

New Jersey

Landlord-Tenant Compliance Guide

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■■ IMPORTANT LEGAL DISCLAIMER

This guide provides a summary of key compliance requirements for residential landlord-tenant relationships in New Jersey. It is not legal advice and should not be relied upon as a substitute for consultation with a qualified attorney. Laws change frequently; always verify current requirements with official state sources or legal counsel. enCompliance.com provides this information as-is and makes no warranties regarding accuracy or completeness.

■ Severity Indicators:

- **Critical** - Must comply (legal requirement)
- **Important** - Should follow (best practice)
- **Standard** - Good to know (general info)

■ This guide covers 62 compliance requirements across 12 categories

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1. ADDITIONAL DISCLOSURES

● **1. Flood Zone Disclosure (NJSA 46:8-50 (Effective March 20, 2024))**

■ *Legal Reference:* [NJSA 46:8-50 \(Effective March 20, 2024\)](#) (click to view statute)

● **2. Federal Crime Insurance (NJSA 46:8-39)**

■ *Legal Reference:* [NJSA 46:8-39](#) (click to view statute)

2. CORE LEASE REQUIREMENTS

● **1. Lease Formation & Disclosures (NJSA 46:8-45, 46:8-46 (Truth in Renting Act))**

■ *Legal Reference:* [NJSA 46:8-45, 46:8-46 \(Truth in Renting Act\)](#) (click to view statute)

● **2. Written Lease Requirements (NJSA 2A:18-61.1 et seq. (Anti-Eviction Act))**

■ *Legal Reference:* [NJSA 2A:18-61.1 et seq. \(Anti-Eviction Act\)](#) (click to view statute)

● **3. Lease Language Requirements (NJSA 46:8-48)**

■ *Legal Reference:* [NJSA 46:8-48](#) (click to view statute)

● **4. Lease Addendums (Various NJSA 46:8 sections)**

■ *Legal Reference:* [Various NJSA 46:8 sections](#) (click to view statute)

● **5. Lease Renewal (NJSA 2A:18-61.3(a), NJSA 46:8-10)**

■ *Legal Reference:* [NJSA 2A:18-61.3\(a\), NJSA 46:8-10](#) (click to view statute)

● **6. Lease Termination (NJSA 46:8-9, NJSA 2A:18-53)**

■ *Legal Reference:* [NJSA 46:8-9, NJSA 2A:18-53](#) (click to view statute)

● **7. Early Termination (NJSA 46:8-9.6, NJSA 46:8-9.2)**

■ *Legal Reference:* [NJSA 46:8-9.6, NJSA 46:8-9.2](#) (click to view statute)

3. EVICTION PROCESS

● **1. Court Process Required (NJSA 2A:18-53 et seq.)**

■ *Legal Reference:* [NJSA 2A:18-53 et seq.](#) (click to view statute)

● **2. Tenant Defenses (NJSA 2A:18-61.1, Implied Warranty)**

■ *Legal Reference:* [NJSA 2A:18-61.1, Implied Warranty](#) (click to view statute)

● **3. Owner-Occupied Exception (NJSA 2A:18-53, NJSA 2A:18-61.1)**

■ *Legal Reference:* [NJSA 2A:18-53, NJSA 2A:18-61.1](#) (click to view statute)

4. FAIR HOUSING

- 1. Protected Classes (42 U.S.C. § 3601 (Federal), NJSA 10:5-1 (State LAD))

■ *Legal Reference:* [42 U.S.C. § 3601 \(Federal\), NJSA 10:5-1 \(State LAD\)](#) (click to view statute)

- 2. Source of Income Discrimination (NJSA 10:5-12(g) (Effective 2019))

■ *Legal Reference:* [NJSA 10:5-12\(g\) \(Effective 2019\)](#) (click to view statute)

- 3. Criminal Background Checks (NJSA 46:8-55(b))

■ *Legal Reference:* [NJSA 46:8-55\(b\)](#) (click to view statute)

- 4. Reasonable Accommodations (Fair Housing Act, NJSA 10:5-1)

■ *Legal Reference:* [Fair Housing Act, NJSA 10:5-1](#) (click to view statute)

5. FINANCIAL TERMS

- 1. Rent Amount & Payment (NJSA 46:8-45, common law)

■ *Legal Reference:* [NJSA 46:8-45, common law](#) (click to view statute)

- 2. Rent Increases (Local ordinances, common law)

■ *Legal Reference:* [Local ordinances, common law](#) (click to view statute)

- 3. Late Fees (No specific statute, common law)

■ *Legal Reference:* [No specific statute, common law](#) (click to view statute)

- 4. NSF/Bounced Check Fees (NJSA 2A:32-1, Truth in Renting principles)

■ *Legal Reference:* [NJSA 2A:32-1, Truth in Renting principles](#) (click to view statute)

- 5. Application Fees (NJSA 46:8-55(b), common law)

■ *Legal Reference:* [NJSA 46:8-55\(b\), common law](#) (click to view statute)

- 6. Move-In Fees (No specific statute)

■ *Legal Reference:* [No specific statute](#) (click to view statute)

- 7. Pet Fees & Deposits (No specific statute for limits; Fair Housing Act for service animals)

■ *Legal Reference:* [No specific statute for limits; Fair Housing Act for service animals](#) (click to view statute)

● **8. Utilities (NJAC 5:10, NJSA 46:8-19)**

■ *Legal Reference:* [NJAC 5:10, NJSA 46:8-19](#) (click to view statute)

6. HOUSING CODE ENFORCEMENT

● **1. Bureau of Housing Inspection (NJAC 5:10 (Hotel and Multiple Dwelling Code))**

■ *Legal Reference:* [NJAC 5:10 \(Hotel and Multiple Dwelling Code\)](#) (click to view statute)

● **2. Local Enforcement (Local property maintenance codes)**

■ *Legal Reference:* [Local property maintenance codes](#) (click to view statute)

7. LANDLORD REGISTRATION & IDENTITY

● **1. Certificate of Registration (NJSA 46:8-28)**

■ *Legal Reference:* [NJSA 46:8-28](#) (click to view statute)

● **2. Owner Disclosure (NJSA 46:8-28, NJSA 46:8-29)**

■ *Legal Reference:* [NJSA 46:8-28, NJSA 46:8-29](#) (click to view statute)

● **3. Change of Ownership (NJSA 46:8-20, NJSA 46:8-21)**

■ *Legal Reference:* [NJSA 46:8-20, NJSA 46:8-21](#) (click to view statute)

8. LEAD-BASED PAINT

● **1. Lead Paint Disclosure (42 U.S.C. § 4852d (Federal Title X), NJAC 5:10)**

■ *Legal Reference:* [42 U.S.C. § 4852d \(Federal Title X\), NJAC 5:10](#) (click to view statute)

● **2. Lead Paint Inspection Requirements (P.L. 2021, c.182, NJAC 5:28A)**

■ *Legal Reference:* [P.L. 2021, c.182, NJAC 5:28A](#) (click to view statute)

● **3. Lead Hazard Remediation (NJAC 5:17, NJAC 5:28A)**

■ *Legal Reference:* [NJAC 5:17, NJAC 5:28A](#) (click to view statute)

9. PAYMENT & RECEIPTS

● **1. Electronic Payment Prohibition (NJSA 46:8-49.1)**

■ *Legal Reference:* [NJSA 46:8-49.1 \(click to view statute\)](#)

● **2. Cash Payment Receipts (NJSA 46:8-49.2)**

■ *Legal Reference:* [NJSA 46:8-49.2 \(click to view statute\)](#)

10. PROPERTY CONDITIONS

● **1. Habitability Standards (Implied Warranty (Marini v. Ireland, 56 N.J. 130 (1970)), NJAC 5:10)**

■ *Legal Reference:* [Implied Warranty \(Marini v. Ireland, 56 N.J. 130 \(1970\)\), NJAC 5:10 \(click to view statute\)](#)

● **2. Essential Services (NJAC 5:10)**

■ *Legal Reference:* [NJAC 5:10 \(click to view statute\)](#)

● **3. Repair & Maintenance (Implied Warranty of Habitability)**

■ *Legal Reference:* [Implied Warranty of Habitability \(click to view statute\)](#)

● **4. Repair & Deduct (Marini v. Ireland, 56 N.J. 130 (1970))**

■ *Legal Reference:* [Marini v. Ireland, 56 N.J. 130 \(1970\) \(click to view statute\)](#)

● **5. Rent Withholding (Implied Warranty of Habitability)**

■ *Legal Reference:* [Implied Warranty of Habitability \(click to view statute\)](#)

● **6. Constructive Eviction (Park Hill Terrace v. Glennon, 146 N.J. Super. 68)**

■ *Legal Reference:* [Park Hill Terrace v. Glennon, 146 N.J. Super. 68 \(click to view statute\)](#)

● **7. Mold & Environmental Hazards (Implied Warranty, NJAC 5:10)**

■ *Legal Reference:* [Implied Warranty, NJAC 5:10 \(click to view statute\)](#)

● **8. Bed Bugs (Implied Warranty, NJAC 5:10)**

■ *Legal Reference:* [Implied Warranty, NJAC 5:10 \(click to view statute\)](#)

● **9. Window Guards (NJAC 5:10)**

■ *Legal Reference:* [NJAC 5:10 \(click to view statute\)](#)

● **10. Screens (NJAC 5:10)**

■ *Legal Reference:* [NJAC 5:10 \(click to view statute\)](#)

11. SECURITY DEPOSITS

- **1. Security Deposit Limits (NJSA 46:8-21.2)**
■ *Legal Reference:* [NJSA 46:8-21.2](#) (click to view statute)
- **2. Security Deposit Storage (NJSA 46:8-19)**
■ *Legal Reference:* [NJSA 46:8-19](#) (click to view statute)
- **3. Security Deposit Return (NJSA 46:8-21.1)**
■ *Legal Reference:* [NJSA 46:8-21.1](#) (click to view statute)
- **4. Allowable Deductions (NJSA 46:8-19, NJSA 46:8-21.1)**
■ *Legal Reference:* [NJSA 46:8-19](#), [NJSA 46:8-21.1](#) (click to view statute)
- **5. Itemization Requirements (NJSA 46:8-21.1)**
■ *Legal Reference:* [NJSA 46:8-21.1](#) (click to view statute)
- **6. Penalties for Wrongful Withholding (NJSA 46:8-21.1)**
■ *Legal Reference:* [NJSA 46:8-21.1](#) (click to view statute)
- **7. Security Deposit Notification (NJSA 46:8-19(c))**
■ *Legal Reference:* [NJSA 46:8-19\(c\)](#) (click to view statute)

12. TENANT RIGHTS & PROTECTIONS

- **1. Anti-Eviction Act (NJSA 2A:18-61.1 et seq.)**
■ *Legal Reference:* [NJSA 2A:18-61.1 et seq.](#) (click to view statute)
- **2. Good Cause for Eviction (NJSA 2A:18-61.1)**
■ *Legal Reference:* [NJSA 2A:18-61.1](#) (click to view statute)
- **3. Notice Requirements (NJSA 2A:18-61.1, NJSA 2A:18-61.2)**
■ *Legal Reference:* [NJSA 2A:18-61.1](#), [NJSA 2A:18-61.2](#) (click to view statute)
- **4. Self-Help Eviction Prohibited (NJSA 2C:33-11 (Criminal Code))**
■ *Legal Reference:* [NJSA 2C:33-11 \(Criminal Code\)](#) (click to view statute)
- **5. Grace Period for Seniors (NJSA 2A:42-6.1)**

■ *Legal Reference:* [NJSA 2A:42-6.1](#) (click to view statute)

● **6. Domestic Violence Protections** (NJSA 46:8-9.4 through 46:8-9.10)

■ *Legal Reference:* [NJSA 46:8-9.4 through 46:8-9.10](#) (click to view statute)

● **7. Senior/Disabled Early Termination** (NJSA 46:8-9.2)

■ *Legal Reference:* [NJSA 46:8-9.2](#) (click to view statute)

● **8. Retaliation Prohibited** (NJSA 2A:42-10.10, case law)

■ *Legal Reference:* [NJSA 2A:42-10.10, case law](#) (click to view statute)

● **9. Quiet Enjoyment** (Common law covenant)

■ *Legal Reference:* [Common law covenant](#) (click to view statute)

● **10. Privacy Rights** (Common law, implied covenant)

■ *Legal Reference:* [Common law, implied covenant](#) (click to view statute)

● **11. Foreclosure Protections** (NJSA 2A:50-70)

■ *Legal Reference:* [NJSA 2A:50-70](#) (click to view statute)

Severity Indicators:

- Critical requirement (must comply)
- Important guideline (should follow)
- Standard information (good to know)

■■ LOCAL ORDINANCES & MUNICIPAL REQUIREMENTS

Note: The following requirements are specific to certain municipalities or counties within the state and may differ from or supplement statewide regulations. Always verify local requirements with your city or county government.

● **1. Local Enforcement** (Local property maintenance codes)

■ *Legal Reference:* [Local property maintenance codes](#)

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■ Questions or need legal review? Contact: **support@enCompliance.com**

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