

RESIDENTIAL EVICTIONS: WHAT HOMEOWNERS NEED TO KNOW

As of April 7, 2022

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REMOVALS

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

Yes. The state eviction moratorium for homeowners facing foreclosure ended on **November 15, 2021**. (See [Executive Order 249](#).)

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 homeowners, as explained below.

If you have a mortgage insured by the Federal Housing Administration (FHA) and you live in the mortgaged property as your primary residence, you have [several options](#). To help families recover from the pandemic, the FHA continues to offer various kinds of forbearance, meaning that mortgage payments can be delayed. **Call your servicer** to learn more.

Homeowners who hold *single-family mortgages* from [Fannie Mae](#) or [Freddie Mac](#) may also qualify for mortgage forbearance and should check with their servicers. Property owners who hold *multifamily mortgages* from Fannie Mae or Freddie Mac may apply for forbearance [indefinitely](#), until the government announces otherwise. 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](#).

Homeowners with non-federal mortgages should 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 also contact [Housing Help NJ](#).

Is there a national moratorium on evictions?

No. The moratorium that had protected some homeowners from eviction as a result of foreclosure [expired on September 30, 2021](#).

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 [March 23, 2021, order](#), operations continue to be “primarily remote with some in-person options.” Thus, 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, COMMUNICATIONS

Can my utilities, water, or sewer service be shut off?

Not if you have a pending application for state utility assistance, or you submit such an application before June 15, 2022. On March 25, 2022, the State enacted a [law](#) that extends protection from utility shutoffs for some residential customers. If you submit or have submitted an initial application to any state utility assistance program before June 15, 2022, you are protected for 60 days after the date of submission from having your electric, gas, water, or sewer service shut off and from having any liens placed, sold, or enforced on the property for unpaid charges related to these services. If you complete or have completed the application for utility assistance, you are protected until the State makes a decision on your application.

If you have a pending utility assistance application and your utilities or water/sewer services were shut off between March 15, 2022, and March 25, 2022, service must be reinstated immediately. The state agency administering the utility assistance program will, on a bi-weekly basis, inform your utility and

water/sewer providers if you submitted or completed an application and are eligible for these protections. The agency will also notify your providers when they make a decision on your application.

Once this additional protection expires, the provider must offer you certain payment plans allowing you to pay what you owe over time. If you do not agree to the payment plan within 30 days, then the utility provider can take appropriate enforcement action, which includes shutting off your services or placing a lien on the property.

If you do not have a pending application for utility assistance, and you do not file one by June 15, your provider is permitted to shut off service and/or place a lien on the property.

Can my phone and internet be shut off?

Yes, as of January 1, 2022. After this date, under [Executive Order 246](#), an internet or voice service provider must offer to enroll a customer in specified payment plans before shutting off service and may not shut off service if the customer makes the required payments.

Can I get help paying my utilities, water, sewer, phone, and internet?

Maybe. DCA offers low-income tenants some [assistance with some utility bills](#). You can also 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.