



NEW JERSEY STATE BAR ASSOCIATION

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March 19, 2020

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**Office of the Governor
Attn: Honorable Phil Murphy
Executive Dept.
225 W. State Street
PO BOX 001
Trenton, New Jersey 08625**

- RE: Mitigating the Effects of COVID-19 on Real Estate Transactions**
- A. Request for Temporary Waiver of Requirements for Smoke Alarm Certificates and Certificates of Occupancy**
 - B. Request to Allow Ongoing Recording of Documents and Searching of the County Land Records**
 - C. Request to Allow Ongoing Availability of Municipal Tax Information**

Dear Governor Murphy:

As a result of the current closures of various county and municipal services, residential and commercial real estate practitioners are facing unprecedented challenges that threaten to limit or even stop the purchase, sale or mortgaging of all New Jersey properties, and to interfere with or prevent both new residential tenants from moving and other new businesses from commencing operations at commercial properties. We respectfully request immediate relief by the issuance of an Executive Order(s) to address these matters.

A. Request for Temporary Waiver of Requirements for Smoke Alarm Certificates and Certificates of Occupancy

The closure of certain municipal offices prevents compliance with N.J.A.C. 5:70-2.3(a), regarding smoke and carbon monoxide certificates, as well as compliance with other municipal ordinances requiring parties to obtain Continued Certificates of Occupancy or Habitability or the like prior to purchase and sale closings, or in connection with new residential tenancies or new tenants seeking to commence operations at commercial properties. We have also learned that many municipal inspectors are no longer being dispatched to properties to ensure compliance.

The attached Notice from the Township of North Brunswick, waiving these requirements, serves as an excellent example of what is needed on a statewide basis. The issuance of an Executive Order that incorporates a uniform, temporary self-permitting program such as North Brunswick's will enable New Jersey residents, businesses, realtors, mortgage lenders, and attorneys to proceed with their real estate matters and closings without any significant risk to public safety, serving the public welfare of all New Jersey residents.

B. Request to Allow Ongoing Recording of Documents and Searching of the County Land Records

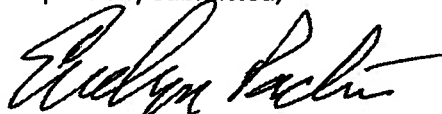
The curtailment of services or closure of county recording offices, which at present varies widely from county to county, prevents deeds, mortgages, and other documents from being recorded in certain counties. Even where documents are still permitted to be submitted for recording, not every county has committed to continually updating the public record, or to making it accessible for searching—remotely or otherwise. We have been informed that as of Wednesday, March 18, two counties in particular, Camden and Mercer, have shut down entirely, making the recording of documents and searching of their public records impossible. These actions are contrary to the mandates of Title 46 of the New Jersey Statutes.

C. Request to Allow Ongoing Availability of Municipal Tax Information

The closure of certain municipal tax collectors' offices has made it difficult, if not impossible, to obtain real estate tax and related information necessary for the closure of real estate transactions. We therefore request that this information must continue to be made available to the public in some fashion.

Should Your Honor or your staff wish to further discuss these requests with knowledgeable real estate practitioners prior to acting on these requests, please contact NJSBA member Larry Fineberg for all county recording questions 732-545-1174, cell 732-690-2620 Larry.Fineberg@fnf.com or Brad Batcha, Esq. 732-747-8300 x 192, cell 908-902-4157 brad@batchalaw.com for all other questions. Thank you very much for your prompt consideration of these matters in these trying times.

Respectfully submitted,



Evelyn Padin, President

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