

CONDITIONAL VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

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: No

LAW/RWH

P.L.2011, CHAPTER 222, *approved January 17, 2012*
Assembly, No. 3537 (*First Reprint*)

1 AN ACT requiring ¹an¹ owner taking title to certain residential
2 property through sheriff's sale to register with ¹the¹
3 municipality and ¹any association or common interest community
4 and¹ supplementing Title 46 of the Revised Statutes.

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

8
9 1. The owner of any non-owner occupied residential property
10 who takes title to the property as the result of a sheriff's sale or
11 deed in lieu of foreclosure ¹, other than an owner who has
12 previously provided notice to the municipality pursuant to section
13 17 of P.L.2008, c.127 (C.46:10B-51),¹ shall provide notice, within
14 ¹[three] ¹10¹ business days, to the municipal clerk, or any other
15 designated municipal official, of the municipality wherein the
16 property is located ¹, and to any association or common interest
17 community, of which the residential property is a part, governed by
18 the "Horizontal Property Act," P.L.1963, c.168 (C.46:8A-1 et seq.),
19 the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.), or
20 "The Planned Real Estate Development Full Disclosure Act,"
21 P.L.1977, c.419 (C.45:22A-21 et seq.),¹ providing the name and
22 address of the owner. If the owner is not located within New
23 Jersey, then the owner shall designate an agent within New Jersey,
24 including the agent's address, who is authorized to accept service of
25 process on behalf of the property owner.

26
27 2. This act shall take effect immediately.

28
29
30
31
32 Requires certain owners of foreclosed property to file contact
33 information with municipality and common interest community.

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 SCM committee amendments adopted November 21, 2011.

ASSEMBLY, No. 3537

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED DECEMBER 6, 2010

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Assemblywoman NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblywomen Jasey, Wagner and Assemblyman O'Donnell

SYNOPSIS

Requires owner of foreclosed property to file contact information with municipality.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/10/2011)

1 AN ACT requiring owner taking title to certain residential property
2 through sheriff's sale to register with municipality and
3 supplementing Title 46 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. The owner of any non-owner occupied residential property
9 who takes title to the property as the result of a sheriff's sale or
10 deed in lieu of foreclosure shall provide notice, within three
11 business days, to the municipal clerk, or any other designated
12 municipal official, of the municipality wherein the property is
13 located providing the name and address of the owner. If the owner
14 is not located within New Jersey, then the owner shall designate an
15 agent within New Jersey, including the agent's address, who is
16 authorized to accept service of process on behalf of the property
17 owner.

18
19 2. This act shall take effect immediately.

20
21
22 STATEMENT

23
24 This bill would require that an owner who takes title to a
25 residential property through either a sheriff's sale or a deed in lieu
26 of foreclosure must provide the municipality where the property is
27 located with the owner's contact information within three business
28 days. If the owner does not reside in New Jersey, then the owner
29 shall designate a representative who is authorized to accept service
30 of process on behalf of the owner and provide the representative's
31 contact information to the municipality.

32 The sponsor notes that the recent foreclosure crisis has resulted
33 in a substantial increase in the number of abandon residential
34 properties throughout the State. The vacant properties drain
35 municipal coffers by lowering the value of surrounding homes,
36 attracting criminal elements, and at times require the municipality
37 to perform routine maintenance which should be the responsibility
38 of the property owner. This bill would ensure that the individual or
39 entity which owns the property can be contacted by the
40 municipality, and if necessary issued a summons to appear in
41 municipal court for violations of any applicable municipal code
42 provisions.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3537

STATE OF NEW JERSEY

DATED: MAY 5, 2011

The Assembly Housing and Local Government Committee reports favorably Assembly Bill No. 3537.

This bill would require that an owner who takes title to a residential property through either a sheriff's sale or a deed in lieu of foreclosure must provide the municipality where the property is located with the owner's contact information within three business days. If the owner does not reside in New Jersey, then the owner shall designate a representative who is authorized to accept service of process on behalf of the owner and provide the representative's contact information to the municipality.

The sponsor notes that the recent foreclosure crisis has resulted in a substantial increase in the number of abandon residential properties throughout the State. The vacant properties drain municipal coffers by lowering the value of surrounding homes, attracting criminal elements, and at times require the municipality to perform routine maintenance which should be the responsibility of the property owner. This bill would ensure that the individual or entity which owns the property can be contacted by the municipality, and if necessary issued a summons to appear in municipal court for violations of any applicable municipal code provisions.

SENATE COMMERCE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3537

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 2011

The Senate Commerce Committee reports favorably and with committee amendments Assembly Bill No. 3537.

This bill, as amended, requires an owner who takes title to a residential property through either a sheriff's sale or a deed in lieu of foreclosure to provide the municipality where the property is located, and any association or common interest community of which the residential property is a part, with the owner's contact information within 10 business days. The amended bill excludes from this requirement an owner who has previously provided notice to the municipality as a creditor serving a summons and complaint in an action to foreclose pursuant to section 17 of P.L.2008, c.127 (C.46:10B-51). If the owner does not reside in New Jersey, then the owner shall designate a representative who is authorized to accept service of process on behalf of the owner and provide the representative's contact information to the municipality.

This amended bill is identical to Senate Bill No. 2444, which was also reported favorably, with identical committee amendments, by the Senate Commerce Committee on November 21, 2011.

Committee Amendments:

The committee amended the bill to:

- exclude from the notice requirement in the bill an owner who has previously provided notice to the municipality as a creditor serving a summons and complaint in an action to foreclose pursuant to section 17 of P.L.2008, c.127 (C.46:10B-51);

- change the amount of time within which an owner must provide notice to the municipality, association or common interest community from three days to 10 days; and

- provide that, in addition to providing notice to the municipal clerk, or other designated municipal official, the owner taking title to a residential property through either a sheriff's sale or a deed in lieu of foreclosure must provide notice to any association or common interest community of which the residential property is a part.

SENATE, No. 2444

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED DECEMBER 6, 2010

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senator Sarlo

SYNOPSIS

Requires owner of foreclosed property to file contact information with municipality.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/22/2011)

1 AN ACT requiring owner taking title to certain residential property
2 through sheriff's sale to register with municipality and
3 supplementing Title 46 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. The owner of any non-owner occupied residential property
9 who takes title to the property as the result of a sheriff's sale or
10 deed in lieu of foreclosure shall provide notice, within three
11 business days, to the municipal clerk, or any other designated
12 municipal official, of the municipality wherein the property is
13 located providing the name and address of the owner. If the owner
14 is not located within New Jersey, then the owner shall designate an
15 agent within New Jersey, including the agent's address, who is
16 authorized to accept service of process on behalf of the property
17 owner.

18

19 2. This act shall take effect immediately.

20

21

22

STATEMENT

23

24 This bill would require that an owner who takes title to a
25 residential property through either a sheriff's sale or a deed in lieu
26 of foreclosure must provide the municipality where the property is
27 located with the owner's contact information within three business
28 days. If the owner does not reside in New Jersey, then the owner
29 shall designate a representative who is authorized to accept service
30 of process on behalf of the owner and provide the representative's
31 contact information to the municipality.

32

33 The sponsor notes that the recent foreclosure crisis has resulted
34 in a substantial increase in the number of abandon residential
35 properties throughout the State. The vacant properties drain
36 municipal coffers by lowering the value of surrounding homes,
37 attracting criminal elements, and at times require the municipality
38 to perform routine maintenance which should be the responsibility
39 of the property owner. This bill would ensure that the individual or
40 entity which owns the property can be contacted by the
41 municipality, and if necessary issued a summons to appear in
42 municipal court for violations of any applicable municipal code
provisions.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2444

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 2011

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2444.

This bill, as amended, requires an owner who takes title to a residential property through either a sheriff's sale or a deed in lieu of foreclosure to provide the municipality where the property is located, and any association or common interest community of which the residential property is a part, with the owner's contact information within 10 business days. The amended bill excludes from this requirement an owner who has previously provided notice to the municipality as a creditor serving a summons and complaint in an action to foreclose pursuant to section 17 of P.L.2008, c.127 (C.46:10B-51). If the owner does not reside in New Jersey, then the owner shall designate a representative who is authorized to accept service of process on behalf of the owner and provide the representative's contact information to the municipality.

This amended bill is identical to Assembly Bill No. 3537, which was also reported favorably, with identical committee amendments, by the Senate Commerce Committee on November 21, 2011.

Committee Amendments:

The committee amended the bill to:

- exclude from the notice requirement in the bill an owner who has previously provided notice to the municipality as a creditor serving a summons and complaint in an action to foreclose pursuant to section 17 of P.L.2008, c.127 (C.46:10B-51);

- change the amount of time within which an owner must provide notice to the municipality, association or common interest community from three days to 10 days; and

- provide that, in addition to providing notice to the municipal clerk, or other designated municipal official, the owner taking title to a residential property through either a sheriff's sale or a deed in lieu of foreclosure must provide notice to any association or common interest community of which the residential property is a part.