

Governor Phil Murphy

ICYMI: Murphy Administration Announces Tools to Protect New Jerseyans from Increasing Flood Risks Brought by Climate Change

12/21/2023

Measures Include Flood History Disclosure Forms, Flood Zone Mapping Tools to Aid Homeowners and Renters

[Sellers Property Condition Disclosure Statement](#)

([https://urldefense.com/v3/_https://t.e2ma.net/click/rqvpok/nrddit/7ycl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrrG7Dz8_\\$](https://urldefense.com/v3/_https://t.e2ma.net/click/rqvpok/nrddit/7ycl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrrG7Dz8_$)) | [Rental Flood Risk Notice](#)

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TRENTON – To address New Jersey’s increasing flood risks under climate change, Attorney General Matthew J. Platkin, Department of Environmental Protection Commissioner Shawn M. LaTourette, Department of Community Affairs Acting Commissioner Jacquelyn A. Suárez, and Division of Consumer Affairs Acting Director Cari Fais today unveiled new and enhanced tools and technologies designed to provide prospective homebuyers and renters with critical information needed to make better informed decision on where they choose to live and how best to protect their property from flood damage.

The measures, which include the publication of new and enhanced property disclosure forms notifying prospective buyers and tenants of a property’s known flood history and potential flood risks, as well as the launch of a user-friendly internet look-up tool searchable by mailing address that identifies properties in flood hazard areas, implement provisions of flood risk disclosure legislation signed into law by Governor Phil Murphy in June 2023. Pursuant to the law, sellers and landlords will be required to use the new forms, which are now available on the Division of Consumer Affairs and Department of Community Affairs websites, beginning on March 20, 2024.

This landmark law makes New Jersey one of seven states in the country to receive an “A” grade on the [Natural Resources Defense Council’s Flood Risk Disclosure Law Scorecard](#)

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([https://urldefense.com/v3/_https://t.e2ma.net/click/rqvpok/nrddit/jcf146_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrjsY5NOE\\$](https://urldefense.com/v3/_https://t.e2ma.net/click/rqvpok/nrddit/jcf146_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrjsY5NOE$))(Action 1.3.3).

“As we continue to live with the impacts of climate change in our communities, it’s essential that we inform prospective homebuyers and renters of the risks in areas where they are looking to settle down,” **said Governor Murphy**. “These new protections will enable prospective home buyers and renters to stay a step ahead when it comes to finding the safest residence possible for themselves and their families.”

“Today we’re moving forward with groundbreaking protections for New Jersey homebuyers and renters,” **said Attorney General Platkin**. “The flood disclosure requirements we’re implementing under the new law are some of the strongest in the nation and will help New Jerseyans protect themselves, their families, and their property from the consequences of hidden flood risks.”

“New Jersey is more vulnerable to storms, storm surge, and flooding by virtue of our geography and the changing climate. In the face of these challenges, it’s important for New Jerseyans to know and understand what the flood risk is where they live so they can make sound decisions about how to best protect their loved ones and possessions,” **said Acting Commissioner Jacquelyn A. Suárez**. “DCA is proud to partner with other state agencies on providing New Jersey residents with the information and tools they need in this changing reality.”

“The facts are clear – precipitation and flooding are getting worse as a result of climate change,” **said Commissioner LaTourette**. “Too often, buyers and renters are unaware of the risks they face and make important decisions on where to live without any knowledge of a property’s flooding history or potential. These new flood disclosure requirements and DEP’s Flood Risk Notification Tool will provide the information they need to protect their financial investments and the safety of their families, at the same time enhancing New Jersey’s climate resilience.”

Prior to the adoption of New Jersey’s flood risk disclosure law, sellers and landlords were under no obligation to disclose a property’s flood history to potential buyers and tenants or inform them if the property was located in a Federal Emergency Management Agency (FEMA) Flood Hazard Zone Area. Now, they must make those disclosures prior to the signing of sales contracts, leases, and lease renewals.

“Consumers deserve to make informed decisions when renting or purchasing a home,” **said Acting Director Fais**. “The measures announced today provide consumers with the information they need to fully assess the potential risks and costs associated with a flood-prone property so they can prepare appropriately.”

In accordance with the requirements of the flood disclosure law, the Division of Consumer Affairs, in consultation with the New Jersey Real Estate Commission, today released an updated version of New Jersey’s Seller’s Property Condition Disclosure Statement, a required form in which sellers of residential properties report any defects or problems with the residence to potential buyers.

Under a new heading entitled “Flood Risk,” the updated disclosure form requires sellers to answer questions focusing on a property’s flood history and potential flood risk. Questions include whether a property is located within the FEMA’s Special Flood Hazard Area (“100-year floodplain”) or Moderate Risk



Flood Hazard Area ("500-year floodplain"), whether the property has experienced flood damage or pooled water due to heavy rainfall or other natural flood event, and if the property is subject to any requirement under federal law to obtain and maintain flood insurance. The updated Seller's Property Condition Disclosure Statement can be found on the Division of Consumer Affairs website at <https://www.njconsumeraffairs.gov/Documents/Sellers-Property-Condition-Disclosure-Statement.pdf>. ([https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/z4fl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrV2k3Z_f\\$](https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/z4fl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrV2k3Z_f$)).

Also in accordance with the flood disclosure law, the Department of Community Affairs today posted on its website a model notice to be used by landlords to inform their tenants of the flood risk of rental properties. The model notice, which will also be published in the New Jersey Register, contains questions about the flood risk of the property and space for landlords to answer yes, no, or unknown, based upon the landlord's actual knowledge. The model notice also contains basic information about flood insurance available to renters through FEMA's National Flood Insurance Program and about the effects of climate change on flood risks in New Jersey.

Landlords must notify tenants in writing of the flood risk prior to lease signing or lease renewal effective 90 days after the Department of Community Affairs publishes the model notice. Exemptions from the notice requirements include dwelling units in premises containing not more than two such units; owner-occupied premises of not more than three dwelling units; and hotels, motels, or other guest houses serving transient or seasonal guests. The Rental Flood Risk Notice can be found on the Department of Community Affairs website at https://nj.gov/dca/codes/offices/landlord_tenant_information.shtml ([https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/fgl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrqjtObX\\$](https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/fgl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrqjtObX$)) and <https://nj.gov/dca/dhcr/index.shtml>. ([https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/vphl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrhXxs09u\\$](https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/vphl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrhXxs09u$)).

To assist individuals with meeting the FEMA Flood Hazard Area disclosure requirements, the Department of Environmental Protection developed the [Flood Risk Notification Tool](#) ([https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/biil46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrGnTFMW\\$](https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/biil46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrGnTFMW$)). This online tool enables users to search properties by mailing address to identify whether the property overlaps with the FEMA Special or Moderate Flood Hazard Areas.

Users can also view additional flood risk information that is not required for disclosure but that provides a fuller picture of a property's flood risk, including [information on sea-level rise projections](#) ([https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/rajil46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrnXC5Ks9\\$](https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/rajil46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrnXC5Ks9$)), of 3 feet (likely by 2070) and 5 feet (likely by 2100).

The tool offers users the ability to view a property's flood risk using the map legend and sidebar or request a detailed flood report to be emailed to them. The report includes the property's FEMA flood zone information to satisfy the new disclosure requirements as well as a description of what FEMA flood zones mean and how they are determined.

The Flood Risk Notification Tool, links to both disclosure forms, and information on how climate and flood risks are changing in New Jersey can be found at <https://flooddisclosure.nj.gov/> ([https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/72jl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrq3NsTpM\\$](https://urldefense.com/v3/https://t.e2ma.net/click/rqvpok/nrddit/72jl46_!!J30X0ZrnC1oQtba!JysoezbwJXudi2zmRhhDFI7PRcA2DsMyvFMUSPIBS7TOrvo-STQNcfjt9v18uKTF9e2zReDRjl2RWMABdAsnrq3NsTpM$)).

Governor Phil Murphy

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