

NEW JERSEY EVICTION FACTS

Frequently Asked Questions (FAQs)

In New Jersey, eviction is a judicial process which means it takes place in the Courts with a Judge. Your landlord **CANNOT** remove you from the premises without a court order.

Why can a tenant be evicted?

There are a number of reasons why a tenant can be evicted under the Anti Eviction Act. There include: failure to pay rent (even once); habitually failing to pay rent on time; breaking the law; holding over, refusing to accept a reasonable lease change; disorderly conduct (disturbing the peace and quiet of the landlord or other tenants); willfully damaging or destroying or injuring the property; conducting illegal activity on the premises (drug, terrorism, human trafficking, theft or assault related offenses. In addition; material health or safety violation; discontinued use of the rental property (the owner no longer wants to rent the property); and rental property is to be sold or used for personal use. Eviction cannot occur for discrimination or retaliation.

What if my landlord locks me out, turns my utilities off or tries to force me out of the rental unit?

Under NJ Law, this would be a crime for your landlord to lock you out, shut off or disconnect utilities, put your personal items out on the street; or using other means to force you out other than complying with the legal eviction process. Only courts can order evictions and only government officials can remove you from your home. If your landlord is trying to force you from your home, do not leave; even if the locks were changed. Call the police and explain that your landlord is attempting an illegal eviction.

What is the Step-by-Step Eviction Process in NJ?

1. Landlord serves a Notice to Cease (for behavior-based cases, not required for non-payments)
2. Landlord serves a formal eviction notice (Notice of Quit).
3. Landlord files an eviction lawsuit with the court.
4. Court serves tenant a summons.
5. Tenant completes a *Tenant Case Information Statement (TCIS)*
6. Landlord & tenant attend case management conference.
7. Landlord & tenant attend court hearing and receive judgment.
8. Tenant gets three days to move out before lockout can occur
9. Civil part officer arrives to forcibly remove the tenant.

Learn your rights at the official NJ Eviction Guide: <https://evictionguide.dca.nj.gov/en/process>



What If I cannot afford to pay the rent for my home in New Jersey?

If you are struggling to pay your rent, call 211 to see if there is any financial help in your area. It is rare that places have funds. If you find an option, be sure to let them know if you have received an eviction notice and about any deadlines. You can contact NJ 211 by calling (simply dial 2-1-1), texting (send your zip code to 898-211), emailing (info@nj211.org), or by chatting online at www.nj211.org.

What if I live in a hotel/motel, can I be evicted?

Residents in hotels/motels must be removed through a court process if they can show they have lived there on a continual basis and have no other home to return to. You can be evicted without court process only if you are considered a transient guest or seasonal tenant. For more information, contact Legal Services of NJ at www.lsnjlaw.org or visit their website for more information. Their hotline number is 1-888-576-5529.

What are the court meetings in the eviction court procedures?

The NJ eviction process includes 2 separate court meetings:

- (1) Case Management Conference (Often virtual); If the tenant misses the Case Management Conference, the case is defaulted. However, if the landlord misses the conference, the case is dismissed.
- (2) In-person Trial. If the tenant does not appear, the case is defaulted and a judgment of possession is entered and the eviction process begins. If the landlord does not appear at the Trial, the case is dismissed and a judgment of dismissal is entered. The landlord will have to file a new eviction action if they still want to evict the tenant. Tenants should carefully read all court notices to determine if they are remote or in-person. It is also strongly suggested to reach out to Legal Services of NJ in your area and seek their advice. Learn more about pretrial requirements and other court procedures by clicking [here](#). For legal assistance, contact Legal Services of NJ at www.lsnjlaw.org.

Can I settle my eviction case without going to the court in New Jersey?

You can settle the case prior to a trial; however, you should appear if you have a scheduled court date. In a settlement meeting with trained court staff, an agreement with both the tenant and landlord can be reached. If an agreement is decided upon by both parties, court staff can assist in submitting the appropriate forms to the Judge. If the Judge approves the settlement, the case is over. [Landlord/Tenant | NJ Courts](#)

What other advice?

Renters who cannot pay their rent or full rent, are encouraged to put this information in writing to their landlord. Advise them of your situation and see if a payment plan or reduced rent can be worked out and a written plan agreed upon.

Look into getting rental assistance; some areas of NJ may offer financial assistance program you can apply for. Check with your Community Development or Housing Office in your County to find out how their program works. You will want to gather important information so you can complete an application which will also require documentation. Typical documentation may be: proof of residence; proof of income; tax returns; document from landlord with their name, address, property you live in, statement of what you owe and for what months, and more.

Sometimes, tenants have no other option than to make other arrangements for their possessions and find alternative housing options.

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