# NJ LEGAL UPDATE

New Jersey A5000 Client Alert Regarding NOI Registration Process



## VALUED CLIENT:

As previously notified, New Jersey Bill A5000 becomes effective on April 1, 2020. In short, the relevant portion of the Bill requires that a Lender register its statutory pre-foreclosure Notice of Intention to Foreclose ("NOI") with the New Jersey Department of Community Affairs prior to commencing a residential mortgage foreclosure action via complaint. RAS has been extensively working with the DCA to gain access to the proposed DCA registration process and, just earlier today, engaged in a demonstration with the DCA to share with our clients. RAS has also been selected to be registered as a "tester" to work together with the DCA to streamline the process and share any issues/concerns with the DCA concerning this test phase prior to the registration site becoming live on or before April 1, 2020.

The portal is still being worked out and many of our initial questions and concerns were well-heard, yet the technology team must first meet with the management team to discuss whether they may be implemented. The link to the registration outline is now live at <a href="https://www.nj.gov/dca/">https://www.nj.gov/dca/</a> under the box titled "Notice of Intention to Foreclose Online Filing System." We obtained a preview of the filing system but access thereto is not publicly available yet. Attached are screenshots of the demonstration to give a general idea of the look of the system and the information that will be required to register an NOI with the DCA. The DCA intends to publish an FAQ on the above-mentioned site next week. Please review the attached and proceed to the below bulleted items for other consideration as issues that were addressed during the demonstration or will be addressed through the testing phase:

- A lender may register as a user or a servicer or law firm may register as a user on behalf of a lender. We are working with the DCA to allow for the servicer or law firm to provide information about the lender that is relevant to the NOI registration process;
- There will be two options on the initial screen: (I) first-time user and (2) returning user. To register as a first-time user, the DCA will require an email address, username and password. An administrator will then confirm access to the registration portal and the username and password will be used to access the portal under the returning user sign in option.
- Each entity will be given one or two users that have administrative access. Those administrators will both grant or deny individual user access in the organization.
- For individual NOI registration, the general information to be inputted by the user is the owner(s), the property address, the tax block and lot number [there will be an interactive search tool within the portal to obtain this information if the user does not have this], the date of the NOI, the zip code and municipality;
- A pdf version of one (1) NOI for each NOI registration will be required to be uploaded;
- There will be an online confirmation of the registration process if successful. We will be working with the DCA to also provide an email confirmation of registration that may be uploaded into a client system and supplied to default counsel as proof of registration prior to the filing of a complaint;
- There is a bulk filing registration process and the current instructions are contained in the attached documents. The DCA will be working to make these instructions easier and more clear for the user that seeks a bulk registration process.

RAS intends to invite its clients to a live webinar demonstration of the test process as soon as practicable, but prior to April 1, 2020, and when it becomes apparent that the portal is in the final development stages and the bugs in the test phase have been worked through. Furthermore, we are preparing a more in-depth Powerpoint presentation for any client that is interested in reviewing same at a client's specific request. In the meantime, please continue to contact us with any and all questions and concerns that you may have regarding this new registration process. We understand the difficulties you have concerning this situation and the short timeframes and logistical issues and are here to assist you.

Thank you,

David Neeren, Esquire
General Counsel
RAS Citron, LLC
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054

Phone: 855-225-6906 Ext. 1304 Email: dneeren@rasnj.com

#### **Bulk Filing Directions**

In order to efficiently upload multiple Intent to Foreclose documents, a bulk upload system has been provided.

#### File Format Requirements

- The bulk file upload data file is a pipe (|) delimited text file with headers on the first line and details for each Intent Foreclose on the subsequent lines.
- The suggested line separator is the standard windows carriage return (CRLF), however the system is configured to accept the Linux carriage return as well (LF).
- Every Intent to Foreclose entry occupies its own line. The columns require a specific name, but they do not need to be in any specific order.
- When entering the Municipality Code, please use the DCA variant. Using the Division of Taxation's Municipality codes may result in the property being assigned to the wrong municipality.
- Municipality Codes can be found at https://njdca4uat.dynamics365portals.us/a5000/municipality-reference/
- Block and Lot information can be found at https://tre-dotnet.state.nj.us/TYTR\_TLSPS/TaxListSearch.aspx

#### File Naming Requirements

- The data file can have any name, however it must end with a ".txt" extension.

#### **Upload Requirements**

- During the upload process, multiple files can be selected and uploaded at once. This is to allow for a data file and its accompanying documentation. It is also possible to store all files within a zip archive and uploaded. The system will automatically unpack the zip archive.
- Do not upload multiple files with a ".txt" extension. This extension is reserved for the data file and this requirement avoids ambiguity.
- Duplicate filenames are also not allowed in a single upload. For instance, if you have a folder directory structure in a zip file.
- Currently, max file upload size is 100 MB.

#### **Duplicate Detection Feature**

In the case of importing errors, duplicate detection functionality has been included to determine whether a record is already in the database or not. When records are successfully imported, a fingerprint is created based on the following fields:

- Notice of Intent Mailing Date
- Lender-determined Notice of Intent Import ID
- 1<sup>st</sup> Character of Primary Owner's First Name
- 1st Character of Primary Owner's Last Name
- 1st Character of Property Address
- 1st Character of Property City

For example, if a Notice of Intent to Foreclose was mailed to John Doe of 123 Fake Street, Plaza City on the 1<sup>st</sup> of June, and the ID was selected to be N29, the generated comparison value will be something like 200601N29JD1P. Should any records generate this exact code, this record will be overwritten. However, this will normally be for records that were successfully imported before. While possible, unless deliberately done, mathematically the chance of a different record creating the exact same fingerprint is tiny.

#### File Specification

Column Number	Column Name	Data Type	Maximum Width	Required?	Notes/Sample
1	MDATE	Date		Υ	Mailing Date. Suggested format: (MM/dd/yyyy)
2	ID	Alphanumeric	3	Υ	Uploader selected ID per record to assist in distinguishing between records.
3	FIRST_NAME	Alphanumeric	100?	Υ	Primary Property Owner's First Name
4	LAST_NAME	Alphanumeric	100?	Υ	Primary Property Owner's Last Name
5	ADDL_FNAME*	Alphanumeric	100?	N	Secondary Owner's First Name
6	ADDL_LNAME*	Alphanumeric	100?	N	Secondary Owner's Last Name
7	ADDR1	Alphanumeric	100?	Υ	Address of the Property, Line 1
8	ADDR2*	Alphanumeric	100?	N	Address of the Property, Line 2
9	CITY	Alphanumeric	100?	N	City where Property is Located.
10	ZIP	Alphanumeric	5	N	Zip Code of Property. If the Zip Code exceeds the max width, it will automatically be truncated.
11	MUNICIPALITY	Numeric	0000 to 9999	Y	Municipality where Property is Located, By Municipality Code. Please note that leading zeros are not

					required. Please use the NJ Taxation Muni Codes. During the import process these will automatically be converted to the Muni Codes used by DCA.
12	BLOCK	Alphanumeric	10	Y	Required. If empty, we will attempt to resolve based on Owner Last Name + County + Municipality + Addr1. Failure to resolve will be noted and import process will fail.
13	LOT	Alphanumeric	10	Y	Required. If empty, we will attempt to resolve based on Owner Last Name + County + Municipality + Addr1. Failure to resolve will be noted and import process will fail.
14	QUAL*	Alphanumeric	10	N	Part of the Block Lot Grouping.
15	ATTACH	Alphanumeric	100	Y	Filename for the attached copy of the Notice of Intent to Foreclose. (PDF only). Not case sensitive.  Please note that each attached file exceeding 1 MB in size will be rejected.  Filename only, Folder structure currently not supported. e.g. OK: testfile.pdf Error: lender1/testfile.pdf

Fields marked with (\*) will not cause an error if their column is not present in the import data file.

#### Example File

MDATE|ID|FIRST\_NAME|LAST\_NAME|ADDR1|ADDR2|CITY|ZIP|MUNICIPALITY|BANK|BLOCK|LOT|QUAL|ATTACH 1/20/2020|U01|JOHN|DOE|1 SAMPLE AVENUE||TEST CITY|10000|0201|FIRST NATIONAL|1.01|2.03|File01.pdf



# NEW JERSEY NOTICE OF INTENT REGISTRATION

MARCH 2020

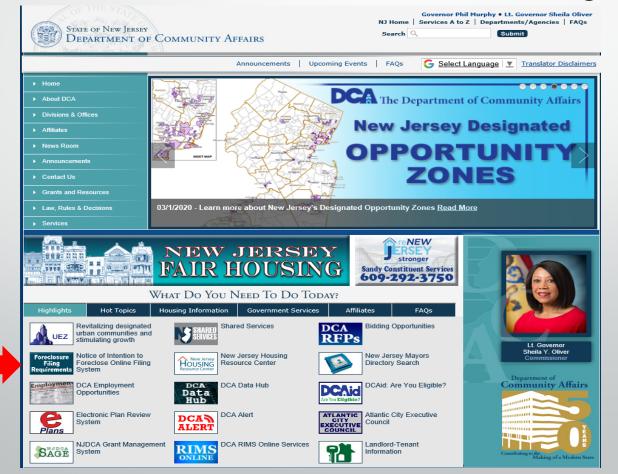
### Statutory Requirements

https://www.njleg.state.nj.us/2018/Bills/PL19/134\_.PDF

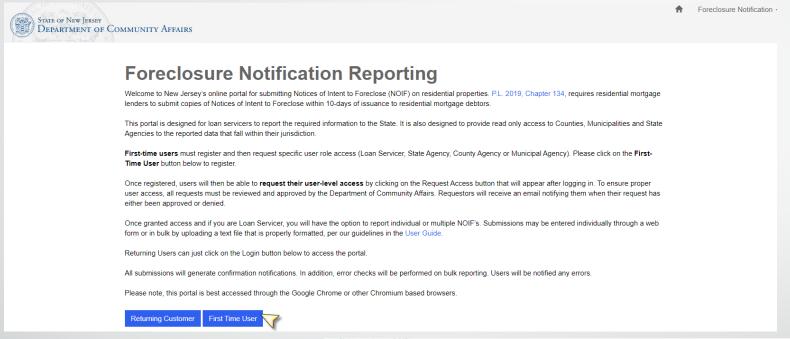
C.46:10B-49.2 Notice of intention to foreclose, centralized portal for submission.

- 2. a. A residential mortgage lender shall provide to the Department of Community Affairs the notice of intention to foreclose required pursuant to section 4 of P.L.1995, c.244 (C.2A:50-56) and a description of the subject property by street address, block, and lot as shown on the municipal tax map at the time the notice is given to the residential mortgage debtor. Upon receipt of the notice of intention to foreclose pursuant to this section, the Department of Community Affairs shall provide the residential mortgage lender with a written acknowledgement of the department's receipt of the notice of intention to foreclose. Compliance with this section shall be set forth in the pleadings of any legal action referred to in section 4 of P.L.1995, c.244 (C.2A:50-56).
- b. The Department of Community Affairs shall create a centralized portal allowing for electronic submittal of the notice of intention to foreclose as required pursuant to subsection a. of this section.

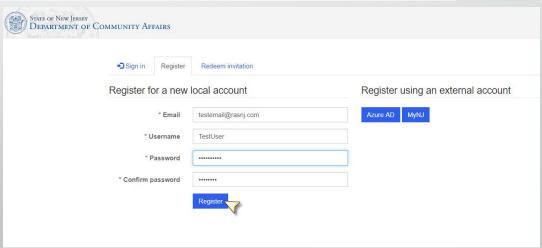
- Go to the New Jersey Department of Community Affairs (DCA) website <a href="https://www.nj.gov/dca/">https://www.nj.gov/dca/</a>
- Click the Notice of Intention to Foreclosure Online Filing System button



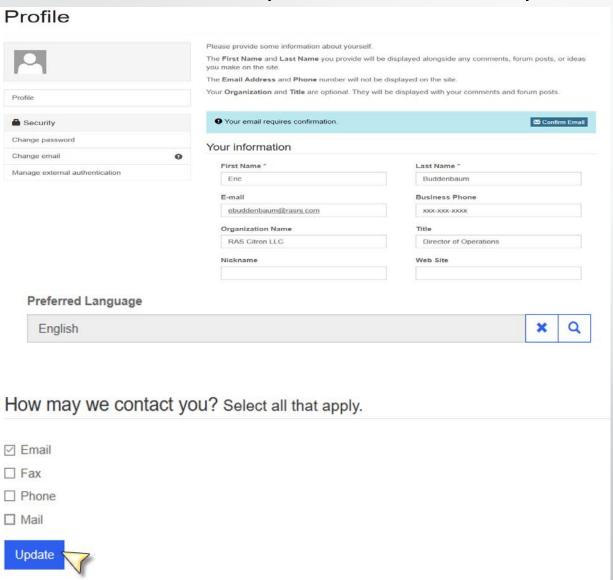
Select First Time User to Register as a User.



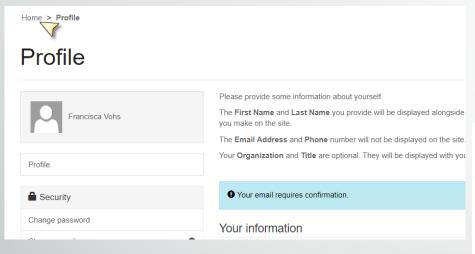
 Create a new account by selecting register.



Provide information about yourself to create a profile, and select update.



- Once profile is updated, click on the home icon in upper right corner of the screen.
- On back on the home page, click the Request Access button. This will take you to the Portal Access Request page.



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You are currently signed in

#### **Foreclosure Notification Reporting**

Welcome to New Jersey's online portal for submitting Notices of Intent to Foreclose (NOIF) on residential properties. P.L. 2019, Chapter 134, requires residential mortgage lenders to submit copies of Notices of Intent to Foreclose within 10-days of issuance to residential mortgage debtors.

This portal is designed for loan servicers to report the required information to the State. It is also designed to provide read only access to Counties, Municipalities and State Agencies to the reported data that fall within their jurisdiction.

First-time users must register and then request specific user role access (Loan Servicer, State Agency, County Agency or Municipal Agency). Please click on the First-Time User button below to register.

Once registered, users will then be able to **request their user-level access** by clicking on the Request Access button that will appear after logging in. To ensure proper user access, all requests must be reviewed and approved by the Department of Community Affairs. Requestors will receive an email notifying them when their request has either been approved or denied.

Once granted access and if you are Loan Servicer, you will have the option to report individual or multiple NOIF's. Submissions may be entered individually through a web form or in bulk by uploading a text file that is properly formatted, per our guidelines in the User Guide.

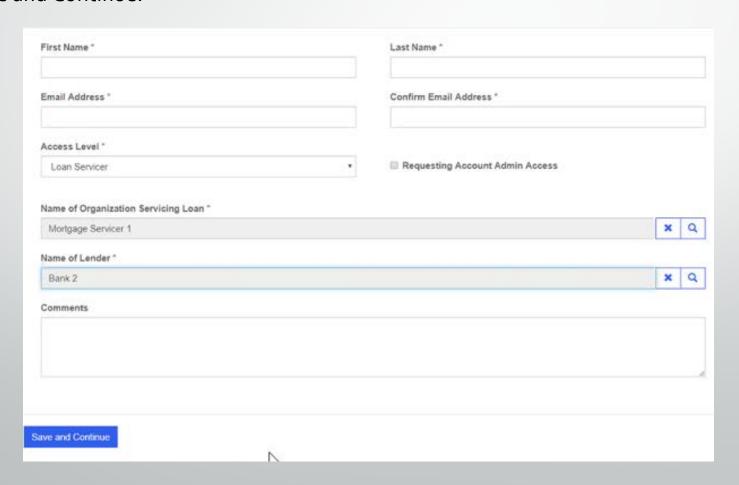
Returning Users can just click on the Login button below to access the portal.

All submissions will generate confirmation notifications. In addition, error checks will be performed on bulk reporting. Users will be notified any errors

Please note, this portal is best accessed through the Google Chrome or other Chromium based browsers

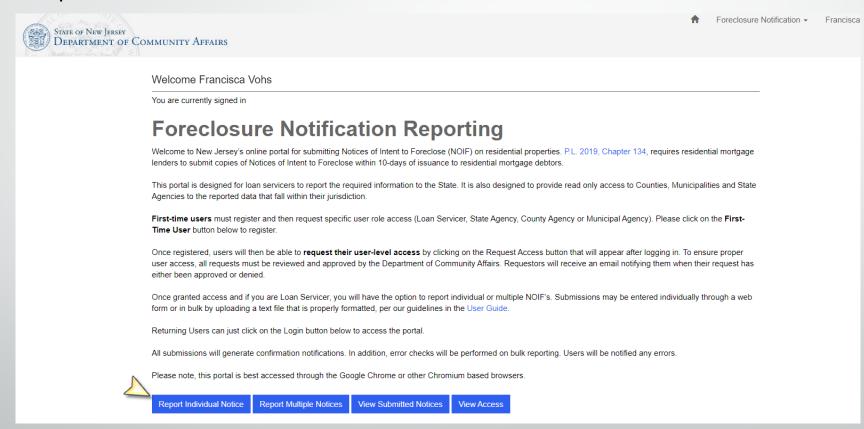


- Select an access level and check off if this account should have admin access. Loan servicer is probably the most appropriate level.
- Select a loan servicing company or add one if it does not appear on the list, as well as the name of the lender this login will be associated with.
- Click Save and Continue.



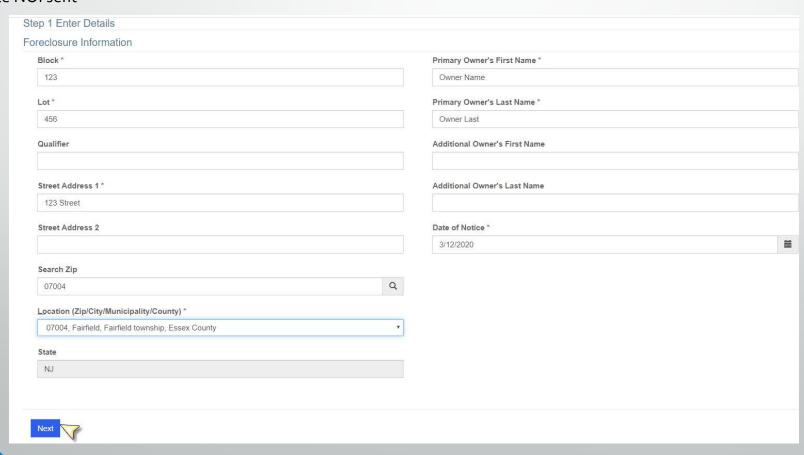
### Registering NOI – Individual

- Once portal access is saved, click on the home icon in upper right corner of the screen.
- Select Report Individual Notice



### Registering NOI – Individual

- Enter all required information regarding the Property and once complete select Next
  - Lot &Block (Link is provided to search)
  - Street Address
  - Location
  - Owner(s) (First and Last Name)
  - Date NOI sent



### Registering NOI – Individual

- Upload a PDF copy of NOI to the portal
- It is the firms suggestion that all Non-Public Personal Information be redacted from all PDF's being submitted



### Registering NOI – Individual - Confirmation

- Immediate notification that the Notice was registered will be provided
- Process is complete and confirmation should be provided to the Firm along with the Notice



### Registering NOI – Multiple / Bulk



Welcome Francisca Vohs

You are currently signed in

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Report Individual Notice

Report Multiple Notices

w Submitted Notices

View Acce

Manage Access

- Select Report Multiple Notices
- Instructions for Multiple Notices are provided within the portal
  - File Naming Requirements: The data file can have any name, however it must end with a ".txt" extension.
  - During the upload process, multiple files can be selected and uploaded at once. This is to allow for a data file and its accompanying documentation. It is also possible to store all files within a zip archive and uploaded. The system will automatically unpack the zip archive.
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  - Currently, max file upload size is 100 MB
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### Registering NOI – Multiple / Bulk

- Ensure the instructions are followed to ensure quick validation
- Use links for Municipalities and Lot/Block information

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# Confirmation Bulk Submission has Been Received

 Once the bulk submission has been completed by the user an email will be sent to the user confirming the submission was received.



This message originated outside of the organization. Use caution when opening attachments, clicking links or responding to requests for information.

### Bulk Submission Acceptance/ Errors

- Within a few hours that bulk submission will be validated and any errors preventing this submission from being accepted by the portal will be provided via email.
- If no issues have occurred the submission will be accepted, an email confirmation will be sent and the submission will be viewable via the portal.

