

Address
Address
Email Address
Date

State Assembly Member, State Senator, Governor, Lt. Governor
Address
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Dear,

I am contacting you to request a positive modification of the New Jersey Affordable Housing Act which was strongly suggested by Judge Mary C. Jacobson.

It is time to take Affordable Housing decisions out of the State Judges roll and put it back in the hands of the New Jersey State Legislature. Since the passage of the Affordable Housing Act in 1975, many things have changed, and many decisions have been quietly made without the input of New Jersey Municipalities and its citizens. One major point of the Act stated that the citizens of New Jersey would not be affected financially by this law. However, as we have all witnessed, the citizens of New Jersey have certainly been financially impacted. Another part of the Act quietly came into effect with the "Builders Remedy" allowing the developers to override the zoning of virtually every municipality in New Jersey. The developer could build 20% affordable housing units, as small as a one-bedroom apartment, and then build 80% market rate homes. This too greatly affected the tax payers of New Jersey through an increase in the need for more public schools, teachers, school administrators, school maintenance costs, public works employees, fire, and police. Another important impact was the fact that many municipalities did not have appropriate infrastructure that included critical public water and sewer systems. Municipalities without appropriate infrastructure were forced to negotiate with other municipalities for these items which also greatly increased the financial costs to the New Jersey tax payers.

We agree that there should be an Affordable Housing Act in New Jersey. We also feel that in order to do this the New Jersey State Legislature should work very closely with each of the 565 municipalities in New Jersey and organizations such as Citizens Improving Affordable Housing to make this advantageous to all citizens of New Jersey.

Please respond to me about how you plan to address these issues. Attached is information for you to review about this program. I have listed dormant bills that would improve Affordable Housing, and these bills must be moved forward in the New Jersey State Legislature. The persons who have initiated these bills will certainly agree to work with other political parties to make it acceptable to all.

Last, but not least, please copy your response to: ciahnewjersey@gmail.com.

I look forward to your response as soon as possible.

Sincerely,
NAME

Date

Sender's Name
Sender's Address
Sender's Address

State Elected Officials
address
address, NJ

Dear Senator / Assembly / Governor / Lt. Governor,

A year ago, "Citizens Improving Affordable Housing" (CIAH) met in Hunterdon county to discuss the many problems that the New Jersey Affordable Housing law presents to New Jersey municipal governments. We realized that a grass- roots organization encompassing all of New Jersey could work to modify changes in a positive way, an approach suggested by Assignment Judge Mary C. Jacobson of the Superior Court. During the past year, CIAH members have been discussing ways to modify the law in meetings throughout the state, and we have also met with the President of the New Jersey League of Municipalities (NJLOM). NJLOM concluded that CIAH should evaluate the large number of state bills related to modifying the Affordable Housing law and to prioritize which ones must be supported by the NJ Legislators.

As a group, we distributed for review the NJ Bills awaiting action in the legislature. Our members have placed the bills in priority order and commented upon them. I attach the current results of that review. As a group, we call upon our state legislators to act upon this legislation.

We are now asking ALL Municipal Elected Officials to send letters to their State Senator, Assembly Members and the Governor. We also request that you send the same letter to Senator Sweeney and Assemblyman Coughlin. In addition, please send the letter to your local citizens, asking them to send their letters to the state elected officials, the Governor, Senator Sweeney and Assemblyman Coughlin. They should also request confirmation of receiving this letter via email and an email copy to: CIAHnewjersey@gmail.com.

Please mail the letters and also email the letters to the email addresses and mailing addresses of the state officials provided below. Please also confirm your acceptance of this letter to the sender of the letter and to: CIAHnewjersey@gmail.com.

Sincerely,
James Burd, President of Citizens Improving Affordable Housing and Former Mayor of Hopewell Township, Mercer County, NJ

A- Bill A5137: Pause affordable housing litigation to enact reform: Allows the legislatures the ability to enact real reform before towns are forced into onerous settlements_

Actual Bill Synopsis:

Imposes moratorium on affordable housing litigation through December 31, 2020. This bill would impose a short-term moratorium on affordable housing litigation in the State in order to provide the Legislature an opportunity to craft an alternative to litigation.

- As recognized by the NJ Supreme Court in Mount Laurel II, the 1985 passage of the Fair Housing Act establishing COAH & the subsequent transfer of some court cases to COAH, and their 2017 opinion taking back Affordable Housing decisions from the defunct COAH, the issues concerning affordable housing are policy matters best left to the Legislature to address.
- Pausing current litigation can pressure the Legislature to act and develop guidelines that are consistent and efficient statewide.

B- Bills A1650/ACR79: Eliminate the builders remedy legal action

Actual Bill Synopsis:

Prohibits imposition of builder's remedy in exclusionary zoning litigation.

- Private developers, whose only goal is to make as much money as possible for themselves, have been given a major seat at the table in affordable housing plan negotiations.
- Allowing private developers such a prominent role in the affordable housing process has produced little affordable housing and a large amount of market rate and luxury rental units. This has resulted in reducing the amount of land available for affordable housing and making NJ even less affordable to all residents, including the middle class.
- The threat of builder's remedy lawsuits has forced municipalities across the state to allow as much high-density housing wherever a private developer wants and has cost municipalities millions. In any other circumstance, this would have our towns signing under duress and could be considered extortion

C- Bill A4333: Require an independent bi-partisan authority to determine housing obligations based on statewide need, not town-by-town basis

Actual Bill Synopsis:

Establishes "Commission on Statewide Affordable Housing Obligations" to determine Statewide need for low, and moderate- income housing.

- The current process of assigning a quota in a vacuum in each town regardless of surrounding town's obligations is resulting in a glut of mostly market rate housing units,

elimination of a large amount of land now reserved for parks and other municipal needs, more potential for infrastructure and environmental problems, and increased cost of services required in every town.

- This bipartisan Commission will determine regions of the state & estimate the present & prospective need at the state & regional level. The Commission will adopt criteria and guidelines for municipal determination of its fair share of the housing need in a given region computed for a 10- year period and based on scheduled milestones to be determined.
- This will allow the municipalities in a given region to establish the type and location of affordable housing in each municipality to cover the regional needs.
- The determination of how much affordable housing will be produced in each municipality in each region will be known and tracked statewide along with subsequent vacancy rates once built and in operation.

D- Bill ACR188: A constitutional amendment to require all affordable housing decisions to be made by the Legislature, not the courts

Actual Bill Synopsis:

Proposes constitutional amendment to provide that only Legislature may determine affordable housing obligations.

- The current Process has produced little Affordable Housing and a large amount of market rate and luxury rental units. This has resulted in making NJ even less affordable even to the middle class.
- This will permanently take affordable housing out of the hands of private developers who have their own agenda, the unelected courts and unelected FSHC, and any other unelected organization that is not answerable to state residents.
- As recognized by the NJ Supreme Court in Mount Laurel II, the 1985 passage of the Fair Housing Act establishing COAH & the subsequent transfer of some court cases to COAH, and their 2017 opinion taking back Affordable Housing decisions from the defunct COAH, the issues concerning affordable housing are policy matters best left to the Legislature to address.
- The Fair Share Housing Center (FSHC) has been granted an inordinate role by the courts in determining the Affordable Housing requirements in each municipality. This is an organization of primarily lawyers who are unelected and answer to no one. They have been unwilling to provide information not only to the legislators, but also to the public on their activities and sources of funding. Our state prides itself on transparency on all critical statewide policy issues.

E- Bill A1648: Determine if towns can afford new housing: Forces the state and the courts to give primary consideration to a municipality's current population size,,; infrastructure, water and sewer capacities; school class sizes and school services; impact of municipal services such as volunteer and staffed ambulatory services and fire departments, police departments, public transportation and traffic

Actual Bill Synopsis:

Establishes additional factors for municipal adjustment used in calculating fair share affordable housing obligations; provides population-based cap for these obligations.

- The current process does not require the courts to assess proper demographics and infrastructure, or future impacts on each town nor have they taken into account any of these factors.
- Providing affordable housing is not supposed to overburden or harm the municipalities and their infrastructure.
- The bill should be amended to include environmental and flooding concerns.

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