

PRESIDENT'S PERSPECTIVE

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Is History About to Repeat Itself?



It seems hard to believe, but just a few generations ago there was little legislation focusing on landlord/tenant concerns, and the laws that were in place, particularly those established to aid the renter, were rarely tested. At the turn of the 20th century, the streets in most

U.S. cities swelled with tenement houses inhabited by the working-class immigrant population, and the standard 'lease agreement' came down to one basic rule: pay up or get out.

With the onset of the Great Depression—resulting in a crisis in the housing market and a decline in new home construction, as well as economic collapse and historic unemployment rates—the face of America's tenant population expanded to include the suddenly poor, and extended into the suburbs and rural regions. The elderly lady down on Main Street began renting rooms to young families, and the farmer in need of a few extra hands for several months out of the year was offering unemployed laborers a roof over their heads and a hot meal in exchange for a day's work. As a result, federal, state, and in some cases local landlord/tenant laws were drafted and strengthened.

In the past year, it seems as though history has been on the brink of repeating itself. As a nation, we have faced a housing market crisis and new home construction has declined, and, as we all know, our economic strength is low and our unemployment numbers are high. With legions of people losing their homes, the percentage of Americans on the rental rolls is up, and while signs point to the nation being on the way to an economic recovery, just like in the wake of the Great Depression we are poised to consider changes in our landlord/tenant laws.

The New Jersey Law Revision Commission is presently debating draft revisions to the security deposit chapter, the landlord remedies chapter and the landlord registration chapters of the New Jersey Statutes, including Truth in Renting and the New Jersey Safe Housing Act. Additionally, a new chapter addressing the relationship of landlords and tenants, outlining the responsibilities of both parties, is being discussed.

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While highlighting the points addressed in these proposed legislative changes would require more space than this column allows, suffice it to say that there is no doubt supporters of both landlord and tenant rights will actively work to hammer out effective new regulations in these areas.

In the meantime, this edition of *New Jersey Lawyer Magazine* addresses a wide range of issues involving existing landlord/tenant regulations and case law. As always, it provides a valuable roadmap for practitioners in the field. ♣