

May 18, 2021

Mr. Glenn A. Grant
Acting Administrative Director
New Jersey Courts
P.O. Box 037
Trenton, NJ 08825

Dear Director Grant,

I am writing to you to provide comments on behalf of the New Jersey Utilities Association (“NJUA”) in response to the New Jersey Courts’ solicitation for public comments on the Report and Recommendations of the Judiciary Special Committee on Landlord Tenant’s (“Special Committee”). On behalf of NJUA’s investor-owned utility members that provide essential water, wastewater, electric, natural gas, and telecommunications services throughout our state, I would like to thank you and the Special Committee for your work on this important issue.

As of January 2021, utility customers are behind on their utility bills by a total of about \$700 million. Now more than ever, direct financial assistance is available to help alleviate this burden for struggling individuals and families. Through the American Rescue Plan, the federal government has made available emergency assistance money for customers struggling to pay their rent or utility bills via a program called the Emergency Rental Assistance Program. These funds, totaling about \$590 million, are available through programs run by the state, 15 counties, and the cities of Newark and Jersey City.¹

Outside of this emergency aid, federal and state-level programs provide crucial monthly and grant-based assistance to low- and moderate-income customers. The most popular federal program, the Low-Income Home Energy Assistance Program (“LIHEAP”), provides grants specifically for low-income customers. Additional benefits for energy assistance are available to New Jersey residents. New Jersey’s Universal Service Fund (“USF”) provides monthly credits towards monthly gas and electric bills to help reduce the end-cost to customers while the Lifeline program provides a \$225 yearly grant to New Jersey’s seniors and adults with disabilities. Furthermore, additional grant-based assistance is available to low- and moderate-income customers through the Payment Assistance for Gas and Electric (“PAGE”) and NJ SHARES programs.² While grants and assistance programs can provide crucial assistance to customers who are struggling with financial hardship, we note that there are other resources available to help customers during difficult times. Our member companies are always ready and able to assist customers

¹ More information on allocation amounts available at <https://home.treasury.gov/system/files/136/Emergency-Rental-Assistance-Data-and-Methodology-1-11-21.pdf> and eligible units of local government at <https://home.treasury.gov/system/files/136/ERA-List-of-Eligible-Local-Governments-Final.pdf>

² NJ SHARES specifically has assistance available for customers of certain water companies

through implementation of an enhanced Deferred Payment Arrangement (“DPA”) to help customers pay off their utility arrearages over time.

In accordance with N.J.A.C. 14:3-3A.4, utilities currently include information to customers on how they can get in contact with their utility to set up a DPA in disconnection notices to prevent a potential shut-off. In the same spirit of that practice, the Special Committee’s Recommendations #5 and #7 recommend the creation of pre-trial case management conferences that connect tenants with rental assistance and legal resources. To go along with that, we respectfully recommend that Statewide policy be adopted to require these conferences to include a utility assistance component. We know that each financial issue that tenants face is interconnected. By making tenants aware of assistance that is available to them, we are better equipped to address other hardships that may not have similarly available assistance.

During the case management period, we ask that the courts consider directing Landlord Tenant Legal Specialists (“LTLS”) to help tenants identify utility assistance programs, provide pertinent eligibility requirements, and provide application information. Assistance program availability may vary depending on the utility provider and geographic location of the tenant. In order to best guide tenants throughout the process, the courts should consider encouraging LTLS to partner with affiliate agencies who help administer some of the previously mentioned assistance programs.³ These affiliate agencies work frequently to assist individuals with applying for these grants; using these agencies as partners may help LTLS provide more appropriately tailored support for tenants seeking to secure financial assistance.

Thank you for your consideration of our comments on the Special Committee’s recommendations. Once again, your work in creating a more just and safe legal process for tenants and landlords at this critical time is greatly appreciated. If you have any questions or would like to further discuss this matter, please do not hesitate to contact me at (201) 349-2783 and tchurchelow@njua.com or Christina Farrell, Director of Government and Public Affairs at (856) 207-0302 and cfarrell@njua.com.

Sincerely,



Thomas R. Churchelow, Esq.
President

³ Example affiliate agencies that are available: <https://njpoweron.org/resources/affiliate-agencies/> & https://njsharesgreen.org/agencies/?searchable-table-search=energy&table_id=1