



How to File an Answer to a Foreclosure Complaint

Superior Court of New Jersey - Chancery Division - General Equity

When Should Use This Packet?

Fill out and file this package if you have received a summons and foreclosure complaint notifying you that you are a party to a foreclosure complaint that has been filed with the New Jersey Superior Court.

- If you are the borrower and you believe that the lender does not have a right to foreclose on your property, you may file a written answer or object (you present your defenses and explain the reasons why the lender is not entitled to a foreclosure judgment).
- If you are not the borrower, but your name appears in the complaint either because you have an interest in the property or for another reason, you may file a written answer to assert any rights you may have.
- If you operate a business entity that is named in the complaint and the business is a corporation, LLC, partnership or non-profit entity (i.e., not a sole proprietorship), then you must file the answer yourself and you must hire an attorney to file the answer and to represent the business entity in the foreclosure case. The answer, if submitted by someone other than an attorney, will be removed.

If you choose to file an answer, you must do so within 35 days from the date that you receive the summons and complaint and you must include a completed Foreclosure Case Repleviation Statement, a Completion Statement to Court Rule 4:5-7 and the 34-23-00 filing fee (NJDCA fee) payable with County Clerk, Chancery Division (Chancery Complaints) payable to the Treasurer, State of New Jersey. All documents must be dated and have an original, ink signature. Copies, if submitted, will be returned.

With limited exceptions, any paper filed with the court can be looked at by the public. You may wish to an answer on behalf of yourself. You may not file an answer for another person. A Power of Attorney does not allow you to file on behalf of anyone else. Answers filed on behalf of anyone else will be removed.

Note: Your materials have been prepared by the New Jersey Administrative Office of the Courts for use by self-represented litigants. The instructions and forms will be periodically updated as necessary to reflect current New Jersey court rules and case law. The most current version of the forms will be available on the Judiciary's Internet site: courts.nj.gov. Moreover, you are ultimately responsible for the content of your court papers.

Completed forms are to be submitted to Foreclosure Processing Services, Superior Court Clerk's Office, P.O. Box 970, Trenton, New Jersey 08646.

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