



NEW JERSEY COVID-19 Information Hub

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Renter Self-Certification Process and FAQs

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On August 4, 2021, Governor Murphy signed into law PL 2021 c 188 that affects tenants and landlords. The new law winds down the eviction moratorium imposed by the Governor in Executive Order 106 and provides critical protections to renter households who experienced economic hardship during the pandemic.

The new law also restricts the reporting of unpaid rent or debt owed during the pandemic to credit reporting and debt collection agencies and strongly limits the sale or transfer of civil debt.

The new law provides protections at different **household** income levels. In order to ensure that your household benefits from these protections, you must complete the ***Income Self-Certification Form*** ("Form") available at <https://covid19.nj.gov/renter>, through which you certify your income level. The Form also allows you to certify whether you had an economic impact from COVID-19, certify whether you have applied for rental assistance, and answer some additional questions, all of which will assist the government in providing you with assistance.

The protected income levels under the new law are the following and they are defined as a percentage of the median (average) income of a household of your

size in the area in which you reside (also known as the *Area Media Income* or AMI):

- Middle income – at or above 80% of the Area Median Income (AMI), and below 120% AMI
- Moderate income – above 50% AMI, below 80%
- Low income – at or below 50% AMI
- Very low income – at or below 30% AMI

In order to determine your income level, the self-certification form will ask for your address, county of residence, the total number of people in your household, and your household income. *Household Income* is the total amount of money all of the adult (18 years of age or older) members of your household made in the past three (3) or twelve (12) months before taxes or other deductions (gross income). All of above-listed income households are protected from eviction for nonpayment of rent, habitual late payment of rent, or failure to accept a rent increase that accrued **from** March 1, 2020, **through** Aug. 31, 2021, if they meet the income eligibility requirements and file the required Form. Additionally, tenants who qualify as moderate-, low-, or very low-income will be protected from eviction for nonpayment of rent, habitual late payment of rent, or failure to accept a rent increase that accrued from March 1, 2020 through December 31, 2021 – if they certify: (1) their income level; (2) that they suffered hardship due to COVID-19; and (3) that they have applied for rental assistance for which they are eligible. **However, a landlord may pursue an action for a money judgment (not an eviction) for any rent due.** In order to take advantage of the eviction protections outlined in the new law, it is critical that you complete the Form. You should also read and respond to any future communications you receive from the court.

Outstanding rent from before March 1, 2020, or after Aug. 31, 2021, can be grounds for eviction. After Aug. 31, 2021, households that are middle-income and above can be evicted for rent arrearages accrued before March 1, 2020 and after August 31, 2021. Households that are moderate income or below can be evicted for rent accrued before March 1, 2020 and after December 31, 2021, **provided that** they certify: (1) their income level; (2) that they suffered economic hardship due to COVID-19; and (3) that they have applied for rental assistance for which they are eligible.

You should [complete the Form online](#) as soon as possible. If you are not able to do so online, you may call [609-490-4550](tel:609-490-4550) for assistance.

Completing the Form allows the NJ Department of Community Affairs (DCA) to access the information you provide. The online Form completion tool allows you to enter an email address. Your completed Form will be sent to the email address provided. You should retain a copy of the Form for your records.

The online tool also allows you to send the Form directly to the court if you have a docket number for an eviction case that has been filed against you. If there is a pending eviction action against you for unpaid rent accrued between March 1, 2020 and December 31, 2021, include the docket number on your Form and select the option to send it directly to the court. The court will notify you when the Form has been processed and if the case is dismissed.

If there is not a pending eviction action against you at the time you complete the Form, your Form will be retained in the database. Should an eviction action be filed against you for rent accrued between March 1, 2020, and August 31, 2021, or, in the case of a tenant who certifies that they: (1) reside in a very low-, low-, or moderate-income household ; (2) have suffered economic hardship due to COVID-19; and (3) have applied for rental assistance for which they are eligible, for rent accrued between March 1, 2020 and December 31, 2021, your Form will be filed with the court at that time. The court will notify you when the Form has been processed and if your case has been dismissed. *However, you should bring a copy of your Form with you to any legal proceedings you are summoned to attend.*

These FAQs provide additional information for households and landlords about the self-certification process.

Who should complete the household income self-certification Form?

The tenant whose name appears on the lease or who is responsible for paying rent to the landlord of the rental premises should complete the household income self-certification form.

Am I expected to calculate or determine my household income level?

No. The online interactive tool will calculate your household income level based on your answers to a few questions which will then automatically generate your self-certification Form.

What kinds of questions should I expect to answer in the online tool which will generate my self-certification Form?

Tenants will be asked to enter their names, addresses, county, the total number of members in their household, and the total amount of money all of the adults (18 years of age or older) in their household earned in the past three or twelve months. Tenants will also be asked to provide an email address. The online tool will then calculate their household income level and, based on their eligibility, may direct them to other questions such as whether they owe rent from March 1, 2020 through December 31, 2021 and whether they were unable to pay rent during that period due to COVID such as because of loss of their job, reduced hours at their job, loss of additional work (such as Uber or Lyft driving), loss of income due to child care expenses to facilitate their kids' virtual learning or due to illness / healthcare expenses. Eligible tenants may be asked whether they applied for federal, state, or local rental assistance to help with past due rent. They might be asked if their landlord has filed an eviction action against them for non-payment of rent and if they owe rent prior to March 1, 2020.

Based on tenant's answers, the online tool will automatically generate the self-certification Form.

I completed my form – how do I know it's gone through?

The online tool will return a "success" message after you complete your Form, confirming that your Form has been stored in the database. If you have opted to also have the Form sent automatically to the courts (because you entered the docket number of a pending eviction case filed against you for rent due at any time from March 1, 2020 to December 31, 2021) you will receive a separate notice from the court that your form has been processed and your pending eviction case dismissed, if applicable.

What do I do with my self-certification Form?

1. A copy of the Form for your records will be sent to the email address you provided. It is very important that you retain your copy of the Form. In addition to the copy you will receive by email, the online tool will allow you to download and print your Form.
2. Send a copy of your form to your landlord (by email, US mail or by hardcopy delivery). It is very important that your landlord has been notified of your self-certification and eligible protection under the new law.
3. The online tool also allows you to send the form directly to the court if you enter a docket number for an eviction case for non-payment of rent (or failure to pay rent increase or for habitual late payment) that has been filed against you. If there is a pending eviction action against you for unpaid rent from March 1, 2020 to December 31, 2021, include the docket number on your Form so that the Form is also automatically sent to the courts when you complete it. The court will notify you separately when they have processed your Form and dismissed your case if you are eligible. If you do not know your docket number, you can enter it at a later time and send the Form to courts after you have obtained it from the courts. Please call the Judiciary Helpdesk for assistance with your docket number: (609) 421-6100.
4. If there is not a pending eviction action against you for non-payment of rent and you are otherwise eligible for protection, your Form will be retained in a database linked to the courts. Should an eviction action be filed against you for rent accrued between March 1, 2020 and December 31, 2021 after your Form has been completed, your Form will be sent to the court for you at that time.
However, you should bring a copy of your Form with you at any legal proceedings you are summoned to attend.

I have an eviction case and I entered my docket number. How do I send my form to the court? How do I send it to my landlord?

The online Form completion tool allows you to include your docket number and select to send the Form directly to the court. You must also include an email address of your choice to receive your copy of the completed Form, which you should email to your landlord or print out and deliver to your landlord.

I have an eviction case but I don't know my docket number. How do I send my form to the court? How do I send it to my landlord?

If you do not know your docket number, you should call the Civil Division in the county where the rental property is located to get your docket number before completing your Form. A list of these numbers is available at: https://www.njcourts.gov/forms/11237_directory_civil_ofcs.pdf?c=ZVf. You can also call the Judiciary's Help Desk at (609) 421-6100 for information.

I don't have an eviction case yet but I'm afraid my landlord might file one. How do I send my form to the court? How do I send it to my landlord?

If you do not currently have a pending eviction case, your Form will be retained in the database and will be submitted directly to the court if a case is filed against you. You will receive a notification if the Form is submitted to the court. Remember, you must respond to all court communications and attend all proceedings unless you are notified otherwise by the court.

It is very important that you retain a copy of your Form for your records, and send a copy to your landlord via email, hand delivery, or US mail.

I submitted my form – has my eviction case been dismissed? How will I know if it has?

If you selected to send the Form directly to the court, you will receive a notice of dismissal from the court once the court has processed your Form. This notice will be by email if you have provided your email, or otherwise by mail. You can also contact the court in the county where your case is filed to confirm processing of your Form and dismissal of your case. A list of Civil Division offices is available here: https://www.njcourts.gov/forms/11237_directory_civil_ofcs.pdf?c=ZVf. You can also call the Judiciary's Helpdesk at [\(609\) 421-6100](tel:6094216100) for information. **However, if you receive a notice from the court to appear at scheduled settlement or case conference, you must attend and bring a copy of your completed form with you.**

I submitted my Form – can my landlord still file an eviction against me? If so, what do I do?

If you completed a Form and the landlord proceeds to file an eviction case anyway, your Form will be retained in the database and filed with the court after the eviction is filed. At that time, the court will dismiss your case if your income qualifies you for protection under the law. You will receive a notice of dismissal once the court has processed your Form.

If your Landlord files an eviction against you after you've filed your Form, but you did not receive a "success" message from the online tool, you should re-enter your Form at the link, or call [609-490-4550](tel:6094904550) for assistance.

An eviction was filed against me, and I haven't submitted my Form – what do I do?

Complete your Form using the online Form completion tool and select to send the Form directly to the court. If you are noticed by the court for a mandatory conference, you should submit your Form to the court as soon as possible and no later than the conference date. You should then contact the court as soon as possible and tell court staff that you have completed your Form. Once you provide it to the court, the court will dismiss your case if your income qualifies for eviction protection under the law.

I submitted my Form, but I have a mandatory conference scheduled. Do I still have to go? Is it cancelled – how do I know? If I don't go what happens?

Unless you are notified that your case has been dismissed, you must appear at all court events. You should contact the court as soon as possible and tell court staff that you have completed your Form. If you fail to appear at a scheduled court event, a default judgment may be entered against you and you may lose the protections granted under the law.

I missed a mandatory conference with the court and a default judgment has been filed against me. What happens now?

A Warrant of Removal allowing the landlord to take possession of the rental property may be issued to the landlord which may result in an eviction. You should complete and submit the Form through the online tool. You should also contact the court for further information regarding your case.

I submitted my Form, but my landlord says they're not evicting me for non-payment of rent but for some other reasons. Can I still be evicted? What do I do?

The new law does not protect tenants facing eviction on grounds other than non-payment of rent (or failure to pay rent increase or habitual late payment of rent). If there are legal grounds for eviction beyond nonpayment or habitual late payment of rent or failure to pay a rent increase, the eviction can proceed even if you have submitted the Form. The first step after the eviction is filed is that the court will schedule a mandatory conference. **You must attend this conference.** At the conference, the court will discuss the grounds for eviction, ensure that the landlord understands the protections you are entitled to under the law, and discuss options for a settlement. You are not obligated to settle the case at the conference, but you may do so if you choose.

These tenants should seek legal representation immediately. The following legal service providers are available to assist very low-income, low-income or moderate-income tenants throughout New Jersey:

- **Legal Services of New Jersey:** <http://www.lsnj.org> (1-888-576-5529)
- **Volunteer Lawyers for Justice New Jersey:** <http://www.vljnj.org/get-help> (973-645-1955)
- **Community Health Law Project:** <http://www.chlp.org/> (973-275-1175) – for tenants with disabilities

I have arrears from before March 1, 2020 – can I still be evicted? When? What do I do if I need help?

You can be evicted for rental arrears prior to March 1, 2020. If you also owe arrears accrued after March 1, 2020, you should complete the Form and submit it as soon as possible, and indicate that you would like additional assistance. If you do not owe arrears accrued during the covered period but only during the period prior, you should go to DCA's service portal, DCAid at <https://njdca-housing.dynamics365portals.us/en-US/>, to see what programs you may be eligible for.

I can't pay my September rent – can I be evicted for that? When? What do I do if I need help?

It depends on your income level. You should complete the Form and provide it to your landlord as soon as possible. As noted above, if you are a very low income, low income, or moderate-income household, you cannot be evicted for nonpayment of rent accrued through December 31, 2021, if you submit the Form certifying (1) your income level; (2) that you suffered economic hardship due to COVID-19; and (3) that

you have applied for rental assistance. If you are a middle-income household or above, you can be evicted for nonpayment of rent beginning on August 31, 2021.

I don't have internet access/don't understand how to use the form – what do I do?

You can call [609-490-4550](tel:609-490-4550) for assistance.

If I qualify for eviction protection, do I still owe my landlord for the rent I didn't pay?

The law does not forgive your debt. Even if your landlord cannot evict you, the landlord is still entitled to file an action for money judgment for unpaid rent.

My tenant gave me this Form and I don't have an eviction case filed against them. Can I file one?

If you file an eviction against a tenant who has already submitted a Form and the tenant's income qualifies him or her for protection from eviction, the court will dismiss the case when it is filed.

My tenant gave me this Form but I already have an eviction case filed against the tenant – what does it mean? What do I do next?

The Form will show whether the tenant is currently protected by law from eviction. If the Form indicates that the tenant's income qualifies him or her for protection from eviction, the court will dismiss the case.

My tenant gave me this Form but didn't pay September rent – can I file an eviction?

Yes, you can file an action for eviction. However, the tenant may be protected from eviction for an extended time period depending on their income level. If the tenant is very low income, low income, or moderate income, they are protected from eviction for nonpayment of rent until December 31, 2021 if the tenant certifies that they suffered economic hardship due to COVID-19 and that they applied for rental assistance for which they are eligible. If the tenant is middle income or above, they can be evicted for nonpayment of rent beginning on August 31, 2021.

****I'm in need of rental assistance and/or not protected under the new law, where can I get help?***If you're a renter having trouble paying your rent, utilities, or other housing costs – or if you're a landlord trying to stay afloat with tenants in this situation – help may be available. State and local programs are taking applications from renters and landlords to distribute money from the U.S. Department of Treasury's Emergency Rental Assistance (ERA) program in their own communities.

If you're a landlord, you may think of rental assistance as help for renters. But right now, most federal emergency rental assistance programs accept applications from landlords. Where renters can apply, they often need your help to complete the process and make payments to you.

The following assistance is available in New Jersey. Tenants or landlords aren't prohibited from applying for assistance from more than one program or more than

once from the same program. The state program is available to all residents throughout NJ; the county programs are available to county residents. Tenants or landlords are prohibited from receiving assistance for the same period of rental arrears. Assistance is available to undocumented households.


Please use the links below to find out if you're eligible and how to apply today.

New Jersey state program for renters and landlords (CVERAP II):
<https://njdca.onlinepha.com/>

Please use this link for local programs available (county and municipal) and their eligibility requirements:
<https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/find-help-with-rent-and-utilities/>

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