



Short-term Rentals Frequently Asked Questions

Chapter 255 of the Jersey City Municipal Code (the “Ordinance”) establishes the permitting requirements and penalties for Short-term Rentals in the City. The following will serve to summarize the Ordinance requirements and answer some common questions.

What is a Short-term Rental (“STR”)?

*A STR is a rental of a residential dwelling, a **Short-term Rental Property (“STRP”)**, for a period of no more than 28 consecutive days.*

Who is allowed to be a STR landlord?

STRs may only be operated by a property owner after obtaining a permit.

Can an owner of any type of property in Jersey City obtain a permit?

No. Only the following types of properties and owners will qualify for a permit:

- *A dwelling unit located in a condominium association, homeowners association, or cooperative association, where:
 - (1) the association’s Bylaws, Master Deed, or other relevant governing document permits STRs, and
 - (2) the owner of the unit legally identifies an address within the association as his or her principal residence.*
- *Individually or collectively owner-occupied single-family residences.*
- *Two dwelling units within a two-family residential dwelling, where one unit is owner-occupied.*
- *Two dwelling units in a three (3) or four (4) unit multiple dwelling, which is not a condominium or other association, where one of the other dwelling units is owner-occupied.*

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- *No more than three rooms within an owner-occupied single-family residence operating as a bed and breakfast as defined in the City Code. (Certain occupancy limits apply to this type of STR.)*

A permit is required for each STR even if the STR is owned by the same owner and/or the STRs are in the same dwelling.

What does “owner occupied” mean?

“Owner-occupied” means that the owner of the STRP or a Responsible Party (see below) resides in the STRP or in the principal residential unit with which the STRP is associated on the same lot, and identifies same as his or her principal residence. If a STRP is not owned by an individual, then at least one principal or member of the owner entity must reside in the STRP or in the principal residential unit with which the STRP is associated on the same lot, and identify same as his or her principal residence.

What does “principal residence” mean?

“Principal residence” means the address:

- (1) where at least one of the property owners spends the majority of his or her non-working time;*
- (2) which is most clearly the center of his or her domestic life; and*
- (3) which is identified on his or her driver’s license or State Identification Card as being his or her legal address.*

All the above requirements must be met in order for an address to constitute a principal residence.

What does Responsible Party mean?

“Responsible Party” means the STRP owner or a person (property manager) designated by the owner to be called upon and be responsible at all times during the period of a STR and to answer for the maintenance of the STRP, or the conduct and acts of occupants of the STRP, and, in the case of the property manager, to accept service of legal process on behalf of the STRP owner.

What does Short-Term Rental Property Agent mean?

“Short-Term Rental Property Agent” means any New Jersey licensed real estate agent or other person designated and charged by the STRP owner with the responsibility for making the STR permit application to the City on behalf of the owner, and fulfilling all of the obligations in connection with completion of the application process on behalf of the owner. The STRP Agent must be available for and responsive to contact on behalf of the owner at all times.

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Can a tenant be a STR landlord?

No. However, for a limited time, in those cases where a STRP was being operated by a tenant at the time this Ordinance was adopted (June 6, 2019), the tenant may continue to do so without a permit for the duration of the lease or until January 1, 2021, whichever occurs sooner. Note: The tenant, STRP operator, may be required to submit additional documentation if requested by the Division of Housing Preservation.

Is there a limit on the number of nights that a STRP can be rented as a STR?

By definition, a STR cannot be more than 28 consecutive days. The only other limitation on the number of nights is that rentals of any dwelling unit where the owner/operator of the STRP is not present may be conducted no more than sixty (60) total nights per calendar year.

How can a property owner apply for a permit?

The Division of Housing Preservation will begin accepting permit applications on December 3, 2019. Permit applications will be available from the Division of Housing Preservation, 342 Martin Luther King Drive, Jersey City, NJ 07305 or online at:

<https://cityofjerseycity.com/CityHall/HousingAndDevelopment/housingpreservation>

What are the requirements for obtaining a permit?

A permit is required for each STR even if the STR is owned by the same owner and/or the STRs are in the same dwelling.

In addition to the permit application fee (\$250.00 for the initial application and \$200.00 annually thereafter), the following information is required:

- 1) STRP information - Street address, tax block and lot, and ward*
- 2) STRP owner personal contact information – Name, address, email, telephone number*
- 3) If the owner of record is not a natural person, names and personal contact information for all partners, officers and/or directors of the owner entity*
- 4) STRP Agent - 7 day a week, 24-hour a day contact information*
- 5) STRP Responsible Party - 7 day a week, 24-hour a day contact information*
- 6) Parking Spaces - The number and location of all parking spaces available to the STRP, which shall include the number of legal off-street parking spaces and on-street parking spaces directly adjacent to the premises.*

Documentation required:

- Proof of the owner's current ownership of the STR unit (ie – tax bill)*
- Proof of principal residence (ie – driver's license or State ID card)*
- Copies of two (2) recent (less than 30 days old) utility bills*

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- *Proof of general liability insurance in a minimum amount of \$500,000.00*
- *Copy of the Bylaws, Master Deed, or other relevant governing document if the STR is in a condominium or other association.*

- *Zoning Compliance Certificate (ZCC)*

The Certificate must be obtained from:

Division of Zoning Enforcement

City Hall Annex

1 Jackson Square

Jersey City, New Jersey 07305

(201) 547-4832

To obtain the ZCC please provide a written request for the ZCC and include a photo of the property and the appropriate unit number along with a money order for the \$100 fee payable to the City of Jersey City. These can be hand-delivered or mailed to the Division of Zoning Enforcement at the address above.

- *Proof of no outstanding fines or penalties with Jersey City Municipal Court*

Confirmation must be obtained from:

Office of the Municipal Prosecutor

365 Summit Avenue, Room 219

Jersey City, New Jersey 07306

(201) 209-6755

Email: prosecutor@jcnj.org

This request must be made by email. The applicant must specify that he/she is requesting confirmation that (1) there are no outstanding fines or penalties with Jersey City Municipal Court and that (2) there are no noise violations under Local Ordinance Chapter 222 in the last two years, as required for a STR permit. The request must include the name, address, email address and telephone no. of the owner or, if the owner is not a natural person, names and personal contact information for all partners, officers and/or directors of the owner entity.

The Office of the Municipal Prosecutor will respond to the request with a written confirmation; if there are outstanding fines, penalties or violations these will have to be resolved in order to qualify for a STR Permit.

- *Proof of no outstanding taxes, water and sewer charges*

Confirmation must be obtained from:

Division of Collections

City Hall

280 Grove Street, Room 101

Jersey City, New Jersey 07302

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(201) 547-5124

Email: jctaxcollectorinquiry@jcnj.org

The applicant must specify that he/she is requesting confirmation that there are no outstanding taxes, water and sewer charges as required for a STR permit. The request must include the property address including the unit no. if applicable and the name and current address of the owner.

- *Affidavit of Owner with Notice to Transient Occupants attached*
- *Certification of STRP Agent*
- *Certification of Responsible Party*

These forms – Affidavit of Owner, Certification of STRP Agent, Certification of Responsible Party, and Notice to Transient Occupants available online at:

<https://cityofjerseycity.com/CityHall/HousingAndDevelopment/housingpreservation>

Is an inspection required?

Yes. Once the permit application is reviewed and all the necessary documents are verified, inspections for compliance with the city's fire safety regulations and Property Maintenance Code will be coordinated and scheduled by Housing Code Enforcement and the Fire Official.

What is required to pass the inspections?

The Property Maintenance Code, Chapter 254 of the Jersey City Municipal Code, establishes minimum standards for the maintenance, appearance, condition, utilities, facilities, and occupancy of dwellings. STRPs must meet these standards. The Fire Safety requirements differ depending on type of property. The fact sheet attached summarizes the requirements.

When will the permit be issued?

Upon satisfactory inspections, the permit will be issued within thirty (30) days.

Can a STR owner operate a STR without a permit?

No. An individual or entity may not operate a STRP, or advertise a residential property for use as a STRP, without the owner/operator of the property first obtaining a STR permit issued by the Division of Housing Preservation. There are two limited exceptions to the permit requirement:

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- 1. In those cases where, at the time the Ordinance was adopted, June 25, 2019, a STR that is not eligible for a STR permit has an existing contract with a transient occupant to use the STR for some period of time before January 1, 2021, the requirements of the Ordinance do not apply to that pre-existing contract. Note: The owner or Responsible Party may be required to submit additional documentation if requested by the Division of Housing Preservation.*
- 2. For a limited time, as long as an owner/operator applies for a STR permit, the owner/operator may continue to operate without receiving the permit unless, upon review of the permit application or after the required inspections, the application is denied.*