

The New Jersey Foreclosure Fairness Act, P.L. 2009, c.296, requires any person who takes title to a residential property through sheriff's sale or deed in lieu of foreclosure to send notice to any residential tenants at the property, within 10 business days after transfer of title, telling them that ownership has changed and that they are not required to vacate the premises because of the foreclosure. The notice must include contact information (name, mailing address, email address and telephone number) for the person to whom future rent is due, or a person authorized to act on behalf of that person, along with a basic explanation of rights available to the tenant under the State's "anti-eviction act," P.L.1974, c.49 (C.2A:18-61.1 et seq.) The notice must also advise the tenant to consult with an attorney in the event the new owner or another person is pressuring the tenant to vacate the premises. The notice must be in writing, in at least 14 point bold type on paper that is at least 8 1/2" x 11" in size, and must be provided in both English and Spanish. In a building of 10 or fewer units, it must be posted prominently on the front door of each tenant's unit, and sent to each tenant via certified and regular mail. In a residential property of more than 10 units, it must be posted in each building in a prominent place in a common area or other conspicuous location, such as an entry foyer. To assist new owners regarding their notice obligations, the Department of Community Affairs has prepared the notice and made it available for distribution, both in print and in an easily printable format on its Internet website.

For additional landlord-tenant information, please visit our website.

www.nj.gov/dca/codes/lt/table_of_contents.shtml.

NOTICE TO TENANTS

THE FORMER OWNER OF _____
(insert property address) HAS LOST THE PROPERTY AS A RESULT OF A FORECLOSURE. FROM THE TIME YOU RECEIVE THIS AND UNTIL FURTHER NOTICE, YOU SHOULD PAY RENT TO _____

(insert name and address of person to whom rent is due) PLEASE SEND RENT BY _____(insert method of transmission) ON THE _____(insert day) OF EACH MONTH.

WITH LIMITED EXCEPTIONS, THE NEW JERSEY ANTI-EVICTION ACT, N.J.S.A.2A:18-61.1 ET SEQ., PROTECTS YOUR RIGHT TO REMAIN IN YOUR HOME. FORECLOSURE ALONE IS NOT GROUNDS FOR EVICTION OF A TENANT. YOU ARE PROTECTED BY THIS LAW EVEN IF YOU DO NOT HAVE A WRITTEN LEASE.

THE NEW OWNER CANNOT EVICT YOU WITHOUT "GOOD CAUSE," AS DETERMINED BY A COURT. EXAMPLES OF "GOOD CAUSE" ARE FAILURE TO PAY RENT, WILLFULLY DAMAGING THE PREMISES, OR PERSONAL OCCUPANCY BY THE NEW OWNER OF THE HOUSE OR APARTMENT THAT YOU NOW LIVE IN.

A RESIDENTIAL TENANT IN NEW JERSEY CAN BE EVICTED ONLY THROUGH A COURT PROCESS. ONLY A COURT OFFICER WITH A COURT ORDER MAY REMOVE YOU FROM THE PREMISES, AND ONLY AFTER YOU HAVE BEEN GIVEN THE OPPORTUNITY TO DEFEND YOURSELF IN COURT.

INDIVIDUALS CAN BE SUBJECT TO BOTH CIVIL AND CRIMINAL PENALTIES FOR TRYING TO FORCE YOU TO LEAVE YOUR HOME IN ANY OTHER MANNER, INCLUDING SHUTTING OFF UTILITIES OR OTHER VITAL SERVICE OR FAILING TO MAINTAIN THE PREMISES. YOU MAY, HOWEVER, ACCEPT FINANCIAL COMPENSATION FOR LEAVING VOLUNTARILY IF THE NEW OWNER OFFERS SUCH COMPENSATION.

IF SOMEONE IS PRESSURING YOU TO LEAVE, CONSULT WITH AN ATTORNEY.

AVISO A INQUILINOS

EL ANTERIOR DUEÑO DE _____
(incluir la dirección de la propiedad) HA PERDIDO DICHA PROPIEDAD
COMO RESULTADO DE UNA EJECUCIÓN HIPOTECARIA (*FORECLOSURE*
EN INGLÉS). A PARTIR DE LA FECHA EN QUE USTED RECIBA ESTE
AVISO Y HASTA NUEVO AVISO, USTED DEBE PAGAR LA RENTA A

(incluir el nombre y la dirección de la persona que recibirá el pago de la renta).
POR FAVOR ENVÍE LA RENTA POR _____ (incluir método de
pago) EL DÍA _____ (INCLUIR DÍA) DE CADA MES.

CON ALGUNAS EXCEPCIONES, LA LEY ANTIDESALOJO DE NEW
JERSEY (N.J.S.A.2A:18-61.1 ET SEQ.) PROTEGE SU DERECHO A
PERMANECER DONDE VIVE. LA EJECUCIÓN HIPOTECARIA POR SÍ
SOLA NO JUSTIFICA EL DESALOJO DE INQUILINOS. USTED ESTÁ
PROTEGIDO POR ESTA LEY, INCLUSO AUNQUE NO TENGA UN
CONTRATO DE RENTA POR ESCRITO.

EL NUEVO PROPIETARIO NO PUEDE DESALOJARLO SIN UNA
“RAZÓN VÁLIDA” DETERMINADA POR UNA CORTE. EJEMPLOS DE
UNA “RAZÓN VÁLIDA” SON FALTA DE PAGO DE LA RENTA, DAÑO
INTENCIONAL A LA PROPIEDAD, O QUE EL NUEVO DUEÑO VAYA A
OCUPAR LA CASA O APARTAMENTO DONDE USTED VIVE.

UN INQUILINO RESIDENCIAL EN NEW JERSEY SÓLO PUEDE SER
DESALOJADO A TRAVÉS DE UN PROCESO JUDICIAL. SÓLO UN OFICIAL
DE LA CORTE CON UNA ORDEN JUDICIAL PUEDE DESALOJARLO DE

SU RESIDENCIA, PERO SÓLO DESPUÉS DE QUE USTED TENGA LA OPORTUNIDAD DE DEFENDERSE EN LA CORTE.

QUIEN TRATE DE CUALQUIER OTRA MANERA DE FORZARLO A DESALOJAR SU VIVIENDA, YA SEA CORTANDO LOS SERVICIOS BÁSICOS O DEJANDO DE MANTENER LA PROPIEDAD, PUEDE SER SUJETO A CASTIGOS CIVILES Y PENALES. SIN EMBARGO, SI EL NUEVO DUEÑO LE OFRECE COMPENSACIÓN ECONÓMICA PARA QUE USTED SALGA DE LA VIVIENDA POR SU PROPIA VOLUNTAD, USTED PUEDE ACEPTARLA. SI ALGUIEN LO ESTÁ PRESIONANDO PARA QUE SE VAYA, CONSULTE CON UN ABOGADO.