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CHAPTER 149

An Act concerning rent payments by tenants during coronavirus disease 2019 pandemic.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. The Legislature finds and declares that:

a. The COVID-19 pandemic is forcing many New Jersey residents and businesses to endure prolonged depletions of income;

b. The State's tenants are entitled to be provided with sufficient options for rent payment during this emergency and its aftermath; and

c. It is, therefore, necessary and in the public interest for the Legislature to temporarily require the State's commercial and residential landlords, with limited exception, to accept rent payments by credit card.

2. a. A landlord shall permit a tenant to make a rent payment using a credit card, as long as the rent payment is due prior to the expiration of this act, following the state of emergency and public health emergency declared by the Governor pursuant to Executive Order No. 103 of 2020 in response to the COVID-19 pandemic.

b. A landlord shall make any necessary accommodations to allow a tenant to make a rent payment using a credit card.

c. A landlord may shift to the tenant the responsibility for the payment of all transaction fees associated with the use of a credit card when making a rent payment to a landlord pursuant to the provisions of this section. No provision of this section shall be construed to affect the requirement to pay rent due and owing by the tenant to the landlord pursuant to a lease or rental agreement.

d. With respect to a landlord who has a previously agreed upon rent payment taken back by a tenant through the use of a credit card chargeback, no provision of this section shall be construed to prevent the landlord from considering the charged-back rent as unpaid rent.

e. As used in this section:

"Chargeback" means a consumer protection tool that allows a consumer to get their money back for fraudulent charges or purchases that do not live up to standards by submitting a dispute with their card issuer.

"COVID-19" means the coronavirus disease 2019, as announced by the World Health Organization on February 11, 2020, and first identified in Wuhan, China.

"Landlord" means any person who rents or leases, for a term of at least one month, commercial space or residential dwelling units other than dwelling units in a premises containing not more than two such units, or in an owner-occupied premises of not more than three dwelling units, or in hotels, motels, or other guest houses serving transient or seasonal guests.

3. This act shall take effect immediately and shall expire one year after the end of both the state of emergency and the public health emergency declared by the Governor in response to the coronavirus disease 2019 pandemic.

Approved January 4, 2021.

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