

PLEASE READ

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New Jersey Division on Civil Rights

Multiple Dwelling Reporting Rule (MDRR)

N.J.A.C. 13:10-1.1–13:10-2.7

[N.J.A.C. 13:10-1.1](#)

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 51 No. 20, October 21, 2019

NJ - New Jersey Administrative Code > TITLE 13. LAW AND PUBLIC SAFETY > CHAPTER 10. MULTIPLE DWELLING REPORTS > SUBCHAPTER 1. DEFINITIONS

§ 13:10-1.1 Words and phrases defined

The following words and phrases, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise. (Unless the context indicates to the contrary all terms used in this rule have the same meanings as in [N.J.S.A. 10:5-1](#) et seq.)

"Apartment rental turn-over" means a change of leaseholder.

"Applicant" means any person who appears before either the owner, lessor, agent or other principal or operator of a multiple apartment development for the purpose of renting an apartment.

"Barrier free" means adequate and sufficient features which are available in buildings or structures so as to make them accessible to and usable by people with physical disabilities.

"Leaseholder" means the party with whom the landlord has contracted for the apartment rental, whether the contracting be orally or in writing. It shall include any sublettee or assignee of the contract where notice or approval of subletting or assignment is a condition of the contract.

"Multiple apartment development" means one or more buildings situated at the same general location and operated under one management or with ownership in common. It shall include, but not be limited to, an apartment building or buildings and garden apartments.

"Racial/ethnic designation" means designation in one or more of the following classifications:

1. Black or African American: a person having origins in any of the original peoples of Africa;
2. American Indian or Alaska Native: a person having origins in any of the original peoples of North or South America;
3. Asian: a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam;
4. Hispanic or Latino: a person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish origin or culture, or a person having a Spanish surname;
5. Native Hawaiian or Other Pacific Islander: a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands; and/or
6. White or Caucasian: a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

History

HISTORY:

Amended by R.1994 d.203, effective April 18, 1994.

See: 26 New Jersey Register 901(a), 26 New Jersey Register 1666(b).

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[N.J.A.C. 13:10-2.1](#)

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§ 13:10-2.1 Purpose

The provisions of this chapter are adopted to enable the Division on Civil Rights to study patterns of housing occupancy, investigate practices of discrimination and affirmatively administer the Law Against Discrimination, [N.J.S.A. 10:5-1](#) et seq.

History

HISTORY:

Amended by R.1994 d.203, effective April 18, 1994.

See: 26 New Jersey Register 901(a), 26 New Jersey Register 1666(b).

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Rules upheld as rational approach to enforcing Law Against Discrimination; rules do not violate statute's prohibition against property owners recording tenants' protected specifications (race, creed, etc.). [New Jersey Builders, Owners and Managers Ass'n v. Blair, 60 N.J. 330, 288 A.2d 855 \(1972\)](#).

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[N.J.A.C. 13:10-2.2](#)

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§ 13:10-2.2 Persons required to report

(a) The owner or owners of every multiple apartment development which has 25 units or more shall file an annual report with the Division on Civil Rights concerning the racial/ethnic composition of the multiple dwelling, whether any of its buildings or developments are barrier-free, and factors affecting its composition.

(b) Where there are multiple owners of a development and the development is operated as one unit, a consolidated report may be filed.

History

HISTORY:

Amended by R.1994 d.203, effective April 18, 1994.

See: 26 New Jersey Register 901(a), 26 New Jersey Register 1666(b).

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[N.J.A.C. 13:10-2.3](#)

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§ 13:10-2.3 Form and contents of report

(a) The report shall be submitted on forms approved by the Attorney General and said forms shall be available on the website of the Division on Civil Rights (www.NJCivilRights.gov).

(b) The report may include information concerning:

1. Racial/ethnic designation of applicants for apartment rental;
2. Racial/ethnic designation of apartment leaseholders;
3. Apartment rental turn-overs;
4. Apartment rental recruiting techniques;
5. Rental rates and apartment sizes;
6. Whether the multiple apartment development is barrier-free; and
7. Such other information as the Attorney General determines is necessary to effectuate the purposes of this rule.

History

HISTORY:

Amended by R.1994 d.203, effective April 18, 1994.

See: 26 N.J.R. 901(a), 26 N.J.R. 1666(b).

Amended by R.2004 d.126, effective April 5, 2004.

See: [35 N.J.R. 5366\(a\)](#), [36 N.J.R. 1813\(a\)](#).

In (a), inserted a reference to the Division on Civil Rights website.

Amended by R.2008 d.246, effective August 18, 2008.

See: [39 N.J.R. 3715\(a\)](#), [40 N.J.R. 4818\(b\)](#).

In (a), deleted ", at any office of the Division on Civil Rights or other place so designated by the Attorney General" from the end.

Amended by R.2017 d.182, effective October 2, 2017.

See: [49 N.J.R. 717\(a\)](#), [49 N.J.R. 3360\(a\)](#).

In (a), updated the website.

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[N.J.A.C. 13:10-2.4](#)

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§ 13:10-2.4 Filing of reports

- (a) One copy of the report shall be filed with the Division on Civil Rights on a yearly basis. The report shall be filed electronically using the website of the Division on Civil Rights.
- (b) The report shall be due on January 30 of each year. Each annual report shall include information for January 1 through December 31 of the preceding year.
- (c) The date of filing of a report filed through the Division on Civil Rights website shall be the date the report is submitted in full on the website and an acknowledgment of receipt is issued.

History

HISTORY:

Amended by R.1979 d.112, effective March 15, 1979.

See: 11 N.J.R. 203(a).

Amended by R.1994 d.203, effective April 18, 1994.

See: 26 N.J.R. 901(a), 26 N.J.R. 1666(b).

Amended by R.2004 d.126, effective April 5, 2004.

See: [35 N.J.R. 5366\(a\)](#), [36 N.J.R. 1813\(a\)](#).

In (a), added the second sentence; rewrote (b); added (c).

Amended by R.2008 d.246, effective August 18, 2008.

See: [39 N.J.R. 3715\(a\)](#), [40 N.J.R. 4818\(b\)](#).

In (a), substituted "shall" for "may" and deleted "or by delivering a copy of the report to the Division's office" from the end; and in (c), deleted the former last sentence.

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[N.J.A.C. 13:10-2.5](#)

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§ 13:10-2.5 Maintenance of records

(a) The owner or owners of the multiple apartment development shall be responsible to have maintained at all times the following records:

1. Racial/ethnic designation of each applicant for apartment rental;
2. Racial/ethnic designation of each apartment leaseholder;
3. Racial/ethnic designation of each new leaseholder;
4. Apartment rental recruiting techniques employed; and
5. Such other records as the Attorney General determines is necessary to effectuate the purposes of these provisions.

(b) Such records shall be kept on file for a period of three years and shall be produced for inspection upon request of the Division on Civil Rights during business hours.

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[N.J.A.C. 13:10-2.6](#)

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§ 13:10-2.6 Violations

Failure to comply with this chapter shall constitute a violation of the Law Against Discrimination, [N.J.S.A. 10:5-1](#) et seq.

History

HISTORY:

Amended by R.1994 d.203, effective April 18, 1994.

See: 26 New Jersey Register 901(a), 26 New Jersey Register 1666(b).

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[N.J.A.C. 13:10-2.7](#)

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§ 13:10-2.7 Late filing penalties

(a) An owner or owners of a multiple apartment development who files a report more than 15 calendar days after the time for filing reports set forth in [N.J.A.C. 13:10-2.4](#), but not later than 30 calendar days after such time for filing, shall be subject to a penalty for late filing of \$ 100.00.

(b) An owner or owners of a multiple apartment development who files a report more than 30 calendar days after the time for filing reports set forth in [N.J.A.C. 13:10-2.4](#), but not later than 60 calendar days after such time for filing, shall be subject to a penalty for late filing of \$ 250.00.

(c) An owner or owners of a multiple apartment development who files a report more than 60 calendar days after the time for filing reports set forth in [N.J.A.C. 13:10-2.4](#), but not later than 90 calendar days after such time for filing, shall be subject to a penalty for late filing of \$ 500.00.

(d) An owner or owners of a multiple apartment development who files a report more than 90 calendar days after the time for filing reports set forth in [N.J.A.C. 13:10-2.4](#) shall be subject to a penalty in an amount designated by the Director of the Division on Civil Rights pursuant to [N.J.S.A. 10:5-14.1a](#).

(e) Payment of the fees under (a), (b) and (c) above shall be transmitted in the form of a check made payable to "Treasurer--State of New Jersey."

(f) The Director of the Division on Civil Rights may, in his or her discretion, waive all or part of the penalties incurred with the late filing of a report or reports for good cause shown, so long as such waiver would not compromise the purpose of the reports as set forth in [N.J.A.C. 13:10-2.1](#). An owner of a multiple apartment development may apply to the Director of the Division on Civil Rights for a waiver or relaxation of the penalties incurred because of the late filing or failure to file a report or reports. Such request shall be made in writing, and shall set forth, with specificity, the owner's reasons for late filing or failure to file. If applicable, documentation supporting the request should be included. The Director may consider such factors as the owner's previous filing history, the owner's promptness in filing the report upon notice of delinquency, DCR resources expended on addressing the delinquency, and any exceptional circumstances related to the delinquency (which may include an owner's undue hardship, economic or otherwise).

History

HISTORY:

New Rule, R.2004 d.126, effective April 5, 2004.

See: [35 N.J.R. 5366\(a\)](#), [36 N.J.R. 1813\(a\)](#).

Amended by R.2017 d.182, effective October 2, 2017.

See: [49 N.J.R. 717\(a\)](#), [49 N.J.R. 3360\(a\)](#).

Section was "Late filing fees". Added (f).

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