

2A:18-72

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 51

NJSA: 2A:18-72 (Disposal of abandoned tenant property)

BILL NO: A2489

SPONSOR(S): Kelly and Gibson

DATE INTRODUCED: May 22, 2000

COMMITTEE: **ASSEMBLY:** Housing

SENATE: Community and Urban Affairs

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** October 5, 2000

SENATE: March 29, 2001

DATE OF APPROVAL: April 9, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

ASSEMBLY, No. 2489

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MAY 22, 2000

Sponsored by:

Assemblyman JOHN V. KELLY

District 36 (Bergen, Essex and Passaic)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

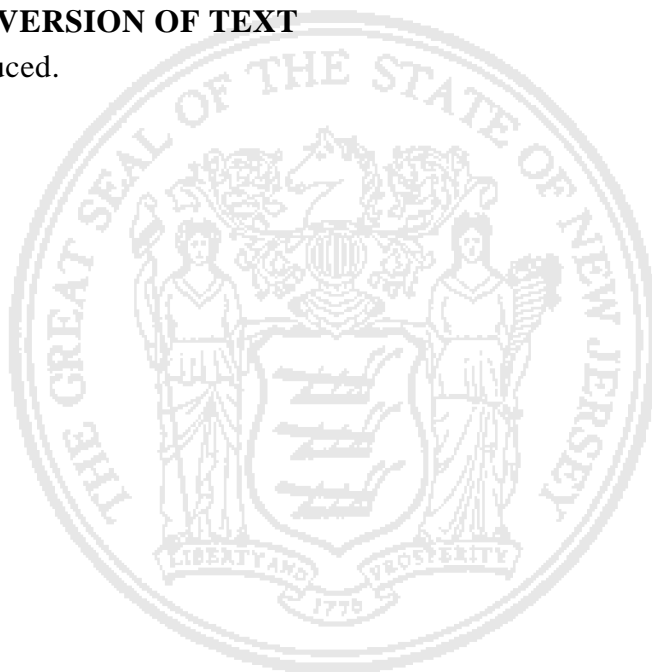
Assemblymen Blee, LeFevre and Assemblywoman Heck

SYNOPSIS

Provides that landlord of commercial property must follow lease terms controlling disposal of abandoned tenant property.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning abandoned tenant property and amending
2 P.L.1999, c.340.

3

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

6

7 1. Section 1 of P.L.1999, c.340 (C.2A:18-72) is amended to read
8 as follows:

9 1. A landlord of commercial or residential property, in the manner
10 provided by P.L.1999, c.340 (C.2A:18-72 et al.), may dispose of any
11 tangible goods, chattels, manufactured or mobile homes or other
12 personal property left upon a premises by a tenant after giving notice
13 as required by section 2 of P.L.1999, c.340 (C.2A:18-73), only if the
14 landlord reasonably believes under all the circumstances that the tenant
15 has left the property upon the premises with no intention of asserting
16 any further claim to the premises or the property , the parties have not
17 otherwise addressed the terms for disposal of tenant property within
18 the lease in the case of a commercial or nonresidential lease and:

19 a. A warrant for removal has been executed and possession of the
20 premises has been restored to the landlord; or

21 b. The tenant has given written notice that he or she is voluntarily
22 relinquishing possession of the premises.

23 (cf: P.L.1999, c.340, s.1)

24

25 2. This act shall take effect immediately.

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STATEMENT

29

30 This bill amends the law concerning procedures which must be
31 followed by a landlord in the disposal of remaining personal property
32 abandoned by tenant. The bill provides that a landlord of
33 nonresidential or commercial property will not be authorized to
34 proceed under the statute to dispose of personal property of the tenant
35 if the parties to the lease have otherwise addressed the terms for
36 disposal of tenant property within the lease.

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.

ASSEMBLY HOUSING COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2489

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2000

The Assembly Housing Committee reports favorably and with committee amendments Assembly Bill No. 2489.

This bill as amended, makes changes in the law concerning procedures which must be followed by a landlord in the disposal of remaining personal property abandoned by tenant. As amended, the bill provides that the provisions of P.L. 1999, c. 340 shall not apply to the disposal of tenant property left on nonresidential rental property if there is a lease in effect which has been duly executed by all parties which contains specific terms and conditions for the disposal of tenant property.

The committee amended the bill to provide that the procedures required to be followed to dispose of abandoned tenant property under P.L. 1999, c. 340 will not apply if there is a lease in effect for nonresidential property which has been duly executed by all parties and which contains specific terms and conditions for the disposal of tenant property.

[First Reprint]

ASSEMBLY, No. 2489

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MAY 22, 2000

Sponsored by:

Assemblyman JOHN V. KELLY

District 36 (Bergen, Essex and Passaic)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

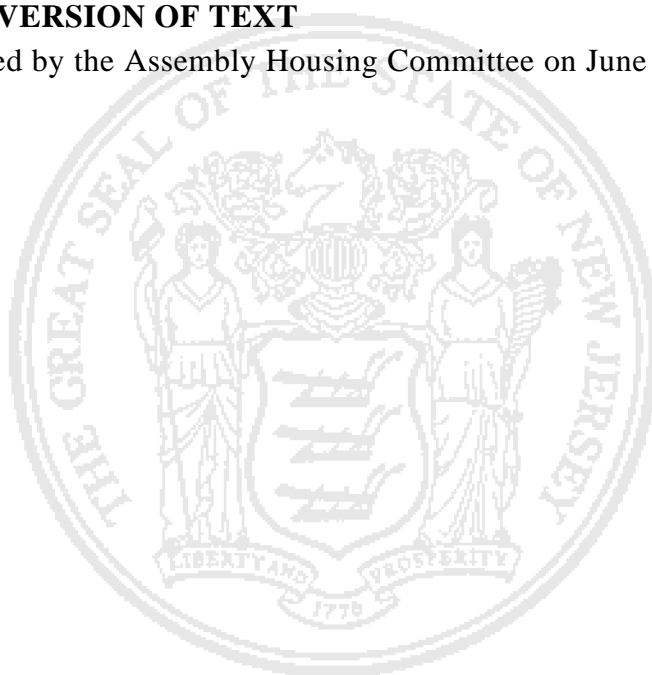
Assemblymen Blee, LeFevre and Assemblywoman Heck

SYNOPSIS

Provides that landlord of commercial property must follow lease terms controlling disposal of abandoned tenant property.

CURRENT VERSION OF TEXT

As reported by the Assembly Housing Committee on June 19, 2000, with amendments.



1 AN ACT concerning abandoned tenant property and amending
2 P.L.1999, c.340.

3

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

6

7 1. Section 1 of P.L.1999, c.340 (C.2A:18-72) is amended to read
8 as follows:

9 1. A landlord of commercial or residential property, in the manner
10 provided by P.L.1999, c.340 (C.2A:18-72 et al.), may dispose of any
11 tangible goods, chattels, manufactured or mobile homes or other
12 personal property left upon a premises by a tenant after giving notice
13 as required by section 2 of P.L.1999, c.340 (C.2A:18-73), only if the
14 landlord reasonably believes under all the circumstances that the tenant
15 has left the property upon the premises with no intention of asserting
16 any further claim to the premises or the property ¹[. the parties have
17 not otherwise addressed the terms for disposal of tenant property
18 within the lease in the case of a commercial or nonresidential lease]¹
19 and:

20 a. A warrant for removal has been executed and possession of the
21 premises has been restored to the landlord; or

22 b. The tenant has given written notice that he or she is voluntarily
23 relinquishing possession of the premises.

24 ¹The provisions of P.L.1999, c.340 (C.2A:18-72 et al) shall not
25 apply to the disposal of tenant property left on nonresidential rental
26 property if there is a lease in effect which has been duly executed by
27 all parties which contains specific terms and conditions for the disposal
28 of tenant property.¹

29 (cf: P.L.1999, c.340, s.1)

30

31 2. This act shall take effect immediately.

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:

¹ Assembly AHO committee amendments adopted June 19, 2000.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2489

STATE OF NEW JERSEY

DATED: NOVEMBER 13, 2000

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 2489 (1R).

This bill would establish an exception to procedures which a landlord must comply with prior to discarding personal property abandoned by a tenant. The bill provides that the procedures established under P.L. 1999, c. 340 would not apply to the disposal of tenant property left on nonresidential rental property whenever a duly executed lease contains specific terms and conditions for the disposal of tenant property.

P.L. 2001, CHAPTER 51, *approved April 9, 2001*
Assembly, No. 2489 (*First Reprint*)

1 AN ACT concerning abandoned tenant property and amending
2 P.L.1999, c.340.

3

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

6

7 1. Section 1 of P.L.1999, c.340 (C.2A:18-72) is amended to read
8 as follows:

9 1. A landlord of commercial or residential property, in the manner
10 provided by P.L.1999, c.340 (C.2A:18-72 et al.), may dispose of any
11 tangible goods, chattels, manufactured or mobile homes or other
12 personal property left upon a premises by a tenant after giving notice
13 as required by section 2 of P.L.1999, c.340 (C.2A:18-73), only if the
14 landlord reasonably believes under all the circumstances that the tenant
15 has left the property upon the premises with no intention of asserting
16 any further claim to the premises or the property ¹**[, the parties have**
17 **not otherwise addressed the terms for disposal of tenant property**
18 **within the lease in the case of a commercial or nonresidential lease]**¹

19 and:

20 a. A warrant for removal has been executed and possession of the
21 premises has been restored to the landlord; or

22 b. The tenant has given written notice that he or she is voluntarily
23 relinquishing possession of the premises.

24 ¹**The provisions of P.L.1999, c.340 (C.2A:18-72 et al) shall not**
25 **apply to the disposal of tenant property left on nonresidential rental**
26 **property if there is a lease in effect which has been duly executed by**
27 **all parties which contains specific terms and conditions for the disposal**
28 **of tenant property.**¹

29 (cf: P.L.1999, c.340, s.1)

30

31 2. This act shall take effect immediately.

32

33

34

35

36 Provides that landlord of commercial property must follow lease terms
37 controlling disposal of abandoned tenant property.

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:

¹ **Assembly AHO committee amendments adopted June 19, 2000.**

CHAPTER 51

AN ACT concerning abandoned tenant property and amending P.L.1999, c.340.

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

1. Section 1 of P.L.1999, c.340 (C.2A:18-72) is amended to read as follows:

C.2A:18-72 Disposal of remaining personal property abandoned by tenant.

1. A landlord of commercial or residential property, in the manner provided by P.L.1999, c.340 (C.2A:18-72 et al.), may dispose of any tangible goods, chattels, manufactured or mobile homes or other personal property left upon a premises by a tenant after giving notice as required by section 2 of P.L.1999, c.340 (C.2A:18-73), only if the landlord reasonably believes under all the circumstances that the tenant has left the property upon the premises with no intention of asserting any further claim to the premises or the property and:

a. A warrant for removal has been executed and possession of the premises has been restored to the landlord; or

b. The tenant has given written notice that he or she is voluntarily relinquishing possession of the premises.

The provisions of P.L.1999, c.340 (C.2A:18-72 et al.) shall not apply to the disposal of tenant property left on nonresidential rental property if there is a lease in effect which has been duly executed by all parties which contains specific terms and conditions for the disposal of tenant property.(cf: P.L.1999, c.340, s.1)

2. This act shall take effect immediately.

Approved April 9, 2001.