

Authorized By: Marlene Caride, Commissioner, Department of Banking and Insurance.

Effective Date: November 22, 2021.

New Expiration Date: November 22, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 3:19 were scheduled to expire on September 25, 2020. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The rules implement the Home Repair Financing Act (Act), N.J.S.A. 17:16C-62 through 94 and provide the procedures for the licensing of home repair contractors pursuant to the Act. The Department of Banking and Insurance (Department) has reviewed these rules and has determined that the rules should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), the rules are readopted and shall continue in effect for a seven-year period.

(a)

**DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF BANKING**

**Notice of Readoption
General Provisions for State Savings and Loan
Associations**

Readoption: N.J.A.C. 3:26

Authority: N.J.S.A. 17:1-8.1, 17:1-15.e, 17:12B-48(21), and 17:12B-197.

Authorized By: Marlene Caride, Commissioner, Department of Banking and Insurance.

Effective Date: November 23, 2021.

New Expiration Date: November 23, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 3:26 were scheduled to expire on October 16, 2020. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The rules at N.J.A.C. 3:26 provide general provisions for savings and loan associations regulated by the Department of Banking and Insurance (Department), including destruction and retention of records, charges for substitution of insurance policies, State association parity, and the provision of contact information to the Department. The Department has reviewed these rules and determined that they should be readopted without change. The rules continue to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Accordingly, pursuant to N.J.S.A. 52:14B-5.1.c(1), the rules are readopted and shall continue in effect for a seven-year period.

(b)

**DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF BANKING**

**Notice of Readoption
Audit Requirements of State Associations
Readoption: N.J.A.C. 3:29**

Authority: N.J.S.A. 17:1-8.1, 17:1-15, and 17:12B-176.

Authorized By: Marlene Caride, Commissioner, Department of Banking and Insurance.

Effective Date: November 23, 2021.

New Expiration Date: November 23, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 3:29 were scheduled to expire on May 2, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

N.J.A.C. 3:29 provides the general provisions for the audit of a State association. Qualifications required of the auditor are set forth at N.J.A.C. 3:29-1.1. N.J.A.C. 3:29-1.2 sets forth the scope of the audit. N.J.A.C. 3:29-1.3 sets forth the financial statements required to be part of the audit report. N.J.A.C. 3:29-1.4 requires verifications identical to those required of banks and savings banks. N.J.A.C. 3:29-1.5 permits continuous audits and provides for when verification notices may be mailed. N.J.A.C. 3:29-1.6 requires the auditor to provide comment on pertinent matters affecting the association. N.J.A.C. 3:29-1.7 sets forth the timing of an audit. N.J.A.C. 3:29-1.8 sets forth the audit certification and filing requirements. N.J.A.C. 3:29-1.9 requires the auditor to qualify the audit if all the required statements pursuant to N.J.A.C. 3:29-1.8 cannot be made.

The Department of Banking and Insurance has reviewed the rules and has determined that the rules should be readopted without change. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), the rules are readopted and shall continue in effect for a seven-year period.

(c)

**DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF BANKING**

**Notice of Readoption
Qualified Educational Institutions
Readoption: N.J.A.C. 3:35**

Authority: N.J.A.C. 17:1-8.1, 17:1-15.e, and 17:9A-213.

Authorized By: Marlene Caride, Commissioner, Department of Banking and Insurance.

Effective Date: November 23, 2021.

New Expiration Date: November 23, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 3:35 were scheduled to expire on May 2, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

N.J.A.C. 3:35 permits qualified educational institutions to exercise certain trust powers and implements N.J.S.A. 17:9A-213.b. N.J.A.C. 3:35-1.1 sets forth the purpose and scope of the chapter. Terms used in the chapter are defined at N.J.A.C. 3:35-1.2. N.J.A.C. 3:35-1.3 provides for required disclosures and minimum standards. N.J.A.C. 3:35-1.4 sets forth registrations requirements and the fee associated with the application. N.J.A.C. 3:35-1.5 requires qualified institutions to file an annual report with the Department of Banking and Insurance (Department) and specifies the information to be included. N.J.A.C. 3:35-1.6 provides that the Commissioner may examine the financial records of a qualified educational institution. N.J.A.C. 3:35-1.7 requires the Commissioner to provide public access to the names and addresses of those registered as qualified educational institutions. N.J.A.C. 3:35-1.8 permits the Commissioner to revoke or suspend the registration under certain circumstances.

The Department has reviewed these rules and has determined that the rules should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), the rules are readopted and shall continue in effect for a seven-year period.

COMMUNITY AFFAIRS

(a)

DIVISION OF HOUSING AND COMMUNITY RESOURCES

Notice of Readoption New Jersey Individual Development Account Program Rules

Readoption: N.J.A.C. 5:46

Authority: N.J.S.A. 44:10-90.

Authorized By: Lt. Governor Sheila Y. Oliver, Commissioner,
Department of Community Affairs.

Effective Date: November 23, 2021.

New Expiration Date: November 23, 2028.

Take notice that, pursuant to the provisions of N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 5:46, New Jersey Individual Development Account Program Rules, were scheduled to expire on October 23, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

These rules contain one subchapter that implements P.L. 2001, c. 93, the New Jersey Individual Development Account Act, which funded the Program using Federal Temporary Assistance to Needy Families (TANF) funds. Under this program, non-profit organizations qualified under section 501(c)(3) of the Internal Revenue Code have received funding to provide eligible individuals with the opportunity to make monthly deposits into individual development accounts, which may be matched with State funds on a dollar-for-dollar basis, up to \$1,500 per year for three years. The money can be used for qualified acquisition costs of a primary residence, post-secondary educational expenses, and qualified business capitalization expenses. Parallel to the savings process, participants attend a basic financial education course of training and an asset-specific training program that prepares them for their savings goal.

The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without change. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to P.L. 2011, c. 45, these rules are readopted and shall continue in effect for a seven-year period.

(b)

DIVISION OF CODES AND STANDARDS Notice of Administrative Corrections Lead Hazard Evaluation and Abatement Code N.J.A.C. 5:17-3.6 and 5.1

Effective Date: November 23, 2021.

Take notice that the Department of Community Affairs (Department) discovered three errors in the text at N.J.A.C. 5:17. These errors are references to the now-dissolved Bureau of Code Services within the Department of Community Affairs. For consistency with the rest of the New Jersey Administrative Code, this notice of administrative correction revises those references and instead refers to the Department. In addition to removing references to the Bureau of Code Services, at N.J.A.C. 5:17-5.1, a correction revises the PO Box to be utilized for notifications to the Department prior to the start of an abatement job, and an email address is included as an option for notification. This email address has already been in use and is not being established pursuant to this notice.

The Department has requested, and the Office of Administrative Law has agreed, to such correction be made administratively. This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. EVALUATION AND TESTING

5:17-3.6 Reports and certificates

(a) (No change.)

(b) If, upon performance of an inspection of all painted surfaces in accordance with this chapter, a unit or building is determined to be lead-free, the certified lead evaluation firm shall issue certification on a form prescribed by the [Bureau] **Department** to the owner and, upon request, to any enforcing agency having jurisdiction to enforce lead safety standards at the premises. The certified lead evaluation firm shall report issuance of all such certifications to the Department in such form and manner as may be prescribed by the Department.

1.-2. (No change.)

(c) If, upon performance of an inspection and risk assessment in accordance with this chapter, a unit or building is determined to be free of lead-based paint hazards, the certified lead evaluation firm shall issue a certification on a form prescribed by the [Bureau] **Department** to the owner, and, upon request, to any enforcing agency having jurisdiction to enforce lead safety standards at the premises. The certified lead evaluation firm shall report issuance of all such certifications to the Department in such form and manner as may be prescribed by the Department.

1. (No change.)

(d) (No change.)

SUBCHAPTER 5. LEAD HAZARD ABATEMENT-GENERAL

5:17-5.1 Duties of the contractor

(a) (No change.)

(b) Prior to beginning an abatement job, the contractor shall apply for a permit under the UCC and shall provide the owner and the occupants with a description of the scope of work and information about lead-based paint hazards.

1. Additionally, the contractor shall notify the Department of Community Affairs 10 working days prior to the anticipated start of work. This notification shall include the name and certification number of the contractor, the location where the work is to be performed, and a brief description of the scope of work. The notification shall be sent to the following address: Department of Community Affairs, [Bureau of Code Services,] PO Box [816] **821**, Trenton, NJ 08625 **or sent by email to lead.notifications@dca.nj.gov**.

2. (No change.)

(c)-(f) (No change.)