

R.S. 40: 48-2.12a thru f May 20, 1971

LEGISLATIVE HISTORY OF R.S. 40:48-2.12a thru 40:48-2.12f
(Municipal ordinances regarding buildings; "slumlord
law")

Previous bills:

1961 - A345

Introduced by Musto & Hauser.

No statement.

Amended by committee, recommitted and died
in committee. (copy enclosed of bill
and amendments)

1962 - A37

Introduced by Musto & Hauser.

No statement.

Withdrawn.

L. 1962, Chapter 56 - A426

February 19 - Introduced by Hauser & Musto.

Not amended during passage.

No statement.

Governor's statement on signing (copy enclosed of
original bill and Governor's statement).

No hearings or reports were located dealing directly with this law. The New Jersey Legislature Joint Welfare Investigating Committee held two public hearings in 1961 but on specific subject areas, not on municipal ordinances, though this may have been discussed at the hearings. Please let us know if you wish to see the transcripts of these hearings. - mostly the hearings are on welfare - and housing

JH/PC
GC-Yes

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ASSEMBLY, No. 345

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1961

By Assemblymen MUSTO and HAUSER

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning municipalities in relation to the regulation of buildings and structures and their use and occupancy, and supplementing Title 40 of the Revised Statutes.

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

1. The governing body of any municipality may make, amend, repeal and enforce ordinances to regulate buildings and structures and their use and occupation to prevent and abate conditions therein harmful to the health and safety of the occupants of said buildings and structures and the general public in the municipality.

2. The authority conferred by this act shall be in addition to authority heretofore or hereafter conferred on the governing bodies of municipalities in respect to the construction and maintenance of buildings and structures, local health ordinances and the removal or destruction of buildings and structures and parts thereof endangering the public health and safety.

3. Any ordinance adopted pursuant to this act may provide for the registration of the owners and management of every building and structure in the municipality which is occupied by 2 or more families as tenants of the owner or lessor. Such registration shall be with the clerk of the municipality upon forms prescribed by and furnished by the municipality. Every such registration form shall include the name and address of the owner, the name

7 and address of the lessor if other than the owner, and the name and address
8 of an agent in charge of the premises residing in the municipality.

1 4. Any ordinance adopted pursuant to this act may provide for the serv-
2 ice of notices under any ordinance of the municipality or under any State law
3 applicable to the municipality, upon the said owner, lessor and agent, as being
4 sufficient notice to the owner or lessor, and for the service of any such notice by
5 posting it upon the premises in a conspicuous place where the owner or
6 lessor has failed to register his premises with the municipal clerk as required
7 by the ordinance, and designate an agent in respect to the premises, residing
8 in the municipality or where such an agent has been designated but cannot
9 be found at the address given in the registration.

1 5. Any ordinance adopted pursuant to this act may provide that in the
2 event of the imposition of a fine or penalty by the municipal court of the
3 municipality or any other court of competent jurisdiction against the
4 owner or lessor of any such building or structure in the municipality for the
5 violation of any ordinance of the municipality or of any State law applicable
6 to the municipality, any such fine or penalty shall be collectible by enforce-
7 ment against the premises in addition to any other method of enforcement
8 provided by law. If any such ordinance so provides, then the governing body
9 of the municipality may, by resolution, determine that the fine or penalty
10 has not been paid within the time provided by the order or judgment imposing
11 the same and shall be enforced against the premises, and in such case the
12 municipality shall have a lien on the premises for the amount found to be
13 due for the unpaid fine or penalty, plus interests and costs, if any, and any such
14 lien shall be enforceable in the same manner as in the case of a lien for un-
15 paid taxes in the municipality.

1 6. Any ordinance adopted pursuant to this act may also provide that the
2 municipality, by resolution of its governing body, may abate a nuisance, cor-
3 rect a defect, or put the premises in proper condition so as to comply with the
4 requirements of any municipal ordinance or State law applicable thereto, at
5 the cost of the owner or lessor, and expend municipal funds for such purpose

6 and charge the same against the premises, and the amount thereof as deter-
7 mined by the governing body of the municipality shall be a lien against the
8 premises and collectible as in the case of a lien for unpaid taxes of the
9 municipality.

1 7. Any ordinance adopted pursuant to this act may also provide for the
2 appointment of a custodian of any such building or structure on behalf of
3 the municipality, who may be either an officer of the municipality or any
4 other person specially designated to enter into and take charge of the prem-
5 ises and supervise abatement of the nuisance, the correction of the defec-
6 tive condition, or the maintenance of the premises in a proper condition so
7 as to conform to the requirements of municipal ordinances and State laws
8 applicable thereto. In any such case, the compensation of the custodian
9 shall be as provided in the ordinance and the costs and expenses shall be
10 chargeable against the premises and shall be a lien against such premises,
11 enforceable and collectible as in the case of a lien for unpaid taxes due the
12 municipality.

1 8. Any ordinance adopted pursuant to this act shall provide penalties
2 for a failure to comply with the registration provisions of the ordinance
3 within the limitations prescribed in Article 2 of chapter 49 of the title to which
4 this act is a supplement.

1 9. This act shall take effect immediately.

ASSEMBLY COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 345

STATE OF NEW JERSEY

ADOPTED MAY 1, 1961

Amend page 2, section 5, lines 6 and 7, after "collectible", delete "by enforcement", the balance of line 7 and all of lines 8 to 15, both inclusive, and substitute "as provided in this act".

Amend page 3, section 6, line 8, after "collectible", delete the balance of the line and all of line 9, and substitute the following: "as provided in this act".

Amend page 3, section 7, delete lines 10, 11 and 12 and substitute "collectible as provided in this act".

Amend page 3, after section 7, add the following:

"8. Upon the adoption of an ordinance pursuant to this act and in the event that any owner of a building or structure in the municipality shall violate such ordinance or fail to abate a condition harmful to the health and safety of the occupants of the building or structure and the general public in the municipality after notice and opportunity so to do, the municipal officer designated by the governing body of the municipality to administer and enforce such ordinance may, by and with the approval of the governing body of such municipality, bring an action in the Superior Court to be appointed receiver ex officio of the rents and income of such real property for the purpose of collecting the rents and income from such property and expend the same for the purpose of abating said conditions. The said rents and income so collected by the said receiver shall also be available for the payment of such costs and expenses of the receivership, as may be adjudged by the court, and for the payment to the municipality of any fines or penalties which may have been imposed on the owner for violations of the ordinance and which have not been paid by the person

liable therefor. The court may proceed in the action in a summary manner or otherwise. Such receiver shall not be required to give bond and shall be appointed only for the said purposes.”

Amend page 3, after new section 8, add a new section as follows:

“9. Upon his appointment, the receiver, by and with the approval of the governing body of such municipality, in all cases where the real property in question is encumbered by a first mortgage shall appoint such first mortgagee, if such mortgagee is a proper person and is willing to accept such appointment, as the receiver’s agent to collect the rents and income from such real property and manage the same and in all other cases the receiver, by and with the approval of the governing body of such municipality may designate the person in charge or management of such real property or some other competent person as the receiver’s agent to collect the rents and income from such real property and manage the same, which mortgagee or other person shall account promptly to the receiver for the rents and income so collected; provided, however, that if the mortgagee or other person so designated is derelict in collecting or accounting for such rents and income or in the management of such real property, the receiver shall apply to the court for the removal of such designated mortgagee or other person, upon notice in writing to him, and the court upon removing such designated mortgagee or other person, in its discretion, may designate another person to collect the rents and income from such real property and manage the same and account to the receiver for the rents and income of such real property as aforesaid.”

Amend page 3, after new section 9, add a new section as follows:

“10. In any such receivership no fees shall be allowed the receiver or his counsel for acting as such receiver or counsel.”

Amend page 3, after new section 10, add a new section as follows:

“11. Except as otherwise provided herein, the procedure in respect to any such receivership shall be as in the case of receiverships to secure the payment of delinquent taxes, penalties, interest, costs and expenses wherein a collector of taxes of a municipality or other officers of the municipality is such receiver.

In any receivership proceeding under this act, the court shall have jurisdiction to make such orders and directions to the receiver as may be necessary to effectuate the purposes of this act and to conserve the real property during the pendency of the receivership."

Amend page 3, section 8, line 1, change "8" to "12".

Amend page 3, section 9, line 1, change "9" to "13".

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 345

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1961

By Assemblymen MUSTO and HAUSER

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning municipalities in relation to the regulation of buildings and structures and their use and occupancy, and supplementing Title 40 of the Revised Statutes.

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

1 1. The governing body of any municipality may make, amend, repeal and
2 enforce ordinances to regulate buildings and structures and their use and
3 occupation to prevent and abate conditions therein harmful to the health and
4 safety of the occupants of said buildings and structures and the general
5 public in the municipality.

1 2. The authority conferred by this act shall be in addition to authority
2 heretofore or hereafter conferred on the governing bodies of municipalities
3 in respect to the construction and maintenance of buildings and structures,
4 local health ordinances and the removal or destruction of buildings and
5 structures and parts thereof endangering the public health and safety.

1 3. Any ordinance adopted pursuant to this act may provide for the reg-
2 istration of the owners and management of every building and structure in
3 the municipality which is occupied by 2 or more families as tenants of the
4 owner or lessor. Such registration shall be with the clerk of the municipality
5 upon forms prescribed by and furnished by the municipality. Every such
6 registration form shall include the name and address of the owner, the name

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

7 and address of the lessor if other than the owner, and the name and address
8 of an agent in charge of the premises residing in the municipality.

1 4. Any ordinance adopted pursuant to this act may provide for the serv-
2 ice of notices under any ordinance of the municipality or under any State law
3 applicable to the municipality, upon the said owner, lessor and agent, as being
4 sufficient notice to the owner or lessor, and for the service of any such notice by
5 posting it upon the premises in a conspicuous place where the owner or
6 lessor has failed to register his premises with the municipal clerk as required
7 by the ordinance, and designate an agent in respect to the premises, residing
8 in the municipality or where such an agent has been designated but cannot
9 be found at the address given in the registration.

1 5. Any ordinance adopted pursuant to this act may provide that in the
2 event of the imposition of a fine or penalty by the municipal court of the
3 municipality or any other court of competent jurisdiction against the
4 owner or lessor of any such building or structure in the municipality for the
5 violation of any ordinance of the municipality or of any State law applicable
6 to the municipality, any such fine or penalty shall be collectible [by enforce-
7 ment against the premises in addition to any other method of enforcement
8 provided by law. If any such ordinance so provides, then the governing body
9 of the municipality may, by resolution, determine that the fine or penalty
10 has not been paid within the time provided by the order or judgment imposing
11 the same and shall be enforced against the premises, and in such case the
12 municipality shall have a lien on the premises for the amount found to be
13 due for the unpaid fine or penalty, plus interests and costs, if any, and any such
14 lien shall be enforceable in the same manner as in the case of a lien for un-
15 paid taxes in the municipality] *as provided in this act.*

1 6. Any ordinance adopted pursuant to this act may also provide that the
2 municipality, by resolution of its governing body, may abate a nuisance, cor-
3 rect a defect, or put the premises in proper condition so as to comply with the
4 requirements of any municipal ordinance or State law applicable thereto, at
5 the cost of the owner or lessor, and expend municipal funds for such purpose

6 and charge the same against the premises, and the amount thereof as deter-
7 mined by the governing body of the municipality shall be a lien against the
8 premises and collectible [as in the case of a lien for unpaid taxes of the
9 municipality] *as provided in this act.*

1 7. Any ordinance adopted pursuant to this act may also provide for the
2 appointment of a custodian of any such building or structure on behalf of
3 the municipality, who may be either an officer of the municipality or any
4 other person specially designated to enter into and take charge of the prem-
5 ises and supervise abatement of the nuisance, the correction of the defec-
6 tive condition, or the maintenance of the premises in a proper condition so
7 as to conform to the requirements of municipal ordinances and State laws
8 applicable thereto. In any such case, the compensation of the custodian
9 shall be as provided in the ordinance and the costs and expenses shall be
10 [chargeable against the premises and shall be a lien against such premises,
11 enforceable and collectible as in the case of a lien for unpaid taxes due the
12 municipality] *collectible as provided in this act.*

1 8. *Upon the adoption of an ordinance pursuant to this act and in the*
2 *event that any owner of a building or structure in the municipality shall vio-*
3 *late such ordinance or fail to abate a condition harmful to the health and*
4 *safety of the occupants of the building or structure and the general public*
5 *in the municipality after notice and opportunity so to do, the municipal*
6 *officer designated by the governing body of the municipality to administer*
7 *and enforce such ordinance may, by and with the approval of the governing*
8 *body of such municipality, bring an action in the Superior Court to be ap-*
9 *pointed receiver ex officio of the rents and income of such real property*
10 *for the purpose of collecting the rents and income from such property and*
11 *expend the same for the purpose of abating said conditions. The said rents*
12 *and income so collected by the said receiver shall also be available for the*
13 *payment of such costs and expenses of the receivership, as may be adjudged*
14 *by the court, and for the payment to the municipality of any fines or penal-*
15 *ties which may have been imposed on the owner for violations of the ordi-*

16 nance and which have not been paid by the person liable therefor. The court
17 may proceed in the action in a summary manner or otherwise. Such receiver
18 shall not be required to give bond and shall be appointed only for the said
19 purposes.

1 9. Upon his appointment, the receiver, by and with the approval of the
2 governing body of such municipality, in all cases where the real property in
3 question is encumbered by a first mortgage shall appoint such first mort-
4 gagee, if such mortgagee is a proper person and is willing to accept such
5 appointment, as the receiver's agent to collect the rents and income from
6 such real property and manage the same and in all other cases the receiver,
7 by and with the approval of the governing body of such municipality may
8 designate the person in charge or management of such real property or some
9 other competent person as the receiver's agent to collect the rents and income
10 from such real property and manage the same, which mortgagee or other
11 person shall account promptly to the receiver for the rents and income so
12 collected; provided, however, that if the mortgagee or other person so des-
13 ignated is derelict in collecting or accounting for such rents and income or
14 in the management of such real property, the receiver shall apply to the
15 court for the removal of such designated mortgagee or other person, upon
16 notice in writing to him, and the court upon removing such designated
17 mortgagee or other person, in its discretion, may designate another person
18 to collect the rents and income from such real property and manage the
19 same and account to the receiver for the rents and income of such real prop-
20 erty as aforesaid.

1 10. In any such receivership no fees shall be allowed the receiver or his
2 counsel for action as such receiver or counsel.

1 11. Except as otherwise provided herein, the procedure in respect to any
2 such receivership shall be as in the case of receiverships to secure the pay-
3 ment of delinquent taxes, penalties, interest, costs and expenses wherein a
4 collector of taxes of a municipality or other officer of the municipality is such
5 receiver. In any receivership proceeding under this act, the court shall have

6 *jurisdiction to make such orders and directions to the receiver as may be*
7 *necessary to effectuate the purposes of this act and to conserve the real*
8 *property during the pendency of the receivership.*

1 **[8.]** 12. Any ordinance adopted pursuant to this act shall provide penal-
2 ties for a failure to comply with the registration provisions of the ordinance
3 within the limitations prescribed in article 2 of chapter 49 of the Title to which
4 this act is a supplement.

1 **[9.]** 13. This act shall take effect immediately.

ASSEMBLY, No. 87

STATE OF NEW JERSEY

INTRODUCED JANUARY 22, 1962

By Assemblymen MUSTO and HAUSER

Referred to Committee on State, County and Municipal Government

AN ACT concerning municipalities in relation to the regulation of buildings and structures and their use and occupancy, and supplementing Title 40 of the Revised Statutes.

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

1 1. The governing body of any municipality may make, amend, repeal and
2 enforce ordinances to regulate buildings and structures and their use and
3 occupation to prevent and abate conditions therein harmful to the health and
4 safety of the occupants of said buildings and structures and the general
5 public in the municipality.

1 2. The authority conferred by this act shall be in addition to authority
2 heretofore or hereafter conferred on the governing bodies of municipalities
3 in respect to the construction and maintenance of buildings and structures,
4 local health ordinances and the removal or destruction of buildings and
5 structures and parts thereof endangering the public health and safety.

1 3. Any ordinance adopted pursuant to this act may provide for the reg-
2 istration of the owners and management of every building and structure in
3 the municipality which is occupied by 2 or more families as tenants of the
4 owner or lessor. Such registration shall be with the clerk of the municipality
5 upon forms prescribed by and furnished by the municipality. Every such
6 registration form shall include the name and address of the owner, the name

7 and address of the lessor if other than the owner, and the name and address
8 of an agent in charge of the premises residing in the municipality.

1 4. Any ordinance adopted pursuant to this act may provide for the serv-
2 ice of notices under any ordinance of the municipality or under any State law
3 applicable to the municipality, upon the said owner, lessor and agent, as being
4 sufficient notice to the owner or lessor, and for the service of any such notice by
5 posting it upon the premises in a conspicuous place where the owner or
6 lessor has failed to register his premises with the municipal clerk as required
7 by the ordinance, and designate an agent in respect to the premises, residing
8 in the municipality or where such an agent has been designated but cannot
9 be found at the address given in the registration.

1 5. Any ordinance adopted pursuant to this act may provide that in the
2 event of the imposition of a fine or penalty by the municipal court of the
3 municipality or any other court of competent jurisdiction against the
4 owner or lessor of any such building or structure in the municipality for the
5 violation of any ordinance of the municipality or of any State law applicable
6 to the municipality, any such fine or penalty shall be collectible by enforce-
7 ment against the premises in addition to any other method of enforcement
8 provided by law. If any such ordinance so provides, then the governing body
9 of the municipality may, by resolution, determine that the fine or penalty
10 has not been paid within the time provided by the order or judgment imposing
11 the same and shall be enforced against the premises, and in such case the
12 municipality shall have a lien on the premises for the amount found to be
13 due for the unpaid fine or penalty, plus interests and costs, if any, and any such
14 lien shall be enforceable in the same manner as in the case of a lien for un-
15 paid taxes in the municipality.

1 6. Any ordinance adopted pursuant to this act may also provide that the
2 municipality, by resolution of its governing body, may abate a nuisance, cor-
3 rect a defect, or put the premises in proper condition so as to comply with the
4 requirements of any municipal ordinance or State law applicable thereto, at
5 the cost of the owner or lessor, and expend municipal funds for such purpose

6 and charge the same against the premises, and the amount thereof as deter-
7 mined by the governing body of the municipality shall be a lien against the
8 premises and collectible as in the case of a lien for unpaid taxes of the
9 municipality.

1 7. Any ordinance adopted pursuant to this act may also provide for the
2 appointment of a custodian of any such building or structure on behalf of
3 the municipality, who may be either an officer of the municipality or any
4 other person specially designated to enter into and take charge of the prem-
5 ises and supervise abatement of the nuisance, the correction of the defec-
6 tive condition, or the maintenance of the premises in a proper condition so
7 as to conform to the requirements of municipal ordinances and State laws
8 applicable thereto. In any such case, the compensation of the custodian
9 shall be as provided in the ordinance and the costs and expenses shall be
10 chargeable against the premises and shall be a lien against such premises,
11 enforceable and collectible as in the case of a lien for unpaid taxes due the
12 municipality.

1 8. Any ordinance adopted pursuant to this act shall provide penal-
2 ties for a failure to comply with the registration provisions of the ordinance
3 within the limitations prescribed in article 2 of chapter 49 of the Title to which
4 this act is a supplement.

1 9. This act shall take effect immediately.

ASSEMBLY, No. 426

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 19, 1962

By Assemblymen HAUSER and MUSTO

Referred to Committee on State, County and Municipal Government

AN ACT concerning municipalities in relation to the regulation of buildings and structures and their use and occupancy, and supplementing Title 40 of the Revised Statutes.

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

1 1. The governing body of any municipality may make, amend, repeal and
2 enforce ordinances to regulate buildings and structures and their use and
3 occupation to prevent and abate conditions therein harmful to the health and
4 safety of the occupants of said buildings and structures and the general
5 public in the municipality.

1 2. The authority conferred by this act shall be in addition to authority
2 heretofore or hereafter conferred on the governing bodies of municipalities
3 in respect to the construction and maintenance of buildings and structures,
4 local health ordinances and the removal or destruction of buildings and
5 structures and parts thereof endangering the public health and safety.

1 3. Any ordinance adopted pursuant to this act may provide for the reg-
2 istration of the owners and management of every building and structure in
3 the municipality which is occupied by 2 or more families as tenants of the
4 owner or lessor. Such registration shall be with the clerk of the municipality
5 upon forms prescribed by and furnished by the municipality. Every such
6 registration form shall include the name and address of the owner, the name

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

7 and address of the lessor if other than the owner, and the name and address
8 of an agent in charge of the premises residing in the municipality.

1 4. Any ordinance adopted pursuant to this act may provide for the serv-
2 ice of notices under any ordinance of the municipality or under any State law
3 applicable to the municipality, upon the said owner, lessor and agent, as being
4 sufficient notice to the owner or lessor, and for the service of any such notice by
5 posting it upon the premises in a conspicuous place where the owner or
6 lessor has failed to register his premises with the municipal clerk as required
7 by the ordinance, and designate an agent in respect to the premises, residing
8 in the municipality or where such an agent has been designated but cannot
9 be found at the address given in the registration.

1 5. Any ordinance adopted pursuant to this act may provide that in the
2 event of the imposition of a fine or penalty by the municipal court of the
3 municipality or any other court of competent jurisdiction against the
4 owner or lessor of any such building or structure in the municipality for the
5 violation of any ordinance of the municipality or of any State law applicable
6 to the municipality, any such fine or penalty shall be collectible [by enforce-
7 ment against the premises in addition to any other method of enforcement
8 provided by law. If any such ordinance so provides, then the governing body
9 of the municipality may, by resolution, determine that the fine or penalty
10 has not been paid within the time provided by the order or judgment imposing
11 the same and shall be enforced against the premises, and in such case the
12 municipality shall have a lien on the premises for the amount found to be
13 due for the unpaid fine or penalty, plus interests and costs, if any, and any such
14 lien shall be enforceable in the same manner as in the case of a lien for un-
15 paid taxes in the municipality] as provided in this act.

1 6. Any ordinance adopted pursuant to this act may also provide that the
2 municipality, by resolution of its governing body, may abate a nuisance, cor-
3 rect a defect, or put the premises in proper condition so as to comply with the
4 requirements of any municipal ordinance or State law applicable thereto, at
5 the cost of the owner or lessor, and expend municipal funds for such purpose

6 and charge the same against the premises, and the amount thereof as deter-
7 mined by the governing body of the municipality shall be a lien against the
8 premises and collectible [as in the case of a lien for unpaid taxes of the
9 municipality] as provided in this act.

1 7. Any ordinance adopted pursuant to this act may also provide for the
2 appointment of a custodian of any such building or structure on behalf of
3 the municipality, who may be either an officer of the municipality or any
4 other person specially designated to enter into and take charge of the prem-
5 ises and supervise abatement of the nuisance, the correction of the defec-
6 tive condition, or the maintenance of the premises in a proper condition so
7 as to conform to the requirements of municipal ordinances and State laws
8 applicable thereto. In any such case, the compensation of the custodian
9 shall be as provided in the ordinance and the costs and expenses shall be
10 [chargeable against the premises and shall be a lien against such premises,
11 enforceable and collectible as in the case of a lien for unpaid taxes due the
12 municipality] collectible as provided in this act.

1 8. Upon the adoption of an ordinance pursuant to this act and in the
2 event that any owner of a building or structure in the municipality shall vio-
3 late such ordinance or fail to abate a condition harmful to the health and
4 safety of the occupants of the building or structure and the general public
5 in the municipality after notice and opportunity so to do, the municipal
6 officer designated by the governing body of the municipality to administer
7 and enforce such ordinance may, by and with the approval of the governing
8 body of such municipality, bring an action in the Superior Court to be ap-
9 pointed receiver ex officio of the rents and income of such real property
10 for the purpose of collecting the rents and income from such property and
11 expend the same for the purpose of abating said conditions. The said rents
12 and income so collected by the said receiver shall also be available for the
13 payment of such costs and expenses of the receivership, as may be adjudged
14 by the court, and for the payment to the municipality of any fines or penal-
15 ties which may have been imposed on the owner for violations of the ordi-

16 nance and which have not been paid by the person liable therefor. The court
17 may proceed in the action in a summary manner or otherwise. Such receiver
18 shall not be required to give bond and shall be appointed only for the said
19 purposes.

1 9. Upon his appointment, the receiver, by and with the approval of the
2 governing body of such municipality, in all cases where the real property in
3 question is encumbered by a first mortgage shall appoint such first mort-
4 gagee, if such mortgagee is a proper person and is willing to accept such
5 appointment, as the receiver's agent to collect the rents and income from
6 such real property and manage the same and in all other cases the receiver,
7 by and with the approval of the governing body of such municipality may
8 designate the person in charge or management of such real property or some
9 other competent person as the receiver's agent to collect the rents and income
10 from such real property and manage the same, which mortgagee or other
11 person shall account promptly to the receiver for the rents and income so
12 collected; provided, however, that if the mortgagee or other person so des-
13 ignated is derelict in collecting or accounting for such rents and income or
14 in the management of such real property, the receiver shall apply to the
15 court for the removal of such designated mortgagee or other person, upon
16 notice in writing to him, and the court upon removing such designated
17 mortgagee or other person, in its discretion, may designate another person
18 to collect the rents and income from such real property and manage the
19 same and account to the receiver for the rents and income of such real prop-
20 erty as aforesaid.

1 10. In any such receivership no fees shall be allowed the receiver or his
2 counsel for action as such receiver or counsel.

1 11. Except as otherwise provided herein, the procedure in respect to any
2 such receivership shall be as in the case of receiverships to secure the pay-
3 ment of delinquent taxes, penalties, interest, costs and expenses wherein a
4 collector of taxes of a municipality or other officer of the municipality is such
5 receiver. In any receivership proceeding under this act, the court shall have

6 jurisdiction to make such orders and directions to the receiver as may be
7 necessary to effectuate the purposes of this act and to conserve the real
8 property during the pendency of the receivership.

1 12. Any ordinance adopted pursuant to this act shall provide penalties
2 for a failure to comply with the registration provisions of the ordinance within
3 the limitations prescribed in article 2 of chapter 49 of the Title to which this
4 act is a supplement.

1 13. This act shall take effect immediately.

PRESS RELEASE: June 4, 1962
FOR RELEASE: Upon Receipt

FROM: OFFICE OF THE GOVERNOR

Governor Hughes today signed Assembly Bill No. 426, the "slumlord" bill. This bill supplements the law governing municipal ordinances allowing a municipality to act for the public health and welfare in correcting unsafe or deleterious conditions in tenant occupied buildings.

This bill specifically provides for registration of owners and resident agents for all buildings occupied by 2 or more families as tenants. It allows a municipality to act in correcting conditions in such a building -- if the landlord does not -- by expending municipal funds to do so, and taking a lien against the premises, providing a municipal supervisor for the work to be done and obtaining a court appointed receiver to collect the rents and income from the premises to repay the municipality and to pay any fines which may be levied against the landlord.

The Governor stated that although he had several reservations about the technical sufficiency of this bill, the importance of this legislation to curb a very real social evil and afford many of our citizens the sufficient standard of housing to which they are entitled makes it imperative that this bill become law.

Present at the public signing were Hudson County Assemblymen Frederick H. Hauser and William V. Musto, the sponsors of the bill.