

**Fair Share Housing Center**

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In the Matter of the  
Application of the Township of  
Lumberton, County of  
Burlington.

SUPERIOR COURT OF NEW JERSEY  
Law Division, Burlington  
County  
Docket No. BUR-L-128-25

**CIVIL ACTION**  
**(Mount Laurel)**

**Consent Order Final Compliance**  
**Certification (N.J.S.A.**  
**52:27D-304 (q) )**

**THIS MATTER** having come before the Court via the joint request of the Township via George M. Morris, Esq. (of Parker McCay P.A.), as well as Fair Share Housing Center, via counsel Laura S. Smith-Denker, Esq. (on behalf of Fair Share Housing Center), seeking a certification of compliance with the Fair Housing Act ("FHA"); and

**WHEREAS,** the Township of Lumberton (the "Township" or "Lumberton") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action on January 17, 2025; and

**WHEREAS,** the above-named parties having previously presented a consent order to the Court which was entered on

February 13, 2026, and which consent order is incorporated herein by reference; and

**WHEREAS**, the Township having filed its Housing Element and Fair Share Plan ("HEFSP") on June 13, 2025 and implementing ordinances and resolutions on March 6, 2026; and

**WHEREAS**, Fair Share Housing Center ("FSHC") having reviewed the Township's filing in accordance with the parties' consent order and confirmed that the Township has partially complied with all terms outlined in the consent order; and

**WHEREAS**, no other interested-party filed a challenge or any other communication; and

**WHEREAS**, the Court having reviewed the Township's HEFSP, attachments, and implementing ordinances and resolutions, incorporating therein any changes from the Court's prior order(s) and determined that they meet the "objective standard" and are in compliance with the Fair Housing Act and the Mount Laurel doctrine so long as the conditions set forth in this order are met; and

**WHEREAS**, the Court incorporates the Court's prior orders and for good cause shown:

**IT IS** on this 29<sup>th</sup> day of April, 2026, **ORDERED** as follows:

1. The Township's Fourth Round HEFSP, attachments, and applicable implementing ordinances and resolutions,

collectively referenced at SCHEDULE-1 hereto as Exhibit P-1 through Exhibit P-9 (inclusive) and herein as the "Implementing Ordinances & Resolutions", are hereby admitted into evidence and entered into the record.

2. Subject to the satisfaction of the Conditions of this Order and the deadlines established therein, the Township of Lumberton's Fourth Round Fair Share Plan (Exhibit P-1) is hereby approved and deemed to meet the "objective standard" pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) of complying with the Fair Housing Act and the Mount Laurel doctrine and the Township is granted a Compliance Certification as to its Rehabilitation Obligation ("Present Need"), its Prior Round Obligation (1987-1999), its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and its Fourth Round obligation pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing (hereinafter "COAH") substantive rules, and Mount Laurel case law, including the New Jersey Supreme Court's Mount Laurel IV decision.
3. The Township's Compliance Certification shall remain in effect for ten (10) years beginning on July 1, 2025 and

ending on June 30, 2035, and during this ten (10) year period the Township shall have repose from exclusionary zoning litigation, including, but not limited to, Builder's Remedy lawsuits, as provided for in the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et. seq. The Township's Compliance Certification shall remain subject, however, to revocation or other Order of the Court that does or may hereafter issue, on notice of motion to the Township and all interested parties and good cause shown, at any time during the pendency of the Fourth Round Housing cycle.

4. As per the Township's HEFSP and earlier court orders, the Township's Present Need or Rehabilitation Obligation is 38, the Township's Prior Round Obligation (1987-1999) is 152, the Township's Third Round Obligation (1999-2025) is 332, and the Township's Fourth Round Prospective Need (2025-2035) is 99 units.
5. The Township will address its Present Need via continued participation in the Burlington County Home Improvement Loan Program and implementation of a Township-operated rehabilitation program.
6. The Township's Prior Round Obligation is 152 and has been met with the following mechanisms:

Lumberton Township Prior Round Prospective Need: 152								
Block	Lot	Name & Location	Unit Type	Sale/Rent	VL/Low/Mod	Status	#Units	#Bonus
8	1 & 2	Lumberton Independent Living <sup>5</sup>	SSN 100%	Rent	All Low	Complete 1998	76	38
8	1 & 2	Lumberton Independent Living <sup>6</sup>	Age Restricted 100%	Rent	All Low	Complete 1998	38	0
							114	38
<b>Total</b>								152

7. The Township's Third Round Obligation is 332 and shall be met with the following mechanisms:

Lumberton Township Round 3 Prospective Need: 332								
Block	Lot	Name & Location	Unit Type	Sale/Rent	VL/Low/Mod	Status	#Units	#Bonus
8	1 & 2	Lumberton Independent Living	SSN 100%	Rent	VL	Complete	4	0
22.04	2 <sup>7</sup>	Wellington Farms (The Wexford)	Family Inclusionary	Rent	5/17/21	Complete	43	13
22	8.03 <sup>8</sup>	Cornerstone at Lumberton (Walters Group)	Family 100%	Rent	10/25/35	Complete	70	70
22	7.01 & 7.02	Eayrestown Rd Redevelopment <sup>9</sup>	Senior Inclusionary	Rent	TBD	Proposed Not Yet Developed	79	0 <sup>10</sup>
22	7.01 & 7.02	Eayrestown Rd Redevelopment <sup>11</sup>	Family Inclusionary	Sale	TBD	Not Yet Developed	15 <sup>12</sup>	0
Various		Supportive and Special Needs Housing- Group Homes	SSN	Rent	12/25/1	Completed	38	0
							249	83
<b>Total</b>								332

8. The Township's Fourth Round Obligation is 99 and shall be met with the following mechanisms:

Lumberton Township Round 4 Prospective Need: 99								
Block	Lot	Name & Location	Unit Type	Sale/Rent	VL/Low/Mod	Status	#Units	#Bonus
22	7.01 & 7.02	Eayrestown Redevelopment	Senior	Rent		Proposed	1	0
22	7.01 & 7.02	Eayrestown Redevelopment <sup>13</sup>	Family	Sale or Rent		Proposed	46	0
22	8.03	Cornerstone at Lumberton Phase II	Family	Rent		Proposed	28	24
							75	24
<b>Total</b>								99

9. The Township and FSHC agree that following short term and long terms conditions remain to be met as conditions of compliance certification:

- Short Term

- i. The Township will file the structural conditions survey by July 31, 2026.

- Long Term:

- i. Eayrestown redevelopment: The Township will provide the redeveloper agreement including the phasing schedule, bedroom distribution, and income breakdown when available. The Township will provide affordability controls within thirty (30) days of the Township's receipt.

- ii. Cornerstone at Lumberton Phase II: The Township will provide the pro forma and construction schedule when available. The Township will provide affordability controls within thirty (30) days of the Township's receipt.

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

- The Township 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.

- The Township by February 15, 2026, and annually, shall provide the Department of Community Affairs with an up-to-date municipal status report based on its collection and publication of information concerning the number affordable of housing units actually constructed, construction starts, certificates of occupancy granted, the start and expiration dates of deed restrictions, and residential and non-residential development fees collected and expended, including purposes and amounts of such expenditures, along with the current balance in the municipality's affordable housing trust funds. 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

On behalf of the Township of Lumberton:

*/s/George M. Morris*

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George M. Morris, Esq.

On behalf of Fair Share Housing Center:

*Laura S. Smith-Denker, Esq.*

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Laura S. Smith-Denker, Esq.

**Schedule-1**

<b>Document Type</b>	<b>Document Name</b>	<b>Adoption Date</b>	<b>Filed Date</b>
Spending Plan	Lumberton Township Affordable Housing Trust Fund Spending Plan	3/5/2026	3/6/2026
Ordinance – Affordable Housing	Township of Lumberton: Ordinance No. 2026-02 An Ordinance of the Township of Lumberton Amending Chapter 90, Affordable Housing	3/5/2026	3/6/2026
Ordinance – Mandatory Set-aside and Development Fee	Township of Lumberton: Ordinance No. 2026-03 An Ordinance of the Township of Lumberton Amending Section 130-79 and Certain Sections Of 130-80 of the Township Code Governing “Mandatory Set-Aside” and “Development Fees”	3/5/2026	3/6/2026
Resolution – Adopting Spending Plan	Township of Lumberton: Resolution No. 2026-066 Adopting the Spending Plan Pursuant to Fourth Round Affordable Housing Compliance	3/5/2026	3/6/2026
Resolution – Affordability Assistance	Township of Lumberton: Resolution No. 2026-067 Authorizing the Implementation and Expenditures for an Affordability Assistance Program	3/5/2026	3/6/2026
Resolution – Adopting Affirmative Marketing Plan	Township of Lumberton: Resolution 2026-068 Adopting Affirmative Marketing Manual	3/5/2026	3/6/2026
Resolution – Rehabilitation Program Manual	Township of Lumberton: Resolution No. 2026-069 Adopting the Rehabilitation Program Manual Pursuant to Fourth Round Affordable Housing Compliance	3/5/2026	3/6/2026
Resolution – Adopting Operating Manual	Township of Lumberton: Resolution No. 2026-070 Adopting the Operating Manuals for the Administration of For-Sale and Rental Units Pursuant to Fourth Round Affordable Housing Compliance	3/5/2026	3/6/2026

whether occupancy is reserved for families, senior citizens, or other special populations.

- For the midpoint realistic opportunity review as of July 1, 2030, pursuant to N.J.S.A. 52:27D-313, the municipality or other 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 in the housing element and fair share plan 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.

11. The Court shall retain jurisdiction for the purpose of enforcing the terms and conditions of this Certification of Compliance and Repose and the Township's adopted Fourth Round HEFSP.

12. A copy of this Order shall be entered on eCourts and shall be effective as of the date of filing.



Hon. Terrence R. Cook, A.J.S.C.