

C A S E S

LANDLORD-TENANT LAW - TENANTS' PROTECTIONS UNDER SECURITY DEPOSIT
LAW CONTINUE AFTER SUMMARY DISPOSSESS ACTION FOR NON-PAYMENT OF
RENT

Watson v. Jaffe, (Superior Court, Appellate
Division, Docket Number A-982-71, Decided
November 10, 1972, per curiam.) By Richard
Blumberg and Barry Benefield of Newark-Essex
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The Appellate Division, in a per curiam opinion, held
that the rights, privileges, and obligations regarding the de-
posit and return of rental security deposits, imposed by NJSA

46:8-19 et seq. and especially by NJSA 46:8-21.1 are not destroyed upon a landlord's successful prosecution of a summary dispossess action for non-payment of rent. The Court reversed and remanded the matter to the Small Claims Division after stating:

"...[W]e are satisfied they were adopted to protect tenants from overreaching landlords who require rent security deposits from tenants and then divert such deposits to their personal use. The fact that plaintiff was evicted for non-payment of rent is no reason to deprive him of whatever benefits he may be entitled to under the law."

Opinion.