

New Jersey Landlord-Tenant Laws: Rights and Duties for Both Sides

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/new-jersey-landlord-tenant-rights>

New Jersey tenants rely on a mix of statutes and long standing court decisions. The courts recognize a warranty of habitability with repair and deduct and rent withholding remedies, and a separate reprisal law protects tenants who complain or organize.

Key points

- In buildings with three or more units, tenants must allow entry for inspection and maintenance on reasonable notice, which is normally one day, and immediate access is allowed in an emergency. Entry for other purposes, such as showings, depends on the lease.
- If a vital facility fails and the landlord does not fix it after notice and a reasonable time, a tenant may repair and deduct, withhold rent or seek a rent reduction in court.
- A landlord may not evict, change lease terms or refuse to renew because a tenant enforced legal rights, made a good faith complaint to a government agency or joined a tenant group.
- Senior citizens receiving Social Security or a government pension, and tenants receiving disability benefits, Supplemental Security Income or Work First New Jersey benefits, get a five business day grace period before a late fee when rent is due on the first.
- The landlord must return the deposit with interest, less lawful deductions, within 30 days after the tenancy ends, or within five business days when a fire, flood, condemnation or evacuation displaces the tenant.

New Jersey at a glance

Rule	New Jersey	Law
Notice before entry	In buildings with three or more units, tenants must allow entry for inspection and maintenance on reasonable notice, which is normally one day, and immediate access is allowed in an emergency. Entry for other purposes, such as showings, depends on the lease.	N.J.A.C. 5:10-1.2 (Regulations for the Maintenance of Hotels and Multiple Dwellings)
Tenant repair remedies	If a vital facility fails and the landlord does not fix it after notice and a reasonable time, a tenant may repair and deduct, withhold rent or seek a rent reduction in court.	Marini v. Ireland (N.J. 1970) and Berzito v. Gambino (N.J. 1973)

Rule	New Jersey	Law
Retaliation protection	A landlord may not evict, change lease terms or refuse to renew because a tenant enforced legal rights, made a good faith complaint to a government agency or joined a tenant group.	N.J.S.A. 2A:42-10.10 (reprisal law)
Late fees	Late fees generally must be stated in the lease, and a court treats them as rent in an eviction case only if the written lease says so.	Community Realty v. Harris (N.J. 1998) and N.J.S.A. 2A:42-6.1
Grace period	Senior citizens receiving Social Security or a government pension, and tenants receiving disability benefits, Supplemental Security Income or Work First New Jersey benefits, get a five business day grace period before a late fee when rent is due on the first.	N.J.S.A. 2A:42-6.1 to 6.3
Deadline to return the deposit	The landlord must return the deposit with interest, less lawful deductions, within 30 days after the tenancy ends, or within five business days when a fire, flood, condemnation or evacuation displaces the tenant.	N.J.S.A. 46:8-21.1

Mistakes to avoid

- Entering a unit without the notice the lease or the law requires.
- Letting a written repair request sit without a reply or a plan.
- Leaving required disclosures out of the lease packet.
- Applying screening criteria differently from one applicant to the next.
- Raising rent or ending a tenancy soon after a complaint without a documented, unrelated reason.

Verify current law

Laws named in this summary:

- N.J.A.C. 5:10-1.2 (Regulations for the Maintenance of Hotels and Multiple Dwellings)
- Marini v. Ireland (N.J. 1970) and Berzito v. Gambino (N.J. 1973)
- N.J.S.A. 2A:42-10.10 (reprisal law)
- Community Realty v. Harris (N.J. 1998) and N.J.S.A. 2A:42-6.1
- N.J.S.A. 2A:42-6.1 to 6.3
- N.J.S.A. 46:8-21.1
- Fair Chance in Housing Act (P.L.2021, c.110)

- Truth in Renting Act (N.J.S.A. 46:8-43 to 51)
- Residential Lead-Based Paint Hazard Reduction Act (42 U.S.C. 4852d)
- Truth in Renting Act flood notice (P.L.2023, c.93)
- N.J.A.C. 5:10-27.1 and New Jersey Safe Housing Act
- N.J.S.A. 46:8-21.2

Official sources:

- New Jersey Department of Community Affairs: Truth in Renting guide:
https://www.nj.gov/dca/codes/publications/pdf_lti/t_i_r.pdf
- New Jersey Department of Community Affairs: landlord tenant information:
<https://nj.gov/dca/home/landlord-tenant.shtml>
- New Jersey Office of the Attorney General: Fair Chance in Housing Act:
<https://www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/know-the-law/fair-chance-in-housing>
- New Jersey Legislature: statutes: <https://www.njleg.state.nj.us/>
- New Jersey Courts: landlord tenant: <https://www.njcourts.gov/courts/civil/landlord-tenant>

General information, not legal advice. Check current law and talk to a New Jersey attorney before you act. Last reviewed October 29, 2026.