

# THE NEW JERSEY CONSUMER FRAUD ACT AND REAL ESTATE DISPUTES



# Abbreviations

# What is Fraud?



# What Is Common Law Fraud?

# What Is Legal Fraud

# What is Equitable Fraud

# What Is Consumer Fraud?



# Consumer Fraud Relief

# CFA Definitions

# CFA As Originally Adopted

# Amendments To CFA

# Promotion Of Truth And Fair Dealing In Marketplace



# Compensation Of Victim For Actual Loss

# Punishment Of Wrongdoer



# Attraction Of Competent Counsel For Private Enforcement

# Liberal Construal To Accomplish Act's Objectives

Relief Provided By The CFA Is  
Cumulative

# Who Are Claimants Under CFA

# Claimants Generally

# Nonresidents of New Jersey



# Privity Of Contract and Indirect Purchasers

Merchant's Good Faith Irrelevant

Customer Dissatisfaction Alone  
Insufficient To Provide Standing

# Family Transactions

# Sellers as Claimants

# Businesses And Franchisees As Claimants

# Public Entities Acting As Consumers

# Industries and Entities Subject To The CFA

# Public Entities and Public Utilities Exempted From the CFA

# Banks and Lending Institutions

Owners And Publishers Of  
Written Publications And Owners  
And Operators Of Television And  
Radio Stations Disseminating  
Advertisements About Real  
Estate

# Manufacturers



# Corporate Officers As Alter Ego Of Corporation

Actions Of Merchant's Employees  
And Agents Can Form Basis For  
Liability

# Liability for Consumer Fraud in Real Estate Transactions

# The CFA's Application To Real Estate Transactions Generally

# Nonprofessional Sellers of Real Estate

# Banks Selling Real Estate

# Purchasers Exempted From the CFA



# Residential Landlords



# Condominium Unit Sellers & Marketers

# Licensed Professionals Other Than Real Estate Brokers

# Real Estate Appraisers



# Real Estate Brokers, Agents & Their Employees



# Home Inspectors



# Builder-Developers & Builder-Vendors



# Home Improvement & Home Repair Contractors

- Generally
- Home Improvement Practices Rules (HIP)
- Contractor Registration Act
- Home Improvement Contractor Registration Rules (HICR)



# The End

