

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3808

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 20, 2023

The Assembly Health Committee reports favorably and with committee amendments Assembly Bill No. 3808 (1R).

As amended by the committee, this bill allows a court that issues a temporary restraining order (TRO) or permanent restraining order (PRO) under the “Prevention of Domestic Violence Act of 1991,” P.L.1991, c.261 (C.2C:25-17 et seq.) to include an order requiring the landlord of a residential dwelling unit to change the locks on the dwelling unit where the victim of domestic violence resides.

Under the bill, a victim who has obtained a TRO or PRO would notify the landlord that an order to change the dwelling’s locks has been granted by the court.

The bill also authorizes a victim who has obtained a TRO or PRO to change the locks on a residential dwelling if the landlord has not installed new locks within 48 hours of receiving the written request. A victim who changes the locks would be required to notify the landlord that the locks on the unit have been changed and provide a copy of the new keys within 48 hours of changing the locks.

If the victim changes the locks, then the victim is required to pay for the costs associated with the lock change. However, the bill allows the victim to be reimbursed by the defendant.

Finally, if a victim of domestic violence changes the locks on a residential dwelling unit, as permitted in the bill, the landlord would not be responsible or held liable to the victim, other tenant, or invitee, for damages to the dwelling unit, personal property in the dwelling unit, or to the victim, other tenant, or invitee, sustained while at the dwelling unit, when the damages occur:

- 48 hours after the victim implements the change of locks;
- before the victim notifies the landlord that the locks are changed and provides the landlord with a copy of the new keys; and
- while the victim continues to reside at the dwelling unit.

COMMITTEE AMENDMENTS

The committee amendments limit the liability and responsibility of the landlord to the tenant and certain other property occupants for

damages that may occur if the victim changes locks of a residential rental dwelling without notifying the landlord and providing a new key.