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# HOUSING AUTHORITY OF THE CITY OF CAMDEN

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May 21, 2021

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Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts  
Comments on Report of the Judiciary Special  
Committee on Landlord Tenant

Deborah Keys  
Frazier  
Commissioner

Hughes Justice Complex; P.O. Box 037  
Trenton, New Jersey 08625-0037

Dear Judge Grant:

Cameron  
Hudson  
Commissioner

The following are comments on the Report of the Judiciary Special Committee on Landlord Tenant:

## **BEFORE TRIAL**

Alan Miller  
Commissioner

**Recommendation 6: The landlord should be required to submit a copy of the lease, the landlord's registration statement (if applicable), and a certification of the landlord's lease and registration statement before the case management conference.**

Luis Quiñones  
Commissioner

The requirement to provide the registration statement should not be applicable to New Jersey's public housing authorities (PHAs). Many PHAs are not subject to this requirement per local ordinances, or have historically not been required to register same with the local government where the public housing is situated. Unfortunately, the Landlord Identity Law, N.J.S.A. 46:8-27 through 46:8-37 does not specifically exempt public housing authority landlords. Yet, certain local ordinances have apparently exempted PHAs from acquiring occupancy permits (and by extension certifications of registration). For example, the City of Camden has exempted the Housing Authority of the City of Camden from the requirement.<sup>1</sup> Its municipal ordinance specifically states in Article I. General Provisions, Section 620-39A.(6) *No occupancy permit shall be required on the rental of a dwelling unit in a building containing multiple dwelling units which is owned and operated by the United States, the State of New Jersey, or the City of Camden Housing Authority so long as such respective governmental entity enforces its own property maintenance code or otherwise regulates and maintains the habitability standards of its rental units.*

Vacant  
Commissioner

<sup>1</sup> Article I. General Provisions, Section 620-39 A.(3) The owners and/or managers of every residential building and structure in the City which is rented or leased shall register with the City Clerk the names and addresses of the owner, lessor and agent in charge of the premises residing in the municipality or county, together with such other information the issuing agent shall require for the enforcement of this chapter.

A cursory review of another municipality's ordinance did not have such provisions, which could arguably require that municipality's PHA file a certificate of registration. Thus it is very likely that New Jersey municipalities with established PHAs may or may not have provisions which could exempt public housing authorities from the requirement to file a certificate of registration with the local municipal clerk.

However, PHAs maintain and enforce the habitability standards as provided in their residential leases, by having the occupied public housing units annually inspected using the U.S. Department of Housing and Urban Development's (HUD) Uniform Physical Condition Standards (UPCS)<sup>2</sup>; as well as being subject to random REAC<sup>3</sup> inspections. However, these standards do not supersede or preempt State and local codes for building and maintenance.

COMMENTARY RECOMMENDATION:

Revise the Case Management Conference Information Sheet to indicate the option to check box for "Not Applicable" with line to state why (i.e., Public Housing Authority).

All references to the requirement to provide the registration statement should state "if applicable".

Finally, PHA Residential Leases with Addenda have 30+ pages, and may be cumbersome to upload. Thus PHA landlords should be allowed to upload relevant pages that identify the parties, the rent and terms concerning the payment of rent and signature pages. If an entire lease becomes necessary, that request can be made by the assigned LT Legal Specialist and/or judge.

Respectfully submitted,

*Lisa Richardson*

Lis Hendricks Richardson, Esq.  
Staff Attorney

cc: NJ NAHRO

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<sup>2</sup> Uniform Physical Condition Standards (UPCS) The UPCS are uniform national standards established by HUD for housing that is decent, safe, sanitary, and in good repair, pursuant to 24 CFR 5.703.

<sup>3</sup> HUD's Real Estate Assessment Center (REAC) assists in improving housing quality by performing accurate, credible, and reliable assessments of HUD's real estate portfolio. REAC's primary mission is to provide our customers with independent, actionable assessments that advance risk-informed decisions about the condition of the nation's affordable housing portfolio.

The new [National Standards for the Physical Inspection of Real Estate \(NSPIRE\)](#) model prioritizes health, safety, and functional defects over appearance. It implements inspections that better reflect the true physical conditions of the property. The NSPIRE model supports the adoption of sound, year-round maintenance practices.