

FREQUENTLY ASKED QUESTIONS

What is the Notice of Intention to Foreclose Online Filing System and what is its purpose?

Residential mortgage lenders must provide to the Department of Community Affairs (The “Department”) the Notice of Intention to Foreclose (“NOIF”) required pursuant to section 4 of P.L.2019, c.134, N.J.S.A. 2A:50-56, and a description of the property as set forth in N.J.S.A. 46:10B-49.2. The filing with the Department should be done at the time at the time the NOIF is given to the residential mortgage debtor through an online filing system. The system provides an electronic means to receive these notices and descriptive information for each property served with a NOIF. The data will be uploaded into a database that details the extent to which residential properties in the State are at immediate risk of foreclosure pursuant to P.L. 2019, c. 134, N.J.S.A. 46:10B-49.1.

What is the Department’s role?

The Department will develop, maintain, and update a confidential database based upon information submitted to the Department through the filing system. The Department will also manage the database by regulating who is allowed to submit information as well as who may obtain information from it, as allowed by law.

When are the residential mortgage lenders required to make a submission?

Commencing on April 1, 2020, all Notices of Intention to Foreclose filed with the Department of Community Affairs as required by N.J.S.A. 46:10B-49.2, must be filed electronically, as opposed to filing in hard copy. Instructions on electronic filing are set forth in the User Guide on the Department’s website.

Are there any instances where the Notice is not required?

The Notice is not required if the debtor has voluntarily surrendered the property which is the subject of the residential notice.

How is system accessed?

Each lender will need to designate one or two users as account administrators. These individuals will be responsible for creating and managing user accounts for their company/agency.

In order for users to gain access, he or she must click on the First Time User

First Time User

button on the filing system home page to create a user profile. Once a profile has been established, the administrators may request system access and provide the required information. Once a request has been reviewed, email notifications will be sent to the requester(s) letting them know if he or she have been granted or denied system access.

The filing system can be accessed from the DCA webpage at

<https://www.nj.gov/dca/foreclosure.html>

Who is responsible for approving authorized users?

It is the responsibility of the account administrators to approve the users within their organization or who work on behalf of their organization.

How is authorization obtained to submit to the system?

First-time users must submit a letter of authorization as outlined in the Getting Started section of the User Guide. There are also sample letters available in Appendix A of the User Guide.

How should law firms submitting on behalf of a loan servicer register in the system?

The law firm should register for Notice Submitter access.

What information or materials must be included to complete the online filing system?

- Street address of the residential property in question;
- County;
- Zip Code;
- City;
- Municipality;
- County;
- Block and lot numbers as shown on the municipal tax map at the time the Notice is given to the residential mortgage debtor (users will be able to look up this information at:
https://tre-dotnet.state.nj.us/TYTR_TLSPS/TaxListSearch.aspx)
- Current owner(s) of record;

- Date the notice of intention to foreclose was sent to the residential mortgage debtor by registered or certified mail, return receipt requested.
- Name of Lender
- Name of Loan Servicer

Will I receive an acknowledgement of submittal?

Upon receipt of the Notice, the Department will provide the residential mortgage lender or loan servicer with an electronic acknowledgement of the Department's receipt of the Notice in the form of an email.

What happens if the residential mortgage lender does not file?

Not submitting through the portal will constitute a violation of the statute. Compliance with this requirement must also be set forth in foreclosure or other legal action to take possession of residential property.

Who has access and is this information confidential?

The database will be considered confidential and will be used only by:

- The Department;
- The county clerks;
- The county registers of deeds and mortgages;
- The county sheriffs;
- The Administrative Office of the Courts;
- Municipalities (for those records within their jurisdiction);
- Such other agencies as the Commissioner of Community Affairs designates except that a municipality will have access to the database only with respect to information pertaining to the geographical area within the municipality's jurisdiction.

Will the public be able to see the database?

No, the database will not be subject to public access, inspection or copying pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or the common law concerning access to public records. Authorized users of the database are required to maintain confidentiality of the records.

Will the Department verify the information that is provided?

The Department will put in place, quality control procedures to check information for submission consistency and completeness. The lender's authorized user will be required to certify that the information submitted is accurate.

What if I have more questions?

For further clarification or for any questions please email:

NOIF@dca.nj.gov. **What is Block and Lot? Where can I find that information?**

Block and Lot numbers uniquely identify individual parcels of property. The Division of Taxation has a Property Tax Search tool which will provide municipality block and lot information. See the User Guide for more information on how to use this tool.

It is accessible at https://tre-dotnet.state.nj.us/TYTR_TLSPS/TaxListSearch.aspx

What if there are more than two owners on a Notice?

The Notice of Intention to Foreclose filing system only requires that the primary owner be reported, but it can accommodate a second owner.

Do Notices have to be reported one at a time or can multiple notices be filed all at once?

The system can accommodate both individual notices and bulk filing. Individual notices can be entered through web forms. Multiple notices can be reported in a text file along with PDFs of the notices. See User Guide for instructions. The text file and PDF files may be zipped into one file and uploaded.

Is there a prescribed file format for copies of the Notices?

Yes, notices must be in PDF format and each notice should be a separate PDF file.

Is there a file size limit for the text and PDF files?

Yes, no single file can exceed 2 MB and all files combined cannot exceed 100 MB. If your combined files are larger than 100 MB, please separate them into multiple submissions.