EXECUTIVE ORDER NO. 106

WHEREAS, in light of the dangers posed by COVID-19, I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, I issued Executive Order No. 104 (2020) on March 16, 2020, the facts and circumstances of which are also adopted by reference herein, which established statewide social mitigation strategies for combatting COVID-19; and

WHEREAS, as of March 18, 2020, according to the Centers for Disease Control and Prevention ("CDC"), there were more than 191,000 confirmed cases of COVID-19 worldwide, with over 7,800 of those cases having resulted in death; and

WHEREAS, as of March 18, 2020, there were more than 7,000 confirmed cases of COVID-19 in the United States, with at least 97 of those cases having resulted in death; and

WHEREAS, as of March 18, 2020, there were 427 positive cases of COVID-19 in New Jersey, spread across numerous counties; and

WHEREAS, the economic impacts of COVID-19 are significant, and pose a growing threat to the housing security of many New Jerseyans; and

WHEREAS, many New Jerseyans are or will be experiencing substantial loss of income as a result of business closures, reductions in hours, or layoffs related to COVID-19, impeding their ability to keep current on rent and mortgage payments; and

WHEREAS, housing security and stability are important to public health, particularly as homelessness can increase vulnerability to COVID-19; and

WHEREAS, removals of residents pursuant to evictions or foreclosure proceedings can increase the risk to those residents of contracting COVID-19, which in turn increases the risks to the rest of society and endangers public health; and

WHEREAS, in recognition of this danger, the U.S. Department of Housing and Urban Development, Fannie Mae, and Freddie Mac announced the suspension of all evictions and foreclosures for the next 60 days; and

WHEREAS, Assemblymembers Angela McKnight, Holly Schepisi, and Benjie Wimberly and Senators Joseph Cryan and Nellie Pou have rapidly responded to these concerns by sponsoring Assembly Bill No. 3859 and Senate Bill No. 2276, which address this issue by explicitly providing that during a Public Health Emergency or State of Emergency, the Governor shall have the authority to issue an executive order declaring a moratorium on removing individuals from residential property as a result of an eviction or foreclosure proceeding; and

WHEREAS, the Administrative Office of the Courts also provided helpful guidance as the bill moved through the legislative process; and

WHEREAS, the swift action by the Legislature to pass Assembly Bill No. 3859 and Senate Bill No. 2276, working in collaboration with the Administrative Office of the Courts and my Administration, exemplifies the critical importance of effective coordination among all three branches of government in addressing emergency situations; and

WHEREAS, earlier today, I immediately signed the residential eviction and foreclosure moratorium legislation into law as soon as it passed both Houses of the Legislature, to exercise as

expeditiously as possible the authority provided by the Legislature to protect our residents in this critical time;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Any lessee, tenant, homeowner or any other person shall not be removed from a residential property as the result of an eviction or foreclosure proceeding.

2. While eviction and foreclosure proceedings may be initiated or continued during the time this Order is in effect, enforcement of all judgments for possession, warrants of removal, and writs of possession shall be stayed while this Order is in effect, unless the court determines on its own motion or motion of the parties that enforcement is necessary in the interest of justice. This Order does not affect any schedule of rent that is due.

3. Sheriffs, court officers, and their agents shall refrain from acting to remove individuals from residential properties through the eviction or foreclosure processes during the time this Order is in effect, unless the court determines on its own motion or motion of the parties that enforcement is necessary in the interest of justice.

4. For the purpose of this Order, "residential property" means any property rented or owned for residential purposes, including, but not limited to, any house, building, mobile home or land in a mobile home park, or tenement leased for residential purposes, but shall not include any hotel, motel, or other guest house, or part thereof, rented to a transient guest or seasonal tenant, or a residential health care facility. The State Director

of Emergency Management, who is the Superintendent of State Police, shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to these lists.

5. This Order shall take effect immediately and remain in effect for no longer than two months following the end of the Public Health Emergency or State of Emergency established by Executive Order No. 103 (2020), whichever ends later, unless this Order is first revoked or modified by the Governor in a subsequent executive order.

GIVEN, under my hand and seal this 19th day of March, Two Thousand and Twenty, and of the Independence of the United States, the Two Hundred and Forty-Fourth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor