

Morris County Sheriff's Office

Legal Services Division

FORECLOSURE UNIT

30 Schuyler Place, 2nd Floor

Morristown, NJ 07960

PHONE: (973) 285-6702 * FAX: (973) 984-3144

James M. Gannon

SHERIFF

October 14, 2020

To Whom It May Concern,

As you may know, in light of the impact that the COVID-19 pandemic has had upon the citizens of New Jersey, the Sheriffs of our state collectively agreed to suspend all sheriff's sales. This pause has created a backlog of work that may, when new sale applications are administered, possibly overwhelm many of the Sheriff's Offices' as well as law firms' processes. Keeping this in mind, the Morris County Sheriff's Office will now be resuming sheriff's sales ONLY under the following two (2) conditions:

1. **Real property that is COMMERCIAL in nature may be exposed to sale.** The Sheriff's Office will require a certification from plaintiff, or their representative, testifying to the property's commercial use before a sale date is set; and
2. **Real property that is considered both "VACANT or ABANDONED" and is not subject to any restrictions set forth by the federal government may be exposed to sale.** The Sheriff's Office will require a certification from plaintiff, or their representative, testifying to the property's occupancy status and loan origination before a sale date is set. The certification must state that the property is not subject to any of the existing moratoriums imposed by the CORONAVIRUS Aid, Relief and Economic Security (Cares) Act, HUD mortgage letters 2020-04, 2020-13, 2020-19, and/or New Jersey Executive Order 106. It must further state that the Plaintiff's loan is not a government insured loan and the property is not subject to a federally insured mortgage.

We believe both of these conditions to be fair and equitable during our current circumstances. In March of this year, Executive Order 106 placed a moratorium on all residential evictions. Accordingly, our proposal does not violate the conditions of this moratorium. Plaintiff would be required to provide the Morris County Sheriff's Office, prior to scheduling a sale, the certifications as previously outlined relating to ONLY those properties that are commercial properties and vacant or abandoned properties. **Please note that the Morris County Sheriff's Office will not process or schedule a Writ of Possession without an Interest of Justice application having been previously filed with the courts.**

Serving the Citizens of Morris County Since 1739

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The Morris County Sheriff's Office requests that your certifications be signed by a person with *personal knowledge* that the subject property meets the aforementioned conditions. It must also list when an inspection of the property to determine vacancy was completed. **These certifications must be provided at the time of the submission of the writ package.** We will not process any writs that do not contain fully executed certifications at the time of receipt.

If your firm would like to list a property that meets the above criteria scheduled for sale, and we already are in receipt of the writ package, please advise us if you would like the sale advertised a second time. There is no statutory requirement for re-advertising despite the passage of an extended period of time. Should you choose to do so, please include an additional deposit check of \$1,000.00 to ensure that the additional fees are covered. Any new writ packages will be processed in the typical manner.

I would like to take this opportunity, on behalf of the Morris County Sheriff's Office, to thank you all for your patience during this past year. You have been more than reasonable with your questions and requests and our staff truly does appreciate it. Please direct any questions to the contact numbers listed at the top of this letter.

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