and Insurance would be permitted to file a complaint with that agency, which would be required to investigate, and if appropriate, order the mortgage servicer to grant a forbearance.

The bill requires that, during forbearance, and during the subsequent time period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, are to continue without modification, fees assessed, late penalties, or penalties for early repayment. The bill also requires a mortgage servicer to: (1) submit certain information, as specified in the bill, related to any pending actions involving property granted a forbearance to the Superior Court Clerk's Office; and (2) submit certain information on all forbearances that the mortgage servicer has provided within the State to the Department of Banking and Insurance on a monthly basis, except as provided in the bill.

Further, a storm-impacted homeowner who is the subject of a foreclosure proceeding would be awarded, by the court and upon application by the property owner for good cause shown, a stay in the foreclosure proceedings. An application to the court by a storm-impacted homeowner would be required to be made prior to the first day of the sixth month following the effective date of the bill, unless the courts in their discretion permit application submission for a longer period. The award of a stay pursuant to the bill would conclude upon the earlier of: the conclusion of one year following the initial award of a stay of foreclosure proceedings; or January 1, 2026.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that the one-year mortgage forbearance granted to certain homeowners under the bill will result in a time-limited delay in State revenue collections made by the Housing and Mortgage Finance Agency and any other State entities holding mortgage loans. The OLS cannot determine the number of homeowners with mortgages through State agencies who will request and be eligible for the mortgage forbearance, for how many months they will suspend payment, or the amount of the mortgage payments typically owed. Therefore, the timing and amount of the delayed revenues are indeterminate.

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Section: Local Government

*Analyst: Grace Ahlin
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Takes Action on Legislation

10/30/2024

TRENTON – Today, Governor Murphy signed the following bills into law:

S-3670/A-4871 (Singleton, McKnight/Lopez, Wimberly) - Provides for mortgage payment relief and foreclosure protection for certain homeowners impacted by remnants of Hurricane Ida

S-3838/A-4999 (Scutari/Coughlin) – Permits Director of Division of Pensions and Benefits to initiate temporary transfer of funds in certain circumstances

[Copy of Statement](#)

A-4447/S-3242 (Peterpaul, DePhillips, Azzatiti/Mukherji, Schepisi) - Allows certain health care practitioners referrals to pharmacies to be made in accordance with certain professional standards

AJR-46/SCS for SJR-12 (Karabinchak, Stanley, Drulis/Diegnan, Johnson) -Designates October of each year as "Hindu Heritage Month" in New Jersey