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March 4, 2025

VIA ECOURTS

Honorable Lina P. Corrison, J.S.C.

Bergen County Superior Court
10 Main Street Floor 3,
Hackensack, New Jersey 07601

RE: In the Matter of the Application of the Borough of Leonia
Docket No.: BER-522-25

Dear Judge Corrison:

On behalf of the Borough of Leonia (“Borough” or “Leonia”), please be advised as follows.

In February of 2026, the Borough and Fair Share Housing Center (“FSHC”) entered into a Mediation Agreement. See Exhibit 1. To implement the Mediation Agreement (“Agreement”), the Leonia Planning Board adopted an Amendment to their Housing Element and Fair Share Plan, which included an Amended Spending Plan, and the Borough endorsed the Amendment to their Housing Element and Fair Share Plan (hereinafter “Amendment”). See Exhibit 2.

On March 2, 2026, the Borough adopted the following ordinances to implement the Housing Element and Fair Share Plan as amended:

1. #2026-04 Ordinance of the Borough of Leonia to Amend Chapter 290 “Zoning”, to add the AH-1 Affordable Housing 1 Zone, adopted on March 2, 2026. See Exhibit 3. This is the ordinance rezoning the site that United Way of Bergen County will be developing.
2. #2026-05 Ordinance of the Borough of Leonia to Amend Chapter 290 “Zoning”, to add the AH-3 Affordable Housing Overlay 3 Zone, adopted on March 2, 2026. See Exhibit 4. This is the ordinance rezoning the High Jump site.

3. #2026-06 Ordinance of the Borough of Leonia, County of Bergen, State of New Jersey Adopting An Amended Redevelopment Plan for Block 802, Originally Adopted as Ordinance No. 2025-22, Lots 12 Through 19; Block 803, Lots 35 and 37; Block 1202, Lots 2 Through 5; Block 1203, Lots 1 and 2; Block 1204, Lot 1 Through 4, 20 and 21; and Block 1213, Lots 3 and 4, adopted on March 2, 2026. See Exhibit 5. This is the ordinance amending the redevelopment plan to make the affordable housing obligations clear directly instead of by reference to the affordable housing plan and to relax the parking standards with respect to any unit within 1500 feet of an operating train station. Exhibit 5 also includes the Redevelopment Plan.
4. #2026-07 Ordinance Adopting An Affordable Housing Ordinance and Developmental Fee Ordinance in Accordance with the Fair Share Housing Act, Uniform Housing Affordability Controls, and N.J.A.C. 5:99-1, et seq., adopted on March 2, 2026. See Exhibit 6. This is the extensive ordinance the Borough adopted to establish standards for all affordable projects. The New Jersey Housing and Mortgage Finance Agency (HMFA) adopted the regulations that are the basis for this ordinance on November 6, 2025 and those regulations only became available to the public on December 15, 2025. Thereafter, a prototype was made available and, after that, another prototype was made available by the State. The Borough has not had time to review the latest prototype. After it has an opportunity to review and analyze the most recent prototype, it may make additional changes to this ordinance.

In addition, in 2026, the Township adopted the following resolutions to implement the Amended Plan and Mediation Agreement with FSHC:

1. Resolution #2026-17 Resolution Appointment of Affordable Housing Administrative Agent, adopted on January 5, 2026. See Exhibit 7. The Borough appointed Marc Leckington of Leckington Advisors LLC to serve as Administrative Agent.
2. Resolution #2026-65 Resolution Appointment of Affordable Housing Liaison, adopted on January 21, 2026. See Exhibit 8. The Borough appointed Marisa Mesropian to serve as Municipal Housing Liaison.
3. Resolution #2026-101 Resolution of the Borough Council of the Borough of Leonia, County of Bergen, State of New Jersey, Adopting the Affirmative Marketing Plan Prepared by Leckington Advisors, LLC, adopted on March 2, 2026. See Exhibit 9.
4. Resolution #2026-102 Resolution of the Borough Council of the Borough of Leonia County of Bergen, State of New Jersey, Adopting the Affordable Housing Manuals for

the Rehabilitation of Owner-Occupied and Rental Units, adopted on March 2, 2026. See Exhibit 10.

5. Resolution #2026-103 Resolution of the Borough Council of the Borough of Leonia Endorsing an Amendment to the Housing Element and Fair Share Plan Adopted by the Planning Board on February 25, 2026, adopted on March 2, 2026. See Exhibit 11.
6. Resolution #2026-104 Resolution of the Borough Council of the Borough of Leonia, County of Bergen, Seeking Approval of an Updated Spending Plan, adopted on March 2, 2026. See Exhibit 12.
7. Resolution #2026-105 Resolution of the Borough Council of the Borough of Leonia of the County of Bergen, State of New Jersey, Stating Its Intent to Bond or Take Such Other Steps as May Be Necessary to Fully Fund Its Housing Element And Fair Share Plan, adopted March 2, 2026. See Exhibit 13.

An examination of the documents summarized above demonstrates that the Borough has fully satisfied its agreement with FSHC. In accordance with paragraph 9 of the Mediation Agreement (Exhibit 1), the Borough is to provide proof of income distribution for the Leonia Retirement Housing Phase I and samples of certificates of occupancy. See Exhibit 14 A, B, and C. Additionally, the Borough is to provide Phase II income distribution. See Exhibit 15.

Furthermore, in accordance with paragraph 9 of the Mediation Agreement (Exhibit 1), the Borough is to provide the proforma and construction schedule for the Block 1209, Lots 3 and 6 100% affordable project. See Exhibit 16.

We need to bring one point to the Court's attention. While the Program judge has recommended approval of the Borough's Housing Element and Fair Share Plan as amended, he also stated that "Such review may include the scheduling of a HEFSP Confirmation Hearing (or, if and as may later be determined necessary by the Mt. Laurel judge, a Fairness and/or Compliance Hearing) to consider approval of the Municipality's Amended HEFSP and issuance of a Certificate of Compliance and Repose.". Final paragraph on page 14 of the Amended Program Settlement Recommendation of Judge Thomas C. Miller A.S.J.C. Ret., dated February 27, 2026. We have no objection to the Court confirming that we have done what we agreed to do in our Mediation Agreement. However, we question whether a hearing is really necessary. We certainly do object to any fairness or compliance hearing. The Fair Housing Act, as amended ("hereinafter FHA II") does not authorize this court to conduct such a hearing.

Moreover, even if the Court had the power to require such a hearing, nothing could do more to undermine FHA II. Through this legislation, the Legislature made clear that it believed that Mount Laurel proceeding take too long to complete and cost too much. Consequently, it sought to

impose objective, statewide standards designed to operate “**more expeditiously**” and “**at a lower cost to all parties.**” N.J.S.A. 52:27D-302(n) (emphasis added). By designing a streamlined process, the Legislature sought to focus finite public resources on implementing approved plans instead of on wasteful litigation. Moreover, the last thing that the 400 + municipalities expected when they accepted the Legislature’s invitation to participate in the new process was that the expensive and demanding process that culminated in the favorable recommendation of the program judge would merely be step 1 in an even lengthier and costlier process. While we could argue this point extensively, for now, we just wanted to make our position on that issue clear.

In any event, we look forward to addressing any concerns the Court may have once it reviews this package of documents. Thank you for your attention to this matter.

Respectfully submitted,

Jeffrey R. Surenian

Jeffrey R. Surenian

cc: All attorneys of record (*via ecourts*)

Exhibit 1

FAIR SHARE HOUSING CENTER

Adam M. Gordon, Esq.
Laura Smith-Denker, Esq.
Joshua D. Bauers, Esq.
Ashley J. Lee, Esq.
Esmé M. Devenney, Esq.
Ariela Rutbeck-Goldman, Esq.
Joelle L. Paull, Esq.

February 17, 2026

VIA eCOURTS

Hon. Lina P. Corrison, J.S.C.
Bergen County Justice Center
10 Main Street Floor 3
Hackensack, New Jersey 07601

**Re: In the Matter of the Application of the Borough of Leonia
Docket No. BER-L-522-25**

Dear Judge Corrison:

Please accept the correct version of the executed mediation agreement between the Borough of Leonia (“Borough”) and Fair Share Housing Center (“FSHC”), instead of the previous version uploaded an hour before under the Transaction ID LCV2026372332. Through participation in the Affordable Housing Dispute Resolution Program, the Borough and FSHC have reached a settlement to resolve the issues set forth in FSHC’s objection to the Borough’s Fourth Round Housing Element and Fair Share Plan.

Thank you for your attention to this matter.

Respectfully,

Ariela Rutbeck-Goldman

Ariela Rutbeck-Goldman, Esq.

MEDIATION AGREEMENT BEFORE THE AFFORDABLE HOUSING DISPUTE
RESOLUTION PROGRAM

In the Matter of the Application of the Borough of Leonia, County of Bergen
Docket No. BER-L-522-25

WHEREAS, in January of 2025, the Borough of Leonia (the “Borough” or “Leonia”) filed a declaratory judgment action pursuant to N.J.S.A. 52:27D-301 et. seq. (the “Fair Housing Act”); and

WHEREAS, on May 19, 2025, the Court entered an order setting the Borough’s Fourth Round fair share obligations as a Present Need of 68 units and a Prospective Need of 99 units, which no party appealed, and ordering the Borough to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, on June 26, 2025, the Borough filed its HEFSP (“Adopted HEFSP”); and

WHEREAS, on August 30, 2025, FSHC filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough’s HEFSP; and

WHEREAS, on August 20, 2025, High Jump Realty, LLC filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough’s HEFSP; and

WHEREAS, the Affordable Housing Dispute Resolution Program (the “Program”) assigned retired Judge Miller and assigned Francis Banisch III to serve as the adjudicator in that case; and

WHEREAS, on or about November 12, 2025, the Borough sent a report to FSHC dated November 12, 2025 answering certain questions raised by FSHC in its August 30, 2025 objection; and

WHEREAS, Judge Miller, with the assistance of his adjudicator, presided over mediation in that case; and

WHEREAS, the Borough and FSHC have agreed to amicably resolve the issues set forth in the challenge through this mediation agreement and present this agreement for review by the Program and referral to the Mount Laurel judge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, which if approved will result in a compliance certification for the Borough for the Fourth Round;

THEREFORE, the Borough and FSHC agree:

Fair Share Obligations

1. The Borough’s Present Need or Rehabilitation Obligation is 68, the Borough’s Prior Round Obligation (1987-1999) is 31, the Borough’s Third Round Obligation (1999-2025) is 212, the Borough’s Fourth Round Prospective Need (2025-2035) is 99.

Satisfaction of Fair Share Obligations

2. The Borough will address its Present Need via a municipal rehabilitation program administered by Administrative Agent Leckington Advisors, LLC as detailed on page 12 of the HEFSP.
3. The Borough’s Prior Round Obligation is 31. The Borough used a Vacant Land Adjustment (“VLA”) to adjust its obligation, resulting in a Realistic Development Potential (“RDP”) of 10, and an Unmet Need of 21, which were addressed through the following mechanisms:

MECHANISM	TYPE	UNITS	BONUS	TENURES	STATUS
Bergen Housing Development Corporation 100% Affordable Housing	Family	10		For Sale	Complete
RDP Total: 10					
Station Parkway	Family	3		For-sale	Complete

100% affordable project					
Spending Plan and Development Fee Ordinance					Adopted
Unmet Need Total: 3		3	N/A		

4. The Borough's Third Round Obligation is 212. The Borough has used a VLA to adjust its obligation, resulting in an RDP of 18, and an Unmet Need of 194 which shall be addressed with the following mechanisms:

MECHANISM	TYPE	UNITS	BONUS	TENURES	STATUS
Sima Development	Family	3	3	Rental	Approved
J-ADD	Supportive /Special Needs	5	2		Complete
Grandview Meadows Extension of Controls	Family	10		For-sale	Proposed
100% Municipally Sponsored – Grand Avenue	Family	5		Rental	Proposed
100% Municipally Sponsored – Grand Avenue	Family	2		For-sale	Proposed
Leonia Retirement Housing	Age-restricted	4		Rental	Complete
RDP Total: 34		29	5		
Unmet Need					
RDP Surplus		15			
AH-2 Overlay District 27du/acre, ~1 acre in total	Family				Adopted
Leonia Retirement Housing	Age-restricted	48			Complete

Block 1213, Lots 3 and 4 (CPC) Redevelopment Plan , 0.98 acres in total	Family	TBD based on Settlement with developed as part of the Builders Remed y lawsuit			Proposed
Mandatory Set-aside Ordinance					Adopted
Unmet Need Total: 48		48	N/A		

a. The surplus RDP credits will be applied towards Unmet Need.

5. The Borough’s Fourth Round Prospective Need Obligation is 99. The Borough has used a VLA to adjust its obligation, resulting in an RDP of 0, and an Unmet Need of 99, which shall be addressed through the following mechanisms:

MECHANISM	TYPE	UNITS	TENURES	STATUS
Leonia Retirement Housing	Age-Restricted	29		Completed
MX1 Redevelopment Zone				Proposed
MX2 Redevelopment Zone				Proposed
Unmet Need Total:				

- a. The MX1 and MX2 redevelopment zone ordinances will be amended to include language detailing the affordable housing requirements in the redevelopment plan, instead of a reference to the Borough's HEFSP. Additionally, the parking standard will be amended to 1 space per unit for any unit within 1500 feet of an operating train station.
- b. The parties agree that the crediting outlined in paragraphs 4 and 5 is subject to change based on the outcome of the ongoing CPC Aquista, LLC Builders Remedy case (BER-L-2837-23). Nothing in this agreement shall be construed as an intention on either party to interfere with the ongoing builder's remedy litigation.

Unit Type and Income Distribution Requirements

6. The Borough and FSHC agree that the Borough's HEFSP as presented above satisfies the following standards set forth in P.L. 2024, c. 2, including but not limited to, with respect to the following, and that the Borough shall maintain satisfaction with such requirements for the Fourth Round:
 - a. Age Restricted Cap. The Borough agrees that it shall not exceed the age-restricted cap found in N.J.S.A. 52:27D-311(l), which requires age-restricted units to be capped at 30 percent of the overall Fourth Round affordable housing units that address the Fourth Round Prospective Need obligation exclusive of any bonus credits.
 - b. Family units. Pursuant to N.J.S.A. 52:27D-211(l), the Borough shall satisfy a minimum of 50 percent of the actual affordable housing units, exclusive of any bonus credits created to address its Fourth Round Prospective Need affordable housing obligation through the creation of housing available to families with

children and otherwise in compliance with the requirements and controls established pursuant to Section 21 of P.L.1985, c.222 (C.52:27D-321).

- c. Rental and family rental units. Pursuant to N.J.S.A. 52:27D-311(l), at least 25 percent of the actual affordable housing units, exclusive of any bonus credits, created to address its Prospective Need affordable housing obligation shall be addressed through rental housing, including at least half as available to families with children.
- d. Very low-income units. Pursuant to N.J.S.A. 52:27D-329.1, 13 percent of all affordable units referenced in this Agreement addressing the Borough's Prospective Need obligation shall be very low-income units for households earning 30 percent or less of the regional median income, with half of the very low-income units being available to families.
- e. All new construction units shall be adaptable in conformance with P.L.2005, c.350/N.J.S.A. 52:27D-311(a) and (b), and all other applicable law.
- f. All Prior Round and Third Round compliance shall continue to meet with the applicable percentages and standards for bonuses, family and senior housing, rental and family rental, very low-income units, and adaptability set forth in any prior settlement agreement between FSHC and the Borough, statutory requirements, and the Prior Round and Third Round regulations.

7. In all developments that produce affordable housing, the Borough and FSHC agree that, unless varied by a prior court order of the trial court, the below terms shall apply:

- a. All of the affordable units shall fully comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. ("UHAC"), including but not

limited to the required bedroom and income distribution, length of affordability controls, and phasing of affordable units.

- b. The applicability of the updated form of UHAC versus the prior form of UHAC shall be as set forth in the statute and most current form of UHAC adopted by HMFA. Any terms of a prior agreement, judgment, or grant of substantive certification as to prior round of obligations modifying UHAC as to affordability controls longer than the now current regulations or as to very low-income units shall remain in effect as to those prior rounds of obligations.
- c. The Borough agrees that in order to meet the low-income and very low-income requirement of the Fair Housing Act, it shall adopt an ordinance requiring for all affordable housing developments in its HEFSP that 50 percent of the affordable units within each bedroom distribution shall be required to be for low-income households earning 50 percent or less of the regional median income, including 13 percent of the affordable units within each bedroom distribution shall be required to be for very low-income households earning 30 percent or less of the regional median income.
- d. The Borough agrees to review its Affordable Housing Ordinance and other ordinances to ensure that it complies with the most up to date requirements of UHAC and revise those ordinances accordingly as part of its Fourth Round HEFSP and implementing ordinances.
- e. The affordable units shall be affirmatively marketed in accordance with UHAC and applicable law. The affirmative marketing shall include posting of all affordable units on the New Jersey Housing Resource Center website in

accordance with applicable law The affirmative marketing plan shall include the following community and regional organizations: FSHC; the Latino Action Network; the New Jersey State Conference of the NAACP; Bergen County NAACP; Passaic County NAACP; Bergen County Urban League; Bergen County Housing Coalition; and the Supportive Housing Association.

Process for Approval and Implementation

8. Pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, the municipality and FSHC recognize that the Program and/or county level housing judge must still review this agreement and the resulting HEFSP and implementing ordinances and resolutions for compliance with the Fair Housing Act prior to issuing a compliance certification, as follows:
 - a. The Borough and FSHC shall present this mediation agreement to the Program member for review upon full execution by both parties.
 - b. The Program Member shall review the agreement and if satisfied with compliance with the Fair Housing Act shall refer this matter to the Mount Laurel judge for review and entry of certification of compliance, conditioned on adoption of all implementing ordinances and resolutions.
 - c. The Borough shall adopt all implementing ordinances and resolutions no later than March 15, 2026, including but not limited to the outstanding items identified in the next paragraph. No later than 48 hours after adoption or March 15, 2026, whichever is sooner, the Borough shall file the information required by Paragraph 9 and any other adopted ordinances and resolutions on eCourts.

- d. No later than April 15, 2026, the Borough and FSHC shall provide via filing on eCourts a form of consent order granting final compliance certification for the Court's review or identify any remaining issues of compliance that may be disputed at which point the court shall schedule a conference to review any such areas.
 - e. Both parties agree to implement the terms of this Agreement. If the Program, county level housing judge, or any appellate court rejects this Agreement, the parties reserve their right to rescind any action taken in anticipation of the Program's approval and return to status quo ante. All parties shall have an obligation to fulfill the intent and purpose of this Agreement, unless to do so would be inconsistent with the final, unappealable adjudication of any Program or court ruling or judgment. The terms of this agreement may be enforced through an enforcement motion in this declaratory judgment or a separate action before the Program or the Superior Court, Law Division.
9. The Borough and FSHC agree that following conditions remain to be met prior to March 15, 2026 as conditions of compliance certification, and that the municipality shall provide these documents to FSHC in draft form for comment by February 18, 2026:
- a. The Borough will provide proof of the income distribution and samples of certificates of occupancy for the Leonia Retirement Home Phase I units being claimed for credit that are all dated after April 1, 1980.
 - b. The Borough will provide proof of the income distribution for Leonia Retirement Housing Phase II.

- c. The Borough will amend and adopt the MX1 and MX2 Redevelopment Zone ordinance.
- d. The Borough will provide the proforma and construction schedule for the Block 1209, Lots 3 and 6 100% affordable project.
- e. The Borough has adopted a Fourth Round Spending Plan and will amend as necessary based upon the NJHMFA regulations adopted on November 6, 2025 and the New Jersey Department of Community Affairs regulations published in December 2025.
- f. Before March 15, 2026, the Borough will update and adopt its affordable housing ordinance, development fee ordinance, affirmative marketing plan, and other administrative documents in accordance with the NJHMFA regulations adopted on November 6, 2025 and the New Jersey Department of Community Affairs regulations published in December 2025.

10. The Borough makes the following representations with respect to the extension of affordability controls at Grandview Meadows:

- a. The Borough has taken steps, including a plan to purchase of a unit and supporting the purchase of an additional unit by HDC and Housing Authority of Bergen County ("HABC), to allow the Borough to participate in considerations of the extension of controls for all 10 units under the Master Deed.
- b. If the Borough cannot buy a unit or persuade the HDC/HABC to buy a unit in the condominium complex, the likelihood is that the Association members will press any holdouts to agree to extinguish the deed restriction on their unit so that there will be unanimous agreement to extinguish the deed restriction. Under such

circumstances, all the households can sell their units at fair market value and earn a substantial windfall: the difference between fair market value and the maximum restricted price of each unit. This would result in extinguishing the right of the class of low- and moderate-income households to access to deed restricted units.

c. In light of the above, the parties agree that the Borough is entitled to credit for an additional ten units subject to the following conditions:

(i) The Borough offers to inspect the affordable unit in Grandview Meadows Condominiums and to make sure the unit is safe and habitable and to pay all reasonable costs that may be necessary to ensure the unit is safe and habitable provided that the household demonstrates that it still qualifies as low or moderate; and

(ii) The Borough shall notify FSHC on or before June 24, 2035 of either the purchase of at least one of the units and thus extension of all ten controls or that all households are not agreeing to extinguish the deed restriction, thereby ensuring the units will remain part of the Borough's housing stock of affordable units for an additional ten years.

11. The Borough and FSHC recognize that substantial changes in circumstances affecting the Borough's RDP are possible pursuant to the holding in *Fair Share Housing Center v. Cherry Hill*, 173 N.J. 393, (2002) and related law. In the event such a substantial changed circumstance occurs, the Borough shall have one hundred twenty (120) days to present to the trial court and FSHC its position as to whether the changed circumstances trigger an obligation to recalibrate the RDP and, if so, to provide a plan to address such change in

circumstances on notice and opportunity to be heard from FSHC. The Borough agrees that any additional RDP generated due to changed circumstances must be addressed in a manner that is consistent with controlling law.

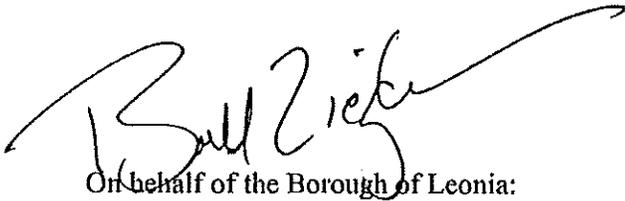
12. The Borough's Compliance Certification shall be subject to required ongoing monitoring as follows:

- a. The Borough by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all development fees and any other payments into its trust fund that have been collected including residential and non-residential development fees, along with the current balance in the municipality's affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1st to December 31st.
- b. The Borough by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of up-to-date municipal information concerning the number of affordable housing units actually constructed, construction starts, certificates of occupancy granted, and the start and expiration dates of deed restrictions. With respect to units actually constructed, the information shall specify the characteristics of the housing, including housing type, tenure, affordability level, number of bedrooms, date and expiration of affordability controls, and whether occupancy is reserved for families, senior citizens, or other special populations.

c. For the midpoint realistic opportunity review as of July 1, 2030, pursuant to N.J.S.A. 52:27D-313, an interested party may file an action through the Program seeking a realistic opportunity review and shall provide for notice to the public, including a realistic opportunity review of any inclusionary development site as set forth in the adopted HEFSP that has not received preliminary site plan approval prior to the midpoint of the 10-year round. Any such filing shall be through eCourts or any similar system set forth by the Program with notice to any party that has appeared in this matter.

13. This Agreement may be executed in counterparts, all of which together shall constitute the same agreement, and any exhibits or schedules attached hereto shall be hereby made a part of this Agreement. This Agreement shall not be modified, amended or altered in any way except by a writing signed by each of the parties. Each party acknowledges that each has entered into this Agreement on its own volition without coercion or duress after consulting with its counsel, that each signatory is the proper person and possesses the authority to sign the Agreement, and that this Agreement was not drafted by any one of the parties, but was drafted, negotiated and reviewed by all parties, therefore, the presumption of resolving ambiguities against the drafter shall not apply. Unless otherwise specified, it is intended that the provisions of this Agreement are to be severable. The validity of any article, section, clause or provision of this Agreement shall not affect the validity of the remaining articles, sections, clauses or provisions hereof. If any section of this Agreement shall be adjudged by a court to be invalid, illegal, or unenforceable in any respect, such determination shall not affect the remaining sections. No member, official or employee of the municipality shall have any direct or indirect interest in this

Agreement, nor participate in any decision relating to the Agreement which is prohibited by law, absent the need to invoke the rule of necessity.



On behalf of the Borough of Leonia:

Feb. 11, 2026

Date:

On behalf of Fair Share Housing Center:

Laura S. Smith-Denker, Esq.

Date: 02/17/2026

Exhibit 2

**BOROUGH OF LEONIA
BERGEN COUNTY, NEW JERSEY**

Date: March 2, 2026

RESOLUTION NO. 2026-103

Council	Motion	Second	Yes	No	Abstain	Absent
Zeigler						✓
Grandelis						✓
Hesterbrink			✓			
Ravid		✓	✓			
Scarangella	✓		✓			
Terrell			✓			
Mayor Ziegler	---	---				

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF LEONIA
ENDORING AN AMENDMENT TO THE HOUSING ELEMENT AND FAIR SHARE
PLAN ADOPTED BY THE PLANNING BOARD ON FEBRUARY 25, 2025**

WHEREAS, on January 23, 2025, the Borough of Leonia (“Borough” or “Leonia”) filed a Declaratory Judgment Action pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.as amended (“FHA II”); and

WHEREAS, on May 19, 2025, the Superior Court entered an Order setting the Borough’s Fourth Round Present Need obligation at 68 and its Round 4 Prospective Need obligation at 99 and directing the Borough to file its Housing Element and Fair Share Plan (“HEFSP”) no later than June 30, 2025; and

WHEREAS, on or about June 26, 2025, the Borough filed its HEFSP and sought approval of same; and

WHEREAS, on June 25, 2025, the Borough endorsed the HEFSP previously adopted by the Planning Board; and

WHEREAS, on August 29, 2025 , High Jump Realty LLC (“High Jump”) and August 30, 2025, Fair Share Housing Center (“FSHC”) wrote a letters challenging the Borough’s plan pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b); and

WHEREAS, on November 12, 2025, the Borough provided responsive materials to FSHC; and

WHEREAS, the Borough and FSHC participated in mediation sessions before the Program, an entity created by FHA II, and negotiated a Mediation Agreement, dated February 17 , 2026 resolving all issues raised by FSHC’s challenge; and

WHEREAS, to implement the Mediation Agreement, certain changes needed to be made to the Borough’s HEFSP; and

**BOROUGH OF LEONIA
BERGEN COUNTY, NEW JERSEY**

Date: March 2, 2026

RESOLUTION NO. 2026-103

WHEREAS, accordingly, the Borough's professionals prepared an amendment to the HEFSP the Borough filed with the Program in June of 2025 (hereinafter "Amendment"); and

WHEREAS, that Amendment is attached hereto as Exhibit A; and

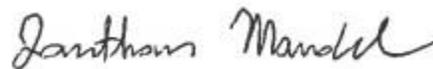
WHEREAS, on February 25, 2026, the Leonia Borough Planning Board adopted the Amendment; and

WHEREAS, after considering the comments of the public, the Borough of Leonia finds the Amendment to be in the best interest of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Leonia, County of Bergen, State of New Jersey, as follows:

1. The Borough of Leonia hereby endorses the Amendment to the Housing Element and Fair Share Plan adopted by the Planning Board on February 25, 2026.
2. The Borough's professionals are hereby authorized to file such supplementary material as they deem appropriate to secure approval of the HEFSP as amendment.
3. This Resolution shall take effect immediately upon adoption.

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Borough of Leonia at a meeting of said Borough Council on March 2, 2026.



Jonathan Mandel, RMC
Borough Clerk

**RESOLUTION
LEONIA PLANNING BOARD**

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-28(b)(3) requires a Housing Element of the municipal Master Plan to include, pursuant to the Fair Housing Act, N.J.S.A. 52:27D-310, standards and proposals for the construction and improvement housing; and

WHEREAS, the Fair Housing Act, N.J.S.A. 52:27D-310 requires a Housing Element to include “A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing” (i.e., a “Fair Share Plan”); and

WHEREAS, the Planning Board previously prepared and adopted multiple Housing Elements and Fair Share Plans, including several that were components of the Borough of Leonia’s various petitions to the Council on Affordable Housing, which granted the Borough of Leonia substantive certification for the First Round and the Second Round, and each of the grants of substantive certification included a vacant land adjustment, and previously prepared and adopted Housing Element and Fair Share Plan for the Third Round; and

WHEREAS, the New Jersey Legislature amended the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., in April of 2024, and the amendment, among other things, addresses the going-forward municipal obligation for the Fourth Round period (2025-2035), identifies permissible compliance mechanisms for same, and sets forth deadlines for compliance that include a requirement that a municipality that participates in the Affordable Housing Dispute Resolution Program amend, if necessary, any previously-adopted housing elements and fair

share plans to comply with the recommendations of the Affordable Housing Dispute Resolution Program; and

WHEREAS, the Board (and the Borough) has retained Kendra Lelie, PP, AICP, LLA, of Kyle + McManus Associates who has prepared a plan entitled “Amendment to Third and Fourth Round Housing Element and Fair Share Plan Adopted on June 25, 2025”, dated February 2026 (the “Plan”) to address certain amendments to the Borough’s Third and Fourth Round affordable housing obligation based upon proceedings that occurred before the Affordable Housing Dispute Resolution Program

WHEREAS, notice of the hearing on the Plan has been given pursuant to the provisions of N.J.S.A. 40:55D-13; and

WHEREAS, the Planning Board considered the Plan on the duly advertised and noticed hearing on February 25, 2026; and

WHEREAS, no exhibits were marked into evidence during the hearing on February 25, 2026; and

WHEREAS, the Planning Board has determined that the Plan will advance certain goals and objectives of the Municipal Land Use Law and Fair Housing Act, among which are appropriately guiding the use of land and advancing the general welfare, including providing a realistic opportunity for the development of the Borough fair share of the regional need for low and moderate cost housing

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Leonia that it does hereby adopt the Plan.

BE IT FURTHER RESOLVED that the Plan supersedes all prior Housing Element and Fair Share Plans adopted by the Board.

BE IT FURTHER RESOLVED that this Resolution and a copy of the Housing Element and Fair Share Plan that it adopts shall be immediately transmitted to the Borough of Leonia Mayor and Council, with a copy to the Borough Clerk and Borough Administrator, with a recommendation that (1) the Mayor and Council endorse the Housing Element and Fair Share Plan; (2) adopt a resolution endorsing the Housing Element and Fair Share Plan; (3) make such filings as are required under the Fair Housing Act with as are necessary to implement the Borough's Fourth Round plan.

BE IT FURTHER RESOLVED that notice of this adoption shall be given to the Clerks of adjoining municipalities and to the Bergen County Planning Board and Office of Planning Advocacy, with a copy of the Plan as adopted and this Resolution being provided to the Bergen County Planning Board and Office of Planning Advocacy, and by publishing a notice of adoption in the Board's official newspaper.

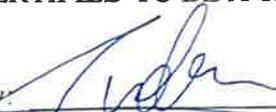
Said Resolution was adopted by the following vote on February 25, 2026:

Moved by: *Mr. Botten*
 Seconded by: *Councilman Hesterbrink*

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Qualified To Vote</u>
Mayor Ziegler				X	
Michael DeGidio, Chairman	X				
Ira Gold, Vice Chairman	X				
Councilman Hesterbrink	X				
Patrick Botten	X				
Timothy Ford	X				
Sean Thompson	X				
Damee Choi	X				
Gilbert Friedman	X				
Haeseok Ko, Alt #1	X				
Rick Pumo, Alt #2					
Bahram Sayari, Alt #3					

CERTIFIED TO BE A TRUE COPY

LEONIA PLANNING BOARD

By: 
 Andreanna Papatheodorou,
 Administrative Secretary to the Planning
 Board

By: 
 Michael DeGidio, Chairman

**AMENDMENT TO THIRD ROUND & FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN
ADOPTED ON JUNE 25, 2025**

BOROUGH OF LEONIA | BERGEN COUNTY, NEW JERSEY

**AMENDMENT TO THIRD ROUND & FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY
THE LEONIA BOROUGH PLANNING BOARD ON JUNE 25,
2025**

ADOPTED BY THE PLANNING BOARD: FEBRUARY 2026

ENDORSED BY THE MAYOR & COUNCIL:

PREPARED BY:



KENDRA LELIE, PP, AICP, LLA
NEW JERSEY PROFESSIONAL PLANNER LICENSE #5537
KYLE + MCMANUS ASSOCIATES
A SIGNED AND SEALED ORIGINAL IS ON FILE WITH THE BOROUGH CLERK

LEONIA BOROUGH PLANNING BOARD

Michael DeGidio, Chair
Ira Gold, Vice Chair
Mayor William Ziegler
Councilman Christoph Hesterbrink
Patrick Botten
Damee Choi
Tim Ford
Haeseok Ko
Sean Thompson
Gilbert Friedman
Ron Pumo
Bahram Sayari

Jaeyoung Jang, P.E., Board Engineer
Daniel Steinhagen, Esq., Board Attorney

LEONIA BOROUGH MAYOR & COUNCIL

Honorable William Ziegler, Mayor
Jordan Zeigler, Council President
Christoph Hesterbrink, Council Member
S. Abraham Ravid, Council Member
Louis Grandelis, Council Member
Diane Scarangella, Council Member
Joanne Choi Terrell, Council Member

Marisa Mesropian, Borough Administrator
Brian Chewcaskie, Esq., Borough Attorney
Jeffrey Surenian, Esq., Borough Special Affordable Housing Counsel

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INTRODUCTION & EXECUTIVE SUMMARY

The changes to the Housing Element and Fair Share Plan adopted by the Planning Board on June 25, 2025 are bold, italicized and underlined.

Since the 1975 New Jersey Supreme Court decision known as “Mount Laurel I”, New Jersey municipalities have had a constitutional obligation to provide opportunities for the creation of low and moderate housing units. This 1975 decision led to a body of case law, legislative changes, and rulemaking by a state agency that, collectively, is now referred to as the “Mount Laurel doctrine”. Through these actions, New Jersey municipalities have been assigned a specific number of affordable housing units that must be created or planned for creation to have “satisfied” their constitutional obligation, commonly referred to as their affordable housing obligation. The purpose of this Third Round and Fourth Round Housing Element and Fair Share Plan is to present how Leonia Borough will satisfy its affordable housing obligation.

Affordable housing in New Jersey is defined as housing units which are reserved for households with incomes not more than 80% of the regional median income. Each affordable unit, with limited exceptions, must remain reserved for very-low-, low-, and moderate-income households for not less than 30 years and it is typically enforced by a deed restriction. Each affordable unit is eligible for one “credit” against the obligation and certain units are eligible for “bonus credits”, which provide more than one credit per unit. In addition to providing the minimum number of credits, municipalities must ensure diversity in the level of affordability – meaning very-low-, low- and moderate-income units – and diversity in the size of affordable units – meaning one-, two- and three-bedroom units.

Participation in this process, and therefore satisfaction of the affordable housing obligation, can be achieved voluntarily or involuntarily. However, our laws heavily incentivize voluntary compliance. Municipalities that do not successfully participate may be vulnerable to “builder’s remedy” litigation. A builder’s remedy is a litigation tool to compel the municipality to include its site in the Fair Share plan. However, to secure such a remedy, the developer must “succeed in litigation”, provide a “substantial” affordable housing set-aside and the developer’s “proposed project” must not clearly violate “sound land use planning”. The Supreme Court’s desire to ensure that developers who provide affordable housing do so in accordance with sound planning, which is a pillar of the Mount Laurel doctrine.

The Planning Board adopted the Fourth Round Housing Element and Fair Share on June 25, 2025. In accordance with the Fair Housing Act as amended in March of 2024 (hereinafter “FHA II”) the Borough filed the Plan with the Affordable Housing Dispute Resolution Program (“Program) on June 26, 2025. Prior to the August 31, 2025 deadline established by FHA II, Fair Share Housing Center (“FSHC”) and High Jump Realty, LLC filed a challenge to the Borough’s application for approval of its plan.

FSHC and High Jump Realty, LLC (“High Jump”) challenged several aspects of the Borough’s HEFSP including the vacant land adjustment, realistic development potential and unmet need mechanisms.

The Program held several mediation meetings between the Borough and FSHC and High Jump where the issues were narrowed to just the unmet need mechanisms.

Those negotiations with FSHC culminated in a Mediation Agreement with FSHC and the Borough and High Jump also negotiated an accord. The Borough is amending its Housing Element and Fair Share Plan to do what it agreed to do in mediation. First, the Borough is utilizing the High Jump site (Block 504, Lots 1 & 2) to satisfy a portion of the Fourth Round "likely to redevelop" Unmet Need obligation. Second, the Borough is making minor modifications to the MX-1 and MX-2 zoning districts within the Grand Avenue, Fort Lee Road and Willow Tree Road Redevelopment Plan regulations. Finally, the Borough is expanding the AH-1 zoning district (Block 1209, Lots 3, 6 & 9) which is the site of a 100% affordable housing project.

Past Affordable Housing Efforts in Leonia Borough

The Borough received Substantive Certification from COAH on October 3, 1990, for the Borough's First Round affordable housing obligation that included a vacant land adjustment which resulted in a zero (0) unit Realistic Development Potential and ten (10) prior cycle credits for the Grandview Meadows condominiums located at 392 Grand Avenue which is a 100% family development. In addition, the Borough implemented a rehabilitation program with Bergen County Home Improvement Program and completed seven (7) units and agreed to commit to funding an additional twelve (12) units under the County program.

The Borough adopted a Second Round Housing Element and Fair Share Plan (HEFSP) on July 1, 1999, and submitted it to COAH requesting Prior Round (combined First and Second Round) Substantive Certification from COAH. On July 16, 2002, COAH granted final Substantive Certification to the Borough's Prior Round Plan recognizing a total obligation of 50 units (19 rehabilitation and 31 new construction) which was satisfied through a seven (7) rehabilitation unit credits, a twelve (12) unit rehabilitation program, ten (10) prior-cycle credits and a 21-unit downward adjustment due to the lack of vacant land. The Prior Round Substantive Certification recognized the Borough's implementation of a three (3) unit 100% affordable family housing for-sale project location on Station Parkway which was attributed to Unmet Need as well as the adoption of a Spending Plan and a Development Fee Ordinance.

Pursuant to Section 10 of the FHA (N.J.S.A. 52:27D-310) the Borough adopted and endorsed a Third Round Housing Element and Fair Share Plan in June 2022 to address a Third-Round rehabilitation obligation of 77 units and a Third Round new construction obligation of 212 units. However, a developer filed a builder's remedy suit before the Borough filed that plan with the Court and sought immunity. In the suit the developer proposed a project for 120 units substantially out of character with the surrounding neighborhood in which the parcel is located. The Borough found itself subject to a builder's remedy lawsuit as a result of an unfortunate misstep in a history of continuous voluntary municipal compliance.

As described in this Plan, the Borough has provided a considerable amount of affordable housing over the past 35 years with over 125 affordable housing units constructed and proposes to address the Fourth Round obligation with significant meaningful affordable housing opportunities despite the scarcity of land. The Borough will seek approval of this Housing Element and Fair Share.

DEFINING THE OBLIGATION

As a result of the evolution of the State’s affordable housing laws, the fair share affordable housing obligation consists of a rehabilitation component (present need) and a new construction component (prospective need). The NJ State Department of Community Affairs (DCA) has recently identified the rehabilitation and prospective need obligation and the Amended Fair Housing Act (FHA) entitles municipalities to adjust that obligation based upon COAH standards. The new construction component consists of the Prior Round obligations, the Third Round obligation and the Fourth Round obligation, which is currently being determined. If there is a lack of sufficient land to meet the new construction obligation, a municipality is entitled to rely on COAH regulations to adjust the new construction obligation downward pursuant to *N.J.S.A 52:27D- 311 (m)*. The adjusted number is known as the realistic development potential (RDP). The RDP represents the portion of the new construction affordable housing obligation that can theoretically be addressed with inclusionary development (defined as a mix of market and affordable units) on lots identified as being suitable in the Vacant Land Analysis (“VLA”). The portion of the new construction obligation for which there is insufficient land is known as the “unmet need”. The unmet need is calculated as the difference between the total obligation and the RDP.

With this overview , the Borough’s obligations can be summarized as follows:

Rehabilitation Obligation: 68 units

The rehabilitation obligation can be defined as an estimate of the number of deteriorated housing units existing in Leonia Borough occupied by low- and moderate-income households. The DCA issued a report on October 18, 2024 wherein it identified the Borough’s rehabilitation obligation as 68.

Prior Round Obligation (Rounds 1 and 2): 31 units adjusted to 0

The Prior Round obligation can be defined as the cumulative 1987 through 1999 new construction affordable housing obligation. COAH defined the Borough’s Prior Round obligation as 31 and determined that the land-poor municipality was entitled to adjust this obligation based upon lack of adequate vacant developable land leaving the Borough with a zero (0) new construction obligation.

Third Round Obligation: 212 units

The Third Round obligation can be defined as the cumulative 1999 through 2025 new construction affordable housing obligation. This includes the “gap present need” from 1999 through 2015 and the “prospective need” from 2015 through June 30, 2025 according to a trial court opinion

authored by Judge Jacobson and referenced in the Amended FHA . See In the *Matter of the the Application of Princeton et al Docket No L-1550-15*.

Fourth Round Obligation: 99 units

The Fourth Round obligation can be defined as the cumulative July 1, 2025, through June 30, 2035, new construction affordable housing obligation. The October 18, 2024 DCA Report identified the Borough's Fourth Round prospective need obligation as 104 and the DCA invited municipalities to determine if it was overinclusive in the sites it regarded as developable. The Borough accepted that invitation and demonstrated that the DCA was overinclusive and that when this over-inclusiveness was adjusted, its Fourth Round prospective need obligation is 97.

The New Jersey Builder's Association (NJBA) filed an objection to the Borough's adoption of the recalculated obligation. In accordance with the Amended FHA, the Affordable Housing Dispute Resolution Program ("Program") held mediation sessions between the parties and as a result of the mediation process provided by the Program, the parties agreed to a prospective need obligation of 99 units. The Settlement Agreement was executed on April 15, 2025 by the Borough and NJBA, recommended by the Program on March 28, 2025 and ordered by the Superior Court Judge on May 19, 2025.

The Vacant Land and Realistic Development Potential Analysis

The Borough petitioned the Council on Affordable Housing (COAH) for the First Round substantive certification and on March 19, 1990, COAH certified the Borough's Housing Element and Fair Share Plan for the First Round. COAH found that the Borough was entitled to adjust its new construction obligation to zero based upon the lack of vacant developable land. On July 16, 2002, COAH certified the Borough's Housing Element and Fair Share Plan for Round 2. Again, COAH found that the Borough had no new construction obligation and that it had satisfied its unmet need by adopting a development fee ordinance and adopting a spending plan. Under COAH Third Round regulations, the Borough is entitled to rely on its prior vacant land adjustment. N.J.A.C. 5:97-5.1 (d). Although COAH was abolished in April of 2024 by N.J.S.A. 52:27D-304.1, the Borough is entitled to rely on COAH's Third Round regulation since it has not been contradicted by statutory amendment or a binding court decision. N.J.S.A. 52:27D-311(m).

The Amended FHA permits municipalities to rely on COAH regulations that do not contradict the FHA or a binding court decision. COAH regulations recognized that a municipality that spent the time and effort to secure a vacant land adjustment should not be required to do that analysis again:

COAH regulations N.J.A.C. 5:97-5.1 (d): A vacant land adjustment that was granted as part of a first round certification or judgment of compliance shall continue to be valid provided the municipality has implemented all of the terms of the substantive certification or judgment of compliance, and received or petitioned to the Council for second round substantive certification or was under the Court's jurisdiction for second round. If the

municipality failed to implement the terms of the substantive certification or judgment of compliance, the Council may reevaluate the vacant land adjustment.

As noted, COAH determined that the Borough had an RDP of zero (0) when it certified the Borough’s plan in the First Round and did not disturb that determination when it certified the Borough’s obligation in Second Round (Prior Round). Indeed, COAH found that the Borough satisfied its unmet need by adopting a development fee ordinance, a Spending Plan and approving three (3) 100% affordable townhomes on Station Parkway.

Since the Borough lacked sufficient land to satisfy its Prior Round Obligation of 31, it obviously lacked sufficient land to satisfy the additional 212 obligation imposed in the Third Round. The Borough’s continued entitlement to a vacant land adjustment for the 99-unit Fourth Round obligation is also assumed to be valid.

While the Borough might have relied on COAH policies to pursue an RDP of zero (0) as permitted by COAH regulations and while the Borough reserves the right to revisit the RDP calculation should that be deemed necessary or desirable, the Borough undertook a current vacant land analysis which supports an RDP of 18 as shown in the Table below.

Table 1: Sites Generating RDP						
Sites	Block / Lot	Address	Acres	Density (du/acre)	Total units	RDP
Vacant Land Suitable For Inclusionary Development						
1	1501/22,23,24	106-108 Grand Avenue	3.04 gross 1.11 net	27	30	6
2	503/24,25	Schor Avenue	0.29 gross 0.25 net	19	5	1
3	1203/4	326 Grand Avenue	0.53 gross 0.53 net	26	14	3
4	1213/3&4	266 Grand Avenue	0.98 gross 0.98 net	20	20	4
5	1501/26	Oakdene Avenue	3.9 gross 1.0 net	20	20	4
Total						18

Significantly, 13 of the 18 RDP unit obligation set forth above is attributable to the Borough’s proactive efforts to provide inclusionary zoning through an aggressive overlay district on Block 1501, Lots 22, 23 and 24, the encouragement of redevelopment at appropriate densities on Block 1213, Lots 3 and 4 and the redevelopment Planning Board approval of Block 1203, Lot 4. While the effect of attributing an RDP to sites used to create affordable housing is to impose a burden on a commendable municipality being proactive, even still this plan satisfies the 18 RDP and creates a significant effort in addressing the unmet need as further explained below.

Unmet Need Determination

The Borough's vacant land adjustment resulted in a combined Third Round and Fourth Round RDP and unmet need as follows:

- RDP:18
- Unmet Need: 293

Since different standards apply to the Fourth Round Unmet Need obligation than to obligations for prior rounds, this plan will discuss those standards when discussing how to satisfy them below.

AFFORDABILITY REQUIREMENTS

Affordable housing is defined under New Jersey's FHA as a dwelling, either for sale or rent, that is within the financial means of households of very-low-, low-, or moderate-income, as is measured within each housing region. Leonia Borough is in Region 1, which includes Bergen, Hudson, Passaic and Sussex counties. Moderate-income households are those with annual incomes greater than 50%, but less than 80% of the regional median income. Low-income households are those with annual incomes that are 50% or less than the regional median income. Very-low-income households are a subset of "low-income" households and are defined as those with incomes 30% or less than the regional median income.

The Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.3(d) and (e) requires that the maximum rent for a qualified unit be affordable to households with incomes 60% or less than the median income for the region. The average rent must be affordable for households with incomes no greater than 52% of the median income. The maximum sale prices for affordable units must be affordable to households with incomes 70% or less than the median income. The average sale price must be affordable for a household with an income of 55% or less than the median income.

The regional median income is defined by using the federal income limits established by Department of Housing and Urban Development (hereinafter "HUD") on an annual basis. In the spring of each year, HUD releases updated regional income limits. It is from these income limits that the rents and sale prices for affordable units are derived. Said income limits post Mount Laurel IV are now set by Court Order.

Late in December 2024, the New Jersey Housing and Mortgage Finance Agency (HMFA) adopted regulations on an emergent basis that modify the UHAC regulations discussed above. The HMFA will eventually adopt the regulations through the standard non-emergent procedures to adopt regulations. This will give the public an opportunity to comment which typically results in further changes to rules that agencies, like HMFA, proposed. As a result of the foregoing, changes to rules described above are likely and this section may need to be updated.

For 2025, New Jersey Housing and Mortgage Finance Agency (NJHMFA) updated income limits for all housing regions in New Jersey. See Table 1 for 2025 income limits for Region 1.

Table 2: 2025 Income Limits for Region 1					
Household Income Levels	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5-Person Household
Moderate	\$71,280	\$81,440	\$91,600	\$101,760	\$109,920
Low	\$44,550	\$50,900	\$57,250	\$63,600	\$68,700
Very Low	\$26,730	\$30,540	\$34,350	\$38,160	\$41,220
<i>Source: 2025 Income Limits prepared by NJHMFA.</i>					

HOUSING ELEMENT AND FAIR SHARE PLAN

This Third Round Housing Element and Fair Share Plan has been prepared to supersede and replace the June 2022 Fair Share Plan adopted by the Planning Board on June 22, 2022, and endorsed by the Borough Council on July 18, 2022. As noted, while the plan was adopted and endorsed, the Borough did not submit the plan to Superior Court under a Declaratory Judgment Action and therefore did not have immunity from builder’s remedy lawsuits. On May 30, 2023, only after the adoption and endorsement of the June 2022 Fair Share Plan, CPC Aquista LLC (CPC) filed a builder’s remedy lawsuit. This Third Round Fair Share Plan includes the CPC site as a mechanism to address the Borough’s affordable housing obligation, updates the Vacant Land Analysis and Realistic Development Potential and Unmet Need obligations and provides for an affordable housing fair share plan for all four rounds in accordance with applicable law.

The Third Round Compliance Process

On March 10, 2015, the New Jersey Supreme Court issued a ruling on the Motion In Aid of Litigant’s Rights (In re Adoption of N.J.A.C. 5:96 & 5:97, 221 N.J. 1, aka “Mount Laurel IV”). This long-awaited decision provided a new direction for how New Jersey municipalities are to comply with the constitutional requirement to provide their fair share of affordable housing. The Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges. The implication of this is that municipalities could no longer wait for COAH to adopt Third Round rules before preparing new Third Round housing elements and fair share plans and municipalities had to apply to the Courts, instead of COAH, if they wished to be protected from exclusionary zoning lawsuits. These trial judges, with the assistance of an appointed Special Adjudicator to the Court, review municipal plans in accordance with the established COAH regulations.

While the New Jersey Supreme Court’s decision set a process in motion for towns to address their Third Round obligations, it did not assign those obligations. Instead, it ordered the trial courts to determine the

obligation. However, the New Jersey Supreme Court did direct that the method of determining municipal affordable housing obligations were to be “similar to” the methodologies used in the First and Second Round rules. Additionally, the Court stated that municipalities should rely on COAH’s Second Round rules (N.J.A.C. 5:93) and certain components of COAH’s 2008 regulations that were specifically upheld, as well as the Fair Housing Act (N.J.S.A. 52:27D – 301 et seq.), in their preparation of Third Round housing elements and fair share plans. This plan is prepared in response to and in compliance with the March 10, 2015, New Jersey Supreme Court decision.

After Mount Laurel IV, municipalities could no longer seek substantive certification from COAH. Instead, those municipalities sought the judicial equivalent of substantive certification by seeking a Judgment of Compliance and Repose from the Superior Court.

The trial judges that approved Housing Element and Fair Share Plans pursuant to the procedures established by the Supreme Court in Mount Laurel IV awarded the municipalities a Judgment of Compliance and Repose which gave municipalities immunity from exclusionary zoning litigation, including builder’s remedy litigation, for the remaining portion of the third round, which ends on July 1, 2025.

The Fourth Round Compliance Process

On March 20, 2024, Governor Murphy signed an amendment to the Fair Housing Act into law (“Amended FHA”) that created new procedures and laws. Pursuant to the Amended FHA, by January 31, 2025, municipalities must adopt a “binding resolution”; and file a declaratory relief lawsuit with the Court and “the Program” that includes the binding resolution within 48 hours from the adoption of the binding resolution. In addition, the municipality must publish the resolution on a publicly accessible internet website and the municipal website. In addition, the municipality must file a Housing Element and Fair Share Plan with the Court and Program by June 30, 2025 and comply with a series of other requirements.

The Borough is taking the first step required by the Amended FHA by adopting the binding resolution and filing the declaratory relief action to establish the Fourth Round obligation. The Borough and the Planning Board will continue to comply with applicable law.

The Housing Element and Fair Share Plan

In accordance with the Fair Housing Act (as amended) this Housing Element and Fair Share Plan include the following:

- a. An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality’s housing stock, including the probable future construction of low and moderate income housing for the next ten (10) years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development of lands;

- c. An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age; and
- d. An analysis of the existing and probable future employment characteristics of the municipality.
- e. A determination of the municipality's present and prospective fair share of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing; and
- f. A consideration of the lands most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to providing low and moderate income housing.
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20)
- h. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

Items (a) through (d) are included as an appendix item and items (e) through (h) are included in the body of this Fair Share Plan.

Consideration of Affordable Housing Options

As part of this Plan, the Borough has considered land that is appropriate for the construction of low- and moderate-income housing.

Two developers approached the Borough with prospective inclusionary housing development proposals.

CPC Aquista LLC (CPC), a developer, initially presented an inclusionary multi-family development on Block 1213, Lots 3 and 4 to the Borough Planning Board in 2021 after the Borough Council delegated the Planning Board to provide an initial analysis of the project and to determine if the project was appropriate for the subject parcel. In consideration of the proposed inclusionary development, the Planning Board reviewed the initial concept plan presented and provided feedback related to the excessive height of the building, the large quantity of units, massing and scale of the development indicating that the building was too tall, out of character for the neighborhood, and therefore not suitable for the subject parcel and it did not promote sound land use planning. At the same time, the Planning Board recommended that the site in question be designated as an area in need of redevelopment after the Borough Council adopted a resolution directing the Planning Board to undertake a study pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. CPC Aquista, LLC, filed a builder's remedy lawsuit in May 2023 in which it proposed a 120 unit project on a 0.98-acre parcel equating to a density of 122 dwelling units per

acre, which represents more than a 900% increase as compared to the surrounding residential density which is approximately ten (10) dwelling units per acre. Ten (10) dwelling units per acre is also the minimum presumptive density that the COAH regulations support for economically feasible multi-family housing projects.

However, the Borough and the Planning Board recognize that a multi-family development, albeit a less intense inclusionary development on the CPC parcel is appropriate, provided the project would respect the character of the surrounding neighborhood with building height and mass that is compatible to the surrounding single family and multi-family dwellings, and provides for adequate setbacks, building step-backs and buffers to the adjacent low density residential dwellings, preserves significant mature trees on the property that are a hallmark and distinguishing character of the Leonia and reduces the intensity of future traffic generation which will protect public safety and welfare. The Borough has as part of this Fair Share Plan included the subject parcel as a component of addressing the Borough's Third Round prospective need at a density of 20 units per acre.

As part of this HEFSP, the Borough has considered land that is appropriate for the construction of low- and moderate-income housing. Although the Borough has limited available and developable land, the Borough successfully satisfied its affordable housing obligation using the vacant land adjustment process and a variety of zoning mechanisms that have or will create low- and moderate-income housing.

In addition to considering vacant land for the creation of affordable housing, the Borough has amended its zoning ordinances to create an overlay zone that creates low- and moderate-income housing opportunities and will contribute toward the Borough's unmet need. Additionally, the Borough adopted the mandatory set-aside ordinance which ensures unforeseen opportunities for affordable housing are captured. The existing mandatory set-aside ordinance was updated in May 2025 to capture additional opportunities for affordable housing.

The second developer, High Jump Realty, LLC, requested consideration of a parcel located at 517 Grand Avenue to be included in the Borough's 4th Round HEFSP in a letter dated March 10, 2025. The developer is proposed a six (6) story building with 64 total units including thirteen (13) affordable housing units on the subject parcel, known as Block 504, Lots 1 & 2, which is 0.81 acres. The lot is located in the Single Family Dwelling (A-3) zoning district with provides for a maximum density of eight (8) dwelling units per acre. The proposed inclusionary density the developer is seeking is 79 dwelling units per acre, almost 10 times what is permitted in the A-3 zoning district. The Borough was not inclined to include the proposed project at this density as it is violates sound planning principles and is grossly out of character with the surrounding neighborhood in terms of density, height and building mass.

High Jump Realty, LLC challenged several aspects of the Borough's HEFSP including the vacant land adjustment, realistic development potential and unmet need mechanisms. The Program held several mediation meetings between the Borough and High Jump where the issues were narrowed to just the unmet need mechanisms. As a result of negotiations with High Jump, there was a substantial reduction in the number and type of units proposed for the subject parcel. The Borough is amending its Housing Element and Fair Share Plan to permit twelve (12) townhomes of which two (2) units shall be affordable to low and moderate income households and the developer shall make an in-lieu payment for 0.4 units.

The Borough believes that the projects that exist and are proposed in this Fair Share Plan represent the best options for affordable housing in the Borough. The mechanisms within this Third Round Fair Share Plan satisfy the Borough's affordable housing obligation as adjusted through an updated Vacant Land Analysis. While the Borough recognizes that developers may, in the future, present sites that possess characteristics that could lend themselves to affordable housing development, additional sites are not needed to satisfy the obligation at this time. Additionally, the Borough may consider appropriate sites or projects in the future for an inclusionary or 100% affordable housing project. The progressive efforts of this community to provide affordable housing within the bounds of sound planning provide a solid basis for the consideration of responsible proposals.

Satisfaction of the Affordable Housing Obligation

The Borough is addressing its affordable housing obligation through a rehabilitation program to address its rehabilitation obligation and through a variety of mechanisms that include existing affordable units, proposed inclusionary housing through redevelopment plans, 100% affordable housing and overlay zones to address the new construction obligation.

Rehabilitation Obligation

Leonia Borough's rehabilitation obligation (present need) is 68 units. The rehabilitation obligation is not cumulative but is a recalculation based on the most recent census data. As such, the Borough is addressing the 68-unit rehabilitation obligation through a municipally run rehabilitation program. The Borough will create a Borough Rehabilitation Program to provide funding to income-eligible homeowners and/or landlords to repair major systems in their home or rental property. All rehabilitated units will comply with the definition of a substandard unit in N.J.A.C. 5:93-5.2(b), which states, "a unit with health and safety code violations that require the repair or replacement of a major system."

Major systems include weatherization, roofing, plumbing, heating, electricity, sanitary plumbing, lead paint abatement and/or load bearing structural systems. All rehabilitated units shall meet the applicable construction code. Additionally, all rehabilitated units shall be occupied by very-low, low- or moderate-income households and subject to 10-year affordability controls, which shall be placed on the property in the form of a lien or deed restriction. The average hard cost for the rehabilitation of a major system will be at least \$10,000.

Realistic Development Potential

The Borough is addressing an RDP obligation of 18 units with a mix of unit types within existing, approved and proposed projects throughout the Borough.

Sima Development (Approved) – 3 family rental units and 3 rental bonus credits

On December 13, 2022, the Borough Planning Board approved a 14-unit family rental project of which three (3) units will be deed restricted for low- and moderate-income individuals and families on Block 802, Lot 16 located at 131 Fort Lee Road. The three (3) affordable family rental units shall consist of one (1) three-bedroom unit and two (2) two-bedroom units. These affordable units will comply with the income limits in the Uniform Housing Affordability Control regulations, N.J.A.C. 5:80, and the affirmative marketing requirements imposed by the Borough of Leonia's ordinances.

Grandview Meadows Extension of Controls (Proposed) – 10 family credits

Grandview Meadows is an existing development of ten (10) family condominium units located at 392 Grand Avenue (Block 802, Lot 6), which received prior cycle credits from the Council on Affordable Housing (COAH). The bedroom distribution for development includes five (5) three-bedroom units and five (5) two-bedroom units. A 40-year deed restriction was placed on the units. The Borough will extend the expiring controls for a minimum of thirty (30) additional years beginning on June 25, 2025.

Jewish Association for Developmental Disabilities (J-ADD) Group Home (Existing)

5 Supportive and Special Needs Bedroom credits and 2 rental bonus credits

This supportive and special needs home is located at 128 Palisade Avenue (Block 1205, Lot 25) and contains five (5) bedrooms for intellectually challenged individuals. J-ADD purchased the home in 1998 and the affordability controls are effective for 30 years as of August 31, 1999.

Leonia Retirement Housing (Existing) – 4 of 108 Senior Rental units

This project, located at 270 Glenwood Avenue (Block 901, Lot 7) consists of two phases. The first phase includes 75 units. There are 61 one-bedroom units and 14 studio apartments within this first phase. 20% of the units are available for moderate income individuals, 40% (at least 30 units) are available to very-low-income individuals and the remainder are available to low-income individuals. An initial 50-year deed restriction was placed on the property evidenced by the initial land lease between the Borough of Leonia and Leonia Retirement Housing Corporation. The lease and deed restriction were extended an additional 25 years via Ordinance #21-08 ending in 2054.

The second phase of the development includes 33 one-bedroom units. This phase was financed with low-income tax credits, HUD 202 subsidy funds and HOME funds and is deed restricted for 60 years. All units are available to low-income individuals. The Borough is claiming 4 age-restricted rental credits toward the RDP and 77 units toward the Unmet Need (Third Round 48 units (194 x 0.25) and Fourth Round 29 units (97 x 0.30). The remainder 31 units will be surplus credits toward a future round of affordable housing.

100% Affordable Housing Project (Proposed) – 5 family rental units and 2 single family dwellings

The Borough owns two (2) lots, Block 1209, Lots 3 (0.109 acres) and 6 (0.115 acres) located along the west side of Grand Avenue ***and has agreed to purchase Lot 9 (0.172 acres)*** located along the east side of Spring Street. The Borough will work with a non-profit developer to provide ***for five (5) family rental units on Lot 6 and two (2) attached single family dwellings on Lot 3 and parking to support both lots on Lot 9.*** The site provides for a realistic opportunity for affordable housing in compliance with COAH's Prior Round rules at N.J.A.C. 5:93-1.3 and N.J.A.C. 5:93- 5.5 for municipally sponsored and 100% affordable programs. The specific regulations are addressed below:

- ✓ Site Control – The Borough owns the sites and will convey the parcels to a non-profit developer of affordable housing.
- ✓ Suitable Site – The sites are suitable as defined in COAH's regulations at N.J.A.C. 5:93-1.3, which indicates that a suitable site is one in which it is adjacent to compatible uses, has access to appropriate streets and is consistent with environmental policies in N.J.A.C. 5:93-4.
 - *The sites have a clear title and are free of encumbrances that preclude development of affordable housing.* To the Borough's knowledge, the sites have a clear title and no legal encumbrance that would preclude their development for affordable housing.
 - *The sites are adjacent to compatible land uses and have access to appropriate streets.* The sites are surrounded by single-family dwelling units.
 - *Adequate sewer and water capacity are available.* The sites are within the Bergen County Utility Authority's sewer service area. According to the Borough Engineer, both water and sewer infrastructure and capacity are available.
 - *The sites can be developed in accordance with R.S.I.S.* Development of the sites will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq.
 - *The sites are located in a "Smart Growth Planning Area."* The sites are located in PA1 (Metropolitan Planning Area) which is the preferred location for redevelopment for compact growth. The development of the sites is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into

existing “centers” where infrastructure can support the development and support services such as open space, retail shopping, public transportation, schools are within walking distance.

- *The location of the sites as it relates to a Regional Planning Agency or CAFRA.* The sites are located outside of the Pinelands, Highlands and Meadowlands planning areas.
 - *The sites will comply with all applicable environmental regulations.* There are no wetlands, floodplains or Category One streams present on the sites.
 - *The sites will not affect any historic or architecturally important sites and districts.* There are no historic or architecturally important sites or buildings on the parcels or in the immediate vicinity that will affect the development of affordable housing.
- ✓ Developable Site – In accordance with N.J.A.C. 5:93-1.3, a developable site has access to appropriate sewer and water infrastructure and is consistent with the areawide water quality management plan. The sites are in the Bergen County Utility Authority’s sewer service area and water and sewer mains exist on Grand Avenue and Spring Street. The Borough Engineer confirmed that the Borough’s sewer and water system has sufficient capacity to accommodate the multi-family residences.
 - ✓ Approvable Site – Pursuant to N.J.A.C. 5:93-1.3, an approvable site may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. The sites are approvable and will be developed in accordance with Borough, County and State regulations.
 - ✓ Administrative Entity – The Borough will enter into an agreement with an experienced Administrative Agent to administer the Borough’s affordable housing units pursuant to COAH’s regulations. For the proposed Third Round affordable units, the Borough’s Administrative Agent or the developer of the 100% project will affirmatively market the units, income qualify applicants, place 30-year affordability control deed restrictions on the units and provide long-term administration of the units in accordance with COAH’s rules at N.J.A.C. 5:93 et seq. and UHAC per N.J.A.C. 5:80-26.1, or any successor regulation, with the exception that in lieu of 10% affordable units in rental projects being required to be at 35% of median income, 13% of affordable units in such projects shall be required to be at 30% of median income.
 - ✓ Low/Moderate Income Split – At least half of all the affordable units developed at the sites will be affordable to low-income households (13% of all affordable units will be very low-income) and an odd number of affordable units will always be split in favor of the low-income unit per UHAC at N.J.A.C. 5:80-26.1.

- ✓ Affirmative Marketing – The Borough’s Administrative Agent or the developer of the 100% projects will affirmatively market the units in accordance with UHAC per N.J.A.C. 5:80-26.1.
- ✓ Controls on Affordability – The Borough’s agreement with the developer of the sites will require a minimum 30-year affordability control deed restrictions on the units in accordance with N.J.A.C. 5:93 et seq. and N.J.A.C. 5:80-26.1.
- ✓ Bedroom Distribution – The units controlled by the developer of the 100% projects will be required to be developed in accordance with UHAC requirements regarding bedroom distribution in accordance with N.J.A.C. 5:80-26.1.
- ✓ Funding – The Borough and the developer will execute an agreement that in exchange for a deed restriction of at least 30 years, the Borough will provide the parcels as a municipal contribution toward the construction of the affordable housing development projects. The developer will also look to potential funding from sources including but not limited to DCA Balanced Housing funds, Bergen County HOME funds, Federal Home Loan Bank funds, and/or HMFA bond financing. The Borough will adopt a resolution of intent to bond for any shortfall in funding the Municipally Sponsored Affordable Housing Construction Program.
- ✓ Construction Schedule – The Borough anticipates the beginning of construction to occur prior within 2 years of the Certificate of Compliance from Superior Court.

Table 3: Satisfaction of the Third Round 18 Unit RDP					
Program	Unit Type	Status	Units	Bonus Credits	Total Credits
Sima Development	Family For Rent	Approved	3	3	6
J-ADD	Supportive and Special Needs Bedrooms	Existing	5	2	7
Grandview Meadows	Family For Sale Extensions of Control	Existing	10	0	10
Leonia Retirement Housing	Senior For Rent	Existing	4 of 108	0	4
100% Municipally Sponsored	Grand Avenue <i>and Spring Street</i>	Proposed	<u>5</u>	<u>0</u>	<u>5</u>

Table 3: Satisfaction of the Third Round 18 Unit RDP					
Program	Unit Type	Status	Units	Bonus Credits	Total Credits
	Family For Rent				
100% Municipally Sponsored	Grand Avenue Family For Sale	Proposed	2	0	2
Total			<u>29</u>	5	<u>34</u>
Surplus Credits		<u>16</u> units toward Unmet Need			

Affordable Housing Micro-Requirements

In addition to meeting the total 18-unit RDP, the Borough must also meet a rental obligation, total family unit obligation, the very low-income obligation and not exceed the maximum senior unit cap.

Minimum Rental = 5 units

.25 (RDP) = 5 units | .25 (18) = 4.5, rounded up to 5

This obligation is satisfied with **13** credits associated with the Sima Development (3), J-ADD (5) and 100% Affordable Housing Grand Avenue Rental Project **(5)**.

Maximum Senior = 4 units

.25 (RDP) = 4 units | .25 (18) = 4.5, rounded down to 4

The Borough does not exceed the overall maximum senior units permitted.

Minimum Family = 7 units

.50 (RDP – the bonus credits) = 7 units | .50 (18-5 =13) = 6.5 rounded up to 7

This obligation is satisfied with **20** credits associated with the Sima Development (3), Grandview Meadows Extension of Controls (10), 100% Affordable Housing Grand Avenue Family Rental **(5)** and 100% Affordable Housing Grand Avenue Family For-Sale **(2)**.

Minimum Family Rental: 4 units

.50 (7) = 4 units | .50 (7) = 3.5 rounded up to 4

This obligation is satisfied with **8** credits associated with the Sima Development (3) and the 100% Affordable Housing Grand Avenue Family Rental **(5)**.

Minimum Very Low Income = 2 units

.13 (units created or approved on or after July 1, 2008) = 2 unit | .13 (9) = 1.17

This obligation is satisfied with 2 credits associated with 100% Affordable Housing Grand Avenue project (2).

Addressing Third Round Unmet Need

The RDP of 18 is subtracted from the Third Round Obligation of 212 units, resulting in an Unmet Need of 194 units. The Borough is utilizing an existing overlay district (5), surplus credits from the Leonia Retirement Housing project (48), surplus credits from the RDP (15) and a proposed Redevelopment Plan for Block 1213, Lots 3 and 4 (266 Grand Avenue – the CPC parcel) (4). In addition, the Borough will update the Mandatory Setaside Ordinance and Affordable Housing Ordinance as needed.

Surplus Credits from RDP: 16 units***Existing Overlay District (AH-2): 5 units***

The Borough adopted Ordinance 2023-10 which implements an affordable housing overlay district (AH-2) on Block 1501, Lots 22, 23 and 24 located on Grand Avenue. The ordinance permits multi-family dwellings at a density of 27 units per acre. There is approximately one (1) acre of uplands on the parcel and with a 20% setaside of affordable housing required, a minimum of five (5) affordable housing units may be realized.

Leonia Retirement Housing: 48 units

The Borough is claiming 4 age-restricted rental credits toward the RDP and 77 units toward the Unmet Need (Third Round 48 units (194 x 0.25) and Fourth Round 29 units (97 x 0.30). The remainder 31 units will be surplus credits toward a future round of affordable housing.

Block 1213, Lots 3 and 4 (CPC site) (Proposed): 4 units

The developer brought a builder's remedy suit. The developer and Borough are negotiating a settlement in the context of that suit for an inclusionary development. The settlement of that suit

will generate an RDP for the site that shall be satisfied by the zoning for that site. Nothing in the lawsuit the Borough filed shall be impacted by the lawsuit the Borough filed in January pursuant to FHA II.

Mandatory Set-aside Ordinance

The Borough adopted a mandatory set-aside ordinance that requires, where via use variance, rezoning, or redevelopment, the Borough permits multi-family residential housing with 5 units or greater at a density greater than otherwise permitted compared to the existing zoning permitted, than an affordable housing set-aside will be imposed on the development. The Ordinance was updated to capture all residential housing proposals of 5 units or more regardless of the existing zoning permitted density and will require a 20% set-aside for the affordable units. Fractional affordable unit requirements shall be rounded up to a whole integer. All affordable units shall be restricted, regulated and administered consistent with the Borough's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). This shall include but is not limited to income distribution, bedroom distribution, and phasing.

Addressing the Fourth Round Obligation

Fair Housing Act Amendments

The 2024 Fair Housing Act (FHA) was signed into law in March 2024. The amendments made to the 2024 FHA govern how the municipal fair share obligations are established and satisfied. A few of the noteworthy changes include the following:

- The Department of Community Affairs (DCA) using the FHA methodology computes an advisory fourth round present (rehabilitation) and prospective need (new construction) obligation.
- The Affordable Housing Dispute Resolution Program (Program) will administer the review, dispute resolution and approval of the Housing Element and Fair Share Plans submitted. However, the Program recently published new administrative rules requiring municipalities to file a Declaratory Judgment action to Superior Court once a municipality adopts their Fourth Round affordable housing obligation. It would appear that the process for review, dispute resolution and approval would move through a judicial and administrative process.
- Each municipality must adopt a binding resolution committing to a present need, also known as the rehab obligation, and to the its Fourth Round prospective need obligation by January 31, 2025.

- The deadline for the submission of a Fourth Round Housing Element and Fair Share Plan to the Program is June 30, 2025. If a municipality does not meet this deadline, the municipality may be open to a builder's remedy lawsuit. The Fourth Round runs from July 1, 2025, to June 30, 2035.
- An overview of the general requirements of the law are as follows:
 - ✓ Third Round Assessment: A municipality shall include an assessment of meeting the Third Round obligation and determine if there is a deficit or surplus that must be addressed.
 - ✓ Unused/Underutilized Property: A municipality must consider converting or redevelopment of this type of property when planning for location of affordable housing.
 - ✓ 25% of affordable units have to be rental housing units and half of those have to be available to families with children.
 - ✓ 50% of the municipality's prospective need (exclusive of any bonus credits) have to be available to families with children.
 - ✓ Transitional Housing: Municipalities can now count affordable housing credits from transitional housing, but towards no more than 10 percent of the municipality's fair share obligation.
 - ✓ Age-Restricted Units: 30% of a municipality's prospective need (exclusive of any bonus credits) can be age restricted.
 - ✓ Extension of Expiring Controls is a permitted mechanism credit if affordability controls are extended for a new term of affordability provided that the minimum extension term may be limited to no less than 20 years as long as the original and extended term, in combination, total at least 60 years. Any 100 percent affordable rental property shall have a right to extinguish a deed restriction regardless of original length, beginning 30 years following the start of the deed restriction, provided a refinancing or rehabilitation, or both, for the purpose of preservation is commenced and that a new deed restriction of at least 30 years is provided.
 - ✓ Adaptability Requirements/Possible Loss of Immunity: If affordable units do not properly comply with adaptability and barrier free requirements, the municipality "shall lose its immunity to builder's remedy lawsuits."
 - ✓ Loss of Immunity and Trust Fund: If a municipality loses immunity, the municipality is prohibited from expending trust funds.
 - ✓ Affordability controls for rental units shall be a minimum of 40 years and for for-sale shall be a minimum of 30 years.
- Bonus credits for affordable housing have been updated as follows:
 - Bonus credits are limited:
 - No more than one type of credit for any unit
 - No more than 25% of the obligation shall be bonus credits
 - One Full Bonus Credit
 - Supportive and Special Needs Bedroom

- Market to Affordable Unit which includes municipal site control of the property or an agreement between the municipality and the landowner
- Half Bonus Credit
 - Partnership with a non-profit developer
 - The affordable housing units are within ½ mile of transit (rail, bus)
 - Age restricted units are limited to 10% of the age-restricted units provided the age-restricted unit total is capped at 30% of the obligation
 - Three Bedrooms units above the required three-bedroom distribution (min. 20%)
 - Redevelopment for units on land that is within a redevelopment zone
 - Extension of affordability controls on rental housing only and the municipality funds the cost for the preservation
 - 100% Affordable Projects: Units within 100% affordable housing project provided the municipality provide the land or a minimum of 3% of the project costs
 - Very Low-Income units above the 13% required

Fourth Round Obligation

Due to limited vacant and developable land that is within the Borough's land use jurisdiction, the Borough qualifies for a vacant land adjustment. The Borough performed a vacant land analysis and because the Realistic Development Potential associated with the qualifying vacant parcels is addressed in the Third Round Fair Share Plan, the Fourth Round RDP shall be zero (0). The remaining obligation is known as the Fourth Round Unmet Need.

The Amended FHA requires a municipality that receives an adjustment of the prospective need to identify sufficient parcels that are likely to redevelop during the fourth round to address 25 percent of the "adjusted number" with realistic or meaningful zoning. While the plain reading of the Amended FHA could mean that the "adjusted number" is RDP then the Borough would have a zero (0) obligation toward this requirement because the Fourth Round RDP is zero (0). In any event, the Borough is addressing its unmet need (99 units) as provided below.

Addressing Fourth Round Unmet Need

Unmet Need: 99

Leonia Retirement Housing (Existing) : 29 units surplus units

The Borough is claiming 4 age-restricted rental credits toward the RDP and 77 units toward the Unmet Need (Third Round-48 units (194 x 0.25) and Fourth Round-29 units (97 x 0.30). The remainder 31 units will be surplus credits toward a future round of affordable housing.

Redevelopment Plan (Adopted)

The Borough adopted a redevelopment plan (Grand Avenue, Fort Lee Road and Willow Tree Road Redevelopment Plan) for several areas within the Borough that were found to be in need of redevelopment and established the Mixed Use 1 (MX-1) and Mixed Use 2 (MX-2) zoning districts that encompass approximately 28 acres. These zoning districts permit multi-family dwellings as part of a mixed-use development on lots that are either located on Fort Lee Road or generally north of Fort Lee Road and west of Grand Avenue. Neither area is developed with extensive residential uses, as the Fort Lee Road corridor is typified by commercial, office and some existing multifamily uses, while the area north of Fort Lee Road and west of Grand Avenue is zoned for office and industrial uses. The proposed densities for the zoning district range from 40 to 60 dwelling units per acre and with a 20% setback. The build out of the redevelopment zones may provide for the possibility of creating 243 affordable housing units.

High Jump Realty, LLC (Block 504, Lots 1 & 2): 2 family units (Proposed Overlay Zone)

High Jump Realty, LLC challenged several aspects of the Borough's HEFSP including the vacant land adjustment, realistic development potential and unmet need mechanisms. The Program held several mediation meetings between the Borough and High Jump where the issues were narrowed to just the unmet need mechanisms. As a result of negotiations with High Jump, the parties agreed that the site should be rezoned for twelve (12) townhomes of which two (2) units shall be affordable to low and moderate income households and a payment in-lieu will be provided for 0.4 units.

The adoption of the MX-1 and MX-2 district, the High Jump overlay district and the surplus credits from the existing affordable housing units provides for the significant and meaningful creation of affordable housing evidenced by the fact that there is an excellent opportunity to exceed the total Third Round and Fourth Round Unmet Need of 291 units.

Preservation of Multigenerational Family Continuity

The 2024 FHA requires an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20). The Commission has the primary goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity. A review of the Borough's ordinance indicates that there are no ordinances that would specifically create a detraction from meeting the Commission's goal of enabling senior citizens to reside at the homes of their extended families. In fact, the Borough defines a family that is permitted to live in a single family dwelling in such a way that a senior citizen may live in that single family dwelling unit with their extended family which is a permitted use in the residential zoning districts. The Leonia ordinances advance the multigenerational family continuity goal.

State Development and Redevelopment Plan Consistency

The Fourth Round Housing Element and Fair Share Plan is consistent with the 2025 State Development and Redevelopment Plan (SDRP) as the proposed redevelopment plan for the Borough's downtown areas will provide for a meaningful opportunity for the construction of affordable housing. Other than the County Park along the western municipal boundary, all of Leonia is designated as PA1, which is the Metropolitan Planning Area. Pursuant to the SDRP, PA1 is the preferred location for redevelopment for compact growth. The development of affordable housing in PA1 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into existing "centers" where infrastructure can support the development and support services such as open space, retail shopping, public transportation, schools are within walking distance.

AFFORDABLE HOUSING ADMINISTRATION & AFFIRMATIVE MARKETING

Leonia Borough adopted an Affordable Housing Ordinance in accordance with COAH's substantive rules and UHAC. The Affordable Housing Ordinance governs the establishment of affordable units in the Borough as well as regulating the occupancy of such units. The Borough's Affordable Housing Ordinance covers the phasing of affordable units, the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and prices, affirmative marketing, income qualification, etc. The Borough will update the Affordable Housing Ordinance as needed and determined by the Program or Court.

The Borough also established the position of the Municipal Housing Liaison and appointed a staff member to the position. The Borough will rely on an affordable housing administrator to conduct the administration and affirmative marketing of its affordable housing sites. However, the Borough will permit developers who demonstrate the appropriate experience and expertise to administer their own units as both are experienced affordable housing administrators. The affirmative marketing plans are designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the Borough. Additionally, the affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in the Borough's housing region, Region 1, consisting of Bergen, Hudson, Passaic and Sussex counties.

The affirmative marketing plans include regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with N.J.A.C. 5:80-26.1 et seq. All newly created affordable units will comply with the 30-year affordability control required by UHAC, N.J.A.C. 5:80-26.1 et seq. This plan must be adhered to by all private, non-profit, and municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit.

AFFORDABLE HOUSING TRUST FUND

A development fee ordinance was adopted ***and will be amended to comply with N.J.A.C. 5:99 et seq*** to create a dedicated revenue source for affordable housing.

In April 2025, the Borough updated the Spending Plan which covers anticipated revenues, collection of revenues, and the use of revenues, which was prepared in accordance with COAH's applicable substantive rules. All collected revenues will be placed in the Borough's Affordable Housing Trust fund and may be dispensed for the use of eligible affordable housing activities including, but not limited to:

- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisition and/or improvement of land to be used for affordable housing;
- Purchase of affordable housing units for the purpose of maintaining or implementing affordability controls,
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low- and moderate-income housing activity; and

- Any other activity as specified in the approved spending plan.

The Borough will adopt an amended Spending Plan to comply with N.J.A.C 5:99 et seq. and an affordable housing ordinance to comply with the regulations adopted by the New Jersey Housing and Mortgage Finance Agency.

COST GENERATION

The Borough's Land Development Ordinance has been reviewed to eliminate unnecessary cost generating standards. The Borough will adopt, if needed, Planning Board rules for expediting the review of development applications containing affordable housing. Such expedition may consist of, but is not limited to, scheduling of pre-application conferences and special monthly public hearings. Furthermore, development applications containing affordable housing shall be reviewed for consistency with the Land Development Ordinance, Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.) and the mandate of the FHA regarding unnecessary cost generating features. Leonia Borough shall comply with COAH's requirements for unnecessary cost generating requirements, N.J.A.C. 5:93-10.1, procedures for development applications containing affordable housing, N.J.A.C. 5:93-10.4, and requirements for special studies and escrow accounts where an application contains affordable housing.

Appendix A

DEMOGRAPHIC, SOCIO-ECONOMIC, HOUSING STOCK, AND EMPLOYMENT ANALYSIS

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DEMOGRAPHIC ANALYSIS

Population data in this section relies upon the Decennial U.S. Census and the latest 5-Year American Community Survey (2023). The 2020 Decennial Census population counts are based on Redistricting Data (PL 94-171) whereas the 2023 ACS population counts are based on 5-Year Estimates Data Profiles. Therefore, the total population shown in Table 1 will vary from the total population used in subsequent tables that are based on the 5-year estimates.

Table 1, Population Trends 1930-2010 and 2020, shows that the Borough of Leonia had a population of 9,304 persons in 2020, a 4.11% increase from the 2010 census number of 8,937 persons. The County experienced an increase of 5.59% in 2010-2020 period compared to an increase of 5.65% in the State during the same time. The Borough experienced its largest population growth 1940-1950 decade when the population experienced an increase of 28.02% followed by the decade between 1950-1960 when population grew by 13.64%. Similarly, the County and the State experienced the highest growth during the between 1950-1960.

Table 1: Population Trends (1930-2020) (Municipality, County, State)

Year	Leonia			Bergen County			New Jersey		
	Persons	Change		Persons	Change		Persons	Change	
		Number	Percent		Number	Percent		Number	Percent
1930							4,041,334		
1940	5,763	5,763		409,646	409,646		4,160,165	118,831	2.94%
1950	7,378	1,615	28.02%	539,139	129,493	31.61%	4,835,329	675,164	16.23%
1960	8,384	1,006	13.64%	780,255	241,116	44.72%	6,066,782	1,231,453	25.47%
1970	8,847	463	5.52%	897,148	116,893	14.98%	7,171,112	1,104,330	18.20%
1980	8,027	-820	-9.27%	845,385	-51,763	-5.77%	7,365,011	193,899	2.70%
1990	8,365	338	4.21%	825,380	-20,005	-2.37%	7,730,188	365,177	4.96%
2000	8,914	549	6.56%	884,118	58,738	7.12%	8,414,350	684,162	8.85%
2010	8,937	23	0.26%	905,116	20,998	2.38%	8,791,894	377,544	4.49%
2020*	9,304	367	4.11%	955,732	50,616	5.59%	9,288,994	497,100	5.65%

Data Source: U.S. Census Bureau, 2020 & 2020 Decennial Redistricting Data; New Jersey Department of Labor and Workforce Development, New Jersey State Data Center Census, New Jersey Resident Population by Municipality: 1930 – 2000. * Population estimates in following tables differ from the redistricting population totals

Table 2, Population by Age and Sex, shows the population cohorts in Leonia in 2023. Overall, there was a higher proportion of female population (51.7%) than male (48.03%). The most populous age cohort was 35-54 years with 26.52% of Leonia residents in 2023, with slightly more females than males. The smallest age cohort was the Under 5-year-old with only 5.13% of the total population with more females than

males. The median age in Leonia was 46.4 years, with the median age of the male population (44.6 years) being higher than the female population (47.3 years).

Table 2: Population by Age and Sex

Age Group	Total Persons		Male Population		Female Population	
	Number	Percent	Number	Percent	Number	Percent
Under 5	477	5.13%	155	3.45%	322	6.70%
5 – 19	1,717	18.46%	904	20.12%	813	16.91%
20 – 34	1,275	13.71%	752	16.74%	523	10.88%
35 – 54	2,466	26.52%	1,109	24.69%	1,357	28.22%
55 – 64	1,597	17.17%	777	17.30%	820	17.05%
65 +	1,768	19.01%	795	17.70%	973	20.24%
Total	9,300	100.00%	4,492	48.30%	4,808	51.70%
Median Age	46.4		44.6		47.3	

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 3, Population Change by Age, shows the changes in population cohorts between 2013 and 2023 in Leonia. The most populous age cohort in 2023 continued to be the 35-54 years, despite a slight decrease of 7.29% from the 2013 population. The largest increase in population was in the 65+ age cohort, where the population grew by 20.71%. The largest decrease in population was the 35-54 age cohort where the population decreased by 7.29%. The median age of Leonia decreased by 4.1 years in the decade, from 46.4 years in 2013 to 42.3 in 2023.

Table 3: Population Change by Age (2013 | 2023)

Age Group	Total Persons, 2013		Total Persons, 2023		Change, 2013 - 2023	
	Number	Percent	Number	Percent	Number	Percent
Under 5	440	4.91%	477	5.13%	37	8.33%
5 – 19	1,833	20.44%	1,717	18.46%	-116	-6.34%
20 – 34	1,168	13.03%	1,275	13.71%	107	9.14%
35 – 54	2,660	29.66%	2,466	26.52%	-194	-7.29%
55 – 64	1,402	15.63%	1,597	17.17%	195	13.92%
65 +	1,465	16.33%	1,768	19.01%	303	20.71%
Total	8,968	100.00%	9,300	100.00%	331,972	3.70%
Median Age	46.4		42.3		-4.1	

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 4, Comparison of Age Distribution, shows the population by age cohort in Leonia in comparison with the County and State in 2023. Similar to the Borough, the 35-54-year age cohort was the most populous age cohort in both the County and State; whereas the least populous age cohort was the Under 5 years age cohort. The median age in the Borough was 46.4 years, while the median age in the County was 42.1 years and the median age in the State was 40.1 years.

Table 4: Age Cohort Comparison (Municipality, County, State)

Age Group	Leonia		Bergen County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Under 5	477	5.13%	48,738	5.10%	526,400	5.68%
5 – 19	1,717	18.46%	173,511	18.17%	1,726,916	18.64%
20 – 34	1,275	13.71%	163,296	17.10%	1,743,485	18.81%
35 – 54	2,466	26.52%	262,414	27.49%	2,438,404	26.31%
55 – 64	1,597	17.17%	136,410	14.29%	1,271,993	13.73%
65 +	1,768	19.01%	170,348	17.84%	1,559,816	16.83%
Total	9,300	100.00%	954,717	100.00%	9,267,014	100.00%
Median Age	46.4		42.1		40.1	

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however, these persons may or may not be related. As a subset of households, a family is identified as a group of persons including a householder and one or more persons related by blood, marriage or adoption, all living in the same household.

In 2023, there were 3,350 households in Leonia, with an average of 2.77 persons per household, which was larger than the average household size in Bergen County (2.67) and the State (2.61). 2-person households were the most common, accounting for 26.9% of all households. The average household size in owner-occupied units was higher than in renter-occupied units, also reflected in the trend at the County and the State levels.

Table 5: Household Size (Municipality, County, State)

Household Size	Leonia		Bergen County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
1-person household	794	23.7%	84720	24.0%	918897	26.4%
2-person household	901	26.9%	107385	30.4%	1081842	31.1%
3-person household	688	20.5%	65235	18.5%	594946	17.1%
4-person household	719	21.5%	60083	17.0%	530520	15.3%
5-person household	226	6.7%	24662	7.0%	218492	6.3%
6-person household	11	0.3%	7815	2.2%	79678	2.3%
7-or-more-person household	11	0.3%	3407	1.0%	53980	1.6%
Total number of households	3,350	100%	353,307	100%	3,478,355	100%
Average Household Size: Total	2.77		2.67		2.61	
Average Household Size: Owner-occupied	2.9		2.85		2.74	
Average Household Size: Renter-occupied	2.47		2.33		2.39	

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

In 2023, out of a total population of 9,300 persons, there were 9,285 persons in Leonia (99.84% of total population) living in 3,350 households. This was slightly higher than both the county and State. For family household, similar trends were found at the Municipal, County, and State level.

The average household size (2.77 persons / household) in Leonia was smaller than the average family size (3.34 persons / family), similar to the trend in the County and the State. While the average household size in Leonia was larger than the County and State, the average family size in the Borough was smaller than the County and State.

Table 6: Persons by Household Type and Relationship (Municipality, County, State)

Household Type	Leonia		Bergen County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Total population	9,300	100.00%	954,717	100.00%	9,267,014	100.00%
In households	9,285	99.84%	944,137	98.89%	9,093,435	98.13%
Total Households	3,350	-	353,307	-	3,478,355	-
Average Household Size	2.77		2.67		2.61	
Total Families	2,443	-	252,639	-	2,359,988	-
Average Family Size	3.34		3.19		3.19	
Married-couple household	1,992	59.5%	197,228	55.8%	1,739,819	50.0%
With children of the householder under 18 years	858	25.6%	84,721	24.0%	719,870	20.7%
Cohabiting couple household	88	2.6%	18,654	5.3%	228,463	6.6%
With children of the householder under 18 years	38	1.1%	6,046	1.7%	77,871	2.2%
Male householder, no spouse/partner present	516	15.4%	51,289	14.5%	560,885	16.1%
With children of the householder under 18 years	22	0.7%	2,996	0.8%	32,993	0.9%
Householder living alone	290	8.7%	36,632	10.4%	391,777	11.3%
65 years and over	95	2.8%	12,178	3.4%	126,951	3.6%
Female householder, no spouse/partner present	754	22.5%	86,136	24.4%	949,188	27.3%
With children of the householder under 18 years	100	3.0%	13,027	3.7%	165,950	4.8%
Householder living alone	504	15.0%	48,088	13.6%	527,120	15.2%
65 years and over	370	11.0%	27,275	7.7%	283,828	8.2%
Households with one or more people under 18 years	1161	34.7%	114,261	32.3%	1,093,381	31.4%
Households with one or more people 65 years and over	1299	38.8%	120,283	34.0%	1,129,950	32.5%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 7, compares the educational attainment for the Borough, County, and State population over 25 years old. The Borough had a slightly smaller percentage of population with at a high school graduate or higher educational attainment (92.1%) compared to the County (92.9%), but higher than the State (90.7%). Only 5.8% of the population had an educational attainment of less than 9th grade, compared to 4% in the County and 4.6% in the State.

Table 7: Educational Attainment (Municipality, County, State)

Education Level	Leonia		Bergen County		New Jersey	
	Number	Percent	Number	Number	Percent	Number
Population 25 years and over	6,700		678,249		6,459,220	
Less than 9th grade	387	5.8%	27,367	4.0%	298,733	4.6%
9th to 12th grade, no diploma	145	2.2%	20,693	3.1%	302,003	4.7%
High school graduate (includes equivalency)	777	11.6%	136,071	20.1%	1,662,983	25.7%
Some college, no degree	829	12.4%	91,564	13.5%	989,663	15.3%
Associate's degree	510	7.6%	45,693	6.7%	434,152	6.7%
Bachelor's degree	2,437	36.4%	212,294	31.3%	1,666,634	25.8%
Graduate or professional degree	1,615	24.1%	144,567	21.3%	1,105,052	17.1%
High school graduate or higher	6,168	92.1%	630,189	92.9%	5,858,484	90.7%
Bachelor's degree or higher	4,052	60.5%	356,861	52.6%	2,771,686	42.9%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 8, shows the racial and ethnic breakdown of the Borough compared to the County and the State. Overall, the three geographies share similar patterns when it comes to racial and ethnic breakdown.

Table 8: Racial & Ethnic Breakdown (Municipality, County, State)

Race & Ethnicity	Leonia		Bergen County		New Jersey	
	Number	Percent	Number	Number	Percent	Number
White alone	3256	35.00%	511,919	53.56%	4,816,381	51.85%
Black or African American alone	202	2.17%	49,909	5.22%	1,154,142	12.42%
American Indian and Alaska Native alone	2	0.02%	811	0.08%	11,206	0.12%
Asian alone	3876	41.66%	157,500	16.48%	942,921	10.15%
Native Hawaiian and Other Pacific Islander	0	0.00%	130	0.01%	1,944	0.02%
Other	32	0.34%	6,464	0.68%	70,354	0.76%
Multi-racial	267	2.87%	24,316	2.54%	289,471	3.12%
NOT HISPANIC OR LATINO TOTAL	7,635	82.06%	751,049	78.58%	7,286,419	78.44%
Hispanic or Latino	1,669	21.86%	204,683	27.25%	2,002,575	27.48%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

ANALYSIS OF SOCIO-ECONOMIC CHARACTERISTICS

Table 9, compares the annual income of the Borough, County, and State through different lenses. The Borough has a higher per capita income and mean family income than the County but a lower mean household income than the County and State. The Borough has a lower median household income at \$116,429 when compared to the County at \$123,715 but is higher than the State at \$101,050.

Table 9: Comparison of Income (Per Capita, Median Household, Mean Household, Median Family, Mean Family) (Municipality, County, State)

Annual Income	Leonia	Bergen County	New Jersey
Per Capita Income	\$68,548	\$62,986	\$53,118
Median Household Income	\$116,429	\$123,715	\$101,050
Mean Household Income	\$99,496	\$150,011	\$140,299
Median Family Income	\$134,148	\$150,475	\$123,892
Mean Family Income	\$209,877	\$196,437	\$164,717

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 10 shows that 32% of Leonia’s households have an income over \$200,000 compared to 28.4% of households in the County and 20.7% of households in the State. Households with less than a \$50,000 income comprise of 15.91% of the total households in the Borough, compared to 19.82% in Bergen County and 25.2% of the households in New Jersey.

Table 10: Comparison of Median Household Income (Municipality, County, State)

Household Income Range	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total households	3,350	-	353,307	-	3,478,355	-
Less than \$10,000	99	3.0%	11,201	3.2%	140,262	4.0%
\$10,000 to \$14,999	22	0.7%	7,234	2.0%	99,362	2.9%
\$15,000 to \$24,999	58	1.7%	13,282	3.8%	175,402	5.0%
\$25,000 to \$34,999	203	6.1%	15,240	4.3%	184,753	5.3%
\$35,000 to \$49,999	151	4.5%	23,079	6.5%	276,601	8.0%
\$50,000 to \$74,999	499	14.9%	39,916	11.3%	448,192	12.9%
\$75,000 to \$99,999	355	10.6%	35,056	9.9%	397,939	11.4%
\$100,000 to \$149,999	657	19.6%	62,751	17.8%	627,526	18.0%
\$150,000 to \$199,999	235	7.0%	45,164	12.8%	407,723	11.7%
\$200,000 or more	1,071	32.0%	100,384	28.4%	720,595	20.7%
Median household income	\$116,429		\$123,715		\$101,050	
Mean household income	\$184,645		\$169,191		\$140,299	
<i>Less than \$50,000</i>	<i>533</i>	<i>15.91%</i>	<i>70036</i>	<i>19.82%</i>	<i>876380</i>	<i>25.20%</i>
<i>\$100,000 or more</i>	<i>1,963</i>	<i>58.60%</i>	<i>208,299</i>	<i>58.96%</i>	<i>1,755,844</i>	<i>50.48%</i>

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 11, shows that only 3.4% of Leonia’s estimated population were below the poverty level in 2023, which is significantly lower compared to 6.7% in the County and 9.8% in the State. Across the age cohorts the Borough has had a smaller amount of people below the poverty level, although for the under 18 cohort the Borough had slightly more than the County but less than the State. Among the estimated population over 16-years-old, 0% of those who worked full-time were under the poverty level compared to 8.6% of those who worked less than full-time and 4.6% of those who did not work. These poverty levels were much lower than the State in all identified groups, and higher than the County for those who worked less than fulltime.

Table 8: Poverty Status in the Past 12 Months (Municipality, County, State)

Poverty Status	Leonia			Bergen County			New Jersey		
	Total Estimated Population	Estimated Below Poverty Level	Percent Below Poverty Level	Total Estimated Population	Estimated Below Poverty Level	Percent Below Poverty Level	Total Estimated Population	Estimated Below Poverty Level	Percent Below Poverty Level
Population for whom poverty status is determined	9,291	317	3.4%	943,774	63,408	6.7%	9,101,339	889,287	9.8%
AGE GROUP									
Under 18	1,936	165	8.5%	198,235	14,892	7.5%	2,008,338	266,599	13.3%
18 to 64	5,587	68	1.2%	578,923	34,632	6.0%	5,569,449	478,317	8.6%
Over 65	1,768	84	4.8%	166,616	13,884	8.3%	1,523,552	144,371	9.5%
GENDER									
Male	4,483	157	3.5%	462,220	25,857	5.6%	4,466,436	388,772	8.7%
Female	4,808	160	3.3%	481,554	37,551	7.8%	4,634,903	500,515	10.8%
WORK EXPERIENCE									
Population 16 years and over	7,702	249	3.2%	770,323	50,460	6.6%	7,333,281	650,943	8.9%
Worked full-time*	3,638	0	0.0%	364,987	4,437	1.2%	3,370,652	56,180	1.7%
Worked less than full-time*	1,517	131	8.6%	168,932	13,249	7.8%	1,669,653	179,898	10.8%
Did not work	2,547	118	4.6%	236,404	32,774	13.9%	2,292,976	414,865	18.1%

* Worked year-round for the past 12 months

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

As shown in Table 12, the labor force in Leonia increased between 2013 and 2023. Although the labor force did decrease slightly from 2015 to 2018, increased in 2017, decreased from 2017 to 2018, and

increased from 2019 and 2021. The significant increase of unemployment rate in 2020 coincides with onset of the 2020 global pandemic.

Table 92: 10-year Trend in Employment and Labor Force

Year	Labor Force	Employment	Unemployment	Unemployment Rate
2013	4,508	4,260	248	5.5
2014	4,514	4,310	204	4.5
2015	4,545	4,374	171	3.8
2016	4,534	4,387	147	3.2
2017	4,641	4,502	139	3
2018	4,640	4,510	130	2.8
2019	4,696	4,600	96	2
2020	4,614	4,214	400	8.7
2021	4,586	4,331	255	5.6
2022	4,706	4,572	134	2.8
2023	4,781	4,640	141	2.9

Data Source: Municipal Total Labor Force, Employed, Unemployed and Unemployment Rate Average Estimates: 2023, NJ Department of Labor and Workforce Development

Table 13, shows that, although the Borough faced a similar trend in unemployment rates as the County and the State from 2011 to 2021, the overall unemployment rate in Leonia was lower than the County and the State throughout the 10-year period studied.

Table 103: Comparison of 10-year Trend in Unemployment Rates (Municipality, County, State)

Year	Leonia	Bergen County	New Jersey
2013	5.5	6.8	8.4
2014	4.5	5.4	6.7
2015	3.8	4.6	5.7
2016	3.2	4.1	4.9
2017	3	3.8	4.5
2018	2.8	3.3	4
2019	2	2.8	3.5
2020	8.7	9.2	9.4
2021	5.6	6.3	6.7
2022	2.8	3.5	3.9
2023	2.9	3.9	4.4

Data Source: Municipal Total Labor Force, Employed, Unemployed and Unemployment Rate Average Estimates: 2023, NJ Department of Labor and Workforce Development

Table 14, Class of Worker, indicates that the majority (84.4%) of Leonia’s employed population over 16 years of age were “private wage and salary workers”, similar to the trend at the County (81.5%) and the State (80.7%). The percentage of “government workers” in the Borough (9.2%) was lower than the County

(12.5%) and the State (14.2%). The percentage of “self-employed in own not incorporated business workers” in the Borough (6.4%) was higher than the County (5.8%) and the State (4.9%). There were 0 “unpaid family workers” in the Borough, where in the County and State Level there was about .1%

Table 114: Class of Worker (Municipality, County, State)

Class of Worker	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Civilian employed population 16 years and over	4,774		494,921		4,644,770	
Private wage and salary workers	4,028	84.4%	403,408	81.5%	3,748,404	80.7%
Government workers	439	9.2%	61,885	12.5%	661,538	14.2%
Self-employed in own not incorporated business workers	305	6.4%	28,640	5.8%	227,688	4.9%
Unpaid family workers	2	0.0%	988	0.2%	7,140	0.2%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 15, Occupations, identifies the occupations of employed population over 16 years of age in Leonia, Bergen County and New Jersey during 2023. The two most common occupations in the Borough were “management, business, science, and arts occupations” (53.3%) and “sales and office occupations” (25.9%). The trend was similar to the County and the State in “management, business, science, and arts occupations”.

Table 125: Occupations (Municipality, County, State)

Occupation	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Civilian employed population 16 years and over	4,774	-	494,921	-	4,644,770	-
Management, business, science, and arts occupations	2,543	53.3%	263,942	53.3%	2,178,058	46.9%
Service occupations	545	11.4%	61,574	12.4%	689,308	14.8%
Sales and office occupations	1,237	25.9%	101,185	20.4%	930,463	20.0%
Natural resources, construction, and maintenance occupations	122	2.6%	25,740	5.2%	320,511	6.9%
Production, transportation, and material moving occupations	327	6.8%	42,480	8.6%	526,430	11.3%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 16, Industries, shows the distribution of employment by industry for employed Leonia, Bergen and New Jersey residents over 16 years of age in 2023. The three industries that captured the largest segments of the population in Leonia were “educational services, and health care and social assistance” (18.6%),

“professional, scientific, and management, and administrative and waste management services” (16.9%) and “Arts, entertainment, recreation, accommodation and food services” (15%).

Table 136: Industries (Municipality, County, State)

Industry	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Civilian employed population 16 years and over	4,774	-	494,921	-	4,644,770	-
Agriculture, forestry, fishing and hunting, and mining	12	0.3%	636	0.1%	14,652	0.3%
Construction	120	2.5%	25,742	5.2%	285,256	6.1%
Manufacturing	356	7.5%	38,180	7.7%	378,966	8.2%
Wholesale trade	249	5.2%	18,362	3.7%	135,591	2.9%
Retail trade	717	15.0%	50,517	10.2%	485,852	10.5%
Transportation and warehousing, and utilities	200	4.2%	25,586	5.2%	306,213	6.6%
Information	179	3.7%	14,303	2.9%	118,752	2.6%
Finance and insurance, and real estate and rental and leasing	626	13.1%	50,356	10.2%	401,128	8.6%
Professional, scientific, administrative and waste management services	808	16.9%	75,107	15.2%	662,154	14.3%
Educational services, and health care and social assistance	886	18.6%	124,338	25.1%	1,123,151	24.2%
Arts, entertainment, recreation, accommodation and food services	203	4.3%	33,665	6.8%	335,168	7.2%
Other services, except public administration	274	5.7%	22,115	4.5%	193,846	4.2%
Public administration	144	3.0%	16,014	3.2%	204,041	4.4%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Another metric for understanding employment is the number of employees covered by the unemployment insurance compensation program, referred to as “covered employment” (which is mostly full-time, permanent employees and does not include the self-employed, unpaid family workers, most part-time or temporary employees, and certain agricultural and in-home domestic workers).

The industry sectors of covered employment for Leonia are shown in Table 17. The largest number of covered employees in the private sector in Leonia worked in “unclassified” (1,771 average jobs) followed by “education” (183 average jobs). The state government was the largest public employer with 474 average jobs, followed by state government with 364 average jobs. The “transport/warehousing” employment had the highest annual wages in the private sector at \$115,357. The “federal government” industry had the highest average annual wages in the public sector at \$91,105.

Table 147: Government and Private Employment and Wages

Industry	Units	Employment				Average Wages		
	Average	March	June	Sept	Dec	Average	Annual	Weekly
Federal Government Totals	2	10	14	13	13	12	\$91,105	\$1,752
State Government Totals	3	500	537	490	505	474	\$67,859	\$1,305
Local Government Totals	2	407	424	375	407	364	\$69,761	\$1,342
Local Govt. Education	.	.	.	.	.	.	.	.
Utilities	15	31	33	35	32	32	\$56,856	\$1,093
Construction	.	.	.	.	.	.	.	.
Manufacturing	15	48	48	56	55	51	\$78,893	\$1,517
Wholesale Trade	17	57	57	61	66	60	\$52,486	\$1,009
Retail Trade	6	23	26	29	31	26	\$74,881	\$1,440
Transport/Warehousing	8	37	42	44	38	40	\$115,357	\$2,218
Information	11	36	37	40	40	37	\$68,206	\$1,312
Finance/Insurance	5	7	7	7	8	7	\$39,789	\$765
Real Estate	33	43	45	45	44	43	\$51,409	\$989
Professional/Technical	.	.	.	.	.	.	.	.
Management	13	31	31	27	33	30	\$30,819	\$593
Admin/Waste Remediation	.	.	.	.	.	.	.	.
Education	69	185	196	172	199	183	\$33,053	\$636
Health/Social	.	.	.	.	.	.	.	.
Arts/Entertainment	18	61	69	65	58	62	\$24,840	\$478
Accommodations/Food	.	.	.	.	.	.	.	.
Other Services	13	15	12	12	18	14	\$31,845	\$612
Unclassified	263	1,753	1,812	1,788	1,798	1,771	\$60,612	\$1,166
Private Sector Totals	2	10	14	13	13	12	\$91,105	\$1,752

“-“ = Data do not meet publication standards

Data Source: New Jersey Department of Labor and Workforce Development, Quarterly Census of Employment and Wages (QCEW), Annual Municipal Reports 2023

Table 17, Means of Transportation to Work, shows the majority of workers in Leonia drove to work (65.7%) at a percentage lower than Bergen County (67.8%) and New Jersey (71.4%). Leonia had a higher proportion of residents who carpooled (8.1%) compared to 7.2% in the County and 7.7% in the State. A smaller percentage of Leonia workers (14.6%) worked from home compared to the County (16.3%) and the State (15%). Across all three geographies the median travel time to work was similar at 31.3 minutes for the Borough and the County and 30.9 minutes for the State.

Table 158: Means of Transportation to Work (Municipality, County, State)

Means of Transportation	Leonia Borough		Bergen County		New Jersey	
	Count	Percentage	Count	Percentage	Count	Percentage
Workers 16 years and over	4,650	-	485,290	-	4,541,915	-
Car, truck, or van	3,055	65.7%	329,049	67.8%	3,242,476	71.4%
Drove alone	2,679	57.6%	294,258	60.6%	2,894,952	63.7%
Carpooled	376	8.1%	34,791	7.2%	347,524	7.7%
Public transportation (excluding taxicab)	586	12.6%	54,417	11.2%	387,422	8.5%
Walked	160	3.4%	12,341	2.5%	118,022	2.6%
Other	172	3.7%	10,163	2.1%	110,740	2.4%
Worked at home	677	14.6%	79,320	16.3%	683,255	15.0%
Median Travel time	31.3	(X)	31.3	(X)	30.9	(X)

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 19, shows that for 49.9% of workers over 16 years in Leonia, the travel time to work was under 30 minutes; compared to 52.9% of the workers in the County and 54.1% for workers in the State.

Table 169: Travel Time to Work (Municipality, County, State)

Travel Time to Work	Leonia	Bergen County	New Jersey
Workers 16 years and over	4,650	485,290	4,541,915
Less than 10 minutes	6.5%	10.2%	9.9%
10 to 14 minutes	16.1%	11.6%	11.5%
15 to 19 minutes	16.0%	12.1%	13.1%
20 to 24 minutes	7.1%	12.4%	12.9%
25 to 29 minutes	4.2%	6.6%	6.7%
30 to 34 minutes	13.4%	13.2%	13.7%
35 to 44 minutes	8.7%	7.2%	8.2%
45 to 59 minutes	11.8%	9.9%	9.9%
60 or more minutes	16.2%	16.7%	14.2%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 20, shows that the largest group of 44.6% of all workers 16 years old and over in Leonia had access to 2 vehicles which is higher than both the County (42.3%) and the State (39.9%).

Table 20: Vehicles Available (Municipality, County, State)

Vehicles Available	Leonia	Bergen County	New Jersey
Workers 16 years and over	4,649	483,703	4,516,430
No vehicle available	0.7%	4.0%	6.4%
1 vehicle available	30.9%	24.0%	23.3%
2 vehicles available	44.6%	42.3%	39.9%
3 or more vehicles available	23.9%	29.7%	30.3%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

ANALYSIS OF EXISTING HOUSING STOCK

According to the 5-year American Community Survey, Leonia had approximately 3,565 housing units during 2023, of which 3,350, or 94%, were occupied. Of the occupied housing units, 69.9% were owner-occupied and 30.1% were renter-occupied, indicating a high rate of ownership in the Borough. Leonia had a higher percentage of owner-occupied units (69.9%) than both Bergen County (65.4%) and New Jersey (63.82%). The rental vacancies in the Borough were slightly higher than the County and the State. The home-owner vacancy rate in the Borough was lower than the County and the State.

Table 21: Unit Occupancy Status (Municipality, County, State)

Unit Occupancy Status	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Occupied housing units	3350	94.0%	353,307	95.9%	3,478,355	92.1%
Owner-occupied	2,341	69.9%	230,923	65.4%	2,215,482	63.7%
<i>Owner-occupied as percent of total units</i>	65.67%		62.66%		58.68%	
Renter-occupied	1,009	30.1%	122,384	34.6%	1,262,873	36.3%
<i>Renter-occupied as percent of total units</i>	28.30%		33.21%		33.45%	
Vacant housing units	215	6.0%	15,228	4.1%	297,487	7.9%
For rent	42	19.53%	4,473	29.37%	47,565	15.99%
Rented, not occupied	0	0.00%	719	4.72%	8028	2.70%
For sale only	0	0.00%	1,906	12.52%	18,914	6.36%
Sold, not occupied	0	0.00%	1,559	10.24%	12,223	4.11%
For seasonal, recreational, or occasional use	33	15.35%	753	4.94%	130017	43.71%
For migrant workers	0	0.00%	0	0.00%	104	0.03%
All other vacant	140	65.12%	5,818	38.21%	80,636	27.11%
Total Housing Units	3,565	100%	368,535	100%	3,775,842	100%
Home-owner vacancy rate	0		0.8		0.8	
Rental vacancy rate	4		3.5		3.6	

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

The Borough’s housing stock is less diverse when compared to the County or the State. About 62% of all units are single family detached, compared to about 54% at the County level and 53% at the State level. In the Borough, of the single-family detached dwellings about 83% were owner occupied. In summary, the Borough has more single-family homes than the County and the State, and inversely has a smaller percentage of residential structures with multiple units.

Table 172: Units in Structure by Occupancy

Units in Structure	Total Occupied Units		Owner-Occupied		Renter-Occupied	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
1, detached	2,059	61.46%	1,950	83.30%	109	10.80%
1, attached	252	7.52%	148	6.32%	104	10.31%

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Units in Structure	Total Occupied Units		Owner-Occupied		Renter-Occupied	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
2	172	5.13%	80	3.42%	92	9.12%
3 or 4	270	8.06%	39	1.67%	231	22.89%
5 to 9	140	4.18%	38	1.62%	102	10.11%
10 to 19	188	5.61%	37	1.58%	151	14.97%
20 to 49	211	6.30%	23	0.98%	188	18.63%
50 or more	49	1.46%	26	1.11%	23	2.28%
Mobile home	9	0.27%	0	0.00%	9	0.89%
Boat, RV, van, etc.	0	0.00%	0	0.00%	0	0.00%
Total Occupied Units	3,350	100%	2,341	100%	1,009	100%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 183: Units in Structure (Municipality, County, State)

Units in Structure	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
1, detached	2,059	61.46%	190,272	53.85%	1,854,841	53.33%
1, attached	252	7.52%	21,446	6.07%	332,799	9.57%
2	172	5.13%	43,878	12.42%	296,677	8.53%
3 or 4	270	8.06%	19,662	5.57%	212,142	6.10%
5 to 9	140	4.18%	11,566	3.27%	163,781	4.71%
10 to 19	188	5.61%	12,940	3.66%	170,512	4.90%
20 to 49	211	6.30%	16,142	4.57%	144,890	4.17%
50 or more	49	1.46%	35,923	10.17%	272,408	7.83%
Mobile home	9	0.27%	1,381	0.39%	29,135	0.84%
Boat, RV, van, etc.	0	0.00%	97	0.03%	1,170	0.03%
Total Occupied Units	3,350	100%	353,307	100%	3,478,355	100%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 24 illustrates the age of the Borough’s housing stock. Leonia has an older housing stock, with 68.27% of units built before 1959. Similarly, there were 0 units built in 2020 or later, further indicating the older housing stock.

Table 194: Year Structure Built by Occupancy

Year Built	Total Occupied Units		Owner-Occupied Units		Renter-Occupied Units	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Built 2020 or later	0	0.00%	0	0.00%	0	0.00%
Built 2010 to 2019	117	3.49%	61	2.61%	56	5.55%
Built 2000 to 2009	9	0.27%	0	0.00%	9	0.89%
Built 1990 to 1999	178	5.31%	84	3.59%	94	9.32%
Built 1980 to 1989	276	8.24%	242	10.34%	34	3.37%
Built 1970 to 1979	283	8.45%	74	3.16%	209	20.71%
Built 1960 to 1969	200	5.97%	156	6.66%	44	4.36%
Built 1950 to 1959	444	13.25%	377	16.10%	67	6.64%
Built 1940 to 1949	495	14.78%	251	10.72%	244	24.18%
Built 1939 or earlier	1348	40.24%	1,096	46.82%	252	24.98%

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Year Built	Total Occupied Units		Owner-Occupied Units		Renter-Occupied Units	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total Occupied Units	3,350	100%	2,341	100%	1,009	100%
Built 1959 or earlier	2,287	68.27%	1,724	73.64%	563	55.80%
Built since 2010	117	3.49%	61	2.61%	56	5.55%
Built Since 1970	863	25.76%	461	19.69%	402	39.84%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 205: Year Structure Built (Municipality, County, State)

Year Built	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Built 2020 or later	0	0.00%	2,074	0.59%	20,013	0.58%
Built 2010 to 2019	117	3.49%	17,393	4.92%	195,676	5.63%
Built 2000 to 2009	9	0.27%	20,536	5.81%	311,682	8.96%
Built 1990 to 1999	178	5.31%	19,813	5.61%	320,443	9.21%
Built 1980 to 1989	276	8.24%	28,996	8.21%	412,485	11.86%
Built 1970 to 1979	283	8.45%	33,536	9.49%	435,195	12.51%
Built 1960 to 1969	200	5.97%	50,016	14.16%	455,636	13.10%
Built 1950 to 1959	444	13.25%	74,523	21.09%	493,598	14.19%
Built 1940 to 1949	495	14.78%	37,852	10.71%	233,074	6.70%
Built 1939 or earlier	1,348	40.24%	68,568	19.41%	600,553	17.27%
Total Occupied Units	3,350	100%	353,307	100%	3,478,355	100%
<i>Built 1959 or earlier</i>	<i>2,287</i>	<i>68.27%</i>	<i>180,943</i>	<i>51.21%</i>	<i>1,327,225</i>	<i>38.16%</i>
<i>Built since 2010</i>	<i>117</i>	<i>3.49%</i>	<i>19467</i>	<i>5.51%</i>	<i>215689</i>	<i>6.20%</i>

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

The number of bedrooms in the housing stock helps describe the variety of housing types within the Borough. Table 26 shows that 3-bedroom units (42.54%) were the most common bedroom type. 3-bedroom units were the most common owner-occupied unit type, and 2-bedroom units were the most common renter-occupied type.

Table 216: Number of Bedrooms by Occupancy

Number of Bedrooms	Total Occupied Units		Owner-Occupied		Renter-Occupied	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
No bedroom	138	4.12%	38	1.62%	100	9.91%
1 bedroom	315	9.40%	40	1.71%	275	27.25%
2 bedrooms	746	22.27%	303	12.94%	443	43.90%
3 bedrooms	1425	42.54%	1,245	53.18%	180	17.84%
4 bedrooms	482	14.39%	471	20.12%	11	1.09%
5 or more bedrooms	244	7.28%	244	10.42%	0	0.00%
Total Occupied Units	3,350	100%	2,341	100%	1,009	100%
<i>2-bedroom or smaller</i>	<i>1,199</i>	<i>35.79%</i>	<i>381</i>	<i>16.28%</i>	<i>818</i>	<i>81.07%</i>
<i>4-bedroon or larger</i>	<i>726</i>	<i>21.67%</i>	<i>715</i>	<i>30.54%</i>	<i>11</i>	<i>1.09%</i>

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

As shown in Table 27, 3-bedroom units are the most common in Bergen County (31.3%) and New Jersey (31.98%), following the trend found in the Borough. Leonia had 21.67% of the occupied units being 4-bedroom or more, as compared to the County (27.58%) and the State (25.72%). Leonia had a lower percentage of occupied units with 2-bedrooms or less (35.79%) compared to the County (41.12%) and the State (42.3%).

Table 227: Number of Bedrooms (Municipality, County, State)

Number of Bedrooms	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
No bedroom	138	4.12%	10,536	2.98%	100,700	2.90%
1 bedroom	315	9.40%	54,626	15.46%	490,223	14.09%
2 bedrooms	746	22.27%	80,131	22.68%	880,551	25.32%
3 bedrooms	1,425	42.54%	110,581	31.30%	1,112,414	31.98%
4 bedrooms	482	14.39%	71,283	20.18%	693,047	19.92%
5 or more bedrooms	244	7.28%	26,150	7.40%	201,420	5.79%
Total Occupied Units	3,350	100%	353,307	100%	3,478,355	100%
<i>2-bedroom or less</i>	<i>1,199</i>	<i>35.79%</i>	<i>145,293</i>	<i>41.12%</i>	<i>1,471,474</i>	<i>42.30%</i>
<i>4-bedroom or more</i>	<i>726</i>	<i>21.67%</i>	<i>97,433</i>	<i>27.58%</i>	<i>894,467</i>	<i>25.72%</i>

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

The presence of housing units with deficient plumbing and kitchens is an indicator of housing quality and need for potential rehabilitation. Similarly, overcrowded conditions may indicate a need for more affordable and/or larger housing units.

Most occupied units used utility gas (83.2%), higher than the County (77%) and the State (73.3%).

Leonia had 147 occupied units (4.4%) that were deemed overcrowded because they were occupied by more than one person per room, compared to 3.3% in the County and 3.7% in the State. Leonia also had a higher percentage of occupied units lacking complete plumbing or kitchen facilities when compared to the County or the State.

Table 238: Housing Quality Indicators

House Heating Fuel	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Utility gas	2,788	83.2%	272,201	77.0%	2,549,266	73.3%
Bottled, tank, or LP gas	87	2.6%	9,544	2.7%	86,955	2.5%
Electricity	368	11.0%	52,605	14.9%	541,309	15.6%
Fuel oil, kerosene, etc.	96	2.9%	13,781	3.9%	236,801	6.8%
Coal or coke	0	0.0%	94	0.0%	1,228	0.0%
Wood	0	0.0%	158	0.0%	10,682	0.3%
Solar energy	0	0.0%	327	0.1%	6,947	0.2%
Other fuel	0	0.0%	1,952	0.6%	17,347	0.5%
No fuel used	11	0.3%	2,645	0.7%	27,820	0.8%

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House Heating Fuel	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total Occupied Units	3,350	-	353,307	-	3,478,355	-
Occupants per Room	Estimate	Percent	Estimate	Percent	Estimate	Percent
1.00 or less	3,203	95.6%	341,275	96.6%	3,348,645	96.3%
1.01 to 1.50	79	2.4%	7,036	2.0%	83,003	2.4%
.51 or more	68	2.0%	4,996	1.4%	46,707	1.3%
Facilities	Estimate	Percent	Estimate	Percent	Estimate	Percent
Lacking complete plumbing facilities	13	0.4%	899	0.3%	10,515	0.3%
Lacking complete kitchen facilities	50	1.5%	2,541	0.7%	26,428	0.8%
No telephone service available	37	1.1%	2,797	0.8%	29,962	0.9%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

ANALYSIS OF HOUSING AFFORDABILITY

Housing affordability is dependent on several factors including the availability of adequate and appropriate housing units in addition to cost, convenience and stability of the neighborhood. Some of the data from the 2023 5-year ACS may be used to interpret these factors. For example, the adequacy and appropriateness may be estimated by comparing household and family size with available housing types, unit sizes, and the potential for overcrowding, as well as the comparing the types/sizes of units that are occupied vs. vacant indicating the demand for each type/size of unit.

In Leonia, 94% of all available housing units were occupied and 6% were vacant. As shown in Table 29, the most common types of occupied and vacant housing were detached single family homes.

Table 29: Units in Structure by Vacancy

Units in Structure	Total Housing Units		Vacant Units			Occupied Units		
	Estimate	Percent of Total Units	Estimate	Percent of Unit Type	Percent of Total Units	Estimate	Percent of Unit Type	Percent of Total Units
1, detached	2,176	61.0%	117	5.38%	3.28%	2,059	94.62%	57.76%
1, attached	275	7.7%	23	8.36%	0.65%	252	91.64%	7.07%
2	194	5.4%	22	11.34%	0.62%	172	88.66%	4.82%
3 or 4	283	7.9%	13	4.59%	0.36%	270	95.41%	7.57%
5 to 9	140	3.9%	0	0.00%	0.00%	140	100.00%	3.93%
10 to 19	228	6.4%	40	17.54%	1.12%	188	82.46%	5.27%
20 or more	260	7.3%	0	0.00%	0.00%	260	100.00%	7.29%
Mobile home	9	0.3%	0	0.00%	0.00%	9	100.00%	0.25%
Boat, RV, van, etc.	0	0.0%	0	-	-	0	-	-
Total Housing Units	3,565	100%	215	-	6%	3,350	-	94%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

As shown in Table 30, all the vacant units in the Borough were built prior to 1970. For occupied units, there was more units built later however overall the Borough’s housing stock is older. 69% of units were built prior to 1959.

Table 30: Number of Bedrooms per Unit by Vacancy

Year Built	Total Housing Units		Vacant Units			Occupied Units		
	Estimate	Percent of Total Units	Estimate	Percent of Unit Type	Percent of Total Units	Estimate	Percent of Unit Type	Percent of Total Units
Built 2020 or later	0	0.0%	0	-	0.00%	0	-	0.00%
Built 2010 to 2019	117	3.3%	0	0.00%	0.00%	117	100.00%	3.28%
Built 2000 to 2009	9	0.3%	0	0.00%	0.00%	9	100.00%	0.25%
Built 1990 to 1999	178	5.0%	0	0.00%	0.00%	178	100.00%	4.99%
Built 1980 to 1989	276	7.7%	0	0.00%	0.00%	276	100.00%	7.74%

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Year Built	Total Housing Units		Vacant Units			Occupied Units		
	Estimate	Percent of Total Units	Estimate	Percent of Unit Type	Percent of Total Units	Estimate	Percent of Unit Type	Percent of Total Units
Built 1970 to 1979	283	7.9%	0	0.00%	0.00%	283	100.00%	7.94%
Built 1960 to 1969	234	6.6%	34	14.53%	0.95%	200	85.47%	5.61%
Built 1950 to 1959	473	13.3%	29	6.13%	0.81%	444	93.87%	12.45%
Built 1940 to 1949	573	16.1%	78	13.61%	2.19%	495	86.39%	13.88%
Built 1939 or earlier	1,422	39.9%	74	5.20%	2.08%	1,348	94.80%	37.81%
Total Housing Units	3,565	100%	215	-	6%	3,350	-	94%
<i>Built 1959 or earlier</i>	<i>2,468</i>	<i>69.3%</i>	<i>181</i>	<i>-</i>	<i>5%</i>	<i>2,287</i>	<i>-</i>	<i>64%</i>
<i>Built since 2000</i>	<i>126</i>	<i>3.6%</i>	<i>0</i>	<i>-</i>	<i>0%</i>	<i>126</i>	<i>-</i>	<i>4%</i>

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

As shown in Table 31 below, the most common size of vacant units in Leonia were units with 4 bedrooms. For occupied units, three bedroom units were most common.

Table 241: Year Structure Built by Vacancy

Number of Bedrooms	Total Housing Units		Vacant Units			Occupied Units		
	Estimate	Percent	Estimate	Percent of Type	Percent of Total	Estimate	Percent of Type	Percent of Total
No bedroom	160	9.8%	22	10.23%	0.62%	138	4.12%	3.87%
1 bedroom	368	39.3%	53	24.65%	1.49%	315	9.40%	8.84%
2 bedrooms	769	22.2%	23	10.70%	0.65%	746	22.27%	20.93%
3 bedrooms	1454	19.3%	29	13.49%	0.81%	1425	42.54%	39.97%
4 bedrooms	570	6.2%	88	40.93%	2.47%	482	14.39%	13.52%
5 or more bedrooms	244	3.3%	0	0.00%	0.00%	244	7.28%	6.84%
Total Housing Units	3,565	100.00%	215		6.03%	3,350		93.97%
<i>2-bedroom or smaller</i>	<i>1,297</i>	<i>36.38%</i>	<i>98</i>	<i>45.58%</i>	<i>2.75%</i>	<i>1,199</i>	<i>35.79%</i>	<i>33.63%</i>
<i>4-bedroom or larger</i>	<i>814</i>	<i>22.83%</i>	<i>88</i>	<i>40.93%</i>	<i>2.47%</i>	<i>726</i>	<i>21.67%</i>	<i>20.36%</i>

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Longevity of tenure reflected in higher number of households that have moved in older time frames may indicate the presence of long-term residents in stable residential neighborhoods and/or the lack of socio-economic mobility. The largest group of households in Leonia last moved in 2010 to 2017 (26.3%).

Table 252: Year Householder Moved into the Housing Unit (Municipality, County, State)

Year Householder Moved into the Unit	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Moved in 2021 or later	210	6.3%	27,042	7.7%	287,715	8.3%
Moved in 2018 to 2020	642	19.2%	64,108	18.1%	715,555	20.6%
Moved in 2010 to 2017	880	26.3%	101,622	28.8%	994,613	28.6%
Moved in 2000 to 2009	686	20.5%	69,267	19.6%	669,145	19.2%
Moved in 1990 to 1999	340	10.1%	42,548	12.0%	398,157	11.4%
Moved in 1989 and earlier	592	17.7%	48,720	13.8%	413,170	11.9%
Occupied housing units	3,350	100%	353,307	100%	3,478,355	100%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 33 shows the value range of units, and the median home value. The Borough has a higher percentage of higher value units when compared to the County and the State. About 73% of units in the Borough have a value greater than \$500,000 compared to 63% in the County and 38% in the State. The higher home value trend can also be depicted in the median home value, where \$634,500 is the median home value in the Borough, \$593,200 at the County level, and \$427,600 at the State level.

Table 263: Value for All Owner-Occupied Housing Units (Municipality, County, State)

Value Range of Units	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Less than \$50,000	0	0.0%	4,241	1.8%	53,731	2.4%
\$50,000 to \$99,999	8	0.3%	2,583	1.1%	42,821	1.9%
\$100,000 to \$149,999	16	0.7%	2,366	1.0%	63,171	2.9%
\$150,000 to \$199,999	0	0.0%	2,680	1.2%	110,721	5.0%
\$200,000 to \$299,999	111	4.7%	11,285	4.9%	349,448	15.8%
\$300,000 to \$499,999	503	21.5%	62,212	26.9%	749,442	33.8%
\$500,000 to \$999,999	1,604	68.5%	115,000	49.8%	699,287	31.6%
\$1,000,000 or more	99	4.2%	30,556	13.2%	146,861	6.6%
Total	2,341	100%	230,923	100%	2,215,482	100%
Median value	\$634,500		\$593,200		\$427,600	
<i>Value more than \$300,000</i>	2,206	94.2%	207,768	89.9%	1,595,590	72.0%
<i>Value more than \$500,000</i>	1,703	72.7%	145,556	63.0%	846,148	38.2%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

The average sales price of housing units in 2024 for Leonia (\$685,456) was higher than the median value of owner-occupied units (\$634,500). The 5-year average sales price in the Borough was \$622,756 in comparison to the 5-year average sales price in the County of \$691,017. In the last 5 years, the highest sales price in the Borough was recorded in 2023, and the lowest sales price was in the year 2020. The County follows the same trend, where the average same prices has been increasing over the five-year period.

Table 274: Comparison of Average Residential Sales Price (Municipality and County)

Year	Leonia		Bergen County	
	Number of Units	Avg Sale Price	Number of Units	Avg Sale Price
2020	70	\$541,651	6,078	\$576,109
2021	82	\$565,731	8,976	\$632,342
2022	94	\$613,693	8,254	\$710,851
2023	74	\$707,251	5,998	\$745,400
2024	57	\$685,456	4,914	\$790,381
5-year Average (2020-2024)	75	\$622,756	6,844	\$691,017
2020	70	\$541,651	6,078	\$576,109

Data Source: NJ Division of Taxation;

Table 35 shows that the average assessments for residential properties grew from \$436,790 in 2020 to \$440,444 in 2024. At the County level, there was an increase as well, from \$489,055 in 2020 to \$550,530 in 2024.

Table 285: Comparison of Consolidated Residential Tax Assessments (Municipality and County)

Year	Leonia		Bergen County	
	Number of Units	Avg Assessment	Number of Units	Avg Assessment
2020	2,440	\$436,790	251,684	\$489,055
2021	2,438	\$437,760	252,329	\$493,267
2022	2,435	\$438,344	252,586	\$510,500
2023	2,433	\$439,714	253,026	\$526,177
2024	2,432	\$440,444	253,254	\$550,530
5-year Average (2020-2024)	2,436	\$438,610	252,576	\$513,906

Data Source: NJ Division of Taxation;

Housing is generally considered to be affordable if the amount of rent, mortgage, and other essential costs consume 28% or less of the income of a homeowner, or 30% or less of the income of a renter. Low-income households are defined as those with incomes no greater than 50% of the median household income, adjusted for household size, of the housing region in which the municipality is located, and moderate-income households are those with incomes no greater than 80% and no less than 50% of the median household income, adjusted for household size, of the housing region. For Leonia, the housing region is defined as Region 1 Bergen, Hudson, Passaic and Sussex.

Table 36 shows that 42.45% of all occupied Leonia households (both owner- and renter-occupied) spend more than 30% of their income on housing. The table shows that 40.24% of all homeowners and 47.57% of renters spend more than 30% of their household income on housing. About 37% of all households (40.75% of all homeowners and 26.96% of all renters) spent less than 20% of their income on housing.

Table 36: Housing Costs as a Percentage of Household Income

Household Income Range	Number of Households	Percentage of Household Income		
		<20%	20-29%	30%+
Owner-Occupied Units	2,341	954	445	942
% of Total Occupied Units	69.88%	28.48%	13.28%	28.12%
% of Owner-Occupied Units	100.00%	40.75%	19.01%	40.24%
Less than \$20,000	20	0	0	20
\$20,000 to \$34,999	140	13	0	127
\$35,000 to \$49,999	99	0	13	86
\$50,000 to \$74,999	292	12	8	272
\$75,000 or more	1790	929	424	437
Zero or negative income	0			
Renter-occupied units	1,009	272	210	480
% of Total Occupied Units	30.12%	8.12%	6.27%	14.33%
% of Renter-Occupied Units	100.00%	26.96%	20.81%	47.57%
Less than \$20,000	78	4	11	63
\$20,000 to \$34,999	97	0	0	97
\$35,000 to \$49,999	52	0	22	30
\$50,000 to \$74,999	207	13	25	169
\$75,000 or more	528	255	152	121
Zero or negative income	8			
No cash rent	39			
Total Occupied Units	3,350	1,226	655	1,422
% of Total Occupied Units	100.00%	36.60%	19.55%	42.45%

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Leonia had a slightly lower percentage of owner-occupied housing with a mortgage (61.6%) than both the County (62.2%) and the State (64.4%), and a slightly larger percentage of households without a mortgage (38.4%) than the County (37.8%) and the State (35.6%).

For households in units with a mortgage, a higher percentage of homeowners in Leonia spent 30% or more on owner costs (46%) compared to the County (34%) or the State (32%). Similarly, a higher percentage of households in units without a mortgage in Leonia had costs more than 30% of household income (31.51%) compared to the County (24.73%) and the State (21.94%).

Table 297: Selected Monthly Owner Costs as a Percentage of Household Income (Municipality, County, State)

Percent Monthly Owner Costs	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total owned housing units	2,341	-	230,923	-	2,215,482	-
Housing units with a mortgage	1,443	61.6%	143,600	62.2%	1,425,712	64.4%
Housing unit without a mortgage	898	38.4%	87,323	37.8%	789,770	35.6%
Housing units with a mortgage **	1,443	-	142,992	-	1,419,981	-
Less than 20.0 percent	407	28.2%	55,363	38.7%	570,019	40.1%
20.0 to 24.9 percent	249	17.3%	22,116	15.5%	231,445	16.3%

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Percent Monthly Owner Costs	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
25.0 to 29.9 percent	128	8.9%	17,009	11.9%	158,805	11.2%
30.0 to 34.9 percent	139	9.6%	10,969	7.7%	106,717	7.5%
35.0 percent or more	520	36.0%	37,535	26.2%	352,995	24.9%
<i>More than 30 percent</i>	659	46%	48,504	34%	459,712	32%
Not computed	0		608		5,731	
Housing unit without a mortgage **	898	-	86,376	-	781,546	-
Less than 10.0 percent	273	30.4%	25,881	30.0%	234,463	30.0%
10.0 to 14.9 percent	204	22.7%	16,578	19.2%	159,967	20.5%
15.0 to 19.9 percent	70	7.8%	10,499	12.2%	101,983	13.0%
20.0 to 24.9 percent	19	2.1%	6,680	7.7%	68,048	8.7%
25.0 to 29.9 percent	49	5.5%	5,379	6.2%	45,601	5.8%
30.0 to 34.9 percent	56	6.2%	3,286	3.8%	31,435	4.0%
35.0 percent or more	227	25.3%	18,073	20.9%	140,049	17.9%
<i>More than 30 percent</i>	283	31.51%	21,359	24.73%	171,484	21.94%
Not computed	0		947		8,224	

**Excluding units where SMOCAPI cannot be computed

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

In 2023, the median gross rent in Leonia was \$2,149, compared to the Bergen County median gross rent of \$1,863 and the State median of \$1,653. Gross rent is defined by the American Community Survey as the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels (oil, coal, kerosene, wood, etc.) if these are paid for by the renter (or paid for the renter by someone else).

Leonia had 26 units (2.7%) with monthly rents under \$500, and about 33% of units paying between \$1,500 to \$1,999 in rent. This trend can be found at the County and State level as well.

Table 308: Gross Rent for Renter-Occupied Housing Units (Municipality, County, State)

Gross Rent	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Occupied units paying rent	970	-	118,477	-	1,226,168	-
Less than \$500	26	2.7%	3,870	3.3%	76,830	6.3%
\$500 to \$999	22	2.3%	5,086	4.3%	106,648	8.7%
\$1,000 to \$1,499	76	7.8%	21,678	18.3%	322,368	26.3%
\$1,500 to \$1,999	318	32.8%	39,395	33.3%	349,936	28.5%
\$2,000 to \$2,499	144	14.8%	21,731	18.3%	194,492	15.9%
\$2,500 to \$2,999	149	15.4%	11,103	9.4%	82,425	6.7%
\$3,000 or more	235	24.2%	15,614	13.2%	93,469	7.6%
No rent paid	39		3,907		36,705	
Median Gross Rent	2,149		1,863		1,653	

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

Table 39 depicts the percentage of household income that was used for rent, broken down by the household income range. Those earning between \$50,000-- \$74,999 tended to be the most rent burdened where 169 households in this cohort paid more than 30% of their income on rent.

Table 319: Household Income by Gross Rent

Household Income Range	Total Households	Percentage of Household Income						
		0 – 19.99%	20 – 24.9%	25 – 29.9%	30 – 34.9%	35% +	Not computed	30% +
< \$10,000	43	4	0	0	0	39	0	39
\$10,000 – 19,999	35	0	0	11	0	24	0	24
\$20,000 – 34,999	97	0	0	0	0	97	0	97
\$35,000 -- 49,999	52	0	9	13	0	30	0	30
\$50,000-- 74,999	207	13	25	0	0	169	0	169
\$75,000 -- 99,999	130	27	19	18	12	54	0	66
\$100,000 or more	398	228	54	61	0	55	0	55
Total	962	272	107	103	12	468	0	480
Percent Total	100.00%	28.27%	11.12%	10.71%	1.25%	48.65%	0.00%	49.90%

* This total includes the “not computed” values from Table 39 below and may reflect discrepancies in percentages shown.

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

As shown in Table 40, excluding units where rental information was not computed, 49.8% of Leonia renters pay more than 30% of household income in gross rent in comparison to 49.6% of renter households in Bergen County and 50.8% of renter households in New Jersey.

Table 40: Gross Rent as a Percentage of Household Income (Municipality, County, State)

Percent Gross Rent	Leonia		Bergen County		New Jersey	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Occupied units paying rent *	962	-	116,659	-	1,202,271	-
Less than 15.0 percent	148	15.4%	16,425	14.1%	149,680	12.4%
15.0 to 19.9 percent	124	12.9%	14,620	12.5%	150,728	12.5%
20.0 to 24.9 percent	107	11.1%	15,154	13.0%	153,645	12.8%
25.0 to 29.9 percent	103	10.7%	12,525	10.7%	137,739	11.5%
30.0 to 34.9 percent	12	1.2%	9,609	8.2%	105,946	8.8%
35.0 percent or more	468	48.6%	48,326	41.4%	504,533	42.0%
More than 30%	480	49.8%	57935	49.6%	610479	50.8%
Not computed	47		5,725		60,602	

* Excluding units where GRAP cannot be computed

Data Source: U.S. Census Bureau, 2023 5-Year American Community Survey

ANALYSIS OF CONSTRUCTION ACTIVITY AND TRENDS

Leonia issued the highest number of new housing building permits in 2019 compared to other years in the 15-year period studied. Analyzing fifteen years of data shows that Leonia permitted an average of 2 units a year, of which 1 is multifamily and 1 is a 1 & 2 family unit. The Borough experienced far less new construction compared to the County.

Table 321: Comparison of Housing Units Authorized by Building Permits for New Construction

Year	Leonia							Bergen County						
	Total	1&2		Multi		MU		Total	1&2		Multi		MU	
		#	%	#	%	#	%		#	%	#	%	#	%
2009	0	0	0.0%	0	0.0%	0	0.0%	534	321	60.1%	212	39.7%	1	0.2%
2010	0	0	0.0%	0	0.0%	0	0.0%	834	423	50.7%	406	48.7%	5	0.6%
2011	0	0	0.0%	0	0.0%	0	0.0%	1896	386	20.4%	1128	59.5%	382	20.1%
2012	0	0	0.0%	0	0.0%	0	0.0%	1925	403	20.9%	1520	79.0%	2	0.1%
2013	0	0	0.0%	0	0.0%	0	0.0%	1460	575	39.4%	882	60.4%	3	0.2%
2014	3	0	0.0%	3	0.0%	0	0.0%	1609	755	46.9%	739	45.9%	115	7.1%
2015	0	0	0.0%	0	0.0%	0	0.0%	1202	762	63.4%	438	36.4%	2	0.2%
2016	3	1	33.3%	2	66.7%	0	0.0%	2570	828	32.2%	1738	67.6%	4	0.2%
2017	2	2	100.0%	0	0.0%	0	0.0%	2041	758	37.1%	1,167	57.2%	116	5.7%
2018	0	0	0.0%	0	0.0%	0	0.0%	2350	775	33.0%	1559	66.3%	16	0.7%
2019	12	0	0.0%	12	100.0%	0	0.0%	3251	715	22.0%	2,524	77.6%	12	0.4%
2020	5	5	100.0%	0	0.0%	0	0.0%	1607	626	39.0%	969	60.3%	12	0.7%
2021	2	2	100.0%	0	0.0%	0	0.0%	2577	863	33.5%	1686	65.4%	28	1.1%
2022	2	2	100.0%	0	0.0%	0	0.0%	2575	861	33.4%	1,686	65.5%	28	1.1%
2023	0	0	0.0%	0	0.0%	0	0.0%	1557	679	43.6%	877	56.3%	1	0.1%
15-YR TOTAL	29	12	41.38%	17	58.62%	0	0.00%	27,988	9,730	34.76%	17,531	62.64%	727	2.60%
15-YR AVG.	2	1		1		0		1866	649		1169		48	
10-YR TOTAL	29	12	41.38%	17	58.62%	0	0.00%	21339	8197	38.41%	14265	66.85%	337	1.58%
10-YR AVG.	3	1		2		0		2134	745		1297		31	

Data Source: New Jersey Department of Community Affairs

Leonia issued 61 certificates of occupancy (COs) over the past 15 years. 33 CO's were issued in 2009 and 13 were issued in 2022. Over time the Borough has issued less CO's which can be depicted when comparing the 10 year and 15 years averages. The Borough issued far less CO's than the County.

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Table 332: Comparison of Housing Units Certified for Occupancy

Year	Leonia							Bergen County						
	Total	1&2		Multi		MU		Total	1&2		Multi		MU	
		#	%	#	%	#	%		#	%	#	%	#	%
2009	33	0	0.0%	0	0.0%	33	100.0%	1,084	665	61.3%	416	38.4%	3	0.3%
2010	1	1	100.0%	0	0.0%	0	0.0%	563	457	81.2%	102	18.1%	4	0.7%
2011	1	1	100.0%	0	0.0%	0	0.0%	625	396	63.4%	209	33.4%	20	3.2%
2012	1	1	100.0%	0	0.0%	0	0.0%	868	398	45.9%	464	53.5%	6	0.7%
2013	0	0	0.0%	0	0.0%	0	0.0%	999	444	44.4%	552	55.3%	3	0.3%
2014	2	2	0.0%	0	0.0%	0	0.0%	1,358	425	31.3%	928	68.3%	5	0.4%
2015	0	0	0.0%	0	0.0%	0	0.0%	1,346	579	43.0%	762	56.6%	5	0.4%
2016	2	1	50.0%	1	50.0%	0	0.0%	1,596	749	46.9%	837	52.4%	10	0.6%
2017	0	0	0.0%	0	0.0%	0	0.0%	1,926	691	35.9%	1,214	63.0%	21	1.1%
2018	2	1	50.0%	1	50.0%	0	0.0%	2,178	563	25.8%	1594	73.2%	21	1.0%
2019	1	1	100.0%	0	0.0%	0	0.0%	1,465	466	31.8%	916	62.5%	83	5.7%
2020	1	1	100.0%	0	0.0%	0	0.0%	737	429	58.2%	300	40.7%	8	1.1%
2021	1	1	100.0%	0	0.0%	0	0.0%	1,550	268	17.3%	1277	82.4%	5	0.3%
2022	14	2	14.3%	12	85.7%	0	0.0%	1264	463	36.6%	798	63.1%	3	0.2%
2023	2	2	0.0%	0	0.0%	0	0.0%	1,237	516	41.7%	720	58.2%	1	0.1%
15-YR TOTAL	61	14	22.95%	14	22.95%	33	54.10%	18,796	7,509	39.95%	11,089	59.00%	198	1.05%
15-YR AVG.	4	1		1		2		1253	501		739		13	
10-YR TOTAL	25	11	44.00%	14	56.00%	0	0.00%	14657	5149	35.13%	9346	63.76%	162	1.11%
10-YR AVG.	3	1		1		0		1466	515		935		16	

Data Source: New Jersey Department of Community Affairs

In 2019, the Borough experienced 3 units that were demolished. Overall, the Borough demolished significantly less units than the County. The 10 and 15 year averages both depict an average of 1 unit demolished per year.

Table 343: Comparison of Housing Units Demolished

Year	Leonia							Bergen County						
	Total	1&2		Multi		MU		Total	1&2		Multi		MU	
		#	%	#	%	#	%		#	%	#	%	#	%
2009	0	0	0.0%	0	0.0%	0	0.0%	316	277	87.7%	26	8.2%	13	4.1%
2010	0	0	0.0%	0	0.0%	0	0.0%	358	334	93.3%	20	5.6%	4	1.1%
2011	0	0	0.0%	0	0.0%	0	0.0%	315	296	94.0%	12	3.8%	7	2.2%
2012	1	0	0.0%	0	0.0%	1	100.0%	305	285	93.4%	11	3.6%	9	3.0%
2013	1	0	0.0%	0	0.0%	1	100.0%	408	390	95.6%	9	2.2%	9	2.2%
2014	0	0	0.0%	0	0.0%	0	0.0%	486	441	90.7%	30	6.2%	15	3.1%
2015	0	0	0.0%	0	0.0%	0	0.0%	685	403	58.8%	266	38.8%	16	2.3%
2016	0	0	0.0%	0	0.0%	0	0.0%	449	427	95.1%	1	0.2%	21	4.7%
2017	1	1	100.0%	0	0.0%	0	0.0%	473	443	93.7%	19	4.0%	11	2.3%
2018	1	0	0.0%	1	100.0%	0	0.0%	528	514	97.3%	3	0.6%	11	2.1%
2019	3	3	100.0%	0	0.0%	0	0.0%	470	452	96.2%	5	1.1%	13	2.8%
2020	1	1	100.0%	0	0.0%	0	0.0%	325	315	96.9%	4	1.2%	6	1.8%
2021	0	0	0.0%	0	0.0%	0	0.0%	459	370	80.6%	86	18.7%	3	0.7%

2025 Housing Element and Fair Share Plan
Leonia, Bergen County, NJ

Year	Leonia							Bergen County						
	Total	1&2		Multi		MU		Total	1&2		Multi		MU	
		#	%	#	%	#	%		#	%	#	%	#	%
2022	0	0	0.0%	0	0.0%	0	0.0%	405	394	97.3%	7	1.7%	4	1.0%
2023	4	0	0.0%	4	0.0%	0	0.0%	495	477	96.4%	4	0.8%	14	2.8%
15-YR TOTAL	12	5	41.67%	5	41.67%	2	16.67%	6,477	5,818	48483.33%	503	68.60%	156	0.50%
15-YR AVG.	1	0		0		0		432	388		34		10	
10-YR TOTAL	10	5	50.00%	5	50.00%	0	0.00%	4775	4236	88.71%	425	8.90%	114	2.39%
10-YR AVG.	1	1		1		0		478	424		43		11	

Data Source: New Jersey Department of Community Affairs

Leonia issued permits for a total of 48,500 square feet of total non-residential space in the 15-year period of which a majority was office development. Like the residential development the Borough did not experience much development particularly when compared to the development at the County level.

Table 354: Comparison of Non-Residential Construction Permitted

YEAR	Leonia						
	All Non-Res**	Office		Retail		Other	
	SFT	SFT	Percent	SFT	Percent	SFT	Percent
2009	44,200	44,200	0.00%	0	0.00%	0	0.00%
2010	0	0	0.00%	0	0.00%	0	0.00%
2011	0	0	0.00%	0	0.00%	0	0.00%
2012	4,300	4300	0.00%	0	0.00%	0	0.00%
2013	0	0	0.00%	0	0.00%	0	0.00%
2014	0	0	0.00%	0	0.00%	0	0.00%
2015	0	0	0.00%	0	0.00%	0	0.00%
2016	0	0	0.00%	0	0.00%	0	0.00%
2017	0	0	66.67%	0	0.00%	0	0.00%
2018	0	0	0.00%	0	0.00%	0	0.00%
2019	0	0	0.00%	0	0.00%	0	0.00%
2020	0	0	0.00%	0	0.00%	0	0.00%
2021	0	0	0.00%	0	0.00%	0	0.00%
2022	0	0	0.00%	0	0.00%	0	0.00%
2023	0	0	0.00%	0	0.00%	0	0.00%
15-YEAR TOTAL	48,500	48,500	0.03%	0	0.00%	0	0.00%
15-YEAR AVG.	3233	3233		0		0	
10-YEAR TOTAL	0	0	0.03%	0	0.00%	0	0.00%
10-YEAR AVG.	0	0		0		0	

** Total includes a limited number of uses and square feet permitted as indicated in the "Other" category

Data Source: New Jersey Department of Community Affairs

YEAR	Bergen County						
	All Non-Res**	Office		All Non-Res**		Other	
	SFT	SFT	Percent	SFT	Percent	SFT	Percent
2013	1,213,116	425000	35.03%	189000	15.58%	599,116	49.39%
2014	2,159,182	498,400	23.08%	488900	22.64%	1,171,882	54.27%
2015	1,295,399	134100	10.35%	146400	11.30%	1,014,899	78.35%
2016	2,558,800	625300	24.44%	11000	0.43%	1,922,500	75.13%

2025 Housing Element and Fair Share Plan
 Leonia, Bergen County, NJ

YEAR	Bergen County						
	All Non-Res**	Office		All Non-Res**		Other	
	SFT	SFT	Percent	SFT	Percent	SFT	Percent
2017	2,153,528	812900	37.75%	279400	12.97%	1,061,228	49.28%
2018	1,787,789	455600	25.48%	201500	11.27%	1,130,689	63.25%
2019	3,047,911	153600	5.04%	39,600	1.30%	2,854,711	93.66%
2020	2,165,084	141,600	6.54%	189000	8.73%	1,834,484	84.73%
2021	2,637,567	607,900	23.05%	224600	8.52%	1,805,067	68.44%
2022	2,618,115	565000	21.58%	69000	2.64%	1,984,115	75.78%
2023	2,376,138	459,400	19.33%	11400	0.48%	1,905,338	80.19%
10-YEAR TOTAL	22,799,513	4,453,800	19.53%	1,660,800	7.28%	16,684,913	73.18%
10-YEAR AVG.	2279951	445380		166080		1668491	
2013	1,213,116	425000	35.03%	189000	15.58%	599,116	49.39%
2014	2,159,182	498,400	23.08%	488900	22.64%	1,171,882	54.27%
2015	1,295,399	134100	10.35%	146400	11.30%	1,014,899	78.35%
2016	2,558,800	625300	24.44%	11000	0.43%	1,922,500	75.13%
2017	2,153,528	812900	37.75%	279400	12.97%	1,061,228	49.28%
2018	1,787,789	455600	25.48%	201500	11.27%	1,130,689	63.25%

** Total includes a limited number of uses and square feet permitted as indicated in the "Other" category

Data Source: New Jersey Department of Community Affairs

FORECASTS AND PROJECTIONS

Leonia and Bergen County are served by the North Jersey Transportation Planning Authority (NJTPA), one of New Jersey’s three metropolitan planning organizations. The NJTPA oversees transportation improvement projects within its region and provides a forum for interagency cooperation and public input. It also sponsors and conducts studies, assists County planning agencies and monitors compliance with national air quality goals.

The NJTPA regularly publishes population and employment projections for its constituent municipalities and counties. Table 45 indicates a 0.4% annual increase in Leonia’s population and a 0.4% increase in Leonia’s households from 2015 to 2050, which is a similar projected growth pattern for the County. Employment is forecast to increase by 0.6% annually between 2015 and 2050 in Leonia and by 0.4% annually in Bergen County.

Table 365: Long-term Population, Household and Employment Forecasts

	Leonia	Bergen County
Population		
2015 Population	9,095	926,330
2050 Population	10,484	1,083,869
Annualized % Population Change 2015-2050	0.40%	0.40%
Households		
2015 Households	3,298	339,063
2050 Households	3,752	395,182
Annualized % Household Change 2015-2050	0.40%	0.40%
Employment		
2015 Employment	2,284	421,284
2050 Employment	2,776	483,298
Annualized % Employment Change 2015-2050	0.60%	0.40%

Data Source: North Jersey Transportation Planning Authority, Plan 2050: Transportation. People. Opportunity, Appendix E - 2050 Demographic Forecasts - Current NJTPA Board approved Municipal Forecasts September 13, 2021

The Fair Housing Act requires that Housing Elements and Fair Share Plans include a 10-year projection of new housing units based on the number of building permits, development applications approved, and probable developments, as well as other indicators deemed appropriate (N.J.S.A. 52:27D-310.b).

Table 46 provides an estimate of anticipated residential growth based on the extrapolation of prior housing activity into the future. Factors such as the actual housing permits and demolitions, real estate business cycle and physical obstacles to development may result in a lower or higher actual number.

Annual building permits issued for new residential construction in Leonia during the years 2014 through 2023 averaged about 3 units per year. If the 2014-2023 rate were to remain relatively constant, Leonia

might see 8 new additional dwelling units by the end of the next ten-year period, or by the year 2032. Given the most recent data from the State is from 2023, the 10 year projection is based off of 2023.

Table 376: Building Permits Issued, Demolitions and New Housing Projection

	Total Residential Units	1- & 2-family units	Multifamily Units	Mixed Use Units
2014	3	0	3	0
2015	0	0	0	0
2016	3	1	2	0
2017	2	2	0	0
2018	0	0	0	0
2019	12	0	12	0
2020	5	5	0	0
2021	2	2	0	0
2022	2	2	0	0
2023	0	0	0	0
10-Year Average	3	1	2	0
10-Year Projection	8	6	2	0

Data Source: New Jersey Department of Labor and Workforce Development, Residential Building Permit Data

Appendix B

Borough of Leonia
Vacant Land Analysis (VLA) and Realistic Development Potential (RDP)
January 2025
Prepared by:
Kendra Lelie, PP, AICP, LLA
Kyle + McManus Associates

Introduction

The Borough examined all (1) vacant sites, (2) underutilized sites and (3) sites that are likely to redevelop from a relatively low density and/or intensity use to one that would create an opportunity for affordable housing if inclusionary development were in place within the remaining third round and fourth round timeframe (1999- 2035).

Identification of Vacant Land

This inventory reviewed 2024 MOD IV Tax Data records for Vacant (Property Class: 1), Public (Property Class 15C), Farmland (Property Classes 3A and 3B) lands in the Borough. These sites were joined to available parcel data in a Geographic Information System (GIS) in order to review development capability and potential. The Borough then examined each parcel to evaluate its suitability as an affordable housing site.

Permitted Exclusions

The Amended FHA permits municipalities to rely on COAH regulations that do not contradict the Act. COAH regulations recognized that a municipality that spent the time and effort to secure a vacant land adjustment should not be required to do that analysis again:

COAH regulations N.J.A.C. 5:97-5.1 (d). reads as follows: (d) A vacant land adjustment that was granted as part of a first round certification or judgment of compliance shall continue to be valid provided the municipality has implemented all of the terms of the substantive certification or judgment of compliance, and received or petitioned to the Council for second round substantive certification or was under the Court's jurisdiction for second round. If the municipality failed to implement the terms of the substantive certification or judgment of compliance, the Council may reevaluate the vacant land adjustment.

However, a 2002 Supreme Court case found that after a municipality secured a vacant land adjustment, there might be changed circumstances that warranted a recalibration of the RDP. See *Fair Share Housing Center, Inc vs Township of Cherry Hill*, 173 N.J. 393 (2002) . When COAH certified the Borough's Housing Element and Fair Share Plan for Round 1 on March 19, 1990, it found that the Borough's RDP was 0. When COAH certified the Borough's cumulative plan for Rounds 1 and 2 on July 16, 2002, it again found that the Borough had no new construction obligation.

COAH regulations (N.J.A.C. 5:93-4.2(c)) establish the criteria by which sites or portions of sites in a municipal vacant land inventory may be excluded from the calculation of the municipality's Realistic Development Potential (RDP). Environmentally sensitive areas may be excluded from consideration, including flood hazard areas, wetlands, and areas characterized by steep slopes (defined in COAH's regulations as slopes with a grade of greater than fifteen percent) that render a site or a portion of a site unsuitable for low and moderate income housing. In addition, small isolated lots having an insufficient acreage to generate an affordable housing set-aside as part of an inclusionary development may be excluded.

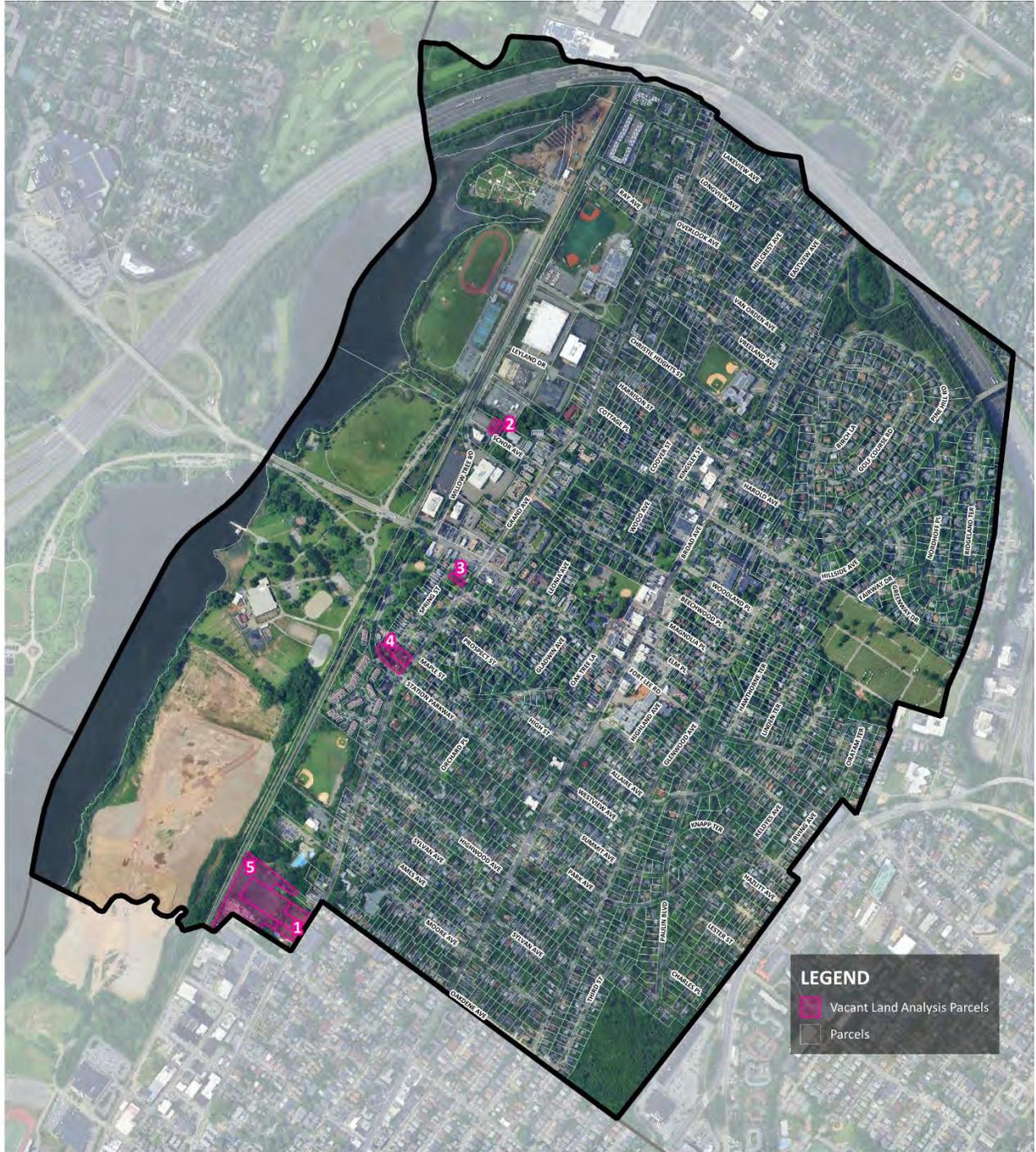
Landlocked parcels or sites with limited or no access may also be excluded from the calculation of the RDP. Agricultural land may be excluded when the development rights to the land has been restricted by covenant. Historic and architecturally important sites may also be excluded if sites are listed on the State Register of Historic Places. Furthermore, properties identified on the Recreation and Open Space Inventory (ROSI) as part of the NJDEP Green Acres Program are also excluded.

RDP Calculation and Conclusion

Additionally, our office made every attempt to consolidate acreage of parcels that were contiguous and/or under similar ownership. Ultimately, densities were assigned to be cognizant of the Borough’s obligation, as well as keeping the context/character of their surroundings and sound planning principles in mind.

The following table identifies each parcel by block and lot number, location, total parcel size, developable acreage, RDP density, total units and RDP units. In addition, a separate table is provided indicating those parcels that are vacant but fully constrained, Borough owned and farmland assessed (if applicable). The reason for exclusion is presented in the table.

Table 1: Sites Generating RDP						
Sites	Block / Lot	Address	Acres	Density (du/acre)	Total units	RDP
Vacant Land Suitable For Inclusionary Development						
1	1501/22,23, 24	106-108 Grand Avenue	3.04 gross 1.11 net	27	30	6
2	503/24,25	Schor Avenue	0.29 gross 0.25 net	19	5	1
3	1203/4	326 Grand Avenue	0.53 gross 0.53 net	26	14	3
4	1213/3&4	266 Grand Avenue	0.98 gross 0.98 net	20	20	4
5	1501/26	Oakdene Avenue	3.9 gross 1.0 net	20	20	4
Total						18

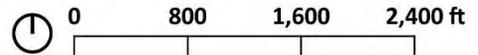


VACANT LAND ANALYSIS

AFFORDABLE HOUSING

BOROUGH OF LEONIA | BERGEN COUNTY

DATA SOURCES: Google Earth 2023; NJGIN Parcels 2023



Appendix C



BOROUGH OF LEONIA

BERGEN COUNTY, NEW JERSEY

BOROUGH OF LEONIA OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM POLICIES AND PROCEDURES MANUAL

February 2026

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Borough of Leonia

Owner-Occupied Housing Rehabilitation

Program

Policies and Procedures Manual

Introduction

This Policy and Procedures Manual has been prepared to guide the administration of the Borough of Leonia Owner-Occupied Housing Rehabilitation Program (the Program). The Manual serves as a reference for Program staff and applicants and establishes the policies, procedures, and requirements governing Program operations, consistent with applicable State regulations, including 5:80-26.1 et seq., Uniform Housing Affordability Controls (UHAC). Specifically, this Manual:

- Explains the objectives and structure of the Program;
- Describes the steps involved in the rental rehabilitation process;
- Sets forth eligibility requirements for participation;
- Defines applicable criteria, funding terms and conditions, and record-keeping requirements; and
- Establishes procedures for overall Program administration.

This Manual is intended to function as a working document and has been prepared in a flexible format to allow for periodic updates to individual sections, as necessary, in response to changes in regulations, administrative practices, or Program requirements.

The Program is funded by the Borough's Affordable Housing Trust Fund.

Program Purpose and Goals

The Borough of Leonia Owner-Occupied Housing Rehabilitation Program has been established to rehabilitate substandard owner-occupied housing units occupied by income-eligible households within the Borough of Leonia.

As part of the Borough's Housing Element and Fair Share Plan, the Program is intended to:

- Facilitate the repair or replacement of major building systems necessary to bring units into compliance with applicable codes and standards;
- Improve health, safety, and living conditions;
- Preserve and extend the useful life of the local owner-occupied housing stock;
- Reduce energy consumption in older homes and lower utility costs;
- Reduce the risk of childhood lead poisoning associated with deteriorated lead-based paint hazards; and

The Program is designed to achieve these objectives through the following means:

- Providing forgivable loans to eligible property owners for qualified housing rehabilitation and energy-efficiency improvements;
- Assisting property owners in identifying the type and scope of necessary rehabilitation work through inspections and cost estimates prepared by the Program Inspector/Cost Estimator (see Section III: Overview of the Administrative Process); and
- Ensuring that rehabilitation work is completed in accordance with Program standards, applicable codes, and approved work write-ups.

- Assisting property owners in selecting a qualified contractor at a fair price using Program-approved Contractors and the assistance of the Program Inspector/Cost Estimator (see Section IV. Work Write-up, Contractor Selection, Bidding & Awarding Bids).

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunity laws, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 *et seq.*, the Substantive rules of the Council on Affordable Housing, N.J.A.C. 5:93 and Procedural Rules of the Council on Affordable Housing N.J.A.C. 5:97 and the affordable housing regulations of the Borough of Leonia (hereafter referred to as the “Regulations”). Copies of these regulations are available online at: <https://www.nj.gov/dca/dlps/hss/thirdroundregs.shtml> and <https://www.nj.gov/dca/hmfa/about/uhac/>. Additional information on the Borough’s Affordable Housing obligation and its Fair Share Plan can be found here:

Rehabilitation Assistance

Owner-occupied homes located in the Borough of Leonia are eligible for up to \$20,000 in assistance to repair or replace one or more failing or deteriorating major systems and to otherwise remove all health and safety violations. Applicants are assisted on a first-come, first-served basis. At the Borough’s discretion, the maximum assistance of \$20,000 may be exceeded on a case-by-case basis.

Fair Housing and Equal Housing Opportunities



In accordance with the Federal Fair Housing Act, it is unlawful to discriminate against any person in the sale, rental, or financing of housing, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, national origin, disability, or familial status. In addition, New Jersey Law prohibits discrimination in housing on the basis of race, creed, color, national origin, ancestry, nationality, marital or domestic partnership or civil union status, familial status, sex, gender identity or expression, affectional or sexual orientation, disability, source of lawful income or source of lawful rent payment (including Section 8) by all persons including real estate agents or brokers, financial institutions, property owners, landlords, or building superintendents, and their agents and employees with respect to the sale, rental or lease of real property, listing or advertising of real property, receipt or transmittal of offers to purchase or rent real property, application and terms of a mortgage or other loan.

Regulatory Objectives and Compliance

The use of the Borough’s Affordable Housing Trust Funds will require compliance with various State affordable housing rules, including the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 *et seq.*), the Substantive Rules of the Council on Affordable Housing N.J.A.C. 5:97, and the Procedural Rules of the Council on Affordable Housing N.J.A.C. 5:96, including:

- Each assisted unit must meet or exceed New Jersey State Housing Code, N.J.A.C. 5:28. For projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6. In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply; and
- Complete replacement or substantial repair of at least one major system.

Summary of Program

Characteristic	Rehabilitation Assistance Program
Funding Limit	\$20,000 per unit
Eligible Homes	Owner-occupied homes owned by households earning less than 80% of the area median income by household size.
Program Objective	Assisted units shall comply with the New Jersey State Housing Code, N.J.A.C. 5:28. For construction projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6. In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.
Target Area	Borough-wide
Affordability Controls	Interest-free, deferred loans secured by a Mortgage and Mortgage Note. Loans will be forgiven on the 10-year anniversary of the unit's certification as standard.
Funding Source	Leonia Borough's Affordable Housing Trust Fund
Income Limits	Regional income limits shall be established for the housing region in which the Borough is located (Housing Region 1) based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. Income limits are posted at the NJ HMFA Website: https://www.nj.gov/dca/hmfa/about/uhac/

General Program Information

Eligible Properties and Program Assistance

Owner-occupied homes are eligible for assistance of up to \$20,000 each to repair or replace any failing or deteriorated major system. In order to be eligible for assistance, there must be a reasonable expectation of bringing each assisted home up to New Jersey State Housing Code (N.J.A.C. 5:28) and Rehabilitation Subcode (N.J.A.C. 5:23-6) within the available funding and homeowner contributions, if necessary. At the Borough's discretion, the maximum assistance of \$20,000 may be exceeded on a case-by-case basis.

Eligible Households

To be eligible for assistance, owner-households must be income-eligible. Specifically, the owner's household must earn less than the Program's Income Limits by household size. While any household earning less than the Program's Income Limit will be considered income-eligible, each household will be tracked for statistical purposes in one of three categories based on the Program's median income limits: 80% (moderate), 50% (low), and 30% (very low).

Income Limits

The Income Limits used to determine income eligibility of tenant households are published annually by NJ HMFA and posted at <https://www.nj.gov/dca/hmfa/about/uhac/>. Income limits are established for multiple geographic

regions and household sizes. Leonia Borough is part of “Region 1” – Bergen, Hudson, Passaic, and Sussex Counties. The income level that establishes eligibility for the Program is less than eighty percent (80%) of the Area Median Income by household size. This limit is also referred to as “moderate income”.

The Program’s income certification process follows N.J.A.C. 5:80-26.14, Uniform Housing Affordability Controls. Detailed information on determining eligibility is provided in the section of this manual entitled Income Eligibility Determinations.

Other Eligibility Requirements

- The property must be *located within the Borough of Leonia* with a deed recorded in the name of the applicant(s) with the Bergen County Clerk’s Office.
- The property consists of *an owner-occupied residential unit*, in accordance with the land use regulations of the Borough of Leonia as determined by the Borough’s Zoning Officer
- *Property taxes and mortgage payments* for the subject property must be current.
- *Water and sewer utility bills* must be current.
- *Homeowners’ Insurance and Flood Insurance (if applicable)* must be current (*The cost of insurance can be included for one year if the property is not or cannot be insured at the time of application*).

Ownership and Occupancy

Proof of ownership of the property and its use as a principal place of residence must be established by the following:

1. Copy of deed;
2. Copy of declaration page from Homeowner’s Insurance and Flood Insurance (if applicable);
3. Copy of a current mortgage statement, if applicable; and
4. Signed Declaration of Occupancy, which is part of the Program Application.

Certification of Substandard

To be eligible for Program assistance, at least one major system must require replacement or repair. A major system in need of repair or replacement is considered *substandard*. The substandard certification is prepared by the Program Inspector during the comprehensive inspection.

For the purposes of the Program, the following components of a dwelling are considered “major systems.”

- Roof;
- Plumbing (including wells and connections to public water systems);
- Heating;
- Electrical;
- Sanitary plumbing (including septic systems and connections to public sewer systems);
- Load-bearing structural systems;
- Removal or “control” of lead-based paint hazards; or
- Weatherization (building insulation for attic, exterior walls, and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors, and replacement windows and doors).

Certification Existing Conditions

To receive assistance, each home must have a verifiable need. A Program Inspector will visit each home to document existing conditions.

Eligible Improvements

Program funds will be available to address quality-of-life housing issues, correct existing and emerging code violations, minimize the risk of lead-based paint poisoning, and correct weatherization deficiencies as identified in the project's Work Write-Up, with detailed specifications.

Housing rehabilitation funds may be used only for repairs or system replacements necessary to bring a substandard unit into compliance with municipal health, safety, and building codes, correct applicable code violations, as well as any other work that is reasonable and deemed necessary or is related to the necessary repairs. The cost for one year of property insurance can be included in the assistance if no insurance is in place at the time of application.

In addition to and after the repair or replacement of all major systems, work may include, but not be limited to, the following:

- Interior trim work;
- Interior and/or exterior doors;
- Interior and/or exterior hardware;
- Interior stair repair;
- Exterior step repair or replacement;
- Porch repair;
- Wall surface repair;
- Painting; or
- Exterior rain carrying system repair.

Any agreements between the Contractor and the Owner for "side work", outside the scope of the Program's work write-up, will not be accepted and cannot be completed during participation in the Program. The Borough shall not be held responsible for any work performed by the Contractor that is not part of the work write-up and/or approved change order.

Ineligible Improvements

Work not eligible for program funding includes, but is not limited to, luxury improvements (improvements which are strictly cosmetic), additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools, and landscaping. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited. Rehabilitation work performed by property owners shall not be reimbursable under this program. The cost of removing any illegally converted living space (e.g., illegal bedrooms in the basement) is not eligible for assistance.

Loan Amount and Terms

The entire cost of repairs and improvements made through this Program will be paid directly by the Borough to the Contractor as work is completed and inspected. Loans will be interest-free, deferred-payment loans secured by a secondary mortgage or another instrument on the property being repaired. The principal will remain unchanged and will be forgivable at the end of the term.

Loan Subordination

The Borough will consider requests to subordinate the Program's recorded mortgage to subsequent financing or refinancing. In all cases, the property owner must supply information listed in the Program's "Subordination Request Check List," which includes information on the new financing terms, recent appraisal of the value of the property and intended uses of the proceeds of any new financing. This and other required program documentation will be reviewed by the Borough solicitor, who will recommend to the Program Administrator whether to grant the subordination request.

Borrower's Agreement and Terms

The Borough will enter into a Borrower's Agreement with the Applicant that specifies the terms and conditions of the Program assistance to be made available, including reference to a Work Write-Up and Cost Estimate, which will be attached and made part of the Construction Agreement. The Borrower's Agreement will include a requirement that the Applicant sign a Mortgage and Note. The mortgage will be recorded with the County Clerk and will serve as the legal instrument for securing the Program Assistance.

Copies of the Borrower's Agreement and form of Mortgage and Note to be used in implementing the Program are attached and made part of this Manual.

Overview of Administrative Process

The following provides a brief overview of a typical home rehabilitation. Details on each of these steps can be found elsewhere in this Manual.

1. Application package is received. If incomplete, notice is sent to application. There are no application fees associated with the program
2. Administrative Agent (Leckington Advisors, LLC) reviews the application package and determines eligibility. Homeowner(s) review and sign the Borrower's Agreement.
3. Program Inspector visits the home; performs a comprehensive inspection and lead-based paint risk assessment (if necessary). Certification of Substandard Conditions is issued if one or more major systems need repair or replacement.
4. A work write-up is prepared by the Program and reviewed by the homeowner, along with the list of Program Contractors.
5. The job is placed out to bid.
6. Bids are received, evaluated by the Program Administrator and the Program Inspector.
7. Bids are reviewed with the Homeowner.
8. The homeowner awards the job to the chosen bidder.
9. Loan closing is conducted. The construction agreement and all affordability controls are executed.
10. Contractor is given authorization to proceed.
11. Contractor obtains permits (as necessary).
12. Construction phase begins.
13. Inspections are performed. Up to 2 progress payments are made.
14. Permits are closed out. Final Inspection is conducted. Certification of Standard is completed.
15. Contractor provides warranty information and signs Release of Liens.
16. Final Payment is made.
17. Case is closed out.

Marketing

The Borough will disseminate program information via newsletters, electronic communications, flyers included annually with tax bills, or other individual communication channels. Program information will be available at the municipal building, the library, and the senior center, as well as on the Borough website.

All marketing initiatives will – at a minimum – include the following information:

- Length of the affordability controls (lien);
- Circumstances that require the assistance to be repaid;
- A statement about household income eligibility requirements;
- The maximum assistance amount;
- Examples of eligible improvements; and
- The types of structures eligible for assistance.

Program Staffing

The Program will rely on Borough staff and one or more consultants to administer the Program. They are as follows:

1. *Municipal Housing Liaison.* Marisa Mesropian, the Borough Business Administrator, serves in this role. The MHL serves as the Program's liaison to the Special Adjudicator assigned to the Borough and the New Jersey Department of Community Affairs Office of Local Planning Services.
2. *Administrative Agent.* Leckington Advisors, LLC will provide income certification services for the Program. The Administrative Agent will perform income eligibility determinations.
3. *Program Administrator (to be determined)* will be responsible for the day-to-day operations of the Program. The Program Administrator will be the primary point of contact between the Program and the Borough and MHL. The Program Administrator will be responsible for providing a Program Inspector/Cost Estimator and a Lead Risk Assessor.
4. *Borough Building Code Official* will provide permit inspections as may be necessary during the rehabilitation.

Income Eligibility Determinations

To be eligible for Program assistance, each member of an applicant household who is 18 years of age or older, except full-time students under the age of 26 and those under the age of 26 participating in a registered apprenticeship program, must provide documentation to verify the member's income, including income received by adults on behalf of minor children for their benefit. The Program will follow the procedures in N.J.A.C. 5:80-26.17, except that households in owner-occupied units are exempt from the regional asset limit (N.J.A.C. 5:80-26.17(b)3).

What Counts as Income

The following is a list of wage types, payments, rebates, and credits. Those that must be considered as part of the household's income are listed in the Income column. Those that are not to be considered as part of the household's income are listed in Not Income. Restricted units constructed with Federal funds should consult the applicable regulations, such as HUD Section 42, to ensure compliance.

<i>INCOME</i>	<i>NOT INCOME</i>
<ul style="list-style-type: none"> ▪ Wages, salaries, tips, commissions ▪ Alimony ▪ Regularly scheduled overtime ▪ Pensions ▪ Social security ▪ Unemployment compensation (verify the remaining number of weeks they are eligible to receive) ▪ TANF ▪ Verified regular child support ▪ Disability ▪ Net income from business or real estate ▪ Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds ▪ Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate ▪ Rent from real estate is considered income ▪ Any other forms of regular income reported to the Internal Revenue Service 	<ul style="list-style-type: none"> ▪ Rebates or credits received under low-income energy assistance programs ▪ Food stamps ▪ Payments received for foster care ▪ Relocation assistance benefits ▪ Income of live-in attendants ▪ Scholarships ▪ Student loans ▪ Personal property such as automobiles ▪ Lump-sum additions to assets such as inheritances, lottery winnings, gifts, and insurance settlements ▪ Part-time income of persons enrolled as full-time students ▪ Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

Required Documentation from Applicants

In order to fulfill the documentation requirements of the Program, all members of the applying household, eighteen (18) years of age or over, must provide copies of the following documents with the application:

- Four consecutive pay stubs, not more than 120 days old, including bonuses, overtime, or tips, or a letter from the employer stating the present annual income figure;
- A signed copy of regular IRS Form 1040, 1040A, or 1040EZ (as applicable) and state income tax returns filed for the last three (3) years prior to the date of interview or a notarized tax waiver letter for the respective tax year(s);
- Social Security, Disability, and SSI Benefit Statements or Pension Benefits statement if applicable;

- Social Security Cards for each household member;
- A letter or appropriate reporting form verifying any other sources of income claimed, such as alimony and child support. This includes a separation agreement or divorce papers signed by the presiding judge;
- Reports from the last two consecutive months that verify income from assets to be submitted by banks or other financial institutions managing trust funds, money market accounts, certificates of deposit, stocks, or bonds. Examples include copies of all interest and dividend statements for savings accounts, checking accounts, and investments;
- Evidence or reports that verify assets such as real estate or businesses owned by any household member;
- If the applicant is a widow or widower, a copy of the spouse's Death Certificate should be included;
- Signed Eligibility Release form, signed Inspection Acknowledgment, and signed Financial Privacy Act Notice.

In addition to the above documents to establish income eligibility, the applicant's household must also provide documentation on the home:

- Documentation of the most current property tax assessment;
- Recorded deed to the property to be assisted;
- Current statement of property taxes;
- Current mortgage statement; and
- Copy of current homeowner's insurance declarations page (not the policy or receipt).

Work Write-up, Contractor Selection, Bidding & Awarding Bids

Property inspections will be performed by the Program Administrator retained by the Borough. In consultation with the Property Owner, the Program Administrator's Inspector will perform detailed inspections of the property, outlining deficiencies and the methods to correct them in a Work Write-Up with detailed specifications. Based on the Work Write-Ups, the Program Inspector will prepare Cost Estimates for use in evaluating contractor bids. The Program will engage a certified lead-based paint risk assessor to assess properties built before 1978 and identify hazardous lead-based paint conditions.

Eligible contractors

The Borough, on behalf of the property owners, will solicit bids from eligible rehabilitation contractors on the Program Contractor List. To be placed on the approved Program Contractor List, a contractor must:

- Complete a Program Contractor application;
- Provide three (3) professional references;
- Furnish evidence of a valid current insurance policy that protects the property owner for not less than \$100,000/\$300,000 in the event of bodily injury, including death, and \$100,000 in the event of property damage arising out of the work performed by the contractor;
- Carry or require that there be carried full and complete Workmen's Compensation Insurance for all employees and those of his sub-contractors engaged in the work. All insurance certificates must be provided to the Program before any awards are given; and
- Have a valid State of New Jersey Business Registration Certificate and Home Improvement Contractor's registration and any other relevant documentation requested by the Program.

Additionally, to be eligible to bid on work in houses constructed prior to 1978, the contractor must provide evidence of the required lead hazard training as required by HUD and the U.S. Environmental Protection Agency.

The Program will verify that all applying contractors are not on the State debarred contractor list. The contractor must also comply with other regulations established by the Borough of Leonia and the State of New Jersey.

Bid Openings and Contractor Selection

The Program will receive bids prior to a date and time specified for a bid opening. The bid opening will be open to the public. Completed bid packages may be submitted via Email, hand-delivered, or mailed to the Borough as instructed in the Bid Instructions issued to all contractors. Bid prices must include all permits, licenses, labor, materials, fixtures, and equipment necessary for the satisfactory completion of the rehabilitation of the property identified in the Work Write-up

The Program Administrator will review the proposals and provide the Property Owner with a list of contractors whose bids are eligible for the work. Eligible bids will be those that:

- Satisfy the specifications of the Work Write-Up;
- Have no math errors;
- Have been submitted by an eligible contractor;
- Are no more than 10% above or 20% below the Program Cost Estimator's final cost estimate for the work, unless an exception has been recommended by the Cost Estimator and approved by the Program Administrator; and
- Have been submitted by a contractor who, in the opinion of the Program Administrator, can perform the designated tasks within a responsible period of time as is specified in the Contract documents.

The Property Owner will then select a contractor from the list of eligible bids. Generally, the lowest-responsible bid will be accepted and nominated for award. If the Property Owner selects a contractor other than the contractor who submitted the lowest eligible bid, the Property Owner must, prior to the start of work, provide the difference between the lowest responsible bid and the selected bid. The amount provided by the Property Owner will be placed in escrow with the Borough. Any additional funding beyond the Program's maximum amount provided by the Property Owner must also be provided in advance and placed in escrow.

The Property Owner will be required to execute the contract documents with the selected Contractor (see Section V Loan Closings and Construction Agreements).

Contractor Performance

Timeliness and quality of work: Contractors are expected to complete all work within the timeframe specified in their contract with the Property Owner and to provide work that, at a minimum, meets the Program's Rehabilitation Standards. The time allowed for completion of work will be established by the Program Administrator before construction begins and will be based on the scope and complexity of the work.

Probationary period: Contractors with no prior experience with the Program will not be awarded more than one rehabilitation contract until one property is completed and satisfactory. At such time that a track record has been established that demonstrates quality work in a timely, professional, and workmanlike manner that complies with the Program's Rehabilitation Standards, the contractor's probationary period will be over, and a larger scope of work may be awarded. Contractors with a favorable performance record with the Borough may be awarded up to three projects from a single bid opening, based on their work schedule and the potential to complete the projects in a timely manner.

Contractor disqualification: It should be noted that contractors that receive poor references from program staff, Property Owners, businesses, or other government agencies, may be kept from participating in the program or placed or replaced on probationary status. Other factors that will be considered in determining eligibility and continued program participation are:

- Failure to make payments to sub-contractors;
- Debarment from any government program;
- Failure to complete punch lists or respond to reasonable Property Owner complaints as determined by the Program staff;
- The use of alcohol or drugs during the course of work by the contractor or any sub-contractor or anyone in the employ of a contractor or sub-contractor;
- Reports of theft, malicious damage, or burglary to any property while participating in the Residential Rehab Program;
- Indictment of any criminal offense;
- Failure to comply with the laws and ordinances of the municipality;
- Continued failure to obtain permits before the start of work;
- Abusive and vulgar language and behavior during the course of work; or
- Threats or harassment made to any person during the course of work.

If a contractor, sub-contractor, or employee of such violates any of the provisions of this section, the Program Administrator may disqualify the contractor or sub-contractor from future participation in the Program.

Replacement contractor: If a situation arises where a rehabilitation project has begun, and the contractor must be removed from, or refuses to complete a project, the work write-up will be revised to describe the balance of work needed on the home and will be put out to bid. Should the replacement contractor's cost to complete the rehabilitation be higher than that of the original contractor, the original contractor will be responsible for the difference.

Loan Closings and Construction Agreements

Loan Closings will be conducted at the Borough of Leonia offices and attended by the Program staff, the Homeowner and Contractor. Prior to the Loan Closing, the Homeowner will be provided with copies of the Construction Agreement, Mortgage and Mortgage Note for review.

Mortgage & Mortgage Note

The Program Administrator will start the Loan Closing by reviewing the rules outlined in the Mortgage and Mortgage Note with the Homeowner to help insure their understanding. The Homeowner will then be asked to sign the documents and the Notice of Right of Rescission. A signed copy of each of these documents will be left with the homeowner and the originals will be filed in the Homeowner's Program Case File.

Construction Agreement

All cases will have an executed Construction Agreement between the Contractor and Homeowner. The Program Administrator will ask both parties to review and execute the Construction Agreement at the Loan Closing after the Mortgage and Note have been signed. The Contractor will be requested to list Subcontractors to be engaged for the project. The Construction Agreement includes a variety of protections for both the Homeowner and Contractor, including, but not limited to:

- Dates by which the Contractor must begin and have completed the scope of work;
- Payment procedures;
- End of Work Day requirements and provisions; and
- The complete work specifications issued in the bid package and bid from the Contractor.

Both the Homeowner and the Contractor will receive a signed copy of the Construction Agreement. Once signed, the Inspector will encourage the Contractor to discuss the job's schedule. If the specifications allow for the homeowner's choice on any items in the scope (i.e., roof shingle colors), the Inspector will review those items with both to facilitate dialogue and decision-making.

On the 4th business day after the loan closing, the Program will issue to the Contractor a written Notice to Proceed.

Inspections

Inspections are conducted at various points in a home's rehabilitation. Six (6) types of inspections will be completed during any project:

- **Lead Risk Assessments** are completed for any rental unit built prior to 1978 to identify any hazardous lead-based paint.
- **Comprehensive Inspections** are completed to assess the rehabilitation needs of every rental unit. All major systems are evaluated during the comprehensive inspection. A checklist of all major components ensures that every aspect is evaluated during the comprehensive inspection.
- **Progress/Payment Inspections** are performed during the construction process to assess the contractor's level of completion and to ensure their strict adherence to the work write-up and specifications. A rental unit will receive one or more Progress/Payment Inspections. Payments for rehabilitation work will not be made without an inspection that physically verifies the satisfactory completion of all work.
- **Permit Inspections.** Permit inspections are completed by the Borough's construction code officials in order to ensure building code compliance with any work items that require a Borough construction permit.
- **Final Inspections** are done after any necessary permit inspections have been completed with a satisfactory result. Final Inspections are conducted to certify the completion of the construction phase and all contracted work items.
- **Lead Clearance Tests are performed at the conclusion of construction** on units that have identified lead-based paint hazards during the Lead Risk Assessment. The purpose of the Lead Clearance Test is to ensure that the Contractor properly cleaned all surfaces of lead dust.

Lead-Based Paint Hazards

All Program-assisted homes constructed prior to 1978 will be inspected by a Lead Risk Assessor to determine if any lead paint hazards exist in the home. In homes built prior to 1978, a lead risk assessment will be performed to identify deteriorated lead-painted surfaces that create dust or otherwise pose a lead hazard in the home. The cost to address identified lead hazards will be included in the work write-up and be considered an eligible use of Program funds.

At the appropriate time, the Program will provide the homeowner with copies of the following:

- Lead Hazard Information Pamphlet;
- Property Owner Disclosure (distributed to owners of a unit known to contain lead-based paint or lead-based paint hazards for disclosure to tenants or prospective purchasers);
- Notice of Lead Hazard Evaluation or Presumption; and

- Notice of Lead Hazard Reduction Activity, including Clearance.

Both Notices of Lead Hazard Evaluation and Lead Hazard Reduction will be provided to the occupants within 15 calendar days of the Program's receipt of the evaluation report or completion of the lead hazard reduction work. A lead hazard evaluation will consist of one or more of the following:

- Visual Assessment performed by a Program Inspector; and
- Paint Testing performed by a Certified Lead Risk Assessment.

The lead hazard reduction will always include safe work practices and clearance, and will also include paint stabilization or interim controls.

Prior to the rehabilitation and lead-based paint hazard work going out to bid, the Program will determine the type of contractor needed to complete the work required. The Program staff, homeowner, and contractor(s) awarded the job will review the key aspects of the lead hazard reduction during the pre-construction conference.

The awarded contractor(s) will always comply with Lead Safe Work Practices, which includes but is not limited to:

- Occupant protection;
- Work site preparation;
- Daily cleanup;
- Safe work practices; and
- Worker protection.

Occupants will be notified of any lead-hazard reduction measures that were taken. Following the program's final inspection, the Lead-based Paint Inspector will conduct a clearance examination, including dust sampling, to confirm that the unit is safe for occupancy and that lead hazard reduction was performed in accordance with the Program's work specifications.

Permits & Permit Inspections

As outlined in the General Conditions of the Bid Package, Contractors are responsible for obtaining, paying for, and scheduling inspections of all necessary permits for the job. No final payments will be processed until the Contractor has submitted copies of all closed permits to the Program.

Contractor Payment

Contractors will be paid only for completed work. No "upfront" payments will be made by the Program to a Contractor. A progress payment equal to 50% of the contract amount, after the Contractor completes work that represents at least 50% of the project cost, will be available to the Contractor. If satisfactory progress has been made at the time of the request, the Program will approve a progress payment.

Upon contract signing, the Borough will prepare a payment requisition to issue a Purchase Order for the project. Contractors must sign the Purchase Order and include it with each payment request.

Checks will be made payable directly to the Contractor. Final payment will be made after the following:

- All items in the project scope have been completed according to Program Rehabilitation Standards, as verified by Program staff;
- The Property Owner has signed a statement stating that he/she is satisfied with the work, or the Program Inspector and Administrator have determined that the owner's refusal to sign a completion form is not warranted;

- Lead hazard clearances, if any, have been received;
- Copies of all warranties have been received by the Property Owner and the Program.

Resolution of Disputes

Should any dispute arise regarding the true meaning of the Work Write-Up, or should any dispute arise regarding the true value of the extra work or of the work omitted, or of improper workmanship or materials, or of any loss sustained by the Homeowner, the Homeowner may request a hearing before the Borough. Such a request must be made in writing to the Program Administrator and shall state the nature of the dispute. All parties to the dispute shall be notified in writing of the date and location of the hearing. An arbitration committee of three members shall convene, and the final decision rests with the committee; there is no further recourse for the property owner.

Maintenance of Records

Files to be Maintained on Every Applicant

The program staff will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:

- Application Form;
- Income Verification; and
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

Files to be Maintained on Approved Applicants

- Housing Inspection Report;
- Photographs – Before;
- Certification of Property Eligibility or Determination of Ineligibility;
- Proof of Homeowners Insurance;
- Copy of Deed to Property;
- Work Write-Up/Cost Estimate;
- Copies of Bids;
- Applicant/Contractor Contract Agreement;
- Recorded Mortgage/Lien Documents;
- Copies of All Required Permits;
- Contractor Requests for Progress Payments;
- Progress Payment Inspection Reports;
- Progress Payment Vouchers;
- Change Orders (if needed);
- Final Inspection Report;
- Photographs – After; and
- Certification of Completion.

Rehabilitation Log

A rehabilitation log will be maintained by the program staff that depicts the status of all applications in progress.

Monitoring

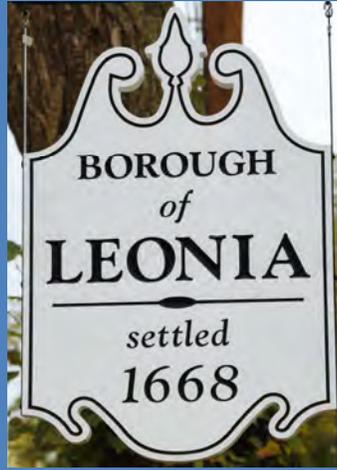
For each unit the following information must be retained to be reported annually to the Municipal Housing Liaison:

- Head of Household Name;

- Household Size;
- Street Address;
- Block/Lot/Unit Number;
- Income Category: Moderate/Low/Very Low;
- Final Inspection Date;
- Homeowner's Contribution to Hard Costs (if any);
- Total Rehabilitation Cost;
- Funds Recaptured;
- Major Systems Repaired;
- Unit Below Code & Raised to Code;
- Effective Date of Affordability Controls;
- Length of Affordability Controls;
- Date Affordability Controls Removed; and
- Reason for Removal of Affordability Controls.

Appeals

Appeals of Program decisions or policies that are not considered acceptable by Property Owners, tenants, or other stakeholders shall be made in writing to the Executive Director of the New Jersey Housing Mortgage and Finance Agency (637 South Clinton Avenue, P.O. Box 18550, Trenton, NJ 08650). The NJ HMFA Executive Director's written decision, which shall be made within 15 days of receipt of an appeal, shall serve as the final decision on the appeal.



LEONIA BOROUGH

BERGEN COUNTY, NEW JERSEY

RENTAL HOUSING REHABILITATION PROGRAM POLICIES AND PROCEDURES MANUAL

January 2026

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Borough of Leonia Rental Rehabilitation Program

Policies and Procedures Manual

Introduction

This Policy and Procedures Manual has been prepared to guide the administration of the Leonia Rental Housing Rehabilitation Program (the Program). The Manual describes the Program's purpose, policies, and operational procedures, and provides guidance for implementation in accordance with applicable State regulations, including 5:80-26.1 et seq., Uniform Housing Affordability Controls (UHAC). Specifically, this Manual:

- Explains the objectives and structure of the Program;
- Describes the steps involved in the rental rehabilitation process;
- Sets forth eligibility requirements for participation;
- Defines applicable criteria, funding terms and conditions, and record-keeping requirements; and
- Establishes procedures for overall Program administration.

This Manual is intended to function as a working document and has been prepared in a flexible format to allow for periodic updates to individual sections, as necessary, in response to changes in regulations, administrative practices, or Program requirements.

The Program is funded by the Borough's Affordable Housing Trust Fund.

Program Purpose and Goals

The Borough of Leonia Rental Housing Rehabilitation Program has been established to rehabilitate substandard rental dwelling units occupied by income-eligible households, or currently vacant units intended for occupancy by such households, within the Borough of Leonia.

As part of the Borough's Housing Element and Fair Share Plan, the Program is intended to:

- Facilitate the repair or replacement of major building systems necessary to bring units into compliance with applicable codes and standards;
- Improve health, safety, and living conditions;
- Preserve and extend the useful life of the local rental housing stock;
- Reduce energy consumption in older rental units and lower utility costs; and
- Reduce the risk of childhood lead poisoning associated with deteriorated lead-based paint.

Implementation of any procedure, even if it is not included in this Policies and Procedures Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunity laws, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq., the substantive rules of the Council on Affordable Housing, N.J.A.C. 5:93 and 5:97 and the Borough of Leonia's affordable housing ordinance of the (hereafter referred to as the "Regulations"). Copies of these regulations are available online at:

<https://www.nj.gov/dca/dlps/hss/thirdroundregs.shtml> and <https://www.nj.gov/dca/hmfa/about/uhac/>.

Additional information on the Borough's Affordable Housing obligation and its Fair Share Plan can be found here:

The Program is designed to achieve these objectives through the following means:

- Providing forgivable loans of up to **\$20,000 per unit** to eligible property owners for qualified rehabilitation work;

- Assisting property owners in identifying necessary rehabilitation improvements through inspections and cost estimates prepared by the Program Inspector/Cost Estimator (see Section III: Overview of the Administrative Process); and
- Assisting property owners in the selection of qualified contractors at reasonable and competitive prices through the use of Program-approved contractors and a structured bidding and award process (see Section III: Work Write-Up, Contractor Selection, Bidding, and Award of Contracts).

Program Assistance

Residential rental units are eligible for assistance of up to **\$20,000/unit** to repair or replace any failing or deteriorated major system and otherwise remove all health and safety violations. At the Borough's discretion, the maximum assistance of \$20,000 may be exceeded on a case-by-case basis.

As a condition of Program assistance, a ten-year affordability control will be recorded against the title of the property, requiring that contract rents remain affordable and that tenancy be limited to income-eligible households. Specifically, property owners must agree to:

- Restrict the units for occupancy by households that have been certified as income eligible by the Administrative Agent.
- Limit contract rents to an affordable price initially set by the Administrative Agent according to 5:80-26.13.
- Limit annual increases based on the standards in N.J.A.C. 5:80-26.1 et seq.
- Advertisements for prospective tenants must adhere to the Borough's Affirmative Marketing Plan.
- Repayment of Program assistance will take the form of a forgivable loan. There are no monthly payments.

Fair Housing & Equal Housing Opportunities



In accordance with the Federal Fair Housing Act, it is unlawful to discriminate against any person in the sale, rental, or financing of housing, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, national origin, disability, or familial status. In addition, New Jersey Law prohibits discrimination in housing on the basis of race, creed, color, national origin, ancestry, nationality, marital or domestic partnership or civil union status, familial status, sex, gender identity or expression, affectional or sexual orientation, disability, source of lawful income or source of lawful rent payment (including Section 8) by all persons including real estate agents or brokers, financial institutions, Property Owners, landlords, or building superintendents, and their agents and employees with respect to the sale, rental or lease of real property, listing or advertising of real property, receipt or transmittal of offers to purchase or rent real property, application and terms of a mortgage or other loan.

Regulatory Objectives and Compliance

In order to be considered an eligible use of Program funds, the Program must comply with the Regulations, including:

- Each assisted unit must meet or exceed the New Jersey State Housing Code, N.J.A.C. 5:28. Projects that require the issuance of a construction permit pursuant to the Uniform Construction Code must also comply with the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6. In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply.
- Each unit must require complete replacement or substantial repair of at least one major system.

Summary of Program

Characteristic	Rehabilitation Assistance Program
Funding Limit	\$20,000 per unit
Eligible Homes	1- to 4-family rental properties
Program Objective	Assisted units shall comply with the New Jersey State Housing Code, N.J.A.C. 5:28. For construction projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6. In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.
Target Area	Municipal-wide
Affordability Controls	Interest-free, forgivable loans secured by a Mortgage, Note, and Affordability Control. Loans will be forgiven at the 10-year anniversary of the units being certified as standard. Existing and future tenants must be certified as income-eligible. Rents must remain affordable throughout the affordability period.
Funding Source	Local Affordable Housing Trust Fund.
Income Limits	Regional income limits shall be established for the housing region in which the Borough is located (Housing Region 1) based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. Income limits are posted at the NJ HMFA Website: https://www.nj.gov/dca/hmfa/about/uhac/

General Program Information

Eligible Properties and Program Assistance

One- to four-family rental properties are eligible for assistance of up to \$20,000 per unit to repair or replace any failing or deteriorated major system. At the Borough's discretion, the maximum assistance of \$20,000 may be exceeded on a case-by-case basis.

To be eligible for assistance, there must be a reasonable expectation of bringing each assisted unit into compliance with the New Jersey State Housing Code, N.J.A.C. 5:28. For construction projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6. In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.

For a unit to be eligible for Program assistance, the current tenant must be income-eligible. If the Program determines that a tenant household is not income-eligible, the unit cannot be assisted by the Program. It is not required that *all* units on a given rental property be eligible for assistance. The Program may provide assistance for units occupied by income-eligible tenants and/or vacant units. An owner-occupied unit may also receive

assistance from the Program if the owner's household is income-eligible. The owner will be required to provide a prorated share of the rehabilitation costs for any improvements that benefit units determined to be ineligible for direct assistance (e.g., roof, sewer line).

Income Eligible Tenants

Income eligibility will be conducted in accordance with N.J.A.C. 5:80-26.14. Detailed information on determining eligibility is provided in the section of this manual entitled Income Eligibility Determinations.

While vacant units are eligible to apply, tenant households must all be evaluated at the time of application for their unit to be eligible for Program assistance. All future tenants of assisted units will be required to be certified as income-eligible by the Borough's Administrative Agent.

Restrictions on Rents

Rental units assisted by the Program will be restricted to occupancy by tenants certified to be income-eligible for an affordability period of ten (10) years. In addition, rent will be set at a rate affordable to households earning 60% of the regional median income limit, by household size, and in accordance with N.J.A.C. 5:80-26.13. In situations where assisted units are occupied at the time of rehabilitation, future rent charged to those tenants will be set at the lowest of the current rent or the maximum allowable rent pursuant to N.J.A.C. 5:97-9 and N.J.A.C. 5:80-26.13. Rent increases during the affordability period will be limited to the permitted increase under N.J.A.C. 5:97-9. Such increases will be published by NJ HMFA and posted at <https://www.nj.gov/dca/hmfa/about/uhac/>.

The initial maximum affordable rent for a rehabilitated unit will be set by the Program Administrator in accordance with applicable State regulations. The initial rents for vacant units will be set at 60% of the median income for a household of the appropriate size based on the bedroom count, in accordance with N.J.A.C. 5:80-26.3(d). Thirty percent (30%) of that figure (N.J.A.C. 5:80-26.13(a)) is considered the "maximum base rent." Subtracted from the maximum base rent is the cost of all tenant-paid utilities as defined and calculated by the HUD Utilities Allowance figures (updated annually). The remainder becomes the maximum initial rent for that unit. Prior to applying for assistance, the Program can provide Property Owners with a reasonable estimate of the affordable base rent.

Income Limits

The Income Limits used to determine income eligibility of tenant households are published annually by NJ HMFA and posted at <https://www.nj.gov/dca/hmfa/about/uhac/>. Income limits are established for multiple geographic regions and household sizes. Leonia Borough is part of "Region 1" – Bergen, Hudson, Passaic, and Sussex Counties. The income level that establishes eligibility for the Program is less than eighty percent (80%) of the Area Median Income by household size. This limit is also referred to as "moderate income".

Other Eligibility Requirements

- The property is *located within municipal boundaries* and has a deed recorded in Bergen County in the name(s) of the Applicant(s).
- The property consists of *one to four family residential units*, one of which may be occupied by the Property Owner. All rental units must comply with the local use regulations.
- *Property taxes and mortgage payments* for the subject property must be current.
- *Water and sewer utility bills* must be current.
- *Property Insurance and Flood Insurance (if applicable)* must be current.
- The owner's *equity* in the property must be greater than the maximum amount of assistance that could be made available by the Borough for home improvements. For the sake of this rule, the market value of the property will be calculated using the Borough's assessed value divided by the equalization ratio.

- In the event the initial inspection reveals an extraordinary degree of property deficiencies that are of a serious nature, an evaluation will be made as to the feasibility of investing Program funds into the property. If this evaluation indicates that the amount of rehabilitation required for the property will be 75% of the property's value after rehabilitation, the Administrator will have discretion to disqualify the applicant.
- The applicant has not previously defaulted on a loan or loans to the Borough of Leonia.

Ownership and Occupancy

Proof of ownership of the property and its use as a principal place of residence (if an owner-occupied property) must be established by the following:

1. Copy of Deed;
2. Copy of Declaration page from Property Insurance;
3. Copy of current Mortgage Statement, if applicable; and
4. Copy of Flood Insurance, if within 100 years flood plain.

Certification of Substandard

To be eligible for the Program, *at least* one major system in each assisted unit must require replacement or repair. A major system in need of repair or replacement is considered *substandard*. The Program Inspector will prepare the substandard certification for each unit to be assisted during the comprehensive inspection.

For the purposes of the Program, the following components of a dwelling are considered “major systems.”

- Roof;
- Plumbing (including wells and connections to public water systems);
- Heating;
- Electrical;
- Sanitary plumbing (including septic systems and connections to public sewer systems);
- Load-bearing structural systems;
- Removal or “control” of lead-based paint hazards; or
- Weatherization (building insulation for attic, exterior walls, and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors, and replacement windows and doors).

Certification Existing Conditions

The Program Inspector will visit each unit to document existing conditions through a work write-up.

Eligible Improvements

Program funds are available to address quality-of-life housing issues, correct existing and emerging code violations, reduce the risk of lead-based paint poisoning, and correct weatherization deficiencies, as identified in the project’s Work Write-Up with detailed specifications.

Housing rehabilitation funds may be used only for repairs or system replacements necessary to bring a substandard unit into compliance with municipal health, safety, and building codes, to correct applicable code violations, and for any other work that is reasonable and deemed necessary or related to the necessary repairs.

In addition to and after the repair or replacement of all major systems, work may include, but not be limited to, the following:

- Interior trim work;

- Interior and/or exterior doors;
- Interior and/or exterior hardware;
- Interior stair repair;
- Exterior step repair or replacement;
- Porch repair;
- Wall surface repair;
- Painting; and
- Exterior rain carrying system repair.

Ineligible Improvements

Work not eligible for program funding includes, but is not limited to, luxury improvements (improvements which are strictly cosmetic), additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools, and landscaping. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited. Rehabilitation work performed by Property Owners is not reimbursable under this program. The cost of removing any illegally converted living space (e.g., illegal bedrooms in the basement) is not eligible for assistance.

Only required repairs to units occupied by income-eligible households will be funded through the Program. If the Property Owner desires work not fundable through the program, including work on an owner-occupied unit of a multi-unit rental property, work on a non-eligible rental unit in a multi-unit building or improvements not covered by the program, such work may be added to the work write-up if the Property Owner provides funds to be deposited with the Borough prior to the commencement of the rehabilitation of the property equivalent to the estimated cost of the elective work.

Loan Amount and Terms

The entire cost of repairs and improvements made through this program, up to the Program maximum (see below), will be paid directly by the Program to the contractor. That amount will then become a forgivable loan to the Property Owner. Loans will be interest-free and secured by a secondary mortgage or other instrument on the property being repaired. The principal will remain unchanged, and repayment will be forgiven at the end of the affordability period.

In some cases, the maximum assistance of \$20,000 per unit may be exceeded if, in the Borough's opinion, the need for rehabilitation justifies the extension. If the cost of repairs exceeds the Program's available funds, the applicant will be responsible for the additional costs.

If the total estimated cost exceeds the available funding, the Property Owner will be advised of the amount required to cover the cost difference. Should the Property Owner not have the means or funds to complete all repairs, the Program Administrator, in conjunction with the Property Owner, will prioritize the list of repairs, placing life, safety, and code issues ahead of aesthetic improvements, to be funded through a lending institution or private source.

Loan Subordination

The Borough will consider requests to subordinate the program mortgage to subsequent financing or refinancing. In all cases, the Property Owner must supply information listed in the Program's "Subordination Request Check List," which includes information on the new financing terms, recent appraisal of the value of the property, and intended uses of the proceeds of any new financing. This and other required program documentation will be reviewed by the Borough solicitor, who will recommend to the Program Administrator whether to grant the subordination request.

Borrowers Agreement and Terms

The Borough will enter into an Agreement with the Borrower that specifies the terms and conditions of the funds to be made available through the Program, including reference to a Work Write-Up and Cost Estimate. Included in the Borrower's Agreement will be the requirement that the Borrower sign a Mortgage, Note, and Restrictive Covenant. The Mortgage and Restrictive Covenant will be recorded with the County Clerk and will serve as the appropriate security device for Program funds.

Copies of the Borrower's Agreement and form of Mortgage, Note and Restrictive Covenant to be used in implementing the Program are attached and made part of this Manual.

Overview of Administrative Process

The following is intended to provide a brief overview of a typical rental rehabilitation. Details on each of these steps can be found elsewhere in this Manual.

1. Application package is received. If incomplete, notice is sent to the applicant. There is no application fee associated with the program
2. The Borough's Administrative Agent reviews the application package and determines the income eligibility of tenants, if any. If eligible, Property Owner(s) review and sign a Borrowers Agreement. The application and Certification of tenant eligibility are forwarded to the Program Administrator (TBD), who is responsible for the Program's day-to-day operations.
3. The Program Inspector (provided by the Program Administrator) visits the home, performing a comprehensive inspection and lead-based paint risk assessment (if necessary). The Program Inspector will prepare a Certification of Substandard Conditions if a major system is found to require repair or replacement.
4. Work write-up is prepared by the Program Inspector and reviewed by the Property Owner, along with a list of Program Contractors.
5. The job is placed out to bid.
6. Bids are received and evaluated by the Program Administrator.
7. Program recommends the lowest responsible bidder to the Property Owner for award. Property Owner awards bid.
8. Loan closing is conducted. The construction agreement and all affordability controls are executed.
9. After the 3-day Right of Rescission, the Contractor is given authorization to proceed.
10. Contractor obtains permits (as necessary).
11. Construction phase begins.
12. Inspections are performed. Up to two progress payments are made.
13. Any permits are closed out by the Borough Building Code Official(s). Final Inspection is conducted. Certification of Standard is issued.
14. Contractor provides warranty information and signs the Release of Liens.
15. Final Payment is made.
16. Case is closed out.

Marketing

As needed, the Program will implement marketing initiatives to identify potential applicants. While most marketing efforts will aim to reach all property owners in the Borough, the Program will also target special populations, including, but not limited to, civic organizations, senior groups, and religious institutions.

All marketing initiatives will – at a minimum – include the following information:

- Length of the affordability controls (lien);
- Circumstances that require assistance to be repaid;
- A statement that eligibility is limited to vacant units or those rented by existing low and moderate-income households.
- A statement that rents on assisted units will be restricted for ten (10) years;
- The maximum assistance amount; and
- Examples of eligible improvements.

Program Staffing

The Program will rely on Borough staff and one or more consultants to administer the Program. They are as follows:

1. *Municipal Housing Liaison.* Marisa Mesropian, the Borough Business Administrator, serves in this role. The MHL serves as the Program's liaison to the Special Adjudicator assigned to the Borough and the New Jersey Department of Community Affairs Office of Local Planning Services.
2. *Administrative Agent.* Leckington Advisors, LLC will provide income certification services for the Program. The Administrative Agent will perform income eligibility determinations.
3. *Program Administrator (to be determined)* will be responsible for the day-to-day operations of the Program. The Program Administrator will be the primary point of contact between the Program and the Borough and MHL. The Program Administrator will be responsible for providing a Program Inspector/Cost Estimator and a Lead Risk Assessor.
4. *The Borough Building Code Official* will provide permit inspections as may be necessary during the rehabilitation.

Income Eligibility Determinations

To be eligible for assistance, each member of an applicant household who is 18 years of age or older, except full-time students under the age of 26 and those under the age of 26 participating in a registered apprenticeship program, must provide documentation to verify the member's income, including income received by adults on behalf of minor children for their benefit. The income eligibility process will comply with the procedures in N.J.A.C. 5:80-26.14.

What Counts as Income

The following is a list of wage types, payments, rebates, and credits. Those that must be considered as part of the household's income are listed in the Income column. Those that are not to be considered as part of the household's income are listed in Not Income. Restricted units constructed with Federal funds should consult the applicable regulations, such as HUD Section 42, to ensure compliance.

<i>INCOME</i>	<i>NOT INCOME</i>
<ul style="list-style-type: none"> ▪ Wages, salaries, tips, commissions ▪ Alimony ▪ Regularly scheduled overtime ▪ Pensions ▪ Social security ▪ Unemployment compensation (verify the remaining number of weeks they are eligible to receive) ▪ TANF ▪ Verified regular child support ▪ Disability ▪ Net income from business or real estate ▪ Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds ▪ Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate ▪ Rent from real estate is considered income ▪ Any other forms of regular income reported to the Internal Revenue Service 	<ul style="list-style-type: none"> ▪ Rebates or credits received under low-income energy assistance programs ▪ Food stamps ▪ Payments received for foster care ▪ Relocation assistance benefits ▪ Income of live-in attendants ▪ Scholarships ▪ Student loans ▪ Personal property such as automobiles ▪ Lump-sum additions to assets such as inheritances, lottery winnings, gifts, and insurance settlements ▪ Part-time income of persons enrolled as full-time students ▪ Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

Proof of Income

All members of tenant households, eighteen (18) years of age or over, except full-time students under the age of 26 and those under the age of 26 participating in a registered apprenticeship program, must provide copies of the following documents with their application:

- Four consecutive pay stubs, not more than 120 days old, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure;
- A signed copy of regular IRS Form 1040 (Tax computation form), 1040A or 1040EZ (as applicable) and state income tax returns filed for the last year prior to the date of interview or notarized tax waiver letter for respective tax year(s), including all applicable “schedules;”
- Social Security, Disability and SSI Benefit Statements or Pension Benefits statement, if applicable.;