

Landlord Tenant/Eviction Court Mandatory Settlement Conferences



RIGHT NOW, most New Jersey tenants cannot be evicted. Most evictions stopped due to COVID-19, and they will not restart until at least September. Even so, if your landlord filed eviction papers with the court, the court may send you a notice to appear at a settlement conference. The conference is mandatory, meaning that you must participate. If you do not appear, a “default judgment” will enter against you, meaning you will lose the case. The landlord will be able to obtain a “warrant of removal” and ask a court officer to evict you as soon as the moratorium ends. It is very important to attend the settlement conference even if you think there is nothing you can do to stop to the eviction.

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What You Should Know About Conferences

1. You must participate in the conference by calling or joining the virtual meeting. Follow the instructions given in the notice, even if you think there is nothing you can do to stop the eviction.
2. You do NOT have to agree to settle the case. You do not have to agree to pay any money. You do not have to agree to move out. Landlords and tenants who do not make an agreement will have a trial scheduled when the court starts holding trials.
3. The Department of Community Affairs and

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Though you must attend the settlement conference, you do not have to settle the case. Settlement is voluntary. If you do not settle the case, you will have a chance to have your case heard by a judge when trials start again in September.

Settlement conferences are held by telephone or over the internet. If you need help connecting to the internet or attending a conference, you can contact the court. You may be able to go to the courthouse or to another location for the settlement conference. If you need an interpreter, call the court at the number listed on the conference notice and let them know you need an interpreter. If an internet hearing is difficult because of a disability, let the court know and ask for a “reasonable accommodation.” The court can hold the hearing a different way to make it easier for you to participate. If you need to reschedule your conference, call the court at the number of the notice and ask for a different date or time. Contact the LSNJ LAWSM Hotline or a regional Legal Services program for advice.

What You Should Know

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many local agencies have rental assistance available, and more rental assistance is on the way. Learn more at www.njcourts.gov/selfhelp/covid19_rental_assistance.html.

4. Governor Murphy is considering signing a new law that would protect people from eviction for nonpayment of rent due during the COVID period. If it passes, the new law could change your rights in the future.
5. If you don't show up for a settlement conference, a default judgment will enter against you. If this happens, you may still be able to have the judgment set aside (vacated) if you have a good reason for not attending, and if you have a defense to the eviction action. You will need to file an “order to show cause” with the court asking the court to set aside the default judgment and hear your case.
6. Do not agree to a settlement that you can't keep. It will not buy you time and it may be legally binding.
7. Get legal advice before agreeing to any settlement. Contact the LSNJLAWSM Hotline for help.

This information is accurate as of July 9, 2021, but laws are pending and things are changing quickly. Check for updates on www.lsnjlaw.org or contact the hotline for help.

IF YOU ARE FACING EVICTION,
you may be eligible for free legal advice from a regional Legal Services program or the LSNJLAWSM statewide legal hotline.
Call 1-888-LSNJ-LAW (1-888-576-5529)
or apply online at www.lsnjlawhotline.org.