

These rules are readopted and shall continue in effect for a seven-year period.

(a)

DIVISION OF CODES AND STANDARDS
Notice of Redooption
Regulations Governing Rooming and Boarding Houses

Redooption: N.J.A.C. 5:27

Authority: N.J.S.A. 55:13B-4, 6, and 6.1.

Authorized By: Jacquelyn A. Suárez, Commissioner, Department of Community Affairs.

Effective Date: June 6, 2024.

New Expiration Date: June 6, 2031.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:27 were scheduled to expire on August 1, 2024. These rules are intended to protect the health, safety, and welfare of residents of rooming and boarding houses. A rooming house is a residential property in which two or more individuals living independently of each other occupy rooming units and do not have their own cooking and sanitary facilities. If the facility provides meals or personal or financial services as a rooming unit, it is a boarding house. (See N.J.S.A. 55:13B-3a and h, respectively.)

The chapter includes 14 subchapters. Subchapter 1 sets forth the provisions for administration and enforcement, and Subchapter 2 sets forth definitions. Subchapters 3 and 4 set forth provisions regarding rights of residents and general building requirements. Subchapter 5 is reserved, and Subchapters 6 and 7 pertain to security and residents' comfort. Subchapters 8 and 9 set forth the provisions regarding maintenance of records and food and laundry services. Subchapters 10 and 11 provide the regulations concerning other personal services and financial services. Subchapter 12 sets forth the standards for fire safety loans, Subchapter 13 is reserved, and Subchapter 14 provides rules pertaining to carbon monoxide alarms. Note: the comment period for proposed amendments and new rules regarding cooperative sober living residences expired on February 2, 2024 (see 55 N.J.R. 2381(a)).

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, these rules are readopted and shall continue in effect for a seven-year period.

(b)

DIVISION OF FIRE SAFETY
Notice of Redooption
High Level Alarms
Redooption with Technical Changes: N.J.A.C. 5:72

Authority: N.J.S.A. 52:27D-219.

Authorized By: Jacquelyn A. Suárez, Acting Commissioner,
 Department of Community Affairs.

Effective Dates: May 29, 2024, Redooption;
 July 1, 2024, Technical Changes.

New Expiration Date: May 29, 2031.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:72, High Level Alarms, were scheduled to expire on July 6, 2024.

These rules provide for the installation, maintenance, and acceptability of high level alarm systems, fire and emergency plans for all terminals covered by the rules, formal written procedures to be followed by responsible personnel to prevent overfilling of tanks, and enforcement, testing, and recordkeeping procedures. The rules consist of three subchapters. Subchapter 1 sets forth the general provisions; Subchapter 2

sets forth the administrative and enforcement provisions; and Subchapter 3 sets forth technical requirements.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted with one technical change to correct an incorrect cross-reference. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

Full text of the technical changes follows (additions indicated in boldface text; deletions indicated in brackets [thus]):

SUBCHAPTER 2. ADMINISTRATION AND ENFORCEMENT

5:72-2.9 Plans and specifications

(a) All owners of terminals required [by PL] pursuant to P.L. 1984, [c.31], c. 31 (N.J.S.A. 52:27D-214 et seq.) to be equipped with a high level alarm system shall submit four copies of the plans and specifications for the proposed system to the Department. The plans and specifications shall be accompanied by an application containing, but not limited to, the following information:

1.-3. (No change.)

4. Formal written procedures that shall be followed by responsible personnel to prevent overfilling of tanks of attended terminals as required [by] pursuant to N.J.A.C. 5:72-3.4j3.3.

(b)-(c) (No change.)

(c)

DIVISION OF FIRE SAFETY
Notice of Redooption
Residential Disability Identification Emblems
Redooption: N.J.A.C. 5:76

Authority: N.J.S.A. 52:17B-139.12 and 52:27D-25hh.

Authorized By: Richard Mikutsky, Director, Division of Fire Safety.

Effective Date: June 3, 2024.

New Expiration Date: June 3, 2031.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:76, Residential Disability Identification Emblems, was scheduled to expire on July 6, 2024.

The rules assist emergency service responders in locating persons with disabilities in residential emergencies. In addition, the rules apply to all disabled persons who apply to the Division of Fire Safety for residential disability identification emblems, ensuring public safety, and welfare. The rules consist of one subchapter, which sets forth the general provisions.

The Division of Fire Safety has reviewed the rules and has determined that they should be readopted without change. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

(d)

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY

Notice of Redooption
New Jersey Housing and Mortgage Finance Agency Rules

Redooption: N.J.A.C. 5:80

Authority: N.J.S.A. 55:14K-5.

Authorized By: New Jersey Housing and Mortgage Finance Agency,
 Melanie R. Walter, Executive Director.

Effective Date: May 30, 2024.

New Expiration Date: May 30, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules of the New Jersey Housing and Mortgage Finance Agency (Agency), N.J.A.C. 5:80, were scheduled to expire on September 14, 2024. The rules establish the procedures for and the terms and conditions of mortgage loans made and acquired by the Agency; serve to regulate housing projects financed by the Agency and housing sponsors who construct, rehabilitate, or improve housing for low- and moderate-income residents of the State; and provide the qualified allocation plan for administering the State's allotment of Federal low-income housing tax credits pursuant to Section 42 of the Internal Revenue Code, 26 U.S.C. § 42.

The Agency's rules are summarized as follows:

Subchapter 1, General Provisions, sets forth the authority for and the purpose and objective of the rules and provides definitions that apply to the rules within the chapter. It also includes general provisions concerning the applicability of the rules to housing projects financed by the Agency.

Subchapter 2, Actions Regarding Housing Sponsors, sets forth the rights of housing sponsors and the procedure for consulting with and informing housing sponsors and other interested parties of the Agency's intent to adopt, amend, or repeal any rules that affect them. It also includes provisions setting forth the circumstances under, and the manner by, which the Agency will exercise the remedies and powers granted to it by N.J.S.A. 55:14K-7(6) to perform, under prescribed circumstances, certain functions on behalf of housing sponsors.

Subchapter 3, Return on Equity, sets forth the method for calculating housing sponsors' permitted rates of return on projects financed by the Agency and the conditions to be met before a return on equity will be authorized by the Agency.

Subchapter 4 is reserved.

Subchapter 5, Transfer of Ownership Interests, sets forth the procedures and criteria governing the Agency's review and decision on proposed transfers of ownership interests in projects financed by the Agency and the prepayment of Agency mortgages; it also sets forth the requirements necessary to consummate transfers of ownership interests and mortgage prepayments.

Subchapter 6, Use of Funds from Sale of Projects Owned by Nonprofit Corporations to Limited Partnerships, sets forth the means of accessing and the permitted uses of funds in certain escrow accounts (Development Cost Escrow or DCE, Community Development Escrow or CDE, Portfolio Reserve Account or PRA, and Project Subsidy Reserve or PSR) in connection with the sales of certain projects.

Subchapter 7, Tenant Selection Standards, sets forth standards for the selection of tenants who reside or seek to reside in Agency-financed housing projects.

Subchapter 8, Occupancy Requirements Regarding Income, sets forth the maximum incomes that tenants may earn to qualify for and maintain admission to Agency-financed housing projects and assisted living residences (ALRs).

Subchapter 9, Rents, sets forth the procedures for making annual rent determinations and for submitting and determining rent increase applications at housing projects financed by the Agency.

Subchapter 10, Loans to Lenders for Single-Family Mortgage Loans, sets forth the terms and procedures pursuant to which the Agency may make loans to institutional lenders in order for such lenders to make single-family mortgage loans.

Subchapters 10 through 12 are reserved.

Subchapter 13, Making or Purchasing Eligible Loans for Single-Family Mortgages, sets forth the terms and procedures pursuant to which the Agency may make or purchase loans for single-family home mortgages.

Subchapter 14, Making or Purchasing Eligible Loans for Single-Family Home Improvement, sets forth the terms and procedures pursuant to which the Agency may make or purchase loans for single-family home improvements.

Subchapters 15 and 16 are reserved.

Subchapter 17, Prevailing Wage Rate, sets forth the applicability of prevailing wage rates required to be paid to workmen performing construction work on housing projects financed by the Agency.

Subchapter 18, Debarment and Suspension from Agency Contracting, sets forth the grounds and procedure for debarment or suspending individuals and/or entities from doing business with the Agency.

Subchapter 19, Waivers, sets forth the procedure and standard for granting a waiver from any of the rules at N.J.A.C. 5:80.

Subchapter 20, Certification and Recertification of Income, sets forth the procedure for determining the income of families applying for admission to Agency-financed housing projects, for the periodic recertification of such income, and the consequences of a failure to recertify and/or for income in excess of maximum income limits upon recertification; it also sets forth the standards for the confidentiality of income certification and recertification records.

Subchapter 21, Transfer of Servicing of Single-Family Mortgage Loans, sets forth the review and approval process and the transfer fees involved in the transfer of the servicing of Agency single-family mortgage loans from one servicer to another.

Subchapter 22, Affirmative Fair Housing Marketing Plan Requirements, sets forth the requirements for the development, implementation, and monitoring of a fair housing marketing plan (Plan) for those applicants required to submit and adhere to such a Plan.

Subchapters 23 through 25 are reserved.

Subchapter 26, Housing Affordability Controls, sets forth the requirements and restrictions governing low- and moderate-income housing financed pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

Subchapter 27 is reserved.

Subchapter 28, Nonpublic Records, sets forth a listing of the records maintained by the Agency that are not deemed to be public records pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. (OPRA).

Subchapter 29, Investment of Housing Project Funds, sets forth the types of investments that may be made of available funds by housing sponsors.

Subchapter 30, Residual Receipts, sets forth the terms of the program, whereby surplus funds of certain Agency-financed housing projects may be used to increase the supply of affordable housing and to provide services or assistance to existing housing projects.

Subchapter 31, Attorney Services, sets forth the scope of services and the fees permitted for the performance of such services by attorneys who are to be paid with funds of Agency-financed housing projects.

Subchapter 32, Housing Investment Sales, sets forth the continuing requirements and restrictions applicable to housing projects that participated in past housing investment sales, whereby eligible LD sponsors, as defined at N.J.A.C. 5:80-32.1, sold Agency-financed housing projects to qualified housing sponsors upon terms to preserve the projects as low- and/or moderate-income housing.

Subchapter 33, Low-Income Housing Tax Credit Qualified Allocation Plan, sets forth the Agency's current low-income housing tax credit qualified allocation plan.

The Agency has reviewed the rules and determined that they should be readopted in order to maintain continuity in the Agency's statutory obligation to increase the supply of adequate and affordable housing and to preserve the financial and physical viability of the projects and housing units it has financed to date, as well as to continue the low-income housing tax credit program without interruption.

EDUCATION

(a)

STATE BOARD OF EDUCATION

Notice of Readoption

Marie H. Katzenbach School for the Deaf

Readoption: N.J.A.C. 6A:21

Authority: N.J.S.A. 18A:4-15 and 18A:61-2.d.

Authorized By: New Jersey State Board of Education, Kevin Dufner, Acting Commissioner, Department of Education, and Acting Secretary, New Jersey State Board of Education.