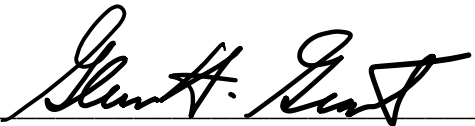


## NOTICE TO THE BAR

### **TAX FORECLOSURES -- (1) SUSPENSION OF OFFICE OF FORECLOSURE RECOMMENDATIONS OF FINAL JUDGMENT; AND (2) RELAXATION OF COURT RULES**

In response to the United States Supreme Court's decision in Tyler v. Hennepin County, 598 U.S. \_\_\_, 143 S. Ct. 1369 (2023), the New Jersey Supreme Court temporarily has suspended Office of Foreclosure recommendations of final judgment in tax sale certificate cases filed after May 25, 2023. The Court in the attached July 10, 2023 Order also has relaxed certain Court Rules governing in rem and in personam tax foreclosures.

Questions about this notice should be directed to the Superior Court Clerk's Office at (609) 421-6100.

  
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Glenn A. Grant  
Administrative Director of the Courts

Dated: July 12, 2023

## SUPREME COURT OF NEW JERSEY

In response to the United States Supreme Court's decision in Tyler v. Hennepin Cnty., 598 U.S. \_\_\_\_, 143 S. Ct. 1369 (2023), the New Jersey Supreme Court hereby authorizes the following temporary adjustments to court processes for in rem and in personam tax foreclosures, effective immediately and until further order.

### Temporary Suspension of Recommendations of Final Judgment

1. The Office of Foreclosure shall suspend making recommendations of final judgment in tax sale certificate cases filed after May 25, 2023. A tax sale certificate holder may apply by motion for entry of judgment by a Superior Court judge.

### Improvements to Procedural Safeguards

2. Pursuant to N.J. Const. Art. VI, sec. 2, par. 3, the provisions of the following Court Rules, and such other rules as may be necessary, are relaxed and supplemented in order to improve the procedural safeguards in such matters:
  - a. Rule 4:64-1(c) ("Definition of Uncontested Action"), such that any allegation in a responsive pleading that a party has existing equity

in the property shall be treated as a contesting answer to the tax foreclosure complaint;

- b. Rule 4:64-1(d) (“Procedure to Enter Judgment in Uncontested Cases; Objections to Amount Due”), so as to require that the plaintiff in a tax foreclosure complaint must personally serve any and all parties having the right of redemption with all prejudgment notices, including the notice of motion for entry of judgment; and
- c. Rule 4:64-7(c) (“Service”), so as to require that the plaintiff in an in rem tax foreclosure complaint must personally serve the foreclosure complaint, as well as all prejudgment notices, on the defendant property owner. If personal service cannot be effectuated, the plaintiff must submit a certificate of diligent inquiry to the court certifying the attempts made to locate and serve the defendant property owner.

For the Court,



Chief Justice

Dated: July 10, 2023