



COHEN MARRACCINI LLC

phone: 215.887.8100 | fax: 215.355.2550
www.cohenmarraccini.com

William P. Brady, Esq. of counsel-*+

#019

* Member PA Bar
+ Member NJ Bar
◦ Member NY Bar
-Member DE Bar

April 28, 2025

VIA EMAIL AND REGULAR MAIL

RE: Comments on Proposed Amendments to Landlord-Tenant Forms and Process

To Whom it May Concern:

Please accept this letter encompassing comments from this law firm, as pertains to the proposed amendments to the Landlord-Tenant forms and process. Our firm, comprised of twelve attorneys specializing in Landlord-Tenant law, filed over five thousand complaints in New Jersey last year.

Proposed Revised Residential Landlord-Tenant Verified Complaint:

Viewed in totality, the proposed Complaint is unnecessarily overbroad, incorporating counts that are unnecessary and which are likely to confuse the average *pro se* tenant. Much of the requested information is already encompassed in other documents and Certifications which are filed alongside the Complaint. Accordingly, the inclusion of much of the proposed inquiries will be patently duplicative. For example, Counts 6, 7, 8, 10 and 11 are already addressed in the “Certification of Lease and Registration Statement,” which must be submitted with the Complaint documents. Similarly, the Holdover section repeats a request for Notices that are already addressed in Count 14. The delay caused by the inclusion of these other counts is sure to create confusion, especially during mandatory mediations, ultimately increasing the time, effort, and resources required in resolving or otherwise adjudicating cases. Additionally, despite the reality that most Landlord-Tenant Complaints exclusively concern nonpayment of rent, that subject does not appear until end of the third page of the Complaint. This placement appears to be another example of the counterintuitive nature of the proposed Complaint. Furthermore, the proposed Complaint appears to expand the scope beyond the current eviction basis. Count 13 requires the drafter to select all programs that “apply or have applied to the tenancy,” potentially introducing irrelevant information outside the scope of the matter at hand.

By highlighting the issues of “additional rent,” subsidy, and rent control, the proposed complaint effectively provides tenants with a roadmap of possible jurisdictional defenses. This introduces a built-in bias against landlords from the initiation of the action. Such defenses are for judges to evaluate at time of trial, if and when raised. The Complaint should be nothing more than a reflection of the allegations being levied against the Defendant.



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Perhaps most critically, this proposed Complaint, with its additional elements, will require more than twice as long to complete. Consequently, attorneys' fees are likely to increase drastically and could potentially even double. Of course, these fees, when deemed "additional rent," are often passed on to the tenant who is the subject of the eviction Complaint. As legal fees rise, so do the tenants' outstanding balance. This increase in the amount required to resolve the action will certainly lead to an increase of executed Warrants. In essence, the net result of the proposed revisions will elicit an increased financial burden to the very tenants the judiciary appears to be intent on assisting.

Proposed Revised Landlord-Tenant Summons:

No Comments.

Proposed Revised Landlord Case Information Statement:

No Comments.

Proposed Amendments to Court Rule 6:2:

Currently, Landlords wait a minimum of five weeks between filing and a trial date. In that time, Landlords can expect to incur the additional loss of yet another month's rent when a tenant is already failing to uphold their end of the agreement. Extending this timeline to include the five weeks from when the Summons is actually served creates an additional financial imposition. In reviewing the case jackets for various matters, we have found that it can take an additional three weeks, if not more, for the Proof of Service to be returned and uploaded to the case jacket. This would increase the time between filing to trial to almost two months, exacerbating the monetary strain on Landlords.

Unless the judiciary plans on providing more court officers to expedite service, this additional delay could have extraordinary financial consequences for landlords.

Proposed Amendments to Court Rule 6:3-4

No Comments.

Conclusion:

Paul Jay Cohen, Esq.*+ ◦
Jénel R. Marraccini, Esq.*+ ◦
Matthew R. Bradley, Esq.*+
William S. Hilton, Esq.*+
Riley F. Anderson, Esq.+
Jessica P. Schachner, Esq.*+
Rayan Quddus, Esq.*
Jessica Friesen, Esq. +
Alexxys L. Ehresman, Esq. *+
Joseph Donegan, Esq. *
Michael Kitay, Esq. *
Michael A. DeMarco, Esq. +



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These proposed changes turn a relatively straightforward Landlord-Tenant case into a needlessly complex and burdensome process. The result is greater confusion for tenants, longer and costlier preparation for landlords, and more complications during court proceedings. Ultimately, this proposal places additional financial strain on both landlords and tenants—contrary to its intended purpose.

Thank you for your consideration of these comments.

Sincerely,

COHEN MARRACCINI, LLC

Pennsylvania Office
660 Second Street Pike
Southampton, PA 18966
Reply to this office

New Jersey Office
2500 Sylon Blvd,
Hainesport, NJ 08036

New York Office
305 Broadway, Suite 700
New York, New York, 10007