

RESIDENTIAL EVICTIONS: WHAT HOMEOWNERS NEED TO KNOW

As of August 9, 2021

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REMOVALS

Can I be removed from my home as a result of a foreclosure proceeding during the COVID-19 emergency?

No. On March 19, 2020, New Jersey Governor Philip Murphy issued [Executive Order 106](#), which suspended evictions and removals throughout the state. This is called an “eviction moratorium,” and it means that, except in rare circumstances, **no homeowner may be removed from his or her home as a result of a foreclosure proceeding at this time.** You cannot be removed even if a [final judgment of foreclosure](#) has been entered and a [sheriff’s sale](#) of your property has taken place. The eviction moratorium does **not** affect court proceedings; instead, it prevents removals. More information on court proceedings is below.

How long will the eviction moratorium last?

The state eviction moratorium will end for homeowners on **November 15, 2021.** (See [Executive Order 249](#), which modifies Executive Order 106.)

Do I still need to pay my mortgage?

Yes. You will have to make your mortgage payments sooner or later. If you need extra time, however, help is available for some.

If you have a mortgage from the [Federal Housing Administration](#) for a single family residence, you have the right until **September 30, 2021** to ask for forbearance (a pause on payments) to relieve financial hardship arising from the pandemic. The forbearance period for requests made before July 1, 2021 is up to 12 months. The forbearance period for new requests made between July 1, 2021, and September 30, 2021 is for six months. You have the right to seek an additional six months of mortgage forbearance if you requested forbearance on or before June 30, 2020. You have the right to seek an additional three months of forbearance if you requested forbearance between July 1 and September 30, 2020. This relief applies to all homeowners with an FHA-insured forward or Home Equity Conversion Mortgage (HECM) loan, and homeowners with a Section 184 or Section 184A mortgage loan.

Homeowners who hold *single-family mortgages* from Fannie Mae or Freddie Mac and who entered into forbearance plans by February 28, 2021, may be eligible for a [three-month extension of their mortgage forbearance](#). Property owners who hold *multifamily mortgages* from Fannie Mae or Freddie Mac may apply for [forbearance through September 30, 2021](#). Multifamily borrowers must agree to certain tenant protections in order to obtain mortgage forbearance. For more information on mortgage forbearance, go to the [help page of the Consumer Finance Protection Bureau](#).

In addition, Governor Murphy has announced some [important relief for homeowners with mortgages](#), including those that are not backed by the federal government. If you contact your mortgage servicer, you may be eligible for: (1) a 90-day grace period for mortgage payments; (2) assurance that the servicer will not report late or missed payments during this period to credit agencies; (3) a 60-day moratorium on servicers' initiation of foreclosure sales or evictions; and (4) relief from certain fees and charges for at least 90 days. For more information, check the [FAQs](#) issued by the state. You can also check the website of [New Jersey Housing and Mortgage Finance Agency](#) for updates on available help and to access a list of counselors by county.

If you need advice on the financial assistance available to homeowners, you can contact [Housing Help NJ](#).

Is there a national moratorium on evictions?

Yes, for some homeowners. On July 30, 2021, the Secretaries of the Department of Housing and Urban Development (HUD), Department of Veterans Affairs (VA), Department of Agriculture (USDA), and Federal Housing Finance Agency (FHFA) issued a [joint announcement](#) extending their agencies' existing foreclosure moratoriums through **September 30, 2021** for federally backed mortgage loans, including [FHA-insured](#), [VA-guaranteed](#), and [USDA](#) loans, and single-family mortgages backed by [Fannie Mae or Freddie Mac](#).

COURT HEARINGS

Can lenders still begin foreclosure proceedings during this period?

Yes. The Superior Court [Office of Foreclosure](#) is accepting new cases and electronic filings in existing cases.

The Department of Housing and Urban Development (HUD), Department of Veterans Affairs (VA), Department of Agriculture (USDA), and Federal Housing Finance Agency (FHFA) were prevented from filing foreclosure proceedings against single-family mortgage holders through July 31, 2021. That foreclosure moratorium has now expired.

Will the Foreclosure Office process cases during this period?

Yes. The Foreclosure Office administers parts of most foreclosure cases and manages most of the process when a foreclosure is “uncontested,” meaning that the homeowner did not file an answer to the complaint. Under a [June 25, 2020 order](#) issued and repeatedly extended by the New Jersey Supreme Court, the Office of Foreclosure is processing cases as it normally does. If you have questions about an uncontested foreclosure case that is pending, you can try contacting the Office of Foreclosure at 609-421-6100 or Scco.Mailbox@njcourts.gov.

Will the courts hear foreclosure cases during this period?

Yes. There is no order suspending court hearings in contested foreclosure cases (in which the homeowner answered the complaint). Please note, however, that under a [February 23, 2021 order](#), “court operations . . . continue in a remote format to the greatest extent practicable.” Until the Court lifts or amends the order, most hearings, conferences, and arguments will be held by video or telephone. Please check with the court where the case is pending if you have questions. Please also check the [New Jersey Courts website](#) for updates on how and when proceedings will take place.

ELECTRICITY, GAS, WATER

Can my utilities, water, phone, and internet be shut off during the COVID-19 crisis?

No, but shut offs may occur for some residences as of January 1, 2022. [Executive Order 229](#), which suspended residential utility and water shutoffs, ended on June 30, 2021. The Governor announced a state-ordered “[grace period](#)” through **December 31, 2021** that will continue many of the protections of Executive Order 229 (such as requiring cable and telecommunications providers to offer specified payment plans to their customers, prohibiting utility companies from cutting customers off so long as they make timely payments under such plans, and protecting households with residential internet service accounts currently being used by school-aged children for educational purposes from disconnection). The grace period until December 31, 2021 is intended to give utility customers who are behind in their payments time to enroll in payment assistance plans. The end of the grace period will fall during the state’s annual winter utility service shutoff ban, which protects certain vulnerable families from utility shutoffs from [November 15 to March 15](#) each year.

Do I still have to pay for utilities and water?

Yes. You still have to pay whatever electric, gas, water, phone, or internet bills you normally pay. If you cannot pay now, you will have to pay later. The Department of Community Affairs (DCA) offers low-income tenants [assistance with some utility bills](#); you can call the customer service number on your utility bill, or look up the number [here](#), to try to work out a payment plan; or you can check the [website](#) of the Board of Public Utilities for a list of agencies that offer assistance.