



**New Jersey Department of Community Affairs
Division of Codes and Standards
Landlord-Tenant Information Service**



CABLE TELEVISION
N.J.S.A. 48:5A-49

Printed February 2008

48:5A-49. Landlords allowing cable television service reception by tenants; prohibition of charges and fees; indemnification of owners by installers; definitions

a. No owner of any dwelling or his agent shall forbid or prevent any tenant of such dwelling from receiving cable television service, nor demand or accept payment in any form as a condition of permitting the installation of such service in the dwelling or portion thereof occupied by such tenant as his place of residence, nor shall discriminate in rental charges or otherwise against any such tenant receiving cable television service; provided, however, that such owner or his agent may require that the installation of cable television facilities conforms to all reasonable conditions necessary to protect the safety, functioning, appearance and value of the premises and the convenience, safety and well-being of other tenants; and further provided, that a cable television company installing any such facilities for the benefit of a tenant in any dwelling shall agree to indemnify the owner thereof for any damage caused by the installation, operation or removal of such facilities and for any liability which may arise out of such installation, operation or removal.

b. For purposes of this section:

(1) "Owner" includes, but is not limited to, a condominium association and housing cooperative, and "owner of any dwelling or his agent" includes, but is not limited to, a mobile home park owner or operator.

(2) "Condominium association" means an entity, either incorporated or unincorporated, responsible for the administration of the form of real property which, under a master deed, provides for ownership by one or more owners of individual units together with an undivided interest in common elements appurtenant to each unit.

(3) "Housing cooperative" means a housing corporation or association which entitles the holder of a share or membership interest thereof to possess and occupy for dwelling purposes a house, apartment or other structure owned or leased by the corporation or association, or to lease or purchase a dwelling constructed by the corporation or association.

(4) "Tenant" includes, but is not limited to, a resident of a mobile home in a mobile home park.



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ANTENNAS AND SATELLITE DISHES

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This bulletin provides basic information about the use and installation of antennas and satellite dishes for residential tenants, based on the Federal Communication Commission's rules for telecommunications. This bulletin is for informational purposes only and should not be used for legal interpretations or legal advice. Please consult an attorney for legal services and advice when necessary. Additional information about restrictions and use of antennas and satellite dishes may be found at www.fcc.gov/cgb/consumerfacts/consumerdish.html.

Types of Antennas and Satellite Dishes Permitted

Pursuant to federal Telecommunication regulations (47 C.F.R. 1.400) landlords must allow tenants to install certain types of antennas and satellite dishes. The dish or antenna must be one meter (39.37 inches) or less in diameter. The dish must be designed to receive broadcast satellite service or to receive and transmit fixed wireless signals by satellite. The antenna must be designed to receive wireless cable or to receive or transmit wireless signals other than by satellite. Commercial analog and digital television antennas are also allowed.

Placement of Antennas and Satellite Dishes

Antennas or dishes must be placed on the property where the tenant has exclusive use or control of the area. For instance, a terrace or balcony may be used as a place to install the dish or antenna. Satellite dishes and antennas may not be installed in common areas including the roof of a multi-dwelling. This law applies to multi-dwellings, single family homes, condominiums and cooperatives.

Restrictions

The landlord may restrict installation of a dish or antenna: in order to prevent damage to the property; if there is a safety risk; or if the property is a historic building or in a historic district.

In addition, under certain conditions, if a common antenna is available for use by residents, then the landlord may disallow the installation of an individually owned antenna or satellite dish, provided the service and costs are the same.