

Notice Regarding Hotel Service Disruption Law

With spring break here and summer travel plans coming into focus, the Division of Consumer Affairs (the “Division”) wants to remind consumers in New Jersey of their rights under New Jersey’s “hotel service disruption law,” N.J.S.A. 29:4-14, passed in 2022, and to remind hotel operators of their corresponding obligations under the law.

A “service disruption” includes various conditions that “substantially affect[]” or are “likely to substantially affect any guest’s use of a room or utilization of a hotel service.” N.J.S.A. 29:4-14(g). The following conditions are presumed to substantially affect a guest’s use of a room or utilization of a hotel service:

- Any strike, lockout or picketing activity, or other demonstration or event for a calendar day or more at or near the hotel;
- Vermin infestation that is not fully treated within 24 hours; and
- Unavailability, for 24 hours or more, of any utility, such as water or electricity, when the unavailability affects only the hotel.

In addition, the following conditions may also be service disruptions if they substantially affect or are likely to substantially affect a guest’s use of a room or service:

- Construction work in or related to the hotel that creates excessive noise, other than emergency repairs;
- Unavailability of advertised hotel services or room amenities, such as pools, in-room refrigerators, or internet access; and
- Unavailability of any advertised or legally required accessibility feature, such as elevators, ramps, or accessible bathrooms.

If a service disruption occurs at a hotel, the hotel operator must provide notification within 24 hours to each current guest, as well as each guest and third-party vendor who has entered into or is seeking a reservation or booking. Hotel operators must provide this notification before accepting or entering into any new reservations or bookings. The notification triggered by a service disruption must, among other things, describe the nature of the service disruption and advise of “the right of a guest to cancel or terminate the reservation, booking, or agreement for the use or occupancy of the room or hotel services, with a refund if applicable and without the imposition of any fee, penalty, or other charge.” N.J.S.A. 29:4-14(b).

Hotel operators cannot charge a fee or penalty, or keep a deposit, if a guest whose stay is or could be substantially affected by the service disruption cancels a reservation or booking prior to checking in. Guests that have already checked in to the hotel who experience a service disruption may also cancel reservations or bookings with similar protections.

Violations of this law are punishable by the imposition of civil penalties of up to \$5,000. In addition, the law provides a private right of action for guests and customers. Consumers who believe that a business is in violation of the law are encouraged to file an online complaint with the Division by visiting <https://www.njconsumeraffairs.gov/Pages/Consumer-Complaints.aspx>. Consumers can also call 1-800-242-5846 to receive a complaint form by mail.