

From: [Daniel F. Deraney, Esq.](#)
To: [Comments Mailbox](#)
Subject: [External] Comments on Proposed Amendments to LLT Forms & Processes 04-25-2025
Date: Friday, April 25, 2025 2:02:04 PM
Attachments: _____



Good Morning -

My name is Daniel F. Deraney, Esq., Attorney at Law and Owner of The Law Offices of Daniel F. Deraney. As of October 2025, I will be entering my 10th Year in Solo Practice, which to date, includes an abundance of Landlord/Tenant work, whether it be Per Diem or Directly through my Firm exclusively.

Please accept the following Comments in regards the March 27, 2025 Proposed Amendments to the Landlord Tenant Forms and Processes.

(1.) Commenting Specifically on the Breadth and Depth of the Documents - As a solo practitioner, and even more important in the current economic circumstances, when I first answer a phone call for someone calling for legal representation - the FIRST thing that I ask is - **Does this person NEED me?** Can this person, with my understanding of their intelligence, time available, and other factors, endeavor to file this eviction or handle this Landlord/Tenant matter on their own?

This question isn't often discussed because the loudest voices are those with a dizzying amount of buildings and units. Landlord/Tenant Evictions, and hiring an Attorney, is required for corporate entities, and necessary for the type of volume some Landlords may have.

But to the Mom and Pop, 1st Time Landlords, and the proverbial "Small Timers," the cost of an Eviction can be the difference between the Landlord covering their Mortgage, Taxes, Maintenance, AND still managing to make a little revenue/profit on the Rental of their Property. It is not only the mass Landlords who work to resolve a Housing Crisis, it is also those who own Properties and decide to undertake this business.

With that said, I will wholeheartedly, even against my own business interests, state that an expansion of a Landlord/Tenant Forms and Processes is something that the Court and those involved should be extremely weary of and cautious in approaching. Discouraging folks to access the Court system, due to the brevity of the filings and process, is a consequence that benefits the law practice, but will undoubtedly result in the continued growth of those who must balance financial hardship and hiring an Attorney to assist with an increasingly difficult process to engage in rather than endeavor to go it alone. It is not my opinion that, once we get to discussing Small Claims, Special Civil Part, and Landlord/Tenant Division, that we should be creating and expanding on a process and its forms, to make it out of reach for a multitude of reasons for these folks.

(2.) The Courts Continued Expansion of Its Role within Landlord/Tenant Practice and Litigation. As a practitioner, often representing Landlords and sometimes representing Tenants, it is abundantly clear that there is a severe deficiency and imbalance when it comes to Tenants and their access to Legal Representation. There are a multitude of insufficient attempts to cure these deficiencies.

There are Court Ordered Mediators. They are often passed up due to time constraints, availability, or lack

of knowledge of the Law as sufficient as the Landlord's Attorney. Matters are much more efficiently resolved by Counsel to Party Mediation.

The Tenants often are presented with the potential of Legal Services of NJ, whom are overworked, overwhelmed, and underpaid, or some other Law School Clinic, or other social justice organization/agency. In Morris County, where they may be handling 25/30 cases a day, there's often 3 to 5 Legal Services Attorneys to tend to the Tenants, where they are much harder to come by in other Counties (and that's putting it nicely).

After that, the Court endeavors to provide legal guidance via the Harris Statement. Furthering these efforts, in Essex County, the Court refers Settlements to Hearing Officers who often expose and discuss issues the Landlord/Tenants may be encountering. The result is further legal advice. Essex County also refers cases out to 3-5 Judges per day whom then work to bridge the gap in legal knowledge.

For whatever the example, the fact remains, there is a severe deficiency and imbalance when it comes to Tenants and their access to Legal Representation. The expansion of this document and the Court processes appears to be another ill-advised effort to cure this deficiency.

(3.) To What End is the Expansion of the Forms and Processes? It's fair to say that I could go on and on about this subject because it is an abundance of my practice, however, the last thing I will say is - How will the Court and/or the Litigants function regarding the disclosure of this Information?

Presently, if a Landlord files an Eviction and fails to file the Certification of Lease and Registration Statement, the Court Clerk will ask for a Deficiency Correction (in most circumstances, unless the Clerk's Offices are too busy to review the filings). If any number of these questions are unanswered, answered incorrectly, or whatnot - will the Court clerk ask for Deficiency Corrections? Will the Court be informed of wrong answers for the purposes of summary decisions on dismissals, or adjournments? How does every Question function as a result of its response? The Court MUST consider this before its implementation.

For example, in a Non-Payment of Rent Eviction, the monthly rent breakdown often results in the most confusion when Tenants neglect to consider the accruing monthly rents. Tenants come in raising hell about the inaccuracy of the numbers. Why are we not requiring the filing of a Landlord's Rental Ledger instead? What is the more efficient, effective, and proper source for the information?

Conclusions/Final Recommendations. Unfortunately, as you may tell, these Proposed Amendments result in more questions than answers. Why is there a question about Landlord Identity Law or the Lease Agreement on the Complaint, when a Certification of Lease and Registration Statement answers that question? What will the Court do when a Landlord's Counsel drafts their own version formatted Complaint? It's my strong recommendation that these Proposed Amendments are scrapped as presented, and presented at another date in which the Court could consider case specific Amendments / Certifications / Documents a Landlord may be required to file as a result of the particular action pursued. A Certification of the Section 8 / Covered Housing Program perhaps? (See Attached Example from a Currently Filed Matter). The Notice Action Certification requiring the Notice Attachment, the Dates as discussed, the specific Grounds for Removal? If these bits of information were optional to the standard filing, it may result in the desired result, without the drawbacks discussed. Thank you kindly.

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