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March 11, 2026

VIA ECOURTS

Honorable Sherri L. Schweitzer J.S.C.

Camden County Superior Court
101 S 5th Street
Camden, New Jersey, 08103

RE: In the Matter of the Application of the Township of Cherry Hill
Docket No.: CAM-I-280-25

Dear Judge Schweitzer:

On behalf of the Township of Cherry Hill (“Township” or Cherry Hill”), please be advised as follows. In December of 2025, the Township and Fair Share Housing Center (“FSHC”) entered into a Mediation Agreement. See Exhibit 1.

To implement the Mediation Agreement (“Agreement”), the Cherry Hill Planning Board adopted an Amendment to their Housing Element and Fair Share Plan on March 2, 2026, and the Township endorsed that Amendment (hereinafter “Amended HEFSP”) on March 9, 2026. See Exhibit 2.

The Township also adopted the following ordinances to implement the Amended HEFSP:

1. 2026-05 An Ordinance of the Township of Cherry Hill, County of Camden, and State of New Jersey Amending the Cherry Hill Township Zoning Ordinance to Establish a new Three Executive Campus (TECO) Overlay Zone. Said ordinance was adopted on March 9, 2026. See Exhibit 3.
2. 2026-06 An Ordinance of the Township of Cherry Hill, County of Camden, and State of New Jersey Amending the Cherry Hill Township and Zoning Ordinance as it Relates to Affordable Housing Administration and Controls, Developmental Fees, and Affordable Housing Set-Aside Requirements. Said ordinance was adopted March 9, 2026. See Exhibit 4. This is the extensive ordinance the Township 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, the State Department of Community Affairs issued a prototype Ordinance on or about February 15, 2026 and made it available to all municipalities. The Township relied upon the 50 page prototype as a base and tailored Ordinance 2026-06 to conform to this prototype as closely and as reasonably as practical given the time constraints imposed. Therefore, the Township reserves the right to make additional changes, if required, after a more thorough review.

To implement the Amended HEFSP and Mediation Agreement with FSHC, the Township also adopted the following resolutions:

1. Resolution 2026-1-30 Resolution Appointing A Township Administrative Agent and “Affordability Assistance Program” Services for the 2026 Calendar Year, adopted January 5, 2026. See Exhibit 5.
2. Resolution 2026-3-13 Resolution Appointing Municipal Housing Liaison, adopted March 9, 2026. See Exhibit 6.
3. Resolution 2026-3-14 Resolution of the Township of Cherry Hill, Adopting the Affirmative Marketing Plan Prepared by the Township’s Administrative Agent, adopted March 9, 2026. See Exhibit 7.
4. Resolution 2026-3-15 Resolution of the Township of Cherry Hill, Adopting the Affordability Assistance Manual Prepared by its Administrative Agent, adopted March 9, 2026. See Exhibit 8.
5. Resolution 2026-3-16 Resolution of the Township of Cherry Hill Affirming its Intent to Bond or Take Other Such Steps as May Be Necessary to Fully Fund its Housing Element and Fair Share Plan, adopted March 9, 2026. See Exhibit 9.
6. Resolution 2026-3-17 Resolution of the Township of Cherry Hill Seeking Approval of a Spending Plan Compliant with Current New Jersey Department of Community Affairs Regulations, adopted March 9, 2026. See Exhibit 10.
7. Resolution 2026-3-18 Resolution of the Township of Cherry Hill Endorsing the Amendment to the Housing Element and Fair Share Plan Adopted by the Cherry Hill Planning Board, adopted March 9, 2026. See Exhibit 11.
8. Resolution 2026-3-19 Resolution of the Township of Cherry Hill Adopting the Affordable Housing Manual for the Rehabilitation of Owner-Occupied and Rental Units, adopted March 9, 2026. See Exhibit 12.
9. Resolution 2026-3-20 Resolution of the Township of Cherry Hill Adopting the Affordable Housing Administrative Agent Policies and Procedures Manual, adopted March 9, 2026. See Exhibit 13.

We need to bring one point to the Court's attention. While the Program judge has recommended approval of the Township's Housing Element and Fair Share Plan as amended, she also stated that this Court should schedule a "Fairness and/or Compliance Hearing to consider approval of the Township's Amended HEFSP and the issuance of a Judgement of Compliance and Repose". See paragraph (c) on page 8 of the Program Settlement Recommendation of Judge Paulette M. Sapp-Peterson, P.J.A.D, Ret., dated January 30, 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. 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, we respectfully suggest that doing so undermines the FHA II. Through this legislation, the Legislature made clear that it believed that Mount Laurel proceeding takes 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 over 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. Such a lengthier and costlier process, if required, would likely result if the Court were to conduct a further fairness and/or compliance hearing and also provide the notice required by law for such a hearing. While we could argue this point extensively, for now, we just wanted to make our position on that issue clear to this Court.

The Township looks forward to addressing any questions or concerns the Court may have once it reviews this package of documents. We appreciate your attention to this matter.

Respectfully submitted,

Jeffrey R. Surenian

Jeffrey R. Surenian

cc:

Nicholas A. Graviano, PP, AICP, JD, Adjudicator (*via email*)

All attorneys of record (*via ecourts*)

Exhibit 1

SURENIAN, EDWARDS, BUZAK & NOLAN LLC

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William E. Olson, Esq.
Email - WEO@Surenian.com

December 26, 2025

VIA ECOURTS

Honorable Paulette Sapp-Peterson, P.J.A.D (ret.)

Program Chair

Richard J. Hughes Justice Complex

25 Market Street

P.O. Box 37

Trenton, New Jersey 087625-00373

RE: In the Matter of the Application of the Township of Cherry Hill
Docket No.: CAM-l-280-25

Dear Sapp-Peterson:

This firm represents the Township of Cherry Hill as affordable housing counsel. Enclosed please find a duly executed copy of the Mediation Agreement between the Township and Fair Share Housing Center in the above referenced matter.

Thank you for your attention to this matter.

Respectfully submitted,

Jeffrey R. Surenian

Jeffrey R. Surenian

cc: All attorneys of record (*via ecourts*)
Nicholas A. Graviano, PP, AICP, JD (*via email*)

**MEDIATION AGREEMENT BEFORE THE AFFORDABLE HOUSING DISPUTE
RESOLUTION PROGRAM**

In the Matter of the Application of the Township of Cherry Hill, County of Camden
Docket No. CAM-L-280-25

WHEREAS, the Township of Cherry Hill (the “Township” or “Cherry Hill”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action pursuant to N.J.S.A. 52:27D-301 et. seq. (the “Fair Housing Act”) on January 28, 2025; and

WHEREAS, the Court entered an order on March 28, 2025 setting the Township’s Fourth Round fair share obligations as a Present Need of 378 units and a Prospective Need of 571 units, which no party appealed, and ordering the Township to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, the Township having filed its HEFSP on June 17, 2025 (“Adopted HEFSP”);
and

WHEREAS, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s HEFSP on August 29, 2025; and

WHEREAS, the Township responded to FSHC’s challenges and provided FSHC with a detailed set of documents by letter and memorandum to FSHC dated November 14, 2025, including documents bates stamped CH0001 to CH0939; and

WHEREAS, the Township and FSHC have agreed to amicably resolve the issues set forth in the challenge through this mediation agreement (“the 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 Township for the Fourth Round; and

WHEREAS, at its meeting on December 22, 2025, the Township adopted a Resolution authorizing the execution of the within Agreement with FSHC to resolve Fourth Round issues.

THEREFORE, the Township and FSHC have entered into this Agreement on the _____ day of December, 2025 as follows:

Fair Share Obligations

1. The Township's Present Need or Rehabilitation Obligation is 378, the Township's Prior Round Obligation (1987-1999) is 1,829, the Township's Third Round Obligation (1999-2025) is 1,000, the Township's Fourth Round Prospective Need (2025-2035) is 571.

Satisfaction of Fair Share Obligations

2. The Township will address its Present Need via participation in the Camden County Home Improvement Program and a municipal Home Improvement Program administered by a qualified professional and funded by the municipal Affordable Housing Trust Fund.
3. The Township's Prior Round Obligation is 1,829 and its Third Round Obligation is 1,000, having been cumulatively adjusted through a vacant land adjustment to a realistic development potential ("RDP") of 1,912, which shall be met with the following mechanisms:

Development	For Sale	Rental	Special Needs/Supportive	Very Low	Senior	Units	Bonus Credits	Bonus Type	Total Credits
Prior Cycle Credits:									
Credits Without Controls	31	-	-	-	-	31			31
Alternate Living	-	4	4	4	-	4			4
Village at St. Mary's	-	-	45	-	104	149			149
Jewish Federation (Saltzman)	-	104	-	-	104	104			104
Gesher House (Dubin)	-	74	-	-	74	74			74
Serqi Farms	-	120	-	-	-	120	120	FR	240
Serqi Commons (MSAA Commons)	-	24	24	24	-	24	24	SN/S	48
Brunetti (Burrough's Mills)	-	36	-	-	-	36	36	FR	72
Leqnola (Everlast/Quest Builders)	2	-	-	-	-	2			2
ARHAT	-	38	-	-	-	38	38	FR	76
Scattered Site Sales	23	-	-	-	-	23			23
Alternative Living	-	-	56	56	-	56	56	SN/S	112
Dwell At Cherry Hill	-	35	-	-	-	35	35	FR	70
Garden State Park - Complete & Planned	20	194	-	-	105	214	12	FR	226
Centura	32	-	-	-	-	32			32
Benedict's Place	-	74	-	-	74	74	18	AR/S	92
St. Thomas Apartments	-	6	-	-	6	6			6
The Grand	-	3	-	1	-	3	3	FR	6
Least Cost Housing	114	-	-	-	-	114			114
Regency Court (Twin Oaks)	-	7	7	7	-	7	6	SN/S	13
Spring Hills	-	15	15	15	15	15			15
Group Homes 2013	-	35	35	35	-	35			35
Group Homes 2015	-	17	-	17	-	17			17
Evans Francis Estates (EFE)	-	53	7	7	-	53	53	FR	106
Probuild (Evans Mills)	-	23	-	3	-	23			23
Hampton Road Redevelopment	-	45	-	6	-	45	45	FR	90
Park Boulevard Redevelopment	-	29	-	4	-	29	29	FR	58
Victory Redevelopment	-	56	-	7	-	56	3	FR	59
Coastline Assisted Living	-	6	-	6	6	6			6
Village at St. Mary's Extension of Controls	-	149	45	-	104	149			149
ARHAT	-	10	-	-	-	10			10
Total	222	1,157	238	192	592	1,584	478		2,062
Caps					707		478		
Cumulative Round 1, 2 & 3 RDP									1,912
Excess credits over RDP									150

Bonus Types: AR/S = Age-Restricted/Senior; FR = Family Rental; R = Rental; SN/S Special Needs Supportive Housing

4. The Township's remaining cumulative Prior Round and Third Round Unmet Need is 767 after the 150 excess credits are applied, which shall be addressed with the following mechanisms:
- a. Construction of 54 special needs and age-restricted rental units at JFED/Weinberg Commons, which units have been constructed;

- b. Maintenance of transit-oriented development overlay zones at Golden Triangle and PATCO, allowing up to 262 affordable family units, to be amended to require a minimum affordable housing set-aside of 20%, regardless of tenure;
 - c. Maintenance of the Residential-Inclusionary Mixed Use (“RIMU”) overlay zone on Block 285.03, Lots 2 and 3, allowing at least 37 family affordable units that offers the developer the option of building the affordable units in standalone residential buildings and/or in residential above at-grade non-residential in a mixed use setting on the site, provided that no less than 20% of all residential units are restricted to low and moderate income households; and
 - d. Maintenance of a Township-wide mandatory set-aside ordinance to be amended to apply to all multi-family development of 5 or more new units with a minimum affordable housing set-aside of 20%, regardless of tenure.
5. The Township’s Fourth Round Prospective Need Obligation is 571, having been adjusted through a vacant land adjustment to a realistic development potential (“RDP”) of 34, which shall be met with the following mechanisms:

MECHANISM	TYPE	UNITS	BONUS	TENURES	STATUS
VOA Age-Restricted	Age-Restricted	6		Rental	Approved
VOA Special Needs	Supportive Housing	7	2	Rental	Approved
Habitat for Humanity	Family	1		For Sale	Under Construction
ARHAT Market to Affordable	Family	7	6	Rental	Completed
ARHAT To Be Acquired	Family	5		Rental	Proposed
Total		26	8		

6. The Township's Fourth Round Unmet Need is 537 and shall be addressed with the following mechanisms:

MECHANISM	TYPE	UNITS	TENURES	STATUS
VOA Age-Restricted	Age-Restricted	46	Rental	Approved
VOA Special Needs	Supportive Housing	5	Rental	Approved
JFED Age-Restricted	Age-Restricted	104	Rental	Completed
Group Home Bedrooms	Supportive Housing	73	Rental	Completed
Additional ARHAT	Family	At least 5, total TBD	Rental	Completed
3 Executive Campus Overlay	Family	At least 39	TBD	Proposed
Total		At least 272		

- a. The Township will adopt overlay zoning for 3 Executive Campus (Block 68.01 Lot 1) that offers the developer the option of building stand-alone residential buildings and/or residential above at-grade non-residential uses in a mixed-use setting, provided that no less than 20 percent of all residential units are restricted to low- and moderate-income households. The total number of residential units to be permitted in the overlay zone is 195, inclusive of 39 affordable units.

Unit Type and Income Distribution Requirements

7. The Township and FSHC agree that the Township'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 Township shall maintain satisfaction with such requirements for the Fourth Round:

- a. Age Restricted Cap. The Township 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 Township 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 Township'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 Township (including the 2004 FSHC, Turnburry and Cherry Hill Settlement Agreement regarding Garden State Park and 2015 Settlement Agreement), statutory requirements, and the Prior Round and Third Round regulations.
8. In all developments that produce affordable housing, the Township 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 Township 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 Township 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; Camden County East NAACP; and the Supportive Housing Association.

Process for Approval and Implementation

9. 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 Township 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. Subject to the provisions of N.J.S.A. 52:27D-304.1(f)(2)(c), the Township 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 Township shall file the information required by Paragraph 10 and any other adopted ordinances and resolutions on eCourts.
- d. No later than April 15, 2026, the Township 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.

10. Subject to the provisions of N.J.S.A. 52:27D-304.1(f)(2)(c), the Township 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 January 23, 2026. FSHC shall provide feedback by February 6, 2026:

- a. Subject to the provisions of N.J.S.A. 52:27D-304.1(f)(2)(c), the Township will adopt zoning for the 3 Executive Campus Overlay before March 15, 2026.
- b. In an effort to supplement the group home information previously provided to FSHC, the Township will use its best efforts to match the redacted group home licenses from the State to the group home providers, locations and number of bedrooms for which the Township seeks Fourth Round Credit.
- c. The Township will adopt a Fourth Round Spending Plan in accordance with P.L. 2024, c. 2 and the regulations at N.J.A.C. 5:99.
- d. Subject to the provisions of N.J.S.A. 52:27D-304.1(f)(2)(c), the Township will update and adopt its affordable housing ordinance, development fee ordinance, affirmative marketing plan, and other administrative documents in accordance with

the regulations at N.J.A.C. 5:80-26.1, et seq., and N.J.A.C. 5:99 before March 15, 2026.

11. The Township and FSHC recognize that substantial changes in circumstances affecting the Township'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 Township shall have one hundred twenty (120) days to present to the trial court and FSHC a plan to address such change in circumstances on notice and opportunity to be heard from FSHC. The Township agrees that any change in the RDP generated due to changed circumstances must be addressed in a manner that is consistent with controlling law.

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

- a. 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.
- b. The Township 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, the Township 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 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 including the Township's HEFSP and Spending Plans attached hereto and incorporated herein as Exhibits A and B, which shall be updated in accordance with 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.

14. The WHEREAS recitals in this Agreement are made a part of the terms of this Agreement and are incorporated herein by reference.

15. All notices required under this Agreement shall be in writing and shall be served upon the respective parties by email and by certified mail or by a recognized overnight carrier or personal carrier. All notices shall be deemed received on the date of delivery as follows:

As To:

Fair Share Housing Center
510 Park Boulevard
Cherry Hill, New Jersey 08002
Attention: Adam M. Gordon, Esquire
Email: adamgordon@fairsharehousing.org

Patti Chacker, Municipal Clerk
Cherry Hill Township
820 Mercer Street
Cherry Hill, New Jersey 08002
Email: pchacker@chnj.gov

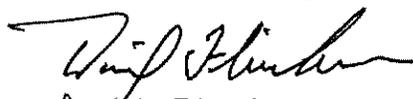
Cosmas P. Diamantis, Esquire
Cherry Hill Township
Department of Law
820 Mercer Street
Cherry Hill, New Jersey 08002
Email: cdiamantis@chnj.gov

16. This Agreement shall be governed by and construed by the laws of the State of New Jersey and may be enforced by any party hereto through a motion to enforce litigant's rights or other application filed with the Program or in the Superior Court, Camden County.

IN WITNESS WHEREOF, the parties hereto have executed the Agreement as of the date set forth herein.

Signatures on the following page

On behalf of the Township of Cherry Hill:


David Fleisher, Mayor

Date: 12/22/2025

On behalf of Fair Share Housing Center:



Adam M. Gordon, Esq.

Date: 12/23/2025

Attest: 

**COSMAS DIAMANTIS, ESQ.
MUNICIPAL ATTORNEY
TOWNSHIP OF CHERRY HILL**

Exhibit 2

RESOLUTION NO. 2026-03-01

**MEMORIALIZATION OF THE TOWNSHIP OF CHERRY HILL PLANNING BOARD
ADOPTING AN AMENDMENT TO THE ROUND 4 2025 HOUSING ELEMENT AND
FAIR SHARE PLAN ADOPTED BY THE PLANNING BOARD ON JUNE 16, 2025**

WHEREAS, the Township of Cherry Hill is constitutionally obligated to address its affordable housing obligations pursuant to the *Mount Laurel* doctrine and the New Jersey Fair Housing Act as amended in March of 2024 (“FHA II”) and other applicable law; and

WHEREAS, the Municipal Land Use law requires each municipal planning board to adopt a Housing Element as part of the Township’s Master Plan; and

WHEREAS, the Cherry Hill Planning Board adopted a Round 4 2025 Housing Element and Fair Share Plan on June 16, 2025 and the Township endorsed that plan on June 23, 2025; and

WHEREAS, in June 2025, Cherry Hill filed the duly adopted and endorsed Housing Element and Fair Share Plan with Affordable Housing Dispute Resolution Program, an entity created by FHA II, in accordance with the standards established by that Legislation; and

WHEREAS, Fair Share Housing Center, Inc. (FSHC) filed an objection to Cherry Hill’s application for approval of its plan; and

WHEREAS, the objection triggered a mediation process, which culminated in a Mediation Agreement between FSHC and the Township, dated December 23, 2025 and which was executed by both FSHC and the Township; and

WHEREAS, the Mediation Agreement necessitated an amendment to the Housing Element and Fair Share Plan previously adopted and endorsed to implement the Mediation Agreement; and

WHEREAS, the Township’s professionals prepared an Amendment to its Housing Element and Fair Share Plan (hereinafter “Amendment”) to implement the Mediation Agreement. A copy of the Amendment is attached hereto as Exhibit A; and

WHEREAS, the Planning Board has reviewed the Amendment, together with supporting documentation and the recommendations of the Township’s planning and legal professionals; and

WHEREAS, the Planning Board conducted a duly noticed public hearing on March 2, 2026, at which time the Township’s professionals presented the Amendment and the Board received public comment; and

WHEREAS, the Planning Board finds that the Amendment is consistent with the purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., advances sound land use planning, and continues to address the Township’s affordable housing obligations; and

WHEREAS, the Planning Board further finds that adoption of the Amendment is in the public interest and necessary to support judicial review of the Township’s affordable housing compliance.

NOW, THEREFORE, based upon the foregoing findings of facts and conclusions of law, including all of the testimony and documents submitted to the Planning Board, BE IT RESOLVED by the Planning Board of the Township of Cherry Hill, County of Camden, State of New Jersey, as follows:

1. The Amendment, attached hereto as Exhibit A, is hereby adopted by the Planning Board pursuant to N.J.S.A. 40:55D-28(b)(3).
2. A copy of the adopted Amendment shall be transmitted to the Township Clerk and made available for public inspection as required by law.
3. The Planning Board hereby presents the Amendment to the Township Council and requests that the Township consider endorsing the same.
4. The Planning Board authorizes the Township’s professionals to provide supplemental information, clarifications, or certifications as may be required for judicial review.
5. The Township’s professionals are further authorized to make non-substantive or de minimis revisions necessary to effectuate the intent of this Resolution or to facilitate judicial review of the Amendment.
6. This Resolution shall take effect immediately.

Dated: March 2, 2026

PLANNING BOARD OF THE TOWNSHIP
OF CHERRY HILL

By: Jacob Richman
JACOB RICHMAN, PP, AICP
PLANNING BOARD SECRETARY

CERTIFICATION OF THE PLANNING BOARD SECRETARY

I, Jacob Richman, Secretary of the Township of Cherry Hill Planning Board, do hereby certify that the foregoing is a true copy of the Resolution adopted by the Planning Board of said Township at a meeting held on March 2, 2026.

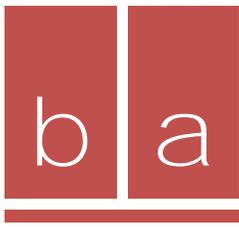
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Township of Cherry Hill.

Dated: March 2, 2026

PLANNING BOARD OF THE TOWNSHIP
OF CHERRY HILL

By: Jacob Richman
JACOB RICHMAN, PP, AICP
PLANNING BOARD SECRETARY

EXHIBIT A



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

PRINCIPALS:

Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

B U R G I S
A S S O C I A T E S , I N C .

MEMORANDUM

To: Township of Cherry Hill Planning Board
From: Robyn Welch PP, AICP
Subject: Amendment to the Township of Cherry Hill's Adopted 2025 Housing Element & Fair Share Plan (HE&FSP)
Date: February 12, 2026 – Revised March 2, 2026
BA#: 4132.03

This amendment to the Township of Cherry Hill's Housing Element and Fair Share Plan ("HE&FSP") amends the HE&FSP adopted on June 16, 2025 ("2025 HE&FSP"). The purpose of this amendment to the 2025 HE&FSP is to make the HE&FSP consistent with the terms of the Round 4 Mediation Agreement entered into between the Township of Cherry Hill and Fair Share Housing Center ("FSHC") on December 23, 2025. The portions of the 2025 HE&FSP that are not specifically amended herein shall remain in full force and effect as the policy and implementation document for affordable housing in Cherry Hill.

The Township of Cherry Hill 2025 HE&FSP, dated June 4, 2025 and adopted on June 16, 2025, shall be amended as follows (with ~~strike-throughs~~ identifying text to be deleted and underlines identifying text to be added):

1. **Page Following Signature Page:** The list of the Members of the Township of Cherry Hill Planning Board shall be removed and replaced with the following list:

Samuel Kates, Chairperson
Sheila Griffith, Vice Chairperson
Ed Rentzelas, Mayor's Designee
Earle Seneres, Municipal Official
Jill Hulnick, Council Member
Alise Panitch
Marlyn Kalitan
Chris Callan
John Osorio

2. **Page 3:** The third paragraph shall be amended as follows: "On November 20, 2023, the Township Planning Board complied with the terms of the consent order and recommended to the Township Council that a proposed ordinance be adopted for a new Residential-Inclusionary Mixed Use (RIMU) Overlay Zone on Block 285.03 Lots 2 and 3 which allows for the creation of at least 37 family affordable units. The ordinance establishing the RIMU Overlay Zone was adopted by the Township Council on September 29, 2025."
3. **Page 4:** Table 3 shall be amended as follows:

Table 3: Plan Components Satisfying Fourth Round RDP

Plan Component	Units	Bonus	Total	Status
VOA Age-Restricted (senior rentals)	6	0	6	Approved
VOA Non-Age Restricted Special Needs (rentals)	7	2*	9	Approved
Habitat for Humanity Site (family for-sale)	1	0	1	In Progress
ARHAT (family rentals)	78	6**	1314	Completed
Additional ARHAT to be Acquired (family rentals)	<u>54</u>	0	<u>54</u>	Proposed
Total	26	8	34	

*: 1.0 bonus credit for each unit special needs/supportive housing unit, per FHA-2, up to the 25% bonus cap.

**:. 1.0 bonus credit for each market-to-affordable unit, per FHA-2, up to the 25% bonus cap.

4. **Page 4:** Table 4 shall be amended as follows:

Table 4: Fourth Round Unmet Need Components

Plan Component	Units
Excess Units from VOA (senior/special needs rentals)	51
Excess Units from JFED (senior rentals)	104
Additional Group Home Bedrooms (special needs rentals)	73 <u>74</u>
ARHAT (family rentals)	TBD
Three Executive Campus Overlay (family rentals or for-sale)	39
Mandatory Set-Aside Ordinance	TBD
Development Fee Ordinance	TBD

5. **Page 29:** The third paragraph shall be amended as follows: "However, municipalities are also permitted to eliminate a site or a portion of a site based on a variety of factors, including: lands dedicated for public uses other than housing since 1997; park lands or open space; vacant contiguous parcels in private ownership of a size which would accommodate fewer than five housing units; historic and architecturally important sites listed on the State Register of Historic Places or the National Register of Historic Places; preserved ~~architectural~~ agricultural lands; sites designated for active recreation; and environmentally sensitive lands."
6. **Page 34:** The paragraph in Section "4.1: Present Need (Rehabilitation)" shall be amended as follows: "Cherry Hill has a Present Need (Rehabilitation) Obligation for the Fourth Round of 378 units. The Township participates in the Camden County Home Improvement Program, which typically rehabilitates approximately 3 housing units per year for Cherry Hill Township. As such, it is anticipated that the County will rehabilitate 30 dwelling units over the next 10 years. In order to address the remaining 348-unit obligation, the Township will establish ~~and administer~~ a municipal Home Improvement Program, which will be available to both owners and renters. ~~The Township is already under contract with Community Grants, Planning & Housing (CGP&H) as its Administrative Agent, which proposal includes initiation and administration of a rehabilitation program. The Township's municipal Home Improvement Program will be administered by a qualified professional.~~ The Township will utilize funds from its Affordable Housing Trust Fund account to be made available to income-qualified households to participate in the municipal Home Improvement Program. A copy of the Township's Fourth Round Spending Plan is located in Appendix D of this plan."

7. **Page 39:** The paragraph under the heading "Garden State Park Site" shall be amended as follows: "The Garden State Park site is located at Haddonfield Road and Garden Park Boulevard, at the former Garden State Park Racetrack site. It consists of three separate inclusionary developments: Garden State Park - Plaza Grande, Garden State Park - Park Lane Apartments and Park Place Condos, and Garden State Park - The Michaels Organization. Together, these developments will produce a total of 214 affordable units, inclusive of 105 affordable age-restricted units and 109 affordable family units. The Plaza Grande site, containing 29 age-restricted affordable units, is complete and is occupied. Each development is The Park Lane and Michaels Organization sites are discussed in turn below." In addition, the remainder of the text and the aerial image on this page shall be deleted.
8. **Page 41:** The paragraph under the aerial image shall be amended as follows: "The Garden State Park - The Michaels Organization site is located at Garden Park Boulevard and Del Mar Drive. It is identified by municipal tax records as Block 54.02 Lot 8. The Michaels Organization received site plan approval on July 5, 2022 for a 100% affordable residential development to include 76 affordable age-restricted rental units. ~~On June 8, 2023, the Township issued a zoning permit to begin site work. Since that time, the developer has secured funding and is moving forward with site work. The project is currently under construction and expected to be completed in April 2026.~~" In addition, the remainder of the text on this page shall be deleted.
9. **Page 43:** The paragraph under the aerial image shall be amended as follows: "The Hampton Road Redevelopment site is located at 614 Hampton Road. It is identified by municipal tax records as Block 111.02 Lot 7, Block 112.01 Lot 11, and Block 596.04 Lot 5. In 2017, the Township adopted a Hampton Road Redevelopment Plan to allow the site to be developed for 252 residential units, including 45 affordable family rental units. Site plan approval was granted by the Planning Board on December 16, 2019. ~~Since that time, the Construction Office has issued building permits for some of the buildings and site work has begun. Construction broke ground in late 2024.~~ The project is currently under construction and is expected to continue through the end of 2026. However, it is anticipated that the first building, which includes 15 affordable units, will receive a Certificate of Occupancy as early as May 2026." In addition, the remainder of the text on this page shall be deleted.
10. **Page 44:** The entirety of this page shall be deleted, as the Victory Redevelopment (Enclave at Woodcrest Station) site is now completed and occupied.
11. **Page 45:** The paragraph shall be amended as follows: "The Village at St. Mary's development is located at Lourdes Court and Village Drive. It is identified by municipal tax records as Block 523.12 Lot 13. This 100% affordable senior and supportive housing development is owned and operated by the Diocese of Camden County. It contains 149 units (plus one custodian/ superintendent's unit) and was constructed in 1982. The Township received Prior Cycle Credits for this development in its prior round settlements and judgments of compliance. Additionally, the Township received credit towards its Third Round RDP obligation for the extension of affordability controls on these 149 affordable units for an additional 30 years. Although these extensions have not yet been completed, the Township is actively working with the Diocese to finalize these extensions and expect them to be completed ~~later this Spring or Summer~~ in 2026."
12. **Page 46:** Table 25 shall be amended as follows:

Table 25: Plan to Satisfy Fourth Round RDP

Plan Component	Units	Bonus	Total	Status
VOA Age-Restricted (senior rentals)	6	0	6	Approved
VOA Non-Age Restricted Special Needs (rentals)	7	2*	9	Approved
Habitat for Humanity Site (family for-sale)	1	0	1	In Progress
ARHAT (family rentals)	7 8	6**	13 14	Completed
Additional ARHAT to be Acquired (family rentals)	5 4	0	5 4	Proposed
Total	26	8	34	

*: 1.0 bonus credit for each unit special needs/supportive housing unit, per FHA-2, up to the 25% bonus cap.

** : 1.0 bonus credit for each market-to-affordable unit, per FHA-2, up to the 25% bonus cap.

13. **Page 46:** Table 26 shall be amended as follows:

Table 26: Satisfaction of Fourth Round Minimums and Maximums

Plan Component	Required	Proposed
Max. Rental Bonus Credits (25% of RDP)	8	8
Max. Age-Restricted Units (30% of RDP less bonuses)	7	6
Min. Rental Units (25% of RDP less bonuses)	7	25
Min. Rental Units Available to Families (50% of rental min.)	4	12
Min. Total Units Available to Families (50% of RDP less bonuses)	13	13
Min. Realistic Zoning/Redevelopment (25% of RDP)	9	13

14. **Page 49:** The first paragraph shall be amended as follows: "In July of 2023, the Township utilized funds from its Affordable Housing Trust Fund to assist Habitat for Humanity with the purchase of a parcel developed with a single-family market-rate dwelling unit located at 117 Chapel Avenue, which is identified as Block 110.01 Lot 8, and an adjoining vacant lot located at 110 Williams Street, which is identified as Block 110.01 Lot 10. Habitat for Humanity ~~intends to consolidated~~ these lots and ~~renovate and~~ has been rehabilitating the dwelling. Habitat received a zoning permit in January 2026 to construct an addition to the dwelling on Lot 8 in order to create a viable three-bedroom affordable family for-sale unit and to construct a driveway for use by the dwelling on Lot 10. A 30-year UHAC deed restriction has been placed on the property, which ~~is in the process of being~~ was recorded with the County Clerk's office in 2025."

15. **Page 49:** The last two paragraphs shall be amended as follows: "At the time of the 2016 HE&FSP and JOR, the Township had a portfolio of 38 ARHAT units and anticipated that 10 more ARHAT units would be acquired by the Township before the end of the Third Round. All 48 of these existing and prospective units were credited toward the Township's Third Round RDP obligation. What transpired, however, is that the Township ~~has~~ acquired 16 – not 10 – additional ARHAT units during the course of the Third Round, leaving ~~7~~ 6 surplus ARHAT units to be applied to the Fourth Round. In addition, the Township has acquired 2 additional ARHAT units since the end of the Third Round, for a total of 8 completed ARHAT units to be applied to the Fourth Round."

These ~~7~~ 8 ARHAT units, which are to be credited toward the Township's Fourth Round RDP obligation, are identified in Table 27 below:"

16. **Page 50:** The entirety of Page 50 shall be amended as follows:

Table 27: Existing ARHAT Units Satisfying Fourth Round RDP

Unit	# of Bedrooms	Purchase Date
610 Kings Croft	2	1/17/2022
1861 Woods II	2	8/18/2022
508 Barclay Walk	3	4/13/2023
301 Barclay Walk	2	8/2/2023
300 Barclay Walk	3	11/4/2024
105 Burnt Mill Road	4	4/25/2025
<u>20 James Run</u>	<u>2</u>	<u>10/10/2025</u>
<u>108 Edison Road</u>	<u>3</u>	<u>11/21/2025</u>
<u>617 Franklin Avenue</u>	<u>3</u>	<u>6/9/2025*</u>

*: Expected closing date.

"These ~~7~~ 8 ARHAT units are also eligible for bonus credits, up to the 25% bonus cap, per FHA-2. Specifically, FHA-2 allows for one bonus credit for each unit created by transforming an existing rental or ownership unit from a market rate unit to an affordable housing unit. Therefore, as identified in Table 25 above, the Township claims 6 bonus credits for the ~~7~~ 8 completed ARHAT units assigned to the Fourth Round RDP.

In addition, the Township anticipates that additional market for-sale units will be converted to affordable rental units during the course of the Fourth Round, based on the ARHAT program's successful track-record during the Third Round of acquiring and converting approximately 2 to 3 units, on average, per year. As such, the Township assigns ~~5~~ 4 of these anticipated ARHAT units/credits toward the Fourth Round RDP obligation, and assigns any additional new ARHAT units that may be created during the Fourth Round to Cherry Hill's Fourth Round Unmet Need. This is discussed in more detail in Section 4.4 below."

17. **Page 51:** Footnote 3 shall be amended as follows: "These set-asides appear to be inconsistent with the 2016 HE&FSP and FSHC Settlement, which call for a minimum 20% set-aside, whether for sale or rent. As such, the Township will make this correction to the ordinance, ~~as set forth in Appendix F of this plan.~~"
18. **Page 52:** The second paragraph of Subsection 5. shall be amended as follows: "On November 20, 2023, the Township Planning Board complied with the terms of the consent order and recommended to the Township Council that a proposed ordinance be adopted for a new Residential-Inclusionary Mixed Use (RIMU) Overlay Zone on Block 285.03 Lots 2 and 3. The ordinance establishing the RIMU Overlay Zone was adopted by the Township Council on September 29, 2025. The ~~proposed~~ adopted RIMU Overlay Zone ordinance allows for inclusionary development in a mixed-use setting with up to 220 residential units, including at least 37 family affordable units, as required."
19. **Page 52:** Footnote 4 shall be amended as follows: "These set-asides appear to be inconsistent with the 2016 HE&FSP and FSHC Settlement, which call for a minimum 20% set-aside, whether for sale or rent. As such, the Township will make this correction to the ordinance, ~~as set forth in Appendix F of this plan.~~"

20. **Page 53:** The following sentence shall be deleted: "These proposed ordinance amendments are included in Appendix G of this plan."
21. **Page 54:** The following sentence shall be deleted: "These proposed ordinance amendments are included in Appendix H of this plan."
22. **Page 54:** The first paragraph under the heading "Fourth Round Unmet Need" shall be amended as follows: "Due to the Township's long-recognized lack of vacant, developable land, Cherry Hill's Unmet Need of 917 for Cumulative Rounds 1, 2 and 3 is further compounded by an Unmet Need of 537 for Round 4, despite any additional available land to accommodate same in a manner consistent with sound planning. Nevertheless, because of Cherry Hill's proactive efforts to secure affordable housing for the Fourth Round, the Township already has 228 existing and approved affordable units that it can apply toward its Fourth Round Unmet Need, with additional units anticipated to be created over the next decade. ~~The plan components proposed to address the Township's Fourth Round Unmet Need of 537 units are as follows:~~ The Township will address its 537-unit Fourth Round Unmet Need through the following mechanisms, which mechanisms shall also be considered to fulfill the Township's obligation under C.52:27D-310.1, as amended by P.L.2024, c.2, of FHA-2 to adopt realistic zoning."
23. **Page 55:** The entirety of Page 55 shall be amended as follows:
- "3. *Additional Group Homes:* The Township has 18 existing group homes, containing a total of ~~73~~ 74 special needs bedrooms, that have not been previously credited in a prior round. The credits for these ~~73~~ 74 group home bedrooms, all of which are listed in Appendix E of this plan, are assigned toward the Township's Fourth Round Unmet Need.
 4. *Additional ARHAT Units:* As described in Section 4.3 of this plan, the ARHAT program successfully converted approximately 2 to 3 market for-sale units to affordable rental units, on average, per year during the Third Round and adequate funding is projected to be available to acquire and convert at least ~~5~~ 4 additional units during the remainder of the Fourth Round. These ~~5~~ 4 additional ARHAT units are to be credited toward the Township's Fourth Round RDP obligation. However, if sufficient funding becomes available to acquire and convert additional units through the ARHAT program during the Fourth Round, the credits for said additional ARHAT units will be assigned to the Fourth Round Unmet Need.
 - ~~5. *Mandatory Set-Aside & Development Fee Ordinances:* Cherry Hill will continue to implement the Township-wide Mandatory Set-Aside and Development Fee ordinances, as modified, in order to capture additional affordable housing opportunities as they become available during the Fourth Round.~~

5. *Three Executive Campus Overlay:* The Township proposes to adopt overlay zoning on the premises located at 3 Executive Campus pursuant to the Township's December 2025 mediation agreement with Fair Share Housing Center. This 28.2-acre property is developed with a six-story office building and surface parking. The proposed overlay zoning, however, will allow for redevelopment or infill development with stand-alone inclusionary residential buildings and/or mixed-use buildings with inclusionary residential above at-grade non-residential, including office, retail, restaurant, personal service, recreational and/or civic uses. A maximum of 195 units will be permitted in the overlay with a minimum affordable housing set-aside of 20 percent, all of which are required to be affordable family units, potentially resulting in 39 affordable family units to be generated by this site. Alternatively, the proposed overlay will allow a density bonus for adaptive reuse of the existing building for inclusionary residential; in this scenario, the developer will be permitted to build up to 320 units within the existing building, provided that at least 20 percent be set-aside as affordable family units. As such, it is anticipated that this site will potentially yield at least 39, and up to 64, affordable family units to be credited toward the Township's Fourth Round Unmet Need."

24. **Page 56:** The map entitled "Map 5: Unmet Need Plan Components" shall be removed and replaced with the map on the following page, which has been revised to include the Three Executive Campus Overlay Zone:

25. **Page 59:** The paragraph in Section “4.8: Crediting Documentation and Ongoing Compliance” shall be amended as follows: “The Township of Cherry Hill is following the applicable requirements regarding unit monitoring and reporting. Specifically, the Township has completed and will continue to complete the statutorily required updates to its housing project status report by the DCA’s annual deadline of February 15th, 2025. These updates are included in the State’s new Affordable Housing Monitoring System and should be considered to fulfill the Township’s obligation to specify the creditworthiness of all existing affordable units. Further, all crediting documentation submitted to and approved by the Court as part of the Township’s Third Round Housing Element and Fair Share Plan remains on file with and accessible from the Court. All other crediting documentation, for plan components that were not part of the Township’s Third Round HE&FSP, is included in the appendices of this plan.”
26. **Page 61:** The list of appendices following Page 60 shall be amended to identify Appendix D as “2026 Revised Affordable Housing Trust Fund Spending Plan” (not “2025 Affordable Housing Trust Fund Spending Plan”). In addition, the list of appendices shall be amended to remove Appendices F through K (proposed and existing ordinances) as well as Appendices P and Q (operation manuals), all of which require amendments¹.
27. **Appendix D:** The cover page to Appendix D shall be amended to identify Appendix D as “2026 Revised Affordable Housing Trust Fund Spending Plan” (not “2025 Affordable Housing Trust Fund Spending Plan”) and a copy of the Township’s Revised Spending Plan, which is included in Enclosure 1 at the end of this memorandum, shall replace the copy of the Spending Plan in Appendix D of the 2025 HE&FSP.
28. **Appendix E:** The first page of the document in Appendix E of the 2025 HE&FSP (“Existing ARHAT, Scattered Site Sales, Least Cost Housing & Group Home Units”) shall be replaced with the page included at Enclosure 2 at the end of the memorandum, and the last page of the document in Appendix E of the 2025 HE&FSP (“Existing ARHAT, Scattered Site Sales, Least Cost Housing & Group Home Units”) shall be replaced with the page included at Enclosure 3 at the end of the memorandum.
29. **Appendices F, G, H, I, J, K, P and Q:** The cover pages to Appendices F, G, H, I, J, K, P and Q and all of the contents within these appendices shall be removed.

cc: Mayor David Fleisher (w/encl)
 Council President Carter and Members of the Cherry Hill Township Council (w/encl)
 Cosmas Diamantis, Esq. (w/encl)
 Brian Bauerle (w/encl)
 Kathleen Cullen (w/encl)
 Mara Wuebker, PP, AICP (w/encl)
 Jacob Richman, PP, AICP (w/encl)
 Allen Zeller, Esq. (w/encl)
 Jeffrey Suenian, Esq. (w/encl)

¹ DCA and HMFA adopted new regulations in December 2025. The Township is in the process of preparing revised implementing ordinances and manuals to be consistent therewith and will adopt same in accordance with the Fair Housing Act and FSHC Mediation Agreement.

ENCLOSURE 1

June 4, 2025 – Revised February 2, 2026
Township of Cherry Hill
Affordable Housing Trust Fund Spending Plan

INTRODUCTION

The Township of Cherry Hill (hereinafter the “Township”), Camden County, has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Amended Fair Housing Act (FHA-2) (N.J.S.A. 52:27D-301) and the new Fair Housing Act Rules promulgated by the New Jersey Department of Community Affairs (DCA) (N.J.A.C. 5:99). A development fee ordinance creating a dedicated revenue source for affordable housing and establishing the Township of Cherry Hill Affordable Housing Trust Fund was first adopted by the Township on June 9, 1986.

As of December 31, 2024, the Township of Cherry Hill had a balance of \$3,976,868¹ in its Affordable Housing Trust fund. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund account for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:99 as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

It is anticipated that during the period of January 1, 2025 through June 30, 2035, which encompasses the period that the Township will have a Fourth Round Judgment of Compliance and Repose (hereinafter “Fourth Round JOR”), the Township will add an additional \$4,536,000 to its Affordable Housing Trust Fund. This is detailed below.

- (a) Development fees: Based on development fee collection trends in the Township of Cherry Hill since 2012, more than four-fifths of which have been from non-residential development fees, the Township anticipates that approximately \$3,024,000 in development fees will be generated between January 1, 2025 through June 30, 2035. This figure assumes that, on average, the Township will collect approximately \$24,000 in development fees per month during the remainder of the Third Round and throughout the Fourth Round.

¹ All figures rounded to the nearest dollar.

- (b) Payment in lieu (PIL): The Township of Cherry Hill anticipates the contribution of a \$38,110 payment in lieu from the Garden State Park developer, as specified by the Court Order by Judge M. Allan Vogelsson dated March 3, 2004. This \$38,110 payment represents the unpaid balance of the total \$1,000,000 payment in lieu specified in the Court Order and is expected to be paid in 2026.

- (c) Other Funds: The Township of Cherry Hill received, pursuant to the Court Order by Judge M. Allan Vogelsson dated March 3, 2004, the contribution of \$775,000 from the Garden State Park developer into the Affordable Housing Trust Fund for the sole purpose of providing subsidies to the Garden State Park 100% affordable age-restricted rental development, to be developed by the Michaels Organization. These funds were paid in November 2025.

- (d) Projected interest: It is estimated that the Township of Cherry Hill will collect approximately \$1,512,000 in interest between January 1, 2025 through June 30, 2035. This figure assumes that, on average, the Township will collect approximately \$12,000 in interest per month during the remainder of the Third Round and throughout the Fourth Round.

SOURCE OF FUNDS	PROJECTED REVENUES – AFFORDABLE HOUSING TRUST FUND JANUARY 1, 2025 THROUGH JUNE 30, 2035											Total
	2025-2026	2027	2028	2029	2030	2031	2032	2033	2034	1/1/35 to 6/30/35		
(a) Development Fees	\$576,000	\$288,000	\$288,000	\$288,000	\$288,000	\$288,000	\$288,000	\$288,000	\$288,000	\$144,000	\$3,024,000	
(b) Payments in Lieu of Construction	\$38,110	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$38,110	
(c) Other Funds	\$775,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$775,000	
(d) Interest	\$288,000	\$144,000	\$144,000	\$144,000	\$144,000	\$144,000	\$144,000	\$144,000	\$144,000	\$72,000	\$1,512,000	
Total	\$1,677,110	\$432,000	\$216,000	\$5,349,110								

In sum, the Township of Cherry Hill projects a total of \$5,349,110 in revenue to be collected between January 1, 2025 and June 30, 2035. This projected amount, when added to Cherry Hill's current trust fund balance of \$3,976,868, results in a total anticipated trust fund balance of \$9,325,978 available to fund and administer the Township's affordable housing plan. All interest earned on the account shall be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Township:

- (a) Collection of development fee revenues: Upon application of a Zoning Approval for construction, the Administrative Officer or their designee shall determine if the development approval is subject to a development fee. The Planning Board Secretary and Zoning Board Secretary shall notify the Zoning Officer whenever preliminary, final, or other applicable approval is granted for a development that is subject to a development fee.

If the development approval is subject to a development fee, the Administrative Officer or their designee will notify the Township Tax Assessor and the Construction Official to initiate the calculation of the approximate value of the project and set the fee based on:

1. The equalized assessed value of the new construction for residential fees.
2. The equalized assessed value of the new construction for non-residential fees.

The developer will pay 100 percent of the development fee prior to the issuance of a certificate of occupancy. The funds are forwarded to the Tax Collector and deposited in the affordable housing trust fund.

- (b) Distribution of development fee revenues: The Mayor shall appoint the appropriate Township official, such as the Director of Community Development, to administer the distribution of the development fee in a manner consistent with this Spending Plan.

The release of funds requires the adoption of the governing body resolution in accordance with an approved spending plan. Once a request is approved by resolution, the Township Controller releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

- (a) Rehabilitation. The Township has a Present Need (rehabilitation) obligation of 378 units. The Township participates in the Camden County Home Improvement Program, which typically rehabilitates approximately 3 housing units per year for Cherry Hill Township. As such, it is anticipated that the County will rehabilitate 30 dwelling units over the next 10 years. In order to address its remaining rehabilitation obligation of 348 units, the Township will establish and administer a municipal Home Improvement

Program, which will be available to both owners and renters. The Township's municipal Home Improvement Program will be administered by a qualified professional.

The Township will utilize funds from its Affordable Housing Trust Fund to fund this municipal program and will reserve sufficient funds to address one-third of their remaining rehabilitation obligation (i.e. $1/3 \times 348 = 116$ units) within the first three years of approval of its plan. At a rate of at least \$10,000 per unit, this will require an initial contribution of \$1,160,000. After these first three years, the Township will then reassess the success of its municipal Home Improvement Program and either continue to fund the program at the same level for the subsequent three years or, if the program does not experience the volume of participants that would necessitate the same funding level, the Township reserves the right to scale back its reserves for rehabilitation and use those funds for other affordable housing activity.

- (b) Encumbered Funds. The Township already has commitments to spend \$457,180 toward affordability assistance at the Evans Frances Estates (EFE) affordable housing development (\$100,000) and the acquisition of an additional market-to-affordable unit² through the Affordable Housing Rental Association at Tavistock (ARHAT) program (\$357,180).
- (c) Garden State Park - The Michaels Organization Subsidies. As noted in Section 1 of this Spending Plan, the Township of Cherry Hill received, pursuant to the Court Order by Judge M. Allan Vogelson dated March 3, 2004, the contribution of \$775,000 from the Garden State Park developer into the Affordable Housing Trust Fund for the sole purpose of providing subsidies to the Garden State Park 100% affordable age-restricted rental development, to be developed by the Michaels Organization. These funds, which are explicitly exempt from Affordable Housing Trust Fund rules pursuant to the Court Order, are expected to be released to The Michaels Organization in 2026.
- (d) Housing Subsidies. The Township will set aside \$1,628,000 in affordable housing trust funds to help subsidize/facilitate the transition of Least Cost Housing units from Modest Price Housing (MPH) deed restrictions to UHAC deed restrictions, as well as to help subsidize costs at the Volunteers of America (VOA) and Habitat for Humanity sites.
- (e) ARHAT Acquisitions. The Housing Element and Fair Share Plan anticipates the acquisition of at least 6 additional market-to-affordable units through the Affordable Housing Rental Association at Tavistock (ARHAT) program before the end of the Third Round and/or during the Fourth Round. (These acquisitions are over and above the

² Specifically, 105 Burnt Mill Road, the purchase of which closed on 4/25/25.

acquisition for which funds have been encumbered per Subsection (b) above.) At an estimated cost of \$400,000 per unit, it is expected that the 6 ARHAT units to be acquired will require a total contribution of \$2,400,000.

- (f) Affordability Assistance. Pursuant to N.J.A.C. 5:99-2.5, the Township is required to set aside a portion of all development fees collected and interest earned for the purpose of providing affordability assistance to low- and moderate-income households in affordable units included in the Township's fair share plan. Affordability assistance means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5. This may also include offering a subsidy to developers of inclusionary or 100% affordable housing developments or buying down the cost of low- or moderate-income units in the Township's fair share plan to make them affordable to very low-income households, including special needs and supportive housing opportunities. In addition to the \$100,000 already encumbered for affordability assistance to EFE per Subsection (b) above, the Township will set aside \$112,000 from the Affordable Housing Trust Fund for an Affordability Assistance Program through June 30, 2035.
- (g) Administrative Expenses. Per N.J.A.C. 5:99-2.4(a), no more than 20% of all affordable housing trust funds, exclusive of those collected prior to July 17, 2008, to fund an RCA, shall be expended on administration. The Township of Cherry Hill projects that a maximum of \$1,525,413 will be available from the affordable housing trust fund to be used for administrative purposes through June 30, 2035. Such administrative expenditures, subject to the 20% cap, may include payment for actions and efforts reasonably related to the determination of the Township's fair share obligation and the development of its Housing Element and Fair Share Plan pursuant to paragraphs (1) and (2) of subsection f. of section 3 of P.L. 2024, c.2 ("FHA"), and for expenses that are reasonably necessary for compliance with the processes of the program, including but not limited to, the costs to the Township of resolving a challenge under the program.

Actual development fees + interest through 12/31/24		\$5,212,243
Payments in lieu of construction & other deposits through 12/31/24	+	\$997,089
Projected development fees + interest 1/1/25 through 6/30/35	+	\$4,536,000
Projected payments in lieu & other deposits 1/1/25 through 6/30/35*	+	\$38,110
Less RCA expenditures through 7/17/08	-	\$0
Total	=	\$10,783,442
20 percent requirement	x 0.20 =	\$2,156,688
Less administrative expenditures through 12/31/24		\$631,275
PROJECTED MAXIMUM Available for Administrative Expenses 1/1/25 through 6/30/35	=	\$1,525,413

* Does not include \$775,000 anticipated from Garden State Park for The Michaels Organization.

- (h) Other Emergent Housing Opportunities. The Township will spend the remaining trust fund balance, projected at \$1,268,385, on other emergent opportunities to create affordable housing that may arise during the Fourth Round, including, but not limited to the continued acquisition of additional units through the Affordable Housing Rental Association at Tavistock (ARHAT) program and/or other non-profit development opportunities – subject to the availability of funding. The Township shall seek approval for any emergent affordable housing opportunities not included in the Township’s fair share plan in accordance with N.J.A.C. 5:99-4.1.

4. EXPENDITURE SCHEDULE

The Township of Cherry Hill intends to use affordable housing trust fund revenues for housing rehabilitation activities, ARHAT acquisitions, least cost housing and other housing subsidies, affordability assistance, administration up to the 20% cap, Garden State Park subsidies, and other emergent affordable housing opportunities that may arise during the Fourth Round. Where applicable, the funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

PROJECTS/ PROGRAMS	PROJECTED EXPENDITURES – AFFORDABLE HOUSING TRUST FUND JANUARY 1, 2025 THROUGH JUNE 30, 2035											Total		
	2025-2026	2027	2028	2029	2030	2031	2032	2033	2034	1/1/35 to 6/30/35				
HOUSING ACTIVITY:														
Rehabilitation	\$386,667	\$386,667	\$386,666	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,160,000
Encumbered Funds - ARHAT	\$357,180	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$357,180
Housing Subsidies	\$234,000	\$164,000	\$164,000	\$164,000	\$164,000	\$164,000	\$164,000	\$164,000	\$164,000	\$164,000	\$82,000	\$0	\$0	\$1,628,000
ARHAT Acquisitions	\$1,000,000	\$600,000	\$0	\$400,000	\$0	\$400,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,400,000
AFFORDABILITY ASSISTANCE:														
Encumbered Funds - EFE	\$25,000	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$0	\$0	\$0	\$0	\$0	\$100,000
Affordability Assistance Program	\$27,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$5,000	\$0	\$0	\$112,000
ADMINISTRATION:														
Administration	\$500,000	\$50,000	\$50,000	\$50,000	\$60,000	\$55,000	\$60,000	\$200,000	\$300,000	\$200,413	\$0	\$0	\$0	\$1,525,413
MISCELLANEOUS:														
GSP – 100% Affordable Subsidies	\$775,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$775,000
Other Emergent Opportunities	\$0	\$0	\$0	\$0	\$0	\$281,863	\$281,863	\$281,863	\$281,863	\$281,863	\$140,933	\$0	\$0	\$1,268,385
Total	\$3,304,847	\$1,223,167	\$623,166	\$636,500	\$246,500	\$923,363	\$528,363	\$655,863	\$755,863	\$428,346	\$0	\$0	\$0	\$9,325,978

5. EXCESS OR SHORTFALL OF FUNDS

In the event of any expected or unexpected shortfall of funds necessary to implement the Fair Share Plan, the Township of Cherry Hill will handle the shortfall of funds through an alternative funding source to be identified by the Township and/or by adopting a resolution with an intent to bond. In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be dedicated toward the Township's rehabilitation program, additional affordability assistance, additional ARHAT acquisitions and/or any other emergent affordable housing opportunities that may arise during the Fourth Round.

SUMMARY

The Township of Cherry Hill intends to spend Affordable Housing Trust Fund revenues pursuant to N.J.A.C. 5:99 and consistent with the housing programs outlined in the Township's Housing Element and Fair Share Plan.

The Township of Cherry Hill had a balance of \$3,976,868 as of December 31, 2024 and anticipates an additional \$5,349,110 in revenues through June 30, 2035 for a total of \$9,325,978. During the period of the Township's Fourth Round JOR through June 30, 2035, the Township agrees to fund \$1,160,000 towards a rehabilitation program, \$457,180 already encumbered for an ARHAT market to affordable purchase and EFE affordability assistance, \$775,000 towards Garden State Park subsidies, \$1,628,000 towards other housing subsidies, \$2,400,000 toward the acquisition of 6 additional ARHAT units, \$112,000 towards additional affordability assistance, \$1,525,413 towards administrative expenses, and \$1,268,385 towards other emergent affordable housing opportunities that may arise during the Fourth Round, totaling \$9,325,978 in anticipated expenditures.

Any shortfall of funds will be offset by an alternative funding source to be identified by the Township and/or, the Township of Cherry Hill will bond to provide the necessary funding. The Township will dedicate any excess funds or balance toward the Township's rehabilitation program, additional affordability assistance, additional ARHAT acquisitions and/or any other emergent affordable housing opportunities that may arise during the Fourth Round.

SPENDING PLAN SUMMARY		
Balance as of December 31, 2024		\$3,976,868
PROJECTED REVENUE THROUGH 6/30/35		
Development fees	+	\$3,024,000
Payments in lieu of construction	+	\$38,110
Other funds	+	\$775,000
Interest	+	\$1,512,000
SUBTOTAL REVENUE	=	\$5,349,110
TOTAL REVENUE = \$9,325,978		
EXPENDITURES		
Rehabilitation Program	-	\$1,160,000
Encumbered Funds	-	\$457,180
GSP – 100% Affordable Subsidies	-	\$775,000
Other Housing Subsidies	-	\$1,628,000
ARHAT Acquisitions	-	\$2,400,000
Affordability Assistance	-	\$112,000
Administration	-	\$1,525,413
Other Emergent Opportunities	-	\$1,268,385
TOTAL PROJECTED EXPENDITURES	=	\$9,325,978
REMAINING BALANCE	=	\$0

ENCLOSURE 2

ARHAT Units

300	Barclay Walk	20	James Run
301	Barclay Walk	238	Kings Croft
303	Barclay Walk	610	Kings Croft
508	Barclay Walk	110	Park Pl
704	Barclay Walk	506	Park Pl
708	Barclay Walk	201	Playa Del Sol
105	Burnt Mill Rd	419	Playa Del Sol
108	Edison Rd	216	Tavistock
223	Centura	218	Tavistock
231	Centura	250	Tavistock
344	Chanticleer	268	Tavistock
501	Chanticleer	278	Tavistock
520	Chanticleer	358	Tavistock
711	Chanticleer	359	Tavistock
715	Chanticleer	360	Tavistock
731	Chanticleer	370	Tavistock
825	Chanticleer	371	Tavistock
1115	Chanticleer	372	Tavistock
1135	Chanticleer	382	Tavistock
1141	Chanticleer	384	Tavistock
1151	Chanticleer	394	Tavistock
1202	Chanticleer	395	Tavistock
1311	Chanticleer	396	Tavistock
1315	Chanticleer	408	Tavistock
1343	Chanticleer	420	Tavistock
1344	Chanticleer	1802	The Woods II
101B	Cherry Parke	1861	The Woods II
123A	Cherry Parke	1965	The Woods II

Credits assigned to 4th Round

ENCLOSURE 3

Group Homes Addressing Fourth Round Unmet Need

Address	Special Needs Bedrooms	Group Home Operator
1220 Crane Dr	4 Bedrooms	Bancroft
135 Greenvale Rd	5 Bedrooms	Bancroft
10 Hessian Way	5 Bedrooms	Bancroft
1811 Kresson Rd	5 Bedrooms	Bancroft
1728 Lark Lane	5 Bedrooms	Bancroft
410 Garden State Dr	4 Bedrooms	ARC of Camden County
1328 Bunker Hill Dr	4 Bedrooms	Community Options
1673 Lark Lane	3 Bedrooms	Community Options
1765 Country Club Dr	5 Bedrooms	Elwyn
329 Cherry Hill Blvd	4 Bedrooms	Friends of Cyrus
322 Juniper Dr	4 Bedrooms	Friends of Cyrus
19 Woodbury Ct	4 Bedrooms	Friends of Cyrus
217 Woodland Ave	4 Bedrooms	Friends of Cyrus
300 Park Pl	2 Bedrooms	Twin Oaks (Oaks Integrated Care)
1402 Longfellow Dr	4 Bedrooms	Quality Management Associates
309 Surrey Rd	4 Bedrooms	Quality Management Associates
115 Mckinley Rd	4 Bedrooms	REM NJ
417 Silver Hill Rd	4 Bedrooms	RES-Care
TOTAL	74 Bedrooms	

Exhibit 3

ORDINANCE 2026-5

AN ORDINANCE OF THE TOWNSHIP OF CHERRY HILL, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AMENDING THE CHERRY HILL TOWNSHIP ZONING ORDINANCE TO ESTABLISH A NEW THREE EXECUTIVE CAMPUS (TECO) OVERLAY ZONE

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of Cherry Hill Township, County of Camden, State of New Jersey, that the Cherry Hill Zoning Ordinance shall be hereby amended as follows:

SECTION 1. Section 301, "Establishment of Zones," of the Cherry Hill Township Zoning Ordinance shall be amended to include a new district as follows:

TECO Three Executive Campus Overlay Zone

SECTION 2. Section 302, "Zoning Map." The Cherry Hill Township Zoning Map shall be amended to include a new TECO Three Executive Campus Overlay Zone, which shall be shown to encompass Block 68.01 Lot 1, and which shall retain the underlying B4 Regional Business Zone designation for this parcel, as shown on the accompanying map.

SECTION 3. A new Section 428 of the Cherry Hill Township Zoning Ordinance shall be established, which shall be entitled "Three Executive Campus (TECO) Overlay Zone." This new section shall read as follows:

SECTION 428. THREE EXECUTIVE CAMPUS (TECO) OVERLAY ZONE

- A. **Intent.** The intent of the Three Executive Campus (TECO) overlay zone is to provide for a range of residential, office, retail, restaurant, personal services, recreational and civic uses to function as a mixed-use center on the Three Executive Campus site, which is an underutilized office park. New construction and/or adaptive reuse of the existing office building is envisioned. The TECO overlay zone is further intended to create an incentive for the development of at least 39 low- and moderate-income housing units in a suitable location to help address the fair share housing obligation of the Township of Cherry Hill, in accordance with the Mediation Agreement between the Township and Fair Share Housing Center executed on December 22, 2025.
- B. **Overlay Zone.** The TECO zone is an overlay zone and does not remove the underlying Regional Business (B4) Zoning; instead, it is a development alternative to the underlying zone. The uses noted below shall be permitted only if the stand-alone residential and/or mixed use (residential and non-residential) development options are undertaken as noted herein, in lieu of the underlying B4 zoned uses. Any non-residential use not developed as part of a mixed-use building, as set forth herein, shall be required to be constructed in accordance with the underlying B4 Zone regulations, except if a developer pursues adaptive reuse of the existing building in accordance with §428.H.5.
- C. **Definitions.** For the purposes of this section, the following terms shall be defined as noted below. For all other terms in this section, their definition shall be as defined in §202, or, if undefined, shall be interpreted as to give them the meaning they have in common usage and to give this section its most reasonable application:

ADAPTIVE REUSE: The repurposing of old or underutilized buildings for new functions while retaining much of the integrity of the original structure.

GROUND FLOOR: The level of the building whose floor surface is closest to, or level with, the surrounding exterior grade.

MIXED-USE BUILDING: Allows different types of land uses, like residential, office, retail, restaurant, to be combined in a single building.

TRACT: The parcel that comprises the TECO overlay zone, which is identified by Township tax records as Block 68.01 Lot 1.

- D. **Permitted Principal Uses.** In the TECO overlay zone, no lot shall be used and no structure shall be erected, altered, or occupied for any purpose except the following:
1. Multi-residential development, provided it shall include non-age-restricted affordable housing units, in accordance with §428.H.2. Multi-residential development may be constructed within stand-alone buildings or may be constructed above non-residential uses in accordance with §428.D.2. below.
 2. All permitted principal uses in the Neighborhood Business (B1) zone as set forth in §414.B. shall be permitted in a mixed-use building on the ground floor only, unless the use is prohibited in §428.F. below.
- E. **Permitted Accessory Uses & Structures.** Any of the following uses and structures may be permitted, when used in conjunction with a principal use and conforming to the applicable subsection in §428.D:
1. All accessory uses and structures permitted in the Neighborhood Business (B1) zone as set forth in §414.C. shall be permitted.
 2. Private recreation buildings and facilities, including clubhouses, swimming pools, workout rooms, common areas and the like, intended for use by residents of the premises.
 3. Other accessory uses customarily incidental to the permitted principal use.
 4. Signs shall be in accordance with the requirements set forth below.
- F. **Prohibited Uses.** Any use that is not specifically permitted in §428.D. or E. is hereby prohibited. Also, the following uses permitted in the Neighborhood Business (B1) zoning district are specifically prohibited in the TECO Overlay zone:
1. Bars and taverns.
 2. Drive-through restaurants, drive-through pharmacies.
 3. Exterminator services.
 4. Funeral homes, mortuaries, and cemeteries.
 5. Outdoor recreation motor sports, including go-karts, dirt bikes, and motorcycles.
 6. Outdoor storage of motor vehicles, materials and equipment, contractor storage yards.
- G. **Bulk Requirements.** Except as otherwise modified, the following bulk standards shall apply to all development in the TECO overlay zone:

1. Minimum lot area: The minimum lot area shall be one (1) acre. Should subdivision of the tract occur, then rights of access, and use for vehicular access and pedestrian circulation, shared parking, access to open space, public utilities, stormwater drainage and similar common improvements as governed herein, shall be established for all such lots within the tract by instruments such as covenants, conditions and restrictions, the form of which shall be subject to the approval of the Board Attorney.
2. Minimum yard and setback requirements: Buildings or portions thereof containing multi-residential dwellings or mixed-use development in accordance with §428.D. shall adhere to the following setbacks:
 - a. Principal buildings shall be set back a minimum of 100 feet from the tract boundary abutting the R2 Residential zone.
 - b. Principal buildings shall be set back a minimum of 30 feet from all other tract boundaries.
 - c. Principal buildings shall be set back a minimum of 10 feet from internal tract driveways and interior access aisles.
 - d. The setback between individual principal buildings within the tract, where said buildings are not connected, shall be no less than 25 feet.
 - e. Private balconies on principal buildings are permitted to project a maximum of 4 feet into the setbacks noted herein above. Such projecting balcony exception shall not extend for more than a continuous length of 20 feet without a minimum horizontal separation of 25 feet between setback projections.
3. Maximum principal building height and number of stories: The maximum height of principal buildings shall be 75 feet and 6 stories, except the maximum height of any principal buildings, or portions of principal buildings, located within 150 feet of the R2 Residential zone shall be no more than 48 feet and 4 stories.
4. Maximum length of building: Except for the adaptive reuse of an existing building in accordance with §428.H.5, no principal building shall exceed a total length of 300 feet.
5. Maximum building coverage: The maximum building coverage shall be 40%. This maximum shall apply to both the total tract area and to any individual subdivided lots within the tract.
6. Maximum lot coverage: The maximum lot coverage shall be 75%. This maximum shall apply to both the total tract area and to any individual subdivided lots within the tract.
7. Minimum open space/recreation: A minimum of 25% shall be dedicated for common open space, which may include conservation, passive and active recreation, but shall be consistent with §401.K. This minimum shall apply to both the total tract area and to any individual subdivided lots within the tract.
8. Maximum number of residential units: The maximum number of residential dwelling units permitted to be constructed on the tract, not including any superintendent's units, shall

be 195 dwelling units. This maximum applies to the entirety of the tract and not to individual parcels or lease areas if the tract is subdivided.

9. Accessory buildings and structures: The following bulk regulations shall apply to all accessory buildings and structures.

- a. All accessory buildings shall adhere to the same setback requirements as principal buildings.
- b. All accessory buildings shall be limited to the same height requirements as principal buildings, unless otherwise noted herein.
- c. In no event shall any accessory buildings or structures be permitted to be located within 100 feet of the tract boundary adjoining the R2 Residential zone, except that existing parking situated therein shall be permitted to remain.

H. Additional Requirements. In addition to §428.G., the following requirements shall apply in the TECO overlay zone:

1. Residential amenity space: The minimum multi-residential amenity space shall be 100 square feet per dwelling unit. Such space shall include no less than 70 square feet per unit as resident outdoor open space, including semi-private or private recreational courtyards, rooftop amenities, private terraces or patios, which shall be permitted to be counted toward the minimum open space requirement set forth at §428.G.7 above. The remainder can be met with indoor resident amenity space such as clubhouse facilities, fitness centers or lounge and meeting rooms. Flexibility shall be allowed in meeting this total square footage such that a minimum of 50% of the requirement is constructed in a phase, so long as the requirement shall be met for the overall tract independent of the individual phases constructed.
2. Affordable housing:
 - a. A minimum of 20% of the total dwelling units constructed shall be provided as non-age-restricted affordable units, whether such units are for sale or for rent. When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded to the nearest whole unit. Fractions of less than one half (1/2) shall be rounded down to the lower whole unit and fractions equal to or greater than one half (1/2) shall be rounded up to the higher whole unit.
 - b. The affordable units required by this section shall be built on the tract. Payments-in-lieu of on-site construction of affordable housing shall not be permitted.
 - c. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Procedural & Eligibility Requirements at Article X of the Cherry Hill Township Zoning Ordinance, as may be amended and supplemented, including, but not limited to, pricing, phasing, income distribution, bedroom distribution, controls on affordability, range of affordability, affirmative marketing, and income qualification.
 - d. It shall be the developer's responsibility, at its sole cost and expense, to arrange for a qualified Administrative Agent to ensure full compliance with Article X and to file such

certificates, reports and/or monitoring forms as may be required by the Department of Community Affairs, the Affordable Housing Dispute Resolution Program (the Program), and/or the Court to verify compliance of each affordable unit.

3. Parking: In addition to the standards of Article V and the New Jersey Residential Site Improvement Standards (RSIS), the following shall apply:
 - a. Guest parking: For residential uses which are part of a mixed-use development, the guest parking requirement set forth in the New Jersey Residential Site Improvement Standards (RSIS) shall be permitted to be shared with non-residential parking spaces on the tract in accordance with an approved shared parking arrangement.
 - b. Where shared parking strategies are determined appropriate, the Board may, in its discretion, reduce the minimum number of required parking spaces, permit a limited amount of parking to be reserved either for residential or specified non-residential uses only, and/or restrict the hours that certain spaces are to be used for residential or non-residential uses only.
 - c. Parking structures:
 - i. Parking structures attached to a principal building shall be considered part of the principal building and shall adhere to the maximum height requirements for the principal building. Any stand-alone parking structures shall be limited to a maximum height of 40 feet, exclusive of the elevator penthouse, which may exceed that height.
 - ii. Parking structures shall be screened by a principal building structure(s) or shall be provided with architectural treatments complementary with those provided on adjacent principal buildings to sufficiently disguise the structure.
 - iii. Architectural treatments shall include such features as compatible façade materials, building openings or window arrangement and detailing, gratings, artistic panels, and green wall treatments to disguise or screen the parking or structure. Such features shall not represent a sign as defined in §202.
 - iv. Parking structure entrances shall be accentuated by architectural detailing and shall provide visual identification to safeguard pedestrian movement and crosswalks where appropriate.
 - v. Provisions for a living wall system, civic art and/or decorative lighting are permitted to maximize the visual quality along elevations facing residential units, adjacent public roadways, as well as the surrounding community.
 - vi. Ramps to transition from floor to floor in a garage structure shall be internal to the structure or screened.
4. Signage: Signage requirements in the TECO overlay zone shall be consistent with the signage requirements for the underlying zone, the Regional Business (B4) zone, as set forth at §517., except that ground floor businesses in a mixed-use building do not require street frontage in order to have façade signage; internal tract driveways and interior access

aisles in the development may be substituted for street frontage for this purpose.

5. Adaptive reuse of existing building: In an effort to encourage adaptive reuse of the existing office building on the tract for inclusionary development, the following additional standards shall apply in the event a developer elects to convert the existing office building to stand-alone residential or mixed-use development in accordance with the TECO overlay zone:
 - a. Notwithstanding §428.G.8. to the contrary, which limits the number of residential units in the TECO overlay zone to 195, the maximum number of units that may be constructed on the tract shall be increased to 320, provided that all such residential units shall be provided within the existing building itself.
 - b. The minimum residential amenity space required per §428.H.1. shall be increased to 150 square feet per dwelling unit, which shall include no less than 100 square feet per unit as resident outdoor space, with the remainder permitted to be met with indoor resident amenity space.
 - c. The minimum amount of common open space required per §428.G.7. shall be increased to 30%, which minimum shall apply to both the total tract area and the lot which contains the existing building, if subdivided.
 - d. Notwithstanding §428.D.2. to the contrary, which restricts non-residential uses solely to the ground-floor of mixed-use buildings in the TECO overlay zone, a developer electing to adaptively reuse the existing building for a mixed-use development shall be permitted to locate office uses on upper floor(s) within the existing building, provided that office uses and residential uses are located on separate floors within the building.
 - e. Further notwithstanding §428.D.2. to the contrary, a developer electing to adaptively reuse the existing building for either stand-alone residential or mixed-use development shall be permitted to construct non-residential uses in stand-alone building(s) on the tract, be it on the same lot as the existing building or subdivided per §428.G.1. The non-residential uses permitted within such stand-alone buildings shall be the same as those set forth at §428.D.2. and shall meet all other requirements of the TECO overlay zone. No stand-alone non-residential building(s) shall be permitted to be constructed until no fewer than 195 of the residential units created within the existing building have received Certificates of Occupancy.

- i. **Design Standards**. The standards below have been promulgated to achieve a well-designed and pedestrian-friendly mixed-use center; in addition to Article V, the design standards shall apply to all residential and mixed-use development in the TECO overlay zone. It is recognized that the intent of this section can be achieved with designs not anticipated by these standards. Accordingly, the Township approving authority may waive any of the following criteria, pursuant to a request for a 'design standard exception,' as the Board deems reasonable and within the general purpose and intent of this overlay zone.
 1. Architectural design standards: In addition to the requirements of §504, the following shall apply in the TECO overlay zone:

- a. The entry façades of all buildings shall be designed to a pedestrian scale.
 - b. In mixed-use buildings, primary access to individual ground floor storefronts shall be from the sidewalk abutting the storefront, rather than solely from the interior of the building or hallway.
 - c. The architectural treatment of the front façade, with regard to its major features and materials, shall be continued around all sides of a building that are readily visible from adjacent properties and/or rights-of-way. The design of all sides of a building shall be consistent with regard to style, materials, colors, and details. No solid, blank, windowless walls or service areas shall not be visible from the public areas. Where the construction of a blank or substantially blank wall is necessary, the façades shall be articulated by the provision of false windows, articulated masonry, or, if the building is occupied by a commercial use, by using recessed or projecting display window cases. Enhanced plantings may also be appropriate in certain cases.
 - d. All air conditioning units, skylights, solar panels, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes, and other telecommunications receiving devices shall be screened from view from public property, rights-of-way and from adjacent properties by using walls, fencing, roof elements, penthouse-type screening devices, and /or plantings.
 - e. The massing of buildings shall be deemphasized in a variety of ways, including building height set-backs to reduce perceived building scale and height, the use of projecting and recessed elements such as porches and roof dormers, to reduce the apparent overall bulk and volume, to enhance visual quality and contribute to human-scale development. Such breaks in the facades and rooflines shall occur not more frequently than every 25 feet and no less frequently than every 100 feet.
 - f. Building colors and materials shall have a complimentary palate.
 - g. Except for adaptive reuse of the existing building in accordance with §428.H.5., buildings with ground-floor level residential units shall be at a floor elevation minimally 1.5-feet higher than the adjacent grade directly outside of the unit.
 - h. Service areas for all non-residential and residential facilities shall be provided via open air and enclosed entranceways at the rear of each building designed to be isolated from primary pedestrian areas and screened from view to the extent practical.
2. Green building features: The implementation of green building features is encouraged throughout the TECO overlay zone, where applicable, to promote environmental stewardship. Such features should be considered at the beginning of the planning and design phase to ensure proper integration and combination of features. The list of green building strategies below is intended to highlight some key strategies which have been identified as consistent with the plan for the tract and is not a comprehensive list of all the features which may be considered by a prospective developer. Green building features not listed herein shall be reviewed for consideration by the Township.

Green building strategies acknowledged by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) and Rutgers Center for Green Building's New Jersey Green Building Manual are strongly encouraged.

- a. Green roof and terraces.
 - i. Roof top terraces and vegetated "green" roofs shall be permitted, provided they do not exceed 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum building height limit. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to the roof surface.
 - ii. Green roofs are encouraged on all upper flat roofs for communal use and terraces for individual tenant use. Green roofs provide the benefits of reduced cooling costs, increased insulation, runoff mitigation, reduced impact of heat island effect and enhancement of quality of life. Facilities for rainwater collection and drip irrigation are recommended.
 - b. Solar collectors. Solar collection systems for the generation of electricity and/or hot water are encouraged. Such systems shall be permitted on all upper roofs of buildings and parking structures and must be consistent with the architectural character and design of the site and buildings.
3. Landscaping: In addition to the requirements of §508, the following shall apply in the TECO overlay zone:
- a. Canopy trees shall be planted along the primary internal tract driveway(s) and/or primary interior access aisle(s) at a maximum distance of 35 feet on center and spaced equal distance. Such street trees shall be a minimum caliper of 3 inches (measured 6 inches above ground level) at the time of planting. Bottom branches shall be trimmed to a minimum of 8 feet above the ground for pedestrian passage.
 - b. Hedges and ornamental fences may be used to define the street edge and block the view of parking areas. Hedges, walls, and solid fences may be used to block view of storage areas, loading docks or other utilitarian views from residential or public areas. No "cyclone" or "chain link" fencing shall be permitted.
 - c. Parking lot landscaping:
 - i. Parking lots for residential and mixed-use development shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and civic, commercial, or residential uses shall be designed with textured paving, landscaping, and street furniture.
 - ii. Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct view of parked vehicles from streets and sidewalks, avoid spillover light, glare, noise, or exhaust fumes onto adjacent residential properties, and to provide the parking area with a reasonable measure of shade, when trees reach maturity.
 - iii. Parking lots adjacent to primary internal tract driveways and/or primary interior access aisles shall be surrounded by a minimum of a 2.5-foot-high, year-round visual screen, such as a hedge, masonry wall, or ornamental fence. The height of any required screening hedge or wall shall decrease where driveways approach

sidewalks or walkways, in order to provide adequate visibility of pedestrian from motor vehicles, and shall not interfere with clear sight triangle requirements.

- iv. Parking lot layout shall take into consideration pedestrian and vehicular circulation and shall be designed to preclude dead end parking lots. Pedestrian crosswalks shall be provided, where necessary and appropriate, and shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. Pavement textures shall be required on pedestrian access ways, and strongly encouraged elsewhere in the parking lot, as surfacing materials, or when used as accents and as approved by the Board.
4. Lighting: In addition to the requirements of §509, the following shall apply in the TECO overlay zone:
- a. All internal tract driveways and interior access aisles, parking lots and pedestrian walkways shall be sufficiently illuminated to ensure traffic and pedestrian safety under all weather conditions. Lighting fixtures are to include non-glare lights with "cutoff" shields as appropriate in order to mitigate against adverse impacts upon adjacent and nearby properties, the safety of traffic along adjacent roadways and overhead glow. House-side shields shall be provided where abutting a residential use.
 - b. Along all sidewalks, walkways, courtyards and common areas, lighting shall be decorative and blend with the architectural style of the development. 12-14 foot high decorative pedestrian scale lamp posts shall be provided at regular intervals and shall be spaced to meet the minimum lighting levels set forth in §509.E.
 - c. Along all internal tract driveways and interior access aisles, and within all parking areas, light post heights may be extended to a maximum of 20 feet.
 - d. Lighting attached to the exterior of a building shall be architecturally compatible with the style, materials colors and details of the building and shall comply with the local building code. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways and other areas of a site, and the light quality produced, shall be the same or compatible. Facades shall be lit from the exterior, and as a general rule, lights should be concealed through shielding or landscaping. Mounting brackets and associated hardware should be inconspicuous.
5. Sidewalks and Bicycle Paths: In addition to the requirements of §513, the following shall apply in the TECO overlay zone:
- a. Sidewalks shall have a minimum width of 5 feet, except along ground-floor nonresidential uses, where the sidewalk shall be 10 feet. Sidewalks in mixed use developments shall be continued across street surfaces using paving materials to delineate crosswalks.
 - b. Sidewalks and bicycle paths shall connect proposed uses to public sidewalks, roadways, and nearby parks and recreation facilities. Private sidewalks shall be designed to connect parking areas with individual structures, as well as building groups.
 - c. The use of special paving such as brick or pre-cast concrete pavers for sidewalks is required for a minimum of 10% of the paved area, specifically at prominent

intersections and public spaces. Otherwise, sidewalks shall be poured-in-place concrete. Special paving, if selected, should complement the building materials and should be used to define spaces or special areas such as entrances. All plans for special pavement areas and sidewalks shall be submitted to the Board Engineer for approval. Sidewalks adjacent to parking lots, where car bumpers may overhang the walk, shall be a minimum of 6 feet wide measured from the face of the curb or 4 feet wide if setback a minimum of 2 feet from the face of curb with a grassed area.

J. **Other Requirements.** All other applicable requirements of the Cherry Hill Zoning Ordinance, and of other applicable provisions of the Township Code, shall apply to development within the TECO overlay zone unless specifically superseded by the regulations of this §428. In case of conflict between the provisions of this section and the other provisions of this Cherry Hill Zoning Ordinance, the provisions of this section shall apply.

SECTION 4. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

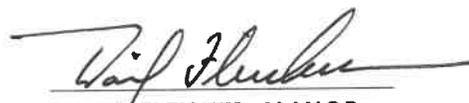
SECTION 5. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 6. This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

INTRODUCED: FEBRUARY 25, 2026

ADOPTED: MARCH 9, 2026


COUNCIL PRESIDENT


DAVID FLEISHER, MAYOR

ATTEST:


PATTI CHACKER, RMC
TOWNSHIP CLERK

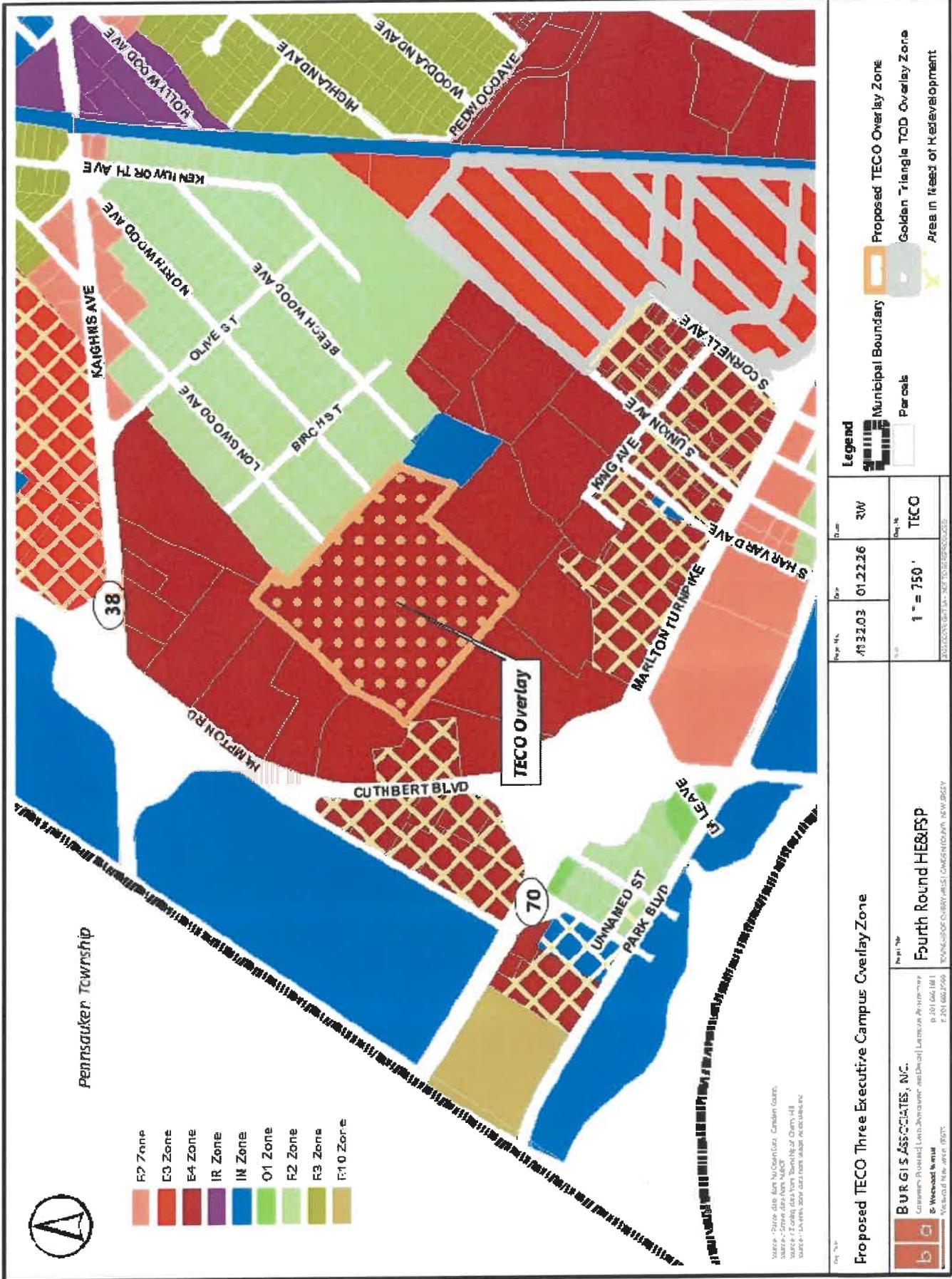


Exhibit 4

ORDINANCE 2026-6

AN ORDINANCE OF THE TOWNSHIP OF CHERRY HILL, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AMENDING THE CHERRY HILL TOWNSHIP ZONING ORDINANCE AS IT RELATES TO AFFORDABLE HOUSING ADMINISTRATION AND CONTROLS, DEVELOPMENT FEES, AND AFFORDABLE HOUSING SET-ASIDE REQUIREMENTS

WHEREAS, the Cherry Hill Township Planning Board has adopted, and the Cherry Hill Township Council has endorsed, a Housing Element & Fair Share Plan addressing the Township's Fourth Round affordable housing obligation; and

WHEREAS, pursuant to the Fair Housing Act, the New Jersey Department of Community Affairs, Division of Local Planning Services (LPS) adopted new regulations at N.J.A.C. 5:99 et seq., and the Housing and Mortgage Finance Agency's (HMFA) adopted new Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq., which new rules went into effect in December 2025; and

WHEREAS, the new rules made several changes to the administration and affordability controls of affordable housing units in New Jersey, as well as the collection of development fees and use of affordable housing trust funds, requiring the Township to amend the Cherry Hill Township Zoning Ordinance to be consistent with the revised rules; and

WHEREAS, the Township's Housing Element & Fair Share Plan also recommends certain amendments to the affordable housing set-aside requirements set forth at Article IV, Sections 426 and 427, of the Cherry Hill Township Zoning Ordinance for the Golden Triangle and PATCO Transit-Oriented Development Overlay Zones, respectively; as well as the Township-wide mandatory affordable housing set-aside requirements set forth at Article X of the Cherry Hill Township Zoning Ordinance; and

WHEREAS, consistent with the provisions of the Municipal Land Use Law, including N.J.S.A. 40:55D-26 and 40:55D-64, prior to the hearing on the adoption of the amendment to the Zoning Ordinance, Cherry Hill Township Council has referred to the Cherry Hill Planning Board all of the proposed amendments to the Zoning Ordinance for review, comment and recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Cherry Hill, County of Camden, State of New Jersey, that the proposed amendments to the Cherry Hill Township Zoning Ordinance are hereby adopted as follows:

SECTION 1. The Cherry Hill Township Zoning Ordinance, Article II, Section 202 (Definitions), shall be amended to include the following terms and definitions. For any term listed below that is already defined under Section 202, the definitions herein below shall supersede:

"Accessory apartments" means a residential dwelling unit that provides complete independent living facilities with a private entrance for one or more persons, consisting of provisions for living, sleeping, eating, sanitation, and cooking, including a stove and refrigerator, and is located within a proposed preexisting primary dwelling, within an existing or proposed structure that is an accessory to a dwelling on the same lot, constructed in whole or part as an extension to a proposed or existing primary dwelling, or constructed as a separate detached structure on the same lot as the existing or proposed primary dwelling. Accessory apartments are also referred to as "accessory dwelling units".

"Act" means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

"Adaptable" means constructed in compliance with the technical design standards of the barrier free subcode adopted by the Commissioner of Community Affairs pursuant to the "State Uniform Construction Code Act," P.L.1975, c. 217 (C.52:27D-119 et seq.) and in accordance with the provisions of section 5 of P.L.2005, c. 350 (C.52:27D-123.15).

"Administrative agent" means the entity approved by the Division responsible for the administration of affordable units, in accordance with N.J.A.C. 5:99-7, and UHAC at N.J.A.C. 5:80-26.15.

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

"Affirmative Marketing Plan" means the municipally adopted plan of strategies from which the administrative agent will choose to implement as part of the Affirmative Marketing requirements.

"Affirmative Marketing Process" or "Program" means the actual undertaking of Affirmative Marketing activities in furtherance of each project with very low-, low-, and moderate-income units.

"Affordability assistance" means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5.

"Affordability average" means an average of the percentage of regional median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

"Affordable" means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

"Affordable housing development" means a development included in a municipality's housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment-in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP.

"Affordable Housing Dispute Resolution Program" or "the Program" refers to the dispute resolution program established pursuant to N.J.S.A. 52:27D-313.2.

"Affordable Housing Monitoring System" or "AHMS" means the Department's cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

"Affordable Housing Trust Fund" or "AHTF" means that non-lapsing, revolving trust fund established in DCA pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes. All references to the "Neighborhood Preservation Nonlapsing Revolving Fund" and "Balanced Housing" mean the AHTF.

"Affordable unit" means a housing unit proposed or developed pursuant to the Act, including units created with municipal affordable housing trust funds.

"Age-restricted housing" means a housing unit that is designed to meet the needs of, and is exclusively for, an age-restricted segment of the population such that: 1. All the residents of the development where the unit is situated are 62 years or older; 2. At least 80 percent of the units are occupied by one person that is 55 years or older; or 3. The development has been designated by the Secretary of HUD as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L.1983, c. 530 (C.55:14K-1 et seq.).

"Assisted living residence" means a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to ensure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor. Apartment units must offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

"Barrier-free escrow" means the holding of funds collected to adapt affordable unit entrances to be accessible in accordance with N.J.S.A. 52:27D-311a et seq. Such funds shall be held in a municipal affordable housing trust fund pursuant to N.J.A.C. 5:99-2.6.

"Builder's remedy" means court-imposed site-specific relief for a litigant who seeks to build affordable housing for which the court requires a municipality to utilize zoning techniques, such as mandatory set-asides or density bonuses, including techniques which provide for the economic viability of a residential development by including housing that is not for low- and moderate-income households.

"Certified household" means a household that has been certified by an administrative agent as a very-low-income household, a low-income household, or a moderate-income household.

"CHOICE" means the no-longer-active Choices in Homeownership Incentives for Everyone Program, as it was authorized by the Agency.

"COAH" or the "Council" means the Council on Affordable Housing established in, but not of, DCA pursuant to the Act and that was abolished effective March 20, 2024, pursuant to section 3 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1).

"Commissioner" means the Commissioner of the Department of Community Affairs.

"Compliance certification" means the certification obtained by a municipality pursuant to section 3 of P.L.2024, c. 2 (C.52:27D-304.1), that protects the municipality from exclusionary zoning litigation during the current round of present and prospective need and through July 1 of the year the next round begins, which is also known as a "judgment of compliance" or "judgment of repose." The term "compliance certification" shall include a judgment of repose granted in an action filed pursuant to section 13 of P.L.1985, c. 222 (C.52:27D-313).

"Construction" means new construction and additions, but does not include alterations, reconstruction, renovations, conversion, relocation, or repairs, as those terms are defined in the State Uniform Construction Code promulgated pursuant to the State Uniform Construction Code Act, P.L. 1975, c. 217(N.J.S.A. 52:27D-119 et seq.).

"County-level housing judge" means a judge appointed pursuant to section 5 at P.L. 2024, c. 2, to resolve disputes over the compliance of municipal fair share affordable housing obligations and municipal Fair Share plans and housing elements with the Act.

"DCA" and "Department" mean the State of New Jersey Department of Community Affairs.

"Deficient housing unit" means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement, and/or load-bearing structural systems.

"Department" means the New Jersey Department of Community Affairs.

"Developer" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

"Development fee" means money paid by a developer for the improvement of residential and non-residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through 40:55D-8.7 and N.J.A.C. 5:99-3.

"Dispute Resolution Program" means the Affordable Housing Dispute Resolution Program, established pursuant to section 5 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-313.2).

"Division" means the Division of Local Planning Services within the Department of Community Affairs.

"Emergent opportunity" means a circumstance that has arisen whereby affordable housing will be able to be produced through a delivery mechanism not originally contemplated by or included in a fair share plan that has been the subject of a compliance certification.

"Equalized assessed value" or "EAV" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 at P.L. 1973, c. 123 (N.J.S.A. 54:1-35a, 54:1-35b, and 54:1-35c). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

"Extension of expiring controls" means extending the deed restriction period on units where the controls on the deed restriction imposed at the closing of the first purchaser of the affordable unit will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

"Equity share amount" means the product of the price differential and the equity share, with the equity share being the whole number of years that have elapsed since the last non-exempt sale of a restricted ownership unit, divided by 100, except that the equity share may not be less than five percent and may not exceed 30 percent.

"Exit sale" means the first authorized non-exempt sale of a restricted unit following the end of the control period, which sale terminates the affordability controls on the unit.

"Exclusionary zoning litigation" means litigation challenging the fair share plan, housing element, ordinances, or resolutions that implement the fair share plan or housing element of a municipality based on alleged noncompliance with the Act or the Mount Laurel doctrine, which litigation shall include, but shall not be limited to, litigation seeking a builder's remedy.

"Extension of expiring controls" means extending the deed restriction period on units where the controls on the deed restriction imposed at the closing of the first purchaser of the

affordable unit will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

"Fair share obligation" means the total of the present need and prospective need, including prior rounds, as determined by the Affordable Housing Dispute Resolution Program, or a court of competent jurisdiction.

"Fair share plan" means the plan or proposal, with accompanying ordinances and resolutions, by which a municipality proposes to satisfy its constitutional obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and which addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

"FHA" means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

"Green Building Strategies" means the strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

"HMFA" or "the Agency" means the New Jersey Housing and Mortgage Finance Agency established pursuant to P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.).

"Household income" means a household's gross annual income calculated in a manner consistent with the determination of annual income pursuant to section 8 of the United States Housing Act of 1937 (Section 8), not in accordance with the determination of gross income for Federal income tax liability.

"Housing element" means the portion of a municipality's master plan adopted in accordance with the Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-28.b(3) and the Act consisting of reports, statements proposals, maps, diagrams, and text designed to meet the municipality's fair share of its region's present and prospective housing needs, particularly with regard to low- and moderate-income housing, which shall include the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. at N.J.S.A. 52:27D-304.1.

"Housing region" means a geographic area established pursuant to N.J.S.A. 52:27D-304.2b.

"Inclusionary development" means a residential housing development in which a substantial percentage of the housing units are provided for a reasonable income range of low- and moderate- income households.

"Judgment of compliance" or "judgment for repose" means a determination issued by the Superior Court approving a municipality's fair share plan to satisfy its affordable housing obligation for a particular 10-year round.

"Low-income household" means a household with a household income equal to 50 percent or less of the regional median income.

"Low-income unit" means a restricted unit that is affordable to a low-income household.

"Major system" means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to,

weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

"Mixed use development" means any development that includes both a non-residential development component and a residential development component, and shall include developments for which: (1) there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities maybe considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2) the residential and non-residential developments are located on the same lot or adjoining lots, including, but not limited to, lots separated by a street, a river, or another geographical feature.

"Moderate-income household" means a household with a household income in excess of 50 percent but less than 80 percent of the regional median income.

"Moderate-income unit" means a restricted unit that is affordable to a moderate-income household.

"MONI" means the no-longer-active Market Oriented Neighborhood Investment Program, as it was authorized by the Agency.

"Municipal housing liaison" or "MHL" means an appointed municipal employee who is, pursuant to N.J.A.C. 5:99-6, responsible for oversight and/or administration of the affordable units created within the municipality.

"Municipal affordable housing trust fund" means a separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing, barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

"Municipal development fee ordinance" means an ordinance adopted by the governing body of a municipality that authorizes the collection of development fees.

"New construction" means the creation of a new housing unit under regulation by a code enforcement official regardless of the means by which the unit is created. Newly constructed units are evidenced by the issuance of a certificate of occupancy and may include new residences created through additions and alterations, adaptive reuse, subdivision, or conversion of existing space, and moving a structure from one location to another.

"New Jersey Affordable Housing Trust Fund" means an account established pursuant to N.J.S.A. 52:27D-320.

"New Jersey Housing Resource Center" or "Housing Resource Center" means the online affordable housing listing portal, or its successor, overseen by the Agency pursuant to N.J.S.A. 52:27D-321.3 et seq.

"95/5 restriction" means a deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller

repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the closing of a sale at market price.

"Non-exempt sale" means any sale or transfer of ownership of a restricted unit to one's self or to another individual other than the transfer of ownership between spouses or civil union partners; the transfer of ownership between former spouses or civil union partners ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary; and the transfer of ownership by court order.

"Nonprofit" means an organization granted nonprofit status in accordance with section 501(c)(3) of the Internal Revenue Code.

"Non-residential development" means:

Any building or structure, or portion thereof, including, but not limited to, any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code, N.J.A.C. 5:23, promulgated to effectuate the State uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., including any subsequent amendments or revisions thereto;

Hotels, motels, vacation timeshares, and child-care facilities; and

The entirety of all continuing care facilities within a continuing care retirement community which is subject to the Continuing Care Retirement Community Regulation and Financial Disclosure Act, N.J.S.A.52:27D-330 et seq.

"Non-residential development fee" means the fee authorized to be imposed pursuant to N.J.S.A. 40:55D-8.1 through 40:55D-8.7.

"Order for repose" means the protection a municipality has from exclusionary zoning litigation including a builder's remedy lawsuit for a period of time from the entry of a judgment of compliance by the Superior Court. A judgment of compliance often results in an order for repose.

"Payment in lieu of constructing affordable units" means the prior approval of the payment of funds to the municipality by a developer when affordable units are were not produced on a site zoned for an inclusionary development.

"Prospective need" means a projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c. 2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations.

"Qualified Urban Aid Municipality" means a municipality that meets the criteria established pursuant to N.J.S.A. 52:27D-304.3.c(1).

"Person with a disability" means a person with a physical disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, aging, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, the inability to speak or a speech impairment, or physical reliance on a service animal, wheelchair, or other remedial appliance or device.

"Price differential" means the difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the

difference between the controlled sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

"Prior round unit" means a housing unit that addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations, including any unit that: (1) received substantive certification from COAH; (2) is part of a third-round settlement agreement or judgment of compliance approved by a court of competent jurisdiction, inclusive of units created pursuant to a zoning designation adopted as part of the settlement agreement or judgment of compliance to create a realistic opportunity for development; (3) is subject to a grant agreement or other contract with either the State or a political subdivision thereof entered into prior to July 1, 2025, pursuant to either item (1) or (2) above; or (4) otherwise addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations. A unit created after the enactment of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1) on March 20, 2024, is not a prior round unit unless: (1) it is created pursuant to a prior round development plan or zoning designation that received COAH or court approval on or before the cutoff date of June 30, 2025, or the date that the municipality adopts the implementing ordinances and resolutions for the fourth round of affordable housing obligations, whichever occurs sooner; and (2) its siting and creation are consistent with the form of the prior round development plan or zoning designation in effect as of the cutoff date, without any amendment or variance.

"Random selection process" means a lottery process by which currently income-eligible applicant-households are selected, at random, for placement in affordable housing units such that no preference is given to one applicant over another, except for purposes of matching household income and size with an appropriately priced and sized affordable unit; or another purpose allowed pursuant to N.J.A.C. 5:80-26.7(k)3. This definition excludes any practices that would allow affordable housing units to be leased or sold on a first-come, first-served basis.

"RCA administrator" means an appointed municipal employee who is responsible for oversight and/or administration of affordable units and associated revenues and expenditures within the municipality that were funded through regional contribution agreements.

"RCA project plan" means a past application, submitted by a receiving municipality in an RCA, delineating the manner in which the receiving municipality intended to create or rehabilitate low- and moderate-income housing.

"Receiving municipality" means, for the purposes of an RCA, a municipality that contractually agreed to assume a portion of another municipality's fair share obligation.

"Reconstruction" means any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied, pursuant to the Rehabilitation Subcode of the uniform Construction Code, N.J.A.C. 5:23-6. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

"Recreational facilities and community centers" means any indoor or outdoor buildings, spaces, structures, or improvements intended for active or passive recreation, including, but not limited to, ballfields, meeting halls, and classrooms, accommodating either organized or informal activity.

"Regional contribution agreement" or "RCA" means a contractual agreement, pursuant to the Act, into which two municipalities voluntarily entered into and was approved by COAH and/or Superior Court prior to July 18, 2008, to transfer a portion of a municipality's affordable housing obligation to another municipality within its housing region.

"Regional median income" means the median income by household size for an applicable housing region, as calculated annually in accordance with N.J.A.C. 5:80-26.3.

"Rehabilitation" means the repair, renovation, alteration, or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

"Rent" means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. With respect to units in assisted living residences, rent does not include charges for food and services.

"Residential development fee" means money paid by a developer for the improvement of residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and N.J.A.C. 5:99-3.2.

"Restricted unit" means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of this subchapter but does not include a market-rate unit that was financed pursuant to UHORP, MONI, or CHOICE.

"Spending plan" means a method of allocating funds contained in an affordable housing trust fund account, which includes, but is not limited to, development fees collected and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to N.J.S.A. 52:27D-329.1 et seq., for the purpose of meeting the housing needs of low- and moderate-income individuals.

"State Development and Redevelopment Plan" or "State Plan" means the plan prepared pursuant to sections 1 through 12 of the "State Planning Act," P.L.1985, c. 398 (C.52:18A-196 et al.), designed to represent a balance of development and conservation objectives best suited to meet the needs of the State, and for the purpose of coordinating planning activities and establishing Statewide planning objectives in the areas of land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination pursuant to subsection f. of section 5 of P.L.1985, c. 398 (C.52:18A-200).

"Supportive housing household" means a very low-, low- or moderate-income household certified as income eligible by an administrative agent in accordance with N.J.A.C. 5:80-26.14, in which at least one member is an individual who requires supportive services to maintain housing stability and independent living and who is part of a population identified by federal or state statute, regulation, or program guidance as eligible for supportive or special needs housing. Such populations include, but are not limited to: persons with intellectual or developmental disabilities, persons with serious mental illness, person with head injuries (as defined in Section 2 of P.L. 1977), persons with physical disabilities or chronic health conditions, persons who are homeless as defined by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 578, survivors of domestic violence, youth aging out of foster care, and other special needs populations recognized under programs administered by the U.S. Department of Housing and Urban Development, the Low-Income Housing Tax Credit Program, the McKinney-Vento Act, or the New Jersey Department of Human Services. A supportive housing household may include family members, unrelated individuals, or live-in aides, provided that the household meets the income eligibility requirements of this subchapter, except that in the case of unrelated individuals not operating as a family unit, income eligibility shall be tested on an individual basis rather than in the aggregate; the unit is

leased or sold subject to the affordability controls established herein; and the supportive services available to the household are designed to promote housing stability, independent living, and community integration. The determination of whether unrelated individuals are operating as a family unit shall be made based on the applicant's self-identification of household members on the affordable housing application.

"Supportive housing sponsoring program" means grant or loan program which provided financial assistance to the development of the unit.

"Supportive housing unit" means a restricted rental unit that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. A supportive housing unit is intended to provide long-term, community-based housing for individuals with intellectual or developmental disabilities, as defined at N.J.S.A. 30:6D-25(b). Such units must be leased subject to the affordability controls established herein; remain subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) and the project's Affirmative Marketing Program. A supportive housing unit may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services. Supportive housing units are also referred to as permanent supportive housing units.

"Transitional housing" means temporary housing that: (1) includes, but is not limited to, single-room occupancy housing or shared living and supportive living arrangements; (2) provides access to on-site or off-site supportive services for very low-income households who have recently been homeless or lack stable housing; (3) is licensed by the department; and (4) allows households to remain for a minimum of six months.

"Treasurer" means the Treasurer of the State of New Jersey.

"UHAC" means the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26.1 et seq..

"UHORP" means the Agency's Urban Homeownership Recovery Program, as it was authorized by the Agency Board.

"Unit type" means type of dwelling unit with various building standards including but not limited to single-family detached, single-family attached/townhouse, stacked townhouse (attached building containing 2 units each with separate entrances), duplex (detached building containing 2 units each with separate entrances), triplex (3 units each with separate entrance), quadplex (4 units each with separate entrance), multifamily / flat (2 or more units with a shared entrance). Inclusion of a garage, or not, shall not define the unit type.

"Very-low-income household" means a household with a household income less than or equal to 30 percent of the regional median income.

"Very-low-income housing" means housing affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 30 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

“Very-low-income unit” means a restricted unit that is affordable to a very-low-income household. Very-low-income units are a subset of low-income units.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors and is considered a major system for rehabilitation.

SECTION 2. The Cherry Hill Township Zoning Ordinance, Article IV, Section 426 (Golden Triangle Transit-Oriented Development (GTTOD) Overlay Zone), Subsection A.3., shall be amended as follows:

3. Affordable Housing. Provide accessible and convenient affordable housing for very low-, low- and moderate-income households. The 57 acre tract can result in up to 684 housing units. Of this total, 20 percent (20%), or 136, shall be low- and moderate-income housing units if the low- and moderate-income units are for sale. ~~Fifteen percent (15%), or 102, shall be low- and moderate-income housing units if the low- and moderate-income units are for rent.~~

SECTION 3. The Cherry Hill Township Zoning Ordinance, Article IV, Section 426 (Golden Triangle Transit-Oriented Development (GTTOD) Overlay Zone), Subsection F.2.b., shall be amended as follows:

- b. Affordable Housing set-asides shall be consistent with Article X, a minimum of twenty percent (20%) of the total number of units shall be set aside as Affordable Housing Units in For-Sale/Ownership developments and where a minimum of fifteen percent (15%) of the total number of units shall be set aside as Affordable Housing Units in Rental developments. ~~Affordable Housing set-asides shall be consistent with Article X, a minimum of twenty percent (20%) of the total number of units shall be set aside as Affordable Housing Units in For-Sale/Ownership developments and where a minimum of fifteen percent (15%) of the total number of units shall be set aside as Affordable Housing Units in Rental developments.~~

SECTION 4. The Cherry Hill Township Zoning Ordinance, Article IV, Section 427 (PATCO Transit-Oriented Development (PTOD) Overlay Zone), Subsection A.3., shall be amended as follows:

3. Affordable Housing. Provide accessible and convenient affordable housing for very low-, low- and moderate-income households. The 35 acre tract can result in up to 630 housing units. Of this total, 20 percent (20%), or 126, shall be low- and moderate-income housing units if the low- and moderate-income units are for sale. ~~Fifteen percent (15%), or 95, shall be low- and moderate-income housing units if the low- and moderate-income units are for rent.~~

SECTION 5. The Cherry Hill Township Zoning Ordinance, Article IV, Section 427 (PATCO Transit-Oriented Development (PTOD) Overlay Zone), Subsection F.2.b., shall be amended as follows:

- b. Affordable Housing set-asides shall be consistent with Article X, a minimum of twenty percent (20%) of the total number of units shall be set aside as Affordable Housing Units in For-Sale/Ownership developments and where a minimum of fifteen percent (15%) of the total number of units shall be set aside as Affordable Housing

~~Units in Rental developments. Affordable Housing set-asides shall be consistent with Article X, a minimum of twenty percent (20%) of the total number of units shall be set aside as Affordable Housing Units in For-Sale/Ownership developments and where a minimum of fifteen percent (15%) of the total number of units shall be set aside as Affordable Housing Units in Rental developments.~~

SECTION 6. The Cherry Hill Township Zoning Ordinance, Article IX, Section 902 (Affordable Housing Fees & Procedures), shall be repealed in its entirety and replaced with the following new Section 902, entitled "Affordable Housing Fees & Procedures":

Section 902. Affordable Housing Fees & Procedures.

A. Purpose

1. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this section shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

B. Basic Requirements

1. The municipality previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund. Approval of a Round 3 Spending Plan shall suffice to satisfy this requirement until such time as a Round 4 Spending Plan or subsequent amendments is/are approved.
2. The municipality shall not spend development fees until the court has approved a plan for spending such fees.

C. Definitions

1. All word uses of §201 and definitions of §202 in the Cherry Hill Zoning Ordinance shall apply.

D. Residential Development Fees

1. Imposed fees

- a. Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5 percent of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- b. When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of 6.0 percent of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5 percent of the equalized assessed value on the first two units; and the specified higher percentage up to 6.0 percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

2. Eligible exactions, ineligible exactions and exemptions for residential development:
 - a. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality and if approved by a municipality.
 - b. Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.
 - c. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
 - d. No development fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.

E. Non-Residential Development Fees

1. Imposition of fees
 - a. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5 percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - b. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5 percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - c. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5 percent shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

2. Eligible exactions, ineligible exactions and exemptions for non-residential development:
 - a. The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5 percent development fee, unless otherwise exempted below.
 - b. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 3. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
 4. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 5. If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the municipality as a lien against the real property of the owner.
 6. Notwithstanding anything to the contrary, if there are any inconsistencies between these regulations and the Statewide Non-residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), the Act controls.
- F. Collection Procedures
1. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
 2. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
 3. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
 4. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.

5. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
6. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
7. Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).
8. The payment of the development fees shall be collected prior to the issuance of a certificate of occupancy for such development, consistent with sections 32 through 38 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.1 through 40:55D-8.7).

G. Appeal of development fees

1. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
2. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

H. Affordable Housing Trust Fund

1. A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
2. The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - a. Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality;
 - b. Funds contributed by developers to make 10 percent of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - c. Rental income from municipally operated units;
 - d. Repayments from affordable housing program loans;
 - e. Recapture funds;

- f. Proceeds from the sale of affordable units; and
 - g. Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.
3. The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
 4. Occurrence of any of the following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
 - a. Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - b. Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;
 - c. Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;
 - d. Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
 - e. Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
 - f. Revocation of compliance certification or a judgment of compliance and repose;
 - g. Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, 7, and 8;
 - h. Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
 5. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.
- I. Use of Funds
1. The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.
 2. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.

3. At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.
 - a. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
 - b. Affordability assistance for very low income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
 4. No more than 20 percent of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on all of the administrative expenses authorized by N.J.A.C. 5:99-2.4, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.
- J. Monitoring
1. On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the AHMS Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.4), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.
- K. Ongoing Collection of Fees
1. The Township previously secured approval of a development fee ordinance and has the authority to impose and collect fees on the basis of that ordinance until such time as a court approves this ordinance, which will repeal and replace the development fee ordinance previously adopted and approved. Once the Court approves this ordinance, the Township shall have the right to impose and collect based on this ordinance.
 2. Once the Court approves this development fee ordinance, the Township shall have the right to impose and collect based on this ordinance unless and until that approval

is revoked or the Township fails to renew its ability to impose and collect development fees prior to the expiration of the current housing cycle.

3. If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).
- L. Emergent Affordable Housing Opportunities
1. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the Township's Housing Element and Fair Share Plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

SECTION 7. The Cherry Hill Township Zoning Ordinance, Article X (Affordable Housing Procedural & Eligibility Requirements), shall be repealed in its entirety and replaced with the following new Article X, entitled "Affordable Housing Procedural & Eligibility Requirements":

**ARTICLE X
AFFORDABLE HOUSING PROCEDURAL & ELIGIBILITY REQUIREMENTS**

Section 1001. Introduction & Applicability.

- A. This Article of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in the Township of Cherry Hill consistent with the provisions outlined in P.L 2024, Chapter 2, including the amended Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., the regulations promulgated pursuant thereto by the New Jersey Department of Community Affairs, Division of Local Planning Services ("LPS") at N.J.A.C. 5:99 et seq., ("Affordable Housing Rules"), and the Housing and Mortgage Finance Agency's (HMFA) Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq. as reflected in the Housing Element and Fair Share Plan ("HEFSP") adopted in June of 2025 and as amended on March 2, 2026.
- B. This Article is intended to ensure that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy these units pursuant to statutory requirements. This Article shall apply to all inclusionary developments, individual affordable units, and 100 percent affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit-financed developments shall adhere to the provisions set forth below in item E.3. below.
- C. The Township of Cherry Hill Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.
- D. This Article implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- E. Applicability:

1. The provisions of this Article shall apply to all affordable housing developments and affordable housing units that are proposed to be created pursuant to the municipality's most recently adopted HEFSP.
 2. This Article shall apply to all developments that contain very low-, low- and moderate-income housing units included in the Municipal HEFSP, including any unanticipated future developments that will provide very low-, low- and moderate-income housing units.
 3. Projects receiving federal Low Income Housing Tax Credit financing and are proposed for credit shall comply with the low/moderate split and bedroom distribution requirements, maximum initial rents and sales prices requirements, affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus, pursuant to the current Low Income Housing Tax Credit program, a 15-year extended-use period, for a total of not less than 45 years.
 4. A waiver from any provision of this Article may be granted by the County-level Mount Laurel Judge, the Program or any trial court if it would advance the interests of low- and moderate-income households or if strict compliance would cause an unreasonable result.
- F. Notwithstanding any provisions to the contrary, the UHAC standards shall not apply to the exclusions referenced in N.J.A.C.5:80-26.1.
- G. Notwithstanding any provisions to the contrary, these regulations are not intended to retroactively eliminate credits previously awarded or agreed upon.
- H. Interpretation:
1. In the event of any ambiguity, the provisions of this Article shall be interpreted and liberally construed in favor of the Township.
 2. Nothing herein is intended to modify the Township's right "to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions" in accordance with N.J.S.A. 52:27D-311.m.

Section 1002. Definitions.

All word uses of §201 and definitions of §202 in the Cherry Hill Zoning Ordinance shall apply.

Section 1003. Monitoring and Reporting Requirements.

- A. In accordance with the Act and N.J.A.C. 5:99 et seq., the Township is required to annually provide updated affordable housing monitoring activity and affordable housing trust fund activity through the Department's Affordable Housing Monitoring Service on or before February 15 annually.
- B. All developers, program sponsors and landlords of developments or projects containing affordable housing in the Township shall be required to provide all necessary information related to the status of construction and occupancy of each affordable unit within the respective developer, program sponsor or landlord's development to the municipality's Municipal Housing Liaison by no later than January 2 annually for the previous year.

Section 1004. Township-wide Mandatory Set-Aside.

To ensure that new multi-family residential development in Cherry Hill will provide its fair share of affordable units and to assist with the Township's continuous efforts to address its affordable housing obligation, mandatory affordable housing set-asides shall be required as follows.

- A. For every multi-family residential development in the Township, including the residential portion of a mixed-use project, that is approved to contain five (5) or more new dwelling units as a result of a subdivision or site plan approval, rezoning, use (D) variance, redevelopment plan or rehabilitation plan approved by the Township or a Township land use board, a minimum of 20 percent of the total number of units shall be set aside as Affordable Housing Units. Where this requirement results in a fraction of a unit, the fraction shall be rounded to the nearest whole unit. Fractions of less than one half (1/2) shall be rounded off to the lower whole unit and fractions of one half (1/2) or greater shall be rounded off to the higher whole unit.
- B. This requirement does not create any entitlement for a property owner or applicant for subdivision or site plan approval, a zoning amendment, use (D) variance, or adoption of a redevelopment plan or rehabilitation plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.
- C. Furthermore, this requirement shall not apply to developments containing four (4) or fewer dwelling units.
- D. Where a developer demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the net number of dwelling units is five (5) or more.
- E. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section.

Section 1005. New Construction Programs.

- A. The following requirements shall apply to all new or planned developments that contain very low-, low- and moderate-income housing units. To the extent possible, details related to the adherence to the requirements below shall be outlined in the resolution granting municipal subdivision or site plan approval of the project to assist municipal representatives, developers and Administrative Agents.
- B. Completion Schedule (previously known as phasing). Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following completion schedule for very low-, low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development:

Maximum Percentage of Market-Rate Units Issued a Temporary or Final Certificate of Occupancy	Minimum Percentage of Affordable Units Issued a Temporary or Final Certificate of Occupancy
25+1	10
50	50
75	75
90	100

- C. Design. The following design requirements apply to affordable housing developments, excluding prior round units.
 - 1. Design of 100 percent affordable developments:

- a. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - b. Each bedroom in each restricted unit must have at least one window.
 - c. Restricted units must include adequate air conditioning and heating.
2. Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to prior round units, unless stated otherwise.
 - a. Restricted units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - b. Restricted units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.
 - c. Restricted units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - d. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
 - e. Restricted units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to prior round units.
 - f. Each bedroom in each restricted unit must have at least one window.
 - g. Restricted units must be of the same unit type as market-rate units within the same building.
 - h. Restricted units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
3. Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of subsection 2 above. Restricted sale units shall comply with the below:
 - a. Restricted units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - b. Restricted units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the development

and are not concentrated in an undesirable location or in undesirable locations. Prior round affordable units shall be integrated with market rate units to the extent feasible.

- c. Restricted units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Penthouses and higher priced end townhouses may be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be subject to municipal ordinance or, if not specified, shall be determined at the time of site plan approval.
 - d. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - e. Penthouse and end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively impacted by such reservation(s).
 - f. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
 - g. Each bedroom in each restricted unit must have at least one window; and
 - h. Restricted units must include adequate air conditioning and heating.
- D. Utilities.
- 1. Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.
 - 2. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance in accordance with N.J.A.C. 5:80-26.13(e).
- E. Low/moderate split and bedroom distribution.
- 1. Affordable units shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit.
 - 2. In each affordable housing development, at least 50 percent of the restricted units within each bedroom distribution rounded up to the nearest whole number shall be very low- or low-income units.
 - 3. Within rental developments, of the total number of affordable rental units, at least 13 percent, rounded up to the nearest whole number, shall be affordable to very low-income households. The very low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count, and counted as part of the required number of low-income units within the development.

4. Affordable housing developments that are not age-restricted or supportive housing shall be structured such that:
 - a. At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - b. Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - c. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent, rounded down, of the total number of low- and moderate-income units.
 - d. At least 30 percent of all low- and moderate-income units, rounded up, shall be two-bedroom units.
 - e. At least 20 percent of all low- and moderate-income units, rounded up, shall be three-bedroom units.
 - f. The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
 5. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the inclusionary development. Supportive housing units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least five percent of those restricted units.
- F. Accessibility requirements.
1. Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor within a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
 2. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multi-floor dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
 - a. An adaptable toilet and bathing facility on the first floor;
 - b. An adaptable kitchen on the first floor;
 - c. An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
 - d. An adaptable room that can be used as a bedroom, with a door, or the casing for the installation of a door that is compliant with the Barrier Free Subcode, on the first floor;

- e. If one or more of the foregoing requirements in 2.a. through 2.d. above cannot be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
- f. An accessible entranceway as set forth in P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the municipality has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - i. Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - ii. To this end, the builder of restricted units shall deposit funds within the Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
 - iii. The funds deposited shall be expended for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - iv. The developer of the restricted units shall submit to the Construction Official a design plan and cost estimate for the conversion from adaptable to accessible entrances.
 - v. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Affordable Housing Trust Fund and earmarked appropriately.
- g. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site-impracticable" to meet the requirements. If full compliance with this section would be site impracticable, compliance with this section for any portion of the dwelling shall be required to the extent that it is not site impracticable. Determinations of site impracticability shall comply with the Barrier Free Subcode at N.J.A.C. 5:23-7.

Section 1006. Affordable Housing Programs.

Pursuant to amended UHAC regulations at N.J.A.C. 5:80-26.1 et seq. and, in addition, pursuant to P.L. 2024, c.2 and specifically to the amended FHA at N.J.S.A. 52:27D-311.m, "All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions." By way of example only, the following is a non-exhaustive list of potential crediting mechanisms the Township may rely upon from COAH regulations.

- A. Rehabilitation Program (per N.J.A.C. 5:93-5.2 with updated provisions herein per N.J.A.C. 5:97-6.2 related to credit towards a municipal present need obligation).
 - 1. The rehabilitation program shall be designed to renovate deficient housing units occupied or intended to be occupied by very low-, low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28-1.1 et seq or the Rehabilitation Subcode, N.J.A.C. 5:23-6 to the extent applicable.

2. Both ownership and rental units shall be eligible for rehabilitation funds.
 3. All rehabilitated units shall remain affordable to very low-, low- and moderate-income households for a period of 10 years (the control period). For owner-occupied units, the control period shall be enforced with a mortgage and note and for renter-occupied units the control period will be enforced with a deed restriction.
 4. The municipality shall dedicate a minimum average hard cost of \$10,000 for each unit to be rehabilitated through this program and in addition shall dedicate associated rehabilitation program soft costs such as case management, inspection fees and work write-ups.
 5. The municipality shall designate, subject to the approval of the Department, one or more Administrative Agents to administer the rehabilitation program in accordance with P.L. 2024, Chapter 2. The Administrative Agent(s) shall provide rehabilitation manuals for ownership and rental rehabilitation programs. Manuals shall be adopted by resolution of the governing body. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and on the municipal affordable housing web page.
 6. Households determined to be very low-, low-, or moderate-income may participate in a rehabilitation program. Rehabilitated units shall be exempt from the very low-income requirements, low/mod split, and bedroom distribution requirements of UHAC, but shall be administered in accordance with the following:
 - a. If a unit is vacant at the time of rehabilitation, or if a rehabilitated unit becomes vacant and is re-rented before the expiration of the affordability controls, the deed restriction shall require that the unit be rented to a low- or moderate-income household at an affordable rent.
 - b. If a rental unit is occupied by a tenant at the time rehabilitation is completed, the rent charged after rehabilitation shall not exceed the lesser of the tenant's current rent or the maximum rent permitted under UHAC.
 - c. Rents in rehabilitated units may increase annually based on the standards in UHAC.
 - d. At the time of application, applicant households and/or tenant households shall be subject to income eligibility determinations in accordance with UHAC.
- B. Market to Affordable Program (per N.J.A.C. 5:97-6.9).
1. The Cherry Hill 'Market to Affordable Program' is an affordable housing program established to permit the purchase or subsidization of unrestricted units through a written agreement with the property owner and sold or rented to low- and moderate-income households. Subject to the provisions of B.4. below, the 'Market to Affordable Program' may produce both low and moderate-income units.
 2. At the time they are offered for sale or rental, eligible units may be new, pre-owned or vacant.
 3. The units shall be certified to be in sound condition as a result of an inspection performed by a licensed building inspector.
 4. Cherry Hill will provide a minimum subsidy of \$25,000 per moderate-income unit and/or \$30,000 per low-income unit shall be provided, with additional subsidy depending on the market prices or rents in a municipality.
 5. The units shall comply with UHAC with the following exceptions:
 - a. Bedroom distribution (N.J.A.C. 5:80-26.4).

- b. Low/moderate income split (N.J.A.C. 5:80-26.4).
- 6. Affordability average (N.J.A.C. 5:80-26.4); however:
 - a. The maximum rent for a moderate-income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income; and
 - b. The maximum sales price for a moderate-income unit shall be affordable to households earning no more than 70 percent of median income and the maximum sales price for a low-income unit shall be affordable to households earning no more than 40 percent of median income.
- C. Assisted Living Residence (per N.J.A.C. 5:97-6.11).
 - 1. An assisted living residence is a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.
 - 2. The unit of credit shall be the apartment. However, a two-bedroom apartment shall be eligible for two units of credit if it is restricted to two unrelated individuals.
 - 3. A recipient of a Medicaid waiver shall automatically qualify as a low- or moderate-income household.
 - 4. Assisted living units are considered age-restricted housing in a HEFSP and shall be included with the maximum number of units that may be age-restricted.
 - 5. Low- and moderate-income residents cannot be charged any upfront fees.
 - 6. The units shall comply with UHAC with the following exceptions:
 - a. Affirmative marketing (N.J.A.C. 5:80-26.16); provided that the units are restricted to recipients of Medicaid waivers;
 - b. The deed restriction may be on the facility, rather than individual apartments or rooms;
 - c. Low/moderate income split and affordability average (N.J.A.C. 5:80-26.4); only if all of the affordable units are affordable to households at a maximum of 60 percent of median income; and
 - 7. Tenant income eligibility (N.J.A.C. 5:80-26.14); up to 80 percent of an applicant's gross income may be used for rent, food and services based on occupancy type and the affordable unit must receive the same basic services as required by the Agency's underwriting guidelines and financing policies. The cost of non-housing related services shall not exceed one and two-thirds times the rent established for each unit.
- D. Supportive Housing and Group Homes (per N.J.A.C. 5:97-6.10).
 - 1. The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:
 - a. The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
 - b. Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.
 - c. Occupancy shall not be restricted to youth under 18 years of age.

- d. In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
- e. The bedrooms and/or units shall comply with UHAC with the following exceptions:
 - i. Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing, and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan, if applicable, approved by the sponsoring program;
 - ii. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
- f. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record or execute a long-term deed restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this section.
- g. Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.
- h. The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
 - i. An Affirmative Marketing Plan in accordance with g.i. above; and
 - ii. If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.
- i. The sponsor/owner shall complete annual monitoring as directed by the MHL.

Section 1007. Extension of Controls.

The Fair Housing Act permits credit for extension of controls and UHAC establishes standards for this mechanism. Extension of Controls Program shall be implemented in accordance with UHAC.

- A. An extension of affordability controls program is established to maintain and extend the affordability of deed restricted units scheduled to come out of their affordability control period, UHAC, including the following:
 1. The affordable unit meets the criteria for prior cycle (April 1, 1980 - December 15, 1986) or post December 15, 1986 credits.
 2. The affordability controls for the unit measured from the date that the initial certified household takes title, are scheduled to expire in the current round; or in the next round of housing obligations if the municipal election to extend controls is made no earlier than one year before the end of the current round;

3. The municipality shall obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the restricted unit meets all code standards.
4. If a unit requires repair and/or rehabilitation work in order to receive a continuing certificate of occupancy or certified statement from the municipal building inspector, the municipality shall fund and complete the work.
5. The municipality shall adhere to the process for extending controls pursuant to UHAC for extending ownership units and rental units, either inclusionary or 100 percent affordable developments.
6. The deed restriction for the extended control period shall be filed with the County Clerk.

Section 1008. Regional Income Limits.

- A. Administrative agents shall use the current regional income limits for the purpose of pricing affordable units and determining income eligibility of households.
- B. Regional income limits are based on regional median income, which is established by a regional weighted average of the "median family incomes" published by HUD. The procedure for computing the regional median income is detailed in N.J.A.C. 5:80-26.3.
- C. Updated regional income limits are effective as of the effective date of the regional Section 8 income limits for the year, as published by HUD, or 45 days after HUD publishes the regional Section 8 income limits for the year, whichever comes later. The new income limits may not be less than those of the previous year.

Section 1009. Maximum Initial Rents and Sales Prices.

- A. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC at N.J.A.C. 5:80-26.4.
- B. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
- C. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60 percent of regional median income.
- D. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units. Very low-income units, if required, should be distributed between each bedroom count as proportionally as possible to the total number of restricted units within each bedroom count, and shall be part of the low-income requirement.
- E. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70 percent of median income, and each affordable housing development must achieve an affordability average that does not exceed 55 percent for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.
- F. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments

to be paid by low- and moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection, are governed by the ordinance.

- G. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
1. A studio or efficiency unit shall be affordable to a one-person household;
 2. A one-bedroom unit shall be affordable to a one and one-half person household;
 3. A two-bedroom unit shall be affordable to a three-person household;
 4. A three-bedroom unit shall be affordable to a four and one-half person household; and
 5. A four-bedroom unit shall be affordable to a six-person household.
- H. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted and special needs and supportive housing developments, the following standards shall be met:
1. A studio or efficiency unit shall be affordable to a one-person household;
 2. A one-bedroom unit shall be affordable to a one and one-half person household; and
 3. A two-bedroom unit shall be affordable to a two-person household or to two one-person households. Where pricing is based on two one-person households, the developer shall provide a list of units so priced to the Municipal Housing Liaison and the Administrative Agent.
 4. A three-bedroom unit shall be affordable to a four and one-half person household;
- I. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the FreddieMac 30-Year Fixed Rate-Mortgage rate of interest), property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30 percent of the eligible monthly income of the appropriate size household as determined pursuant to N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
- J. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
- K. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following a minimum 90-day notice provided to the occupant household, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." The maximum allowable rent increase for the year

will be effective as of the same date as the regional median income limits determined pursuant to N.J.A.C. 5:80-26.3 and published by the Agency. This rent increase may not exceed five percent in any one year and notice thereof must be filed with the Township's administrative agent. In the event a five percent increase renders the unit(s) unaffordable, the rents cannot exceed the amount necessary to maintain the affordability of the units. If the landlord has charged a tenant less than the initial maximum allowable rent for a restricted unit, the landlord may, with the approval of the administrative agent, use the maximum allowable rent instead of the current rent in performing this multiplication to establish the rent for the next tenant under a new lease. LHTC units are not governed by the provisions of this section, but rather by the provisions of the State's Qualified Allocation Plan, N.J.A.C. 5:80-33.1 through 33.40.

Section 1010. Affirmative Marketing.

- A. The municipality shall adopt, by resolution, an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, English-speaking ability, marital or familial status, gender, affectional or sexual orientation, disability, age (except for "housing for older persons" as defined at N.J.S.A. 10:5-1 et seq., and age-restricted units as permitted pursuant to 42 U.S.C. §§ 3601 et seq.), number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 through 50, to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 5 and is required to be followed throughout the period of deed restriction.
- C. The Affirmative Marketing Plan provides the following preferences, provided that units that remain unoccupied after these preferences are exhausted may be offered to households without regard to these preferences.
 1. There shall be a regional preference for all households that live and/or work in Housing Region 5 comprising Burlington, Camden, and Gloucester Counties.
 2. Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 3. With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-income households that are displaced by the rehabilitation or demolition and replacement.
- D. The Administrative Agent designated by the municipality shall implement the Affirmative Marketing Process to ensure the Affirmative Marketing of all affordable units, with the exception of affordable programs that are exempt from Affirmative Marketing as noted herein.
- E. The Affirmative Marketing Process shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Process, the Administrative Agent should consider the use of language translations where appropriate.

- F. Applications for affordable housing or notices thereof, if offered online, shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the developer's rental or sales office. The developer shall mail applications to prospective applicants upon request and shall make applications available through a secure online website address.
- G. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. The Administrative Agent shall also provide specific notice of the availability of affordable housing units to the following community and regional organizations: FSHC; the Latino Action Network; Camden County East NAACP; and the Supportive Housing Association. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph.
- H. In implementing the Affirmative Marketing Process, the Administrative Agent shall provide a list of HUD-certified housing counselors or otherwise experienced entities approved by the Division providing counseling services on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- I. The Affirmative Marketing Process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy and may begin before construction commences. For owner-occupied units, affirmative marketing advertising and outreach activities must continue until all of the marketed units have been sold, except that paid advertising may cease when the number of applications received is at least three times the number of units to be sold. For rental units, affirmative marketing advertising and outreach activities must continue, as long as applications are being accepted, except that paid advertising may cease when the number of applications received is at least three times the number of units to be filled.
- J. Applications must be accepted for no less than 45 days following the initial advertisement on the New Jersey Housing Resource Center, except for the resale of owner-occupied units, in which case, applications must be accepted for no less than 30 days.
- K. The cost to affirmatively market the affordable units shall be the responsibility of the developer, sponsor or owner.

Section 1011. Selection of Occupants of Affordable Housing Units.

- A. The Administrative Agent shall use a random selection process to select occupants of very low-, low- and moderate-income housing.
- B. A pool of interested households will be maintained in accordance with the provisions of N.J.A.C. 5:80-26.16.

Section 1012. Occupancy Standards.

- A. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - 1. Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
 - 2. Provide a bedroom for every two adult occupants;

3. With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
4. Avoid placing a one-person household into a unit with more than one bedroom.

Section 1013. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

- A. Other than affordable units created pursuant to a Round 1 Housing Element and Fair Share Plan, the initial control periods for restricted ownership units shall be for a period of at least 30 years and in accordance with the UHAC , as may be amended and supplemented, with the Township reserving the right to extend the affordability control period for an additional period of time thereafter.
- B. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of at least 10 years (crediting towards present need only).
- C. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- D. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
- E. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
 1. If the municipality exercises the right to extend the affordability controls on the unit, no exit sale occurs and a new control period commences; or
 2. If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.
 3. Notwithstanding the foregoing, nothing herein is intended to eliminate the rights of a municipality with a 95/5 unit, which rights include but are not limited to permitting the unit to be sold at fair market value and to capture 95 percent of the differential to be used for affordable housing.
- F. Prior to the issuance of any building permit for the construction/rehabilitation of restricted ownership units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
- G. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- H. At the time of the initial sale of the unit and upon each successive price-restricted sale, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- I. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to price-restricted ownership units.

Section 1014. Price Restrictions for Restricted Ownership Units and Resale Prices.

- A. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
1. The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
 2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the standards set forth in N.J.A.C 5:80-26.7.
 - a. If the resale occurs prior to the one-year anniversary of the date on which title to the unit was transferred to a certified household, the maximum resale price is the most recent non-exempt purchase price.
 - b. If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3
 3. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:
 - a. those that render the unit suitable for a larger household or the addition of a bathroom.
 - b. The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit, excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);
 4. No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

Section 1015. Buyer Income Eligibility.

- A. Buyer income eligibility for restricted ownership units shall be established pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that very low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 30 percent of median income, low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80 percent of median income.
- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.
- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 35 percent of the household's eligible monthly income; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for housing expenses, and the proposed housing expenses will reduce its housing costs;
 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for housing expenses in the past and has proven its ability to pay; or
 3. The household is currently in substandard or overcrowded living conditions;
 4. The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments

Section 1016. Limitations on Indebtedness Secured by Ownership Unit; Subordination.

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of original purchase money mortgages, neither an owner nor a lender shall at any time during the control period cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.7(c).

Section 1017. Control Periods for Restricted Rental Units.

- A. Control periods for units that meet the definition of prior round units shall be pursuant to the 2001 UHAC rules originally adopted October 1, 2001, 33 N.J.R. 3432 and shall remain subject to the requirements of this Article for a period of at least 30 years as applicable unless otherwise indicated, with the Township reserving the right to extend the affordability controls for an additional period of time in accordance with the Act and UHAC.
- B. Other than for prior round units, control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Article for a period of at least 40 years. Restricted rental units created as part of developments receiving 9 percent Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period.
- C. The affordability control period for a restricted rental unit shall commence on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension, which is the end of the original control period.
- D. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years.
- E. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
- F. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property. The deed restriction shall be recorded by the developer with the county records office, and provided as filed and recorded, to the Administrative Agent within 30 days of the receipt of a certificate of occupancy.
- G. A restricted rental unit shall remain subject to the affordability controls of this Article despite the occurrence of any of the following events:
 - 1. Sublease or assignment of the lease of the unit;
 - 2. Sale or other voluntary transfer of the ownership of the unit;
 - 3. The entry and enforcement of any judgment of foreclosure on the property containing the unit; or
 - 4. The end of the control period, until the occupant household vacates the unit, or is certified as over-income and the controls are released in accordance with UHAC.

Section 1018. Rent Restrictions for Rental Units; Leases and Fees.

- A. The initial rent for a restricted rental unit shall be set by the Administrative Agent.
- B. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be retained on file by the Administrative Agent.
- C. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
 - 1. Operating costs, for the purposes of this section, include certificate of occupancy fees, move-in fees, move-out fees, mandatory internet fees, mandatory cable fees, mandatory utility submetering fees, and for developments with more than one and a half off-street parking spaces per unit, parking fees for one parking space per household.
- D. Any fee structure that would remove or limit affordable unit occupant access to any amenities or services that are required or included for market-rate unit occupants is prohibited. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit to be applied to the costs of administering the controls applicable to the unit as set forth in this Article.
- E. Fees for unit-specific, non-communal items that are charged to market-rate unit tenants on an optional basis, such as pet fees for tenants with pets, storage spaces, bicycle-share programs, or one-time rentals of party or media rooms, may also be charged to affordable unit tenants, if applicable.
- F. Pet fees may not exceed \$30.00 per month and associated one-time payments for optional fees pertaining to pets, such as a pet cleaning fee, are prohibited.
- G. Fees charged to affordable unit tenants for other optional, unit-specific, non-communal items shall not exceed the amounts charged to market-rate tenants.
- H. For any prior round rental unit leased before December 20, 2024, elements of the existing fee structure that are consistent with prior rules, but inconsistent with 5:80-26.13(c)1, may continue until the occupant household's current lease term expires or that occupant household vacates the unit, whichever occurs later.

Section 1019. Tenant Income Eligibility.

- A. Tenant income eligibility shall be determined pursuant to N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:
 - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of the regional median income by household size.
 - 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of the regional median income by household size.
 - 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of the regional median income by household size.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income or moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented;

provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 3. The household is currently in substandard or overcrowded living conditions;
 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 5. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of any of the circumstances in B.1. through B.5. above with the Administrative Agent, who shall counsel the household on budgeting.

Section 1020. Municipal Housing Liaison.

- A. The Municipal Housing Liaison shall be approved by municipal resolution.
- B. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in in N.J.A.C. 5:99-1 et seq.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program, including the following responsibilities, which may not be contracted out to the Administrative Agent:
 1. Serving as the primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents and interested households.
 2. The oversight of the Affirmative Marketing Plan and affordability controls.
 3. When applicable, overseeing and monitoring any contracting Administrative Agent.
 4. Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.
 5. Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
 6. Coordinating meetings with affordable housing providers and administrative agents, as needed.
 7. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
 8. Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
 9. Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.

10. Listing on the municipal website contact information for the MHL and Administrative Agents.

Section 1021. Administrative Agent.

- A. All municipalities that have created or will create affordable housing programs and/or affordable units shall designate or approve, for each project within its HEFSP, an administrative agent to administer the affordable housing program and/or affordable housing units in accordance with the requirements of the FHA, NJAC 5:99-1 et seq. and UHAC.
- B. The fees for administrative agents shall be paid as follows:
 - 1. Administrative agent fees related to rental units shall be paid by the developer/owner.
 - 2. Administrative agent fees related to initial sale of units shall be paid by the developer.
 - 3. Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 - 4. Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
- C. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
- D. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7 and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
 - 1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
 - 2. Affirmative marketing:
 - a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
 - b. Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.
 - 3. Household certification.
 - a. Soliciting, scheduling, conducting and following up on interviews with interested households.
 - b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - c. Providing written notification to each applicant as to the determination of eligibility or non-eligibility within five (5) business days of the determination thereof.
 - d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1 et seq.

- e. Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located.
 - f. Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
4. Affordability controls.
 - a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit.
 - b. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit in accordance with UHAC.
 - c. Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
 - d. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.
 5. Records retention.
 - a. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage, and note, as appropriate.
 - b. Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.
 6. Resales and re-rentals.
 - a. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
 - b. Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.
 7. Processing requests from unit owners.
 - a. Reviewing and approving requests from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership to determine that the amount of indebtedness to be incurred will not violate the terms of this Article.
 - b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.
 - c. Notifying the municipality of an owner's intent to sell a restricted unit.
 - d. Making determinations on requests by owners of restricted units for hardship waivers.
 8. Enforcement.

- a. Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - c. Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;
 - d. Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
 - e. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.
9. The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.

Section 1022. Responsibilities of the Owner of a Development Containing Affordable Units.

- A. The owner of all developments containing affordable units subject to this Article or the assigned management company thereof shall provide to the administrative agent:
 1. Site plan, architectural plan, or other plan that identifies the location of each affordable unit, if subject to the site plan approval, settlement agreement, or other applicable document regulating the location of affordable units. The administrative agent shall determine the location of affordable units if not set forth in the site plan approval, settlement agreement, or other applicable document.
 2. The total number of units in the project and the number of affordable units.
 3. The breakdown of the affordable units by or identification of affordable unit locations by bedroom count and income level, including street addresses / unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The administrative agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.
 4. Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
 5. A projected construction schedule.
 6. The location of any common areas and elevators.
 7. The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
- B. In addition to A above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:
 1. Send to all current tenants in all restricted rental units an annual mailing containing a notice as to the maximum permitted rent and a reminder of the requirement that the unit must remain their principal place of residence, which is defined as residing in the

unit at least 260 days out of each calendar year, together with the telephone number, mailing address, and email address of the administrative agent to whom complaints of excess rent can be issued.

2. Provide to the administrative agent a description of any applicable fees.
 3. Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
 4. Agree and ensure that the utility configuration established at the start of the rent-up process not be altered at any time throughout the restricted period.
 5. Provide to the administrative agent a proposed form of lease for any rental units.
 6. Ensure that the tenant selection criteria for the applicants for affordable units not be more restrictive that the tenant selection criteria for applicants for non-restricted units.
 7. Strive to maintain the continued occupancy of the affordable units during the entire restricted period.
- C. In addition to A, above, the owner of affordable for-sale developments containing affordable for-sale units subject to this subchapter or the assigned management company thereof shall provide the administrative agent:
1. Proposed pricing for all units, including any purchaser options and add-on items.
 2. Realistic condominium or homeowner association fees and any other applicable fees.
 3. Estimated real property taxes.
 4. Sewer, water, trash disposal, and any other utility assessments.
 5. Flood insurance requirement, if applicable.
 6. The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

Section 1023. Enforcement of Affordable Housing Regulations.

- M. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- N. After providing written notice of a violation to an owner, developer or tenant of an affordable unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - a. A fine of not more than \$200 per day or imprisonment for a period not to exceed 30 days, or both, unless otherwise specified below, provided that each and every

day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;

- b. In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the municipal Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - c. In the case of an owner who has rented his or her affordable unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- O. The municipality shall have the authority to levy fines against the owner of the development for instances of noncompliance with NJHRC advertising requirements (N.J.S.A. 52:27D-321.6.e.(2)), following written notice to the owner. The fine for the first offense of noncompliance shall be \$5,000, the fine for the second offense of noncompliance shall be \$10,000, and the fine for each subsequent offense of noncompliance shall be \$15,000.
- P. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.
1. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the affordable unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 2. The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.
 3. Foreclosure due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in

violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

4. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the affordable unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the affordable unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess that would have been realized from an actual sale as previously described.
 5. Failure of the low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.
 6. The affordable unit owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
- Q. It is the responsibility of the municipal housing liaison and the administrative agent(s) to ensure that affordable housing units are administered properly. All affordable units must be occupied within a reasonable amount of time and be re-leased within a reasonable amount of time upon the vacating of the unit by a tenant. If an administrative agent or municipal housing liaison becomes aware of or suspects that a developer, landlord, or property manager has not complied with these regulations, it shall report this activity to the Division. The Division must notify the developer, landlord, or property manager, in writing, of any violation of these regulations and provide a 30-day cure period. If, after the 30-day cure period, the developer, landlord, or property manager remains in violation of any terms of this subchapter, including by keeping a unit vacant, the developer, landlord, or property manager may be fined up to the amount required to construct a comparable affordable unit of the same size and the deed-restricted control period will be extended for the length of the time the unit was out of compliance, in addition to the remedies provided for in this section. For the purposes of this subsection, a reasonable amount of time shall presumptively be 60 days, unless a longer period of time is required due to demonstrable market conditions and/or failure of the municipal housing liaison or the administrative agent to refer a certified tenant.
- R. Banks and other lending institutions are prohibited from issuing any loan secured by owner occupied real property subject to the affordability controls set forth in this subchapter if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located. Any loan issued in violation of this subsection is void as against public policy.
- S. The Agency and the Department hereby reserve, for themselves and for each administrative agent appointed pursuant to this subchapter, all of the rights and remedies available at law and in equity for the enforcement of this subchapter, including, but not limited to, fines, evictions, and foreclosures as approved by a county-level housing judge.
- T. Appeals

1. Appeals from all decisions of an administrative agent appointed pursuant to this subchapter must be filed, in writing, with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

Section 1024. Waivers.

A waiver may be granted of any provision of this Article if it would advance the interests of low- and moderate-income households or if strict compliance would cause an unreasonable result.

Section 1025. General Qualifications.

The State only made the regulations available that impact this Article in December of 2025. Consequently, the Township reserves the right to review and amend this ordinance consistent with applicable law.

SECTION 8. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

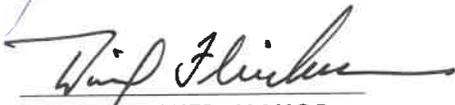
SECTION 9. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 10. This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

INTRODUCED: FEBRUARY 25, 2026

ADOPTED: MARCH 9, 2026


COUNCIL PRESIDENT


DAVID FLEISHER, MAYOR

ATTEST:


PATTI CHACKER, RMC
TOWNSHIP CLERK

Exhibit 5

RESOLUTION 2026-1-30**RESOLUTION APPOINTING A TOWNSHIP ADMINISTRATIVE AGENT AND
"AFFORDABILITY ASSISTANCE PROGRAM" SERVICES FOR THE 2026 CALENDAR YEAR**

WHEREAS, the Township seeks an Administrative Agent and "Affordability Assistance Program" services with an expert level of knowledge of New Jersey Affordable Housing rules and regulations and significant experience, including but not limited to providing comprehensive services to municipalities in strategizing, developing, administering, managing, and implementing affordable housing mechanisms and affordable housing trust funds; and

WHEREAS, this contract is being awarded as "fair and open" pursuant to N.J.S.A. 19:44A-20.5, and in accordance with N.J.S.A. 40A:11-1 et seq., and Township Resolutions 2006-1-51 and 2008-10-10; and

WHEREAS, three (3) firms were solicited, the Request for Proposals was advertised in the official newspaper and posted on the Cherry Hill Township website on October 17, 2025; and

WHEREAS, one (1) response to the Request for Proposal was received and opened on November 7, 2025; and

WHEREAS, based on the proposal of services submitted and the vendor's qualifications, it is recommended by the Professional Service Committee that the following firm be appointed as Township Administrative Agent and "Affordability Assistance Program" services for a one (1) year term commencing January 1, 2026 and terminating December 31, 2026 to:

CGP&H, LLC (Community Grants, Planning & Housing), 1249 South River Rd, Ste. 301, Cranbury, NJ 08512

WHEREAS, the Township Controller has certified that sufficient, available, and legally appropriated funds will be provided for this expenditure under Reserve Affordable Housing Trust (COAH) (C-26-56-850-000-001) for a grand total amount not to exceed \$50,000.00 exclusive of expense reimbursement and fees chargeable to Developer's Fee Escrow as revenues are generated during the 2026 calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cherry Hill, County of Camden, State of New Jersey that CGP&H, (Community Grants, Planning & Housing), 1249 South River Road, Ste. 301, Cranbury, NJ 08512 is hereby appointed Township Administrative Agent and "Affordability Assistance Program" services for an amount not to exceed \$50,000.00 exclusive of expense reimbursement and fees chargeable to Developer's Fee Escrow as revenues are generated during the 2026 calendar year.

BE IT FURTHER RESOLVED by the Township Council, of the Township of Cherry Hill, County of Camden, State of New Jersey that the Mayor or designee is authorized to execute such documents consistent with this Resolution and to take such other action on behalf of the Township in furtherance of this Resolution.

BE IT FURTHER RESOLVED that notice of this resolution shall be published in a newspaper of general circulation as required by law within ten (10) days of passage.

ADOPTED: JANUARY 5, 2026


COUNCIL PRESIDENT

ATTEST:


PATTI CHACKER, RMC
TOWNSHIP CLERK

Exhibit 6

RESOLUTION 2026-3-13

RESOLUTION APPOINTING MUNICIPAL HOUSING LIAISON

WHEREAS, the Township of Cherry Hill is required to appoint a Municipal Housing Liaison to facilitate the implementation of its affordable housing plan in accordance with N.J.A.C. 5:80-21-1 et seq., and

WHEREAS, the Township of Cherry Hill has amended, or shall amend, its ordinances to facilitate the implementation of its affordable housing plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council for the Township of Cherry Hill, County of Camden, State of New Jersey, hereby appoints Deputy Director of Community Development, Mara Wuebker, PP, AICP, to serve as the Municipal Housing Liaison.

ADOPTED: MARCH 9, 2026



COUNCIL PRESIDENT

ATTEST:



PATTI CHACKER, RMC
MUNICIPAL CLERK

Exhibit 7

RESOLUTION 2026-3-14**RESOLUTION OF THE TOWNSHIP OF CHERRY HILL ADOPTING THE AFFIRMATIVE MARKETING PLAN PREPARED BY THE TOWNSHIP'S ADMINISTRATIVE AGENT**

WHEREAS, the Planning Board for the Township of Cherry Hill has adopted and amended a Housing Element and Fair Share Plan; and

WHEREAS, the Township of Cherry Hill has endorsed the Housing Element and Fair Share Plan and the amendment thereto; and

WHEREAS, the Township is required to administer its affordable housing programs in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., applicable court orders, and the Township's Court-approved Housing Element and Fair Share Plan; and

WHEREAS, the proper implementation of affordable housing programs requires that all housing opportunities be affirmatively marketed to low- and moderate-income households in compliance with State regulations, including targeted outreach to racial and ethnic minorities, persons with disabilities, and other protected classes; and

WHEREAS, the Township appointed CGP&H to serve as its Administrative Agent to oversee and administer certain responsibilities to implement the Amended Housing Element and Fair Share Plan; and

WHEREAS, the Administrative Agent has prepared an Affirmative Marketing Plan to implement the Amended Housing Element and Fair Share Plan in accordance with applicable law.

NOW, THEREFORE, BE IT RESOLVED that the Township Council for the Township of Cherry Hill, County of Camden, State of New Jersey, does hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, English-speaking ability, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Cherry Hill is located in Housing Region 5, consisting of Burlington, Camden, and Gloucester Counties.
- B. The Township of Cherry Hill has a plan to address both its Prior Round Obligation (1987-2025) and its Fourth Round Obligation (2025-2035). This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low-, low- and moderate-income units, including those that are part of the municipality's Housing Element and Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Housing Element and Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Township of Cherry Hill or the Administrative Agent of any specific developer approved by the municipality.

- D. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- E. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days prior to expected occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- F. The Affirmative Marketing Plan is a continuing program that shall be followed throughout the entire period of affordability restrictions. In implementing the Affirmative Marketing Plan, the Administrative Agent, whether acting on behalf of the Township of Cherry Hill or on behalf of a specific developer, shall meet the following requirements at a minimum:
1. The primary marketing and advertising must be employed at the start of the marketing program and continue until all units are leased or sold or until the number of applications received is at least three times the number of units. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 2. The advertisements shall, at a minimum, include:
 - a. The name and location of the housing project;
 - b. An address sufficient to find directions to the housing units;
 - c. A range of prices or rents for the affordable housing units;
 - d. The sizes, as measured in number of bedrooms of the affordable housing units;
 - e. The types (that is, family, age-restricted, or supportive) and number of affordable units available;
 - f. The number of units available to very low-, low-, and moderate-income households;
 - g. The accessibility features, if any, of the affordable housing units;
 - h. The maximum income permitted to qualify for the affordable housing units;
 - i. The population(s), if any, given preference in the selection process pursuant to N.J.A.C. 5:80-26.17(k)2;
 - j. Where applications (paper and online) for the affordable housing units may be found;
 - k. The expected lease-up/closing date(s) for the affordable housing units;
 - l. The expected date of the random selection;
 - m. The business hours when interested households may obtain paper applications for the affordable housing units;
 - n. Contact information, including an email address and phone number that are regularly monitored by the administrative agent;
 - o. The name of the sales agent and/or rental manager; and
 - p. Application fees, if any.

3. Affirmative fair marketing of affordable units must be completed in accordance with the requirements set forth in UHAC at N.J.A.C. 5:80-26.16 in all media and outlets required by the rules. All newspaper articles, announcements and requests for applications for very low, low and moderate-income housing shall appear in the Burlington County Times, the South Jersey Times or NJ.com and The Courier Post.
 4. Each affordable housing development must complete the worksheet substantially in the form of the model affirmative marketing worksheet published by the state.
 5. Affordable units must be listed on the New Jersey Housing Resource Center's website (www.njhrc.gov) in accordance with N.J.A.C. 5:80-26.16(f)1 at least 60 days before the random selection.
 6. Applications, or notices thereof, used as part of the affirmative marketing program must be available in the following locations:
 - a. All county administration buildings in the Region
 - b. All county libraries in the Region
 7. Copies of any press releases and advertisements of the availability of very low, low and moderate-income housing shall be sent to the following additional community and regional organizations:

Fair Share Housing Center- 510 Park Blvd., Cherry Hill, NJ 08002

The Latino Action Network- PO Box 943, Freehold, NJ 07728

Camden County Branches of the NAACP

Southern Burlington County Chapter of the NAACP- PO Box 3211, Cinnaminson, NJ 08077

The Supportive Housing Association- 15 Alden St. #14, Cranford, NJ 07016
 8. The municipality's Administrative Agent, or the Administrative Agent of a specific developer, shall comply with all requirements set forth in N.J.S.A. 52:27D-321.3 et seq. with regard to the affirmative marketing of affordable housing units.
- G. The municipality's Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Burlington, Camden and Gloucester Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers.
- H. The municipality's Administrative Agent shall develop, maintain and update a list of major employers in Burlington, Camden and Gloucester Counties that will aid in the affirmative marketing program.
- I. A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the municipality's Administrative Agent, or the Administrative Agent of any specific developer, in conformance with N.J.A.C. 5:80-26.16(d). This Affirmative Marketing Plan provides a state-wide and regional preference for very low-, low- and moderate-income households that live and/or work in Housing Region 5, which is comprised of Burlington, Camden and Gloucester Counties.
- J. All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective

developments, subject to the direction and supervision of the municipality's Administrative Agent, with the exception of resales.

BE IT FURTHER RESOLVED that the Affirmative Marketing Plan Form, attached hereto as Exhibit A, as prepared by CGP&H for implementation in the administration of all affordable housing units and programs within the Township, is also hereby adopted.

BE IT FURTHER RESOLVED the Township's Administrative Agent is hereby authorized and directed to implement and enforce the policies and procedures contained in the Affirmative Marketing Plan.

BE IT FURTHER RESOLVED the Affirmative Marketing Plan may be updated from time to time to ensure ongoing compliance with State law, court-ordered requirements, and the Township's Housing Element and Fair Share Plan, provided such updates are approved by the Township Council.

ADOPTED: MARCH 9, 2026


COUNCIL PRESIDENT

ATTEST:


PATTI CHACKER, RMC
MUNICIPAL CLERK

Exhibit A

AFFIRMATIVE FAIR HOUSING MARKETING PLAN For Affordable Housing in Cherry Hill Township (**REGION 5**)

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

Administrative Agent Name, Address, Phone Number CGP&H 1249 South River Road, Suite 301 Cranbury, NJ 08512		Development or Program Name, Address	
Number of:	Affordable Rental Units	Affordable For-Sale Units	
Affordable Units Total			
Affordable Age Restricted Units			
Affordable Non-Age Restricted Units			
Affordable Supportive Housing Units			
Price or Rental Range	Approximate Starting Dates		
From:	Advertising:	Occupancy:	
To:			
Counties Burlington, Camden, Gloucester	Preferences, if any: (veteran, regional, NJ) Regional Preference NJ State Preference		
Accessibility Features, if any:			
Managing/Sales Agent's Name, Address, Phone Number			
Application Fees (if any):			

Attached is a copy of the pricing calculator and a spreadsheet with information about all units, including number of bedrooms, income level, accessibility features, and square footage to this plan.

(Sections II through V should be consistent for all affordable housing developments and programs within the municipality. and with the municipal Affordable Housing Ordinance. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.

II. RANDOM SELECTION

Describe the random selection process that will be used once applications are received.

The Administrative Agent will assign random numbers to each applicant through a computerized random number generator thereby creating a waiting list. After the list of applications submitted during the initial lottery period is exhausted, the priority of preliminary applications is established by the date that the households submits their preliminary application ("Interest Date").

In addition to the random number assigned to the household and/or the interest date, there are other factors impacting waiting list priority which are described below:

Regional Preference: Applicants that indicated that they live or work in the Affordable Housing Region will be contacted first. Once those applicants are exhausted, applicants outside the region will be contacted.

State Preference: Subsequent to the Regional Preference, applicants that indicated that they live or work in the State will be contacted first. Once those applicants are exhausted, applicants outside of the State will be contacted.

Household Size: Whenever possible, there will be at least one person for each bedroom. If the waiting list is exhausted and there are no in or out of region or state households with a person for each bedroom size, units will be offered to smaller sized households that do not have a person for each bedroom. The Administrative Agent cannot require an

applicant household to take an affordable unit with a greater number of bedrooms, as long as overcrowding is not a factor. A household can be eligible for more than one unit category.

III. MARKETING

Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

White (non-Hispanic)
 Black (non-Hispanic)
 Hispanic
 American Indian or Alaskan Native
 Asian or Pacific Islander
 Other group:

REQUIRED

5:80-26.16(g)1 requires you to advertise your project on the New Jersey Housing Resource Center for at least sixty days before conducting the random selection.

HOUSING RESOURCE CENTER (www.njhousing.gov) A free, online listing of affordable housing

Regional Newspapers

5:80-26.16(g)3 requires you to advertise your project in at least one regional newspaper (either online or in print). You may also select several papers with partial regional coverage, as long as all counties in the region are covered.

TARGETS ENTIRE HOUSING REGION 5				D-Digital or ND-Non-Digital
<input type="checkbox"/>	Philadelphia Inquirer	www.inquirer.com/	Camden, Gloucester & Burlington	
<input checked="" type="checkbox"/>	Courier-Post Online	www.courierpostonline.com	Camden, Gloucester & Burlington	
<input checked="" type="checkbox"/>	South Jersey Times Online	https://www.nj.com/south/	Camden, Gloucester & Burlington	

TARGETS PARTIAL HOUSING REGION 5

<input checked="" type="checkbox"/>	Burlington County Times	www.burlingtoncountytimes.com	Burlington	
<input type="checkbox"/>	Retrospect	www.theretrospect.com	Camden	
<input type="checkbox"/>	Woodbury Warbler	www.woodburywarbler.com/	Camden, Gloucester	
<input type="checkbox"/>	The Daily Journal	www.thedailyjournal.com	Gloucester	
<input type="checkbox"/>	The New Jersey Sentinel	www.newjerseyhills.com/echoes-sentinel/	Gloucester	
<input type="checkbox"/>	Gloucester City News	www.gloucestercitynews.net	Gloucester	

Housing Search Websites – D – Digital

5:80-26.16(g)4 requires you to advertise your project on at least one housing search website in addition to the NJHRC. **“Housing search website”** means any publicly accessible internet-based platform used to advertise residential dwelling units to the general public, including but not limited to:

- Online real estate sections of newspapers or news organizations;
- Internet websites operated or maintained by a municipal AA or affordable housing service provider that advertise affordable units in one or more municipalities;
- Commercial real estate listing platforms; and
- Other comparable online platforms customarily used to market rental or ownership housing.

List below all housing search websites to be used:

Affordablehomesnewjersey.com

ELECTIVES

If you selected a print newspaper(s) as your regional paper above, select TWO additional strategies below with AT LEAST ONE NON-DIGITAL MARKETING STRATEGY.

If you selected a digital newspaper(s) as your regional paper above, select AT LEAST TWO NON-DIGITAL MARKETING STRATEGIES below.

Specific Radio and Television Stations – ND – Non-Digital

5:80-26.16(e)1 lists specific radio stations, and television stations throughout the housing region as marketing opportunities. If choosing this option, make sure your proposed stations cover the entire region. You may add more if desired. List the selected publications below or attach a list from the Marketing Outreach Tool.

<input type="checkbox"/>	

AND Paid Targeted Digital Advertising (must be selected in addition to stations above) – D – Digital

5:80-26.16(e)1 offers paid targeted digital advertising as an option. Some common platforms are listed below.

<input type="checkbox"/>	Google Ads
<input type="checkbox"/>	Microsoft Ads
<input type="checkbox"/>	Bing Ads
<input type="checkbox"/>	Other (please list)

Specific Newspapers and Other Publications

5:80-26.16(e)2 lists “specific newspapers and other publications circulated within the housing region” as an option, including neighborhood-oriented weekly papers, religious publications, and organizational newsletters. If choosing this option, make sure your proposed publications cover the entire region. You may add more if desired. List the selected publications below or attach a list from the Marketing Outreach Tool.

	D-Digital or ND-Non-Digital
<input type="checkbox"/>	

Employers Throughout the Housing Region – ND – Non-Digital

5:80-26-16(e)3 offers outreach to regional employers as an option. A comprehensive and regularly updated list of employers is available in the Marketing Outreach Tool. Please reach out to each listed employer in the region; you may add more if desired. If an employer no longer exists or has moved, please inform DCA.

Community Organizations Throughout the Housing Region – ND – Non-Digital

5:80-26-16(e)4 offers community and regional organizations as an option, including nonprofit, religious, governmental, fraternal, civic, and other organizations. A comprehensive and regularly updated list of organizations is available in the Marketing Outreach Tool. Please reach out to each listed organization in the region. You may add more if desired. If an organization no longer exists or has moved, please inform DCA.

Municipal and County Websites – D – Digital

5:80-26-16(e)5 offers municipal and county website advertising as an option. Insert the URL for the municipality. To ensure regional outreach, advertise in all county websites listed below.

Municipality: <https://www.chnj.gov/>

https://www.co.burlington.nj.us/	
https://www.camdencounty.com/	
https://gloucestercountynj.gov/	
X Social Media – D – Digital	
<i>5:80-26.16(e)6 offers social media as an option. Some common platforms are listed below. You may place ads on these platforms or market for free on your own page.</i>	
<input checked="" type="checkbox"/>	Facebook
<input type="checkbox"/>	TikTok
<input checked="" type="checkbox"/>	Instagram
<input type="checkbox"/>	Reddit
<input type="checkbox"/>	YouTube
<input type="checkbox"/>	Snapchat
<input type="checkbox"/>	Other (please list)
<input type="checkbox"/> Public Transit Stops – ND – Non-Digital	
A comprehensive and regularly updated list of NJ Transit stops is available at https://www.nj.gov/dca/hmfa/about/has/ , or in map form at njogis-newjersey.opendata.arcgis.com . Note that you must get permission from NJ Transit to post flyers.	
<input type="checkbox"/> Other Advertising Efforts to Groups Least Likely to be Reached	

IV. SUMMARY

Non-Digital Outreach	Digital Outreach

V. APPLICATIONS

Applications for affordable housing or notices thereof, if offered online, for the above units will be available in all County Administration Buildings and Libraries for all counties in the housing region

	BUILDING	LOCATION
X	Burlington County Library Headquarters	5 Pioneer Boulevard, Westampton, NJ 08060
X	Burlington County Administration Building	49 Rancocas Rd, Mt. Holly NJ 08060 (609)265-5000
X	Camden Court House Square	520 Market St, Camden NJ 08102 (856)225-5000
X	Camden County Library	203 Laurel Road, Voorhees, NJ 08043 (856)772-1636

X	Gloucester County Court House	1 N. Broad St., Woodbury, NJ 08096 (856)853-3390
X	Gloucester County Library	389 Wolfert Station Road, Mullica Hill, NJ 08062 (856)223-6000
Municipality in which the units are located (list municipal building and municipal library, address, contact person)		
Cherry Hill Township 820 Mercer Street Cherry Hill, NJ 08002		Municipal Housing Liaison: (856)-665-6500
Cherry Hill Public Library 1100 Kings Highway North Cherry Hill, NJ 08002		Library Director: (856)-667-0300
Sales/Rental Office for units (if applicable)		

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the Municipality's compliance and/or any state funding.

Erin Stankiewicz, CGP&H
Administrative Agent, Cherry Hill Township

Signature

Date

Exhibit 8

RESOLUTION 2026-3-15

A RESOLUTION OF THE TOWNSHIP OF CHERRY HILL ADOPTING THE AFFORDABILITY ASSISTANCE MANUAL PREPARED BY ITS ADMINISTRATIVE AGENT

WHEREAS, the Township of Cherry Hill is required to administer affordability controls and compliance measures in connection with its affordable housing program pursuant to N.J.S.A. 52:27D-329.2(c)(3); and

WHEREAS, the Township has selected CGP&H, LLC as its administrative agent to oversee its affordability assistance program; and

WHEREAS, CGP&H, LLC has prepared an Affordability Assistance Manual ("Manual") outlining policies, procedures, and administrative guidelines to support the implementation of affordability assistance and compliance within the Township; and

WHEREAS, the Township Council has reviewed said Manual and finds it to be in the best interest of the Township to formally adopt it as the governing document for affordability assistance procedures; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cherry Hill, County of Camden, and State of New Jersey that the Affordability Assistance Manual prepared by CGP&H, LLC, attached hereto as Exhibit A, is hereby adopted as the official policy and procedural guide for the administration of affordability assistance programs within the Township.

BE IT FURTHER RESOLVED that the Township Business Administrator, Municipal Housing Liaison, and/or all appropriate officials are authorized and directed to implement the provisions of the Affordability Assistance Manual, as necessary.

ADOPTED: MARCH 9, 2026


COUNCIL PRESIDENT

ATTEST:

PATTI CHACKER, RMC
MUNICIPAL CLERK

EXHIBIT A

Affordability Assistance

Township of Cherry Hill *New Jersey*

Affordability Assistance Policies and Procedures Manual

February 2026



CGPH

Community Grants, Planning & Housing

Good People. Great Results.™

1249 S. River Rd, Suite 301

Cranbury, NJ 08512

609/664-2769 www.cgph.net

This Manual was adopted by Township Council on **[insert date]** by Resolution **[INSERT]**

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Cherry Hill Affordability Assistance Policies and Procedures Manual

Policies & Procedures Manual

Introduction

The purpose of this Manual is to describe the policies and procedures of the Affordability Assistance Program (hereafter the “Program”). This Manual describes the basic content and operation of the various affordable assistance program components. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations, terms, and/or procedures.

Where it is found that a new procedure may be more effective or can eliminate a recurring problem, that procedure may be incorporated into the program operation by amending this Operating Manual. In addition, this manual may be periodically revised to reflect changes in local, state, and federal policies and regulations relative to implementation of the affordable housing programs described herein.

In accordance with the Federal Fair Housing Act and Equal Opportunities laws it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status.

Types of Affordability Assistance

There are three types of affordability assistance listed below. The specifics of each type are summarized in Exhibit 1. No ongoing or monthly assistance options are currently available.

New Tenant Rental Assistance – Cherry Hill Township will pay for two months of rent for households moving into deed restricted affordable rental units. This assistance is a grant and does not need to be paid back. Due to likely timing issues related to when assistance is requested and when the check can be issued to the landlord, the tenant will likely need to pay the first month’s rent and security deposit, and the rental assistance will be applied to tenant’s future rental payments.

Emergency Rental Assistance– Cherry Hill Township will pay for two months of rent for households currently occupying deed restricted rental units who are in need of emergency assistance to prevent eviction for non-payment. This is not an ongoing assistance grant and will only be granted to a household on a one-time basis. Very low-income households are given priority on the waiting list.

Down Payment and/or Closing Cost Assistance – Affordability Assistance funds for down payment and/or closing costs will help low- and moderate-income households achieve the goal of homeownership. The goal of the program is to provide financial assistance to income-qualified homebuyers moving into deed-restricted affordable housing in Cherry Hill. Awards will be a maximum of \$15,000 per unit.

Cherry Hill Township Budget

The budget for each of the programs and percentage spent on each type of assistance is summarized in Exhibit 1. Budgets for each program are estimated, based on the Township's approved Spending Plan. Specific program budgets may be subject to change due to program demand, and other factors, such as changes to the availability of funds for such programs and the Township's Spending Plan.

Eligibility

Applications submitted for affordability assistance will be provided on a first come-first-served basis according to the following criteria:

1. There are available affordability assistance funds in the applicable program budget.
2. The applicant currently rents or is purchasing a deed restricted affordable unit in the Township as their primary residence or operates a licensed supportive housing development for adults.
3. The applicant has not received more than one affordability assistance grant per category in the past. For example, a household may apply for new tenant rental assistance and emergency rental assistance, however that household may only receive one award for each program for the term of program (2035). *This requirement can be waived under special circumstances.*
4. The applicant is income certified. Applicants applying for new tenant rental assistance and down payment/closing cost assistance will have already been income certified. Applicants applying for all other types of assistance will require income certification at the time of application.

Maximum Amount

The maximum amount of assistance that may be provided is in Exhibit 1.

Repayment Terms, Repayment Agreement & Security Instruments

The **New Tenant Rental Assistance Program** is a grant and there is no repayment agreement.

The **Emergency Rental Assistance Program** is a grant and there is no repayment agreement.

The **Downpayment Assistance/Closing Cost Assistance Program** will have a mortgage and note in favor of the municipality, executed by the property owner with the following terms: *During years one through five, if the applicant sells the unit, the full amount of the loan is to be repaid upon transfer of the property to the next homeowner. During years six through ten, the loan will be forgiven at the rate of 20% per year. After 10 years, the loan is fully forgiven at the next resale. A discharge of lien shall be requested.*

Administration Procedures

The Administrative Agent will be responsible for administering the Affordability Assistance Programs. Questions about these programs should be directed to the Administrative Agent. All forms are included in the appendices and the process for disbursing funds is outlined in the Exhibits. Contact information for the current Administrative Agent is listed directly below:

CGP&H LLC
1249 S. River Rd, Suite 301
Cranbury, NJ 08512

Phone: 609-664-2769
Email: homes@cgph.net
Website: www.affordablehomesnewjersey.com

New Tenant Rental Assistance Program

1. Applicant submits application.
2. CGP&H reviews and processes application.
3. CGP&H confirms adequate funding available to cover the payment request under the program.
4. CGP&H provides approved payment request with supporting documentation to Township.
5. Cherry Hill Township prepares purchase order awarding funds.
6. Township sends assistance directly to landlord upon receipt of signed purchase order.
7. CGP&H records assistance on master reporting spreadsheet for this program.

Emergency Rental Assistance Program

1. Applicant submits application.
2. CGP&H reviews and processes application, including income certifying applicant.
3. CGP&H confirms adequate funding available to cover the payment request under the program.
4. CGP&H provides approved payment request with supporting documentation to Township for its approval.
5. Township prepares purchase order awarding funds.
6. Township disperses funds directly to landlord upon receipt of signed purchase order.
7. CGP&H records assistance on master reporting spreadsheet for this program.

Down Payment and/or Closing Cost Assistance Program

1. Applicant submits application.
2. CGP&H reviews and processes application.
3. CGP&H confirms adequate funding available to cover the payment request under the program.
4. CGP&H provides approved payment request with supporting documentation to Township.
5. Township adopts resolution to award funds and become a lienholder and mortgagee of the property.
6. Township prepares purchase order.
7. Upon receipt of signed purchase order, the Township disperses funds directly to escrow account or provides check to CGP&H to bring to closing.
8. The Mayor, or the Mayor's designee shall execute the Repayment Agreement.
9. The Repayment Agreement, Mortgage and Promissory Note will be fully executed at closing.
10. Title Company will record the Mortgage and the Promissory Note as part of the closing documents.
11. The original executed documents shall be forwarded to the Township. Copies shall be retained by CGP&H and kept in the unit file.

Exhibit 1: Summary of Cherry Hill Township Affordability Assistance Program Terms

	New Tenant Rental Assistance (Two Months Rent)	Emergency Rental Assistance	Down Payment and/or Closing Cost Assistance
Purpose	Assist renters of deed restricted affordable units by paying two months of rent.	Assist renters of deed restricted affordable units with emergency rental payment to prevent eviction for non-payment.	Assist homebuyers of deed restricted affordable homes with down payment and closing costs.
Maximum Amount:	Up to the equivalent cost of two months of rent.	Up to the equivalent cost of two months of rent.	Up to \$15,000
Deed Restriction and Term	Assistance is a grant and does not need to be returned.	Assistance is a grant and does not need to be returned.	0% interest loan, forgiven at 0% for years 1-5 and 20% per year for years 6-10, fully forgiven after 10 years. Secured by a second mortgage and note.
Monthly Budget Required	No	No	No
Justification Required	No	No	
Additional Criteria	Priority to Very Low Income Households.	Must be income qualified, cannot be used for first month's rent or security deposit/last month's rent.	Applicants must have a minimum of 5% of their own funds towards the purchase of the home.
Assistance To	Landlord	Landlord	Home Purchaser
Advertising	Landlord & Administrative Agent will inform applicants at the time they apply for an affordable unit.	Must be posted with annual rental increase notices by landlords in public areas. Program flyer posted on municipal website.	Administrative Agent will inform applicants at the time they apply to purchase an affordable unit.
Total Budget from Current Spending Plan:	\$40,000	\$12,000	\$60,000

Exhibit 2: Affordability Assistance Program Application

APPLICATION FOR AFFORDABILITY ASSISTANCE IN CHERRY HILL TOWNSHIP

This application must be fully completed so that it can be accepted and processed. This application is not transferable. If you require assistance, please call CGP&H at **609-664-2769 ext. 5**. If your application is complete and you are approved to receive affordability assistance, you will be certified by CGP&H and notified by mail.

Applications submitted for affordability assistance will be provided on a first come-first-served basis according to the following criteria:

1. There are available affordability assistance funds in the applicable program budget.
2. The applicant currently rents, or will rent or will own a deed restricted affordable unit as their primary residence or is a provider of Supportive Housing in Cherry Hill Township.
3. The applicant has not received more than one affordability assistance grant per category in the past. For example, a household may apply for two months' rental assistance and emergency rental assistance, however may only receive one award for each for the term of program (2035). *This requirement can be waived under special circumstances.*
4. The applicant is income certified. Applicants applying for new tenant rental assistance and down payment assistance will have already been income certified. Applicants applying for emergency rental assistance will require income certification at the time of application.

Name: _____

Date: _____

1. Please indicate what type of assistance you are applying for (Choose one):

Mark with X	Program	Details
	New Tenant Rental Assistance	<ul style="list-style-type: none"> • Up to the equivalent of two months rent
	Emergency Rental Assistance	<ul style="list-style-type: none"> • Up to two months rent to be used to prevent eviction for non-payment. • Complete income eligibility form (attached)
	Down Payment/Closing Cost Assistance	<ul style="list-style-type: none"> • Up to \$15,000 • 0% interest loan, forgiven at 0% for years 1-5 and 20% per year for years 6-10, fully forgiven after 10 years. • Secured by a second mortgage and note. • Applicants must have a minimum of 5% of their own funds towards the purchase of the home

2. \$ Amount of Request (Please see above for maximum amounts): _____

CERTIFICATION

I hereby certify that all information concerning my family size, actual gross income as well as all other information contained in my application is true and accurate to the best of my knowledge. I further understand that CGP&H and Cherry Hill Township are relying upon this information in order to determine whether I qualify for affordability assistance. I further certify that the copies of the documents attached to this application are true and accurate copies of the originals of such documents. I further certify that I intend to personally occupy the unit as my primary residence except for reasonable periods of vacations and illnesses. I understand that I cannot sublet or re-rent the unit.

I authorize CGP&H, Cherry Hill Township, or their agents to check for accuracy on any and all statements and representations made in this application. This may include calls to employers to verify income, contact with banks, etc.

Applicant: _____

Co-Applicant: _____

Date: _____

Date: _____



Application for Subsidy Assistance Cherry Hill Township

Please complete and submit with required documents to:
CGP&H, 1249 S. River Rd, Suite 301, Cranbury, NJ 08512 or by email at **homes@cgph.net**
 Call **609-664-2769 ext. 5** or email **homes@cgph.net** if you have any questions. Please use
 “Cherry Hill Affordability Assistance” as the subject line.

Make sure to include the required documents listed on page 9 of this application. Section 8 applicants do not qualify for this assistance.

Development Name: _____ **Address:** _____

1. APPLICANT INFORMATION:

Provide details for the Primary Applicant below. The Primary Applicant will be the main contact for this affordable housing. If there is another household member that will be a co-borrower or co-owner, please include their information under Co-applicant.

Primary Applicant

Prefix	First Name	Middle Name	Last Name	Suffix
Email				
Preferred Phone		Ext	Can Receive Text SMS	<input type="checkbox"/> Yes <input type="checkbox"/> No
Alternate Phone		Ext	Can Receive Text SMS	<input type="checkbox"/> Yes <input type="checkbox"/> No
Mailing Address				
City			State	Zip Code
Date of Birth			Gender	
County Currently Living In			<input type="checkbox"/> Male <input type="checkbox"/> Transgender <input type="checkbox"/> Female <input type="checkbox"/> Other	
County Currently Working In (If Applicable)				
Primary Language			Marital Status	
			<input type="checkbox"/> Single <input type="checkbox"/> Married / Domestic Partnership <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	
Race				
<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> American Indian AND White <input type="checkbox"/> American Indian AND Black <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian AND White <input type="checkbox"/> Other multiple race <input type="checkbox"/> Native Hawaiian or Pacific Islander <input type="checkbox"/> Black or African American AND White <input type="checkbox"/> Choose Not to Respond				
Ethnicity				
<input type="checkbox"/> Hispanic <input type="checkbox"/> Not Hispanic <input type="checkbox"/> Choose Not to Respond				
Employment Status				
<input type="checkbox"/> Self-employed <input type="checkbox"/> Full-time student <input type="checkbox"/> Retired <input type="checkbox"/> Work full-time for employer <input type="checkbox"/> Permanently unable to work <input type="checkbox"/> Minor/child				

<input type="checkbox"/> Work part-time for employer	<input type="checkbox"/> Unemployed and seeking work	
<input type="checkbox"/> Homemaker	<input type="checkbox"/> Unemployed and not seeking work	
Educational Attainment		
<input type="checkbox"/> Less than HS Diploma	<input type="checkbox"/> Certification from a vocational or technical training program	<input type="checkbox"/> Bachelor's Degree
<input type="checkbox"/> High school diploma or equivalent	<input type="checkbox"/> Associate's Degree	<input type="checkbox"/> Master's or other graduate degree
<input type="checkbox"/> Some post-secondary education		

Co-Applicant (If Applicable)

First Name		Middle Name	Last Name	Suffix	Date of Birth
Email					
Phone		Ext		Can Receive Text SMS	<input type="checkbox"/> Yes <input type="checkbox"/> No
Gender	Ethnicity	Is this person a dependent of the Applicant and/or Co-Applicant?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Male	<input type="checkbox"/> Hispanic	Does this person live in the house more than 50% of the time?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Female	<input type="checkbox"/> Not Hispanic	Relationship to the applicant?			
<input type="checkbox"/> Transgender	<input type="checkbox"/> Choose Not to Respond	<input type="checkbox"/> Spouse	<input type="checkbox"/> Boyfriend / Girlfriend / Fiancée	<input type="checkbox"/> Child	<input type="checkbox"/> Other
<input type="checkbox"/> Other					
Race					
<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> White	<input type="checkbox"/> American Indian AND Black			
<input type="checkbox"/> Asian	<input type="checkbox"/> American Indian AND White	<input type="checkbox"/> Other multiple race			
<input type="checkbox"/> Black or African American	<input type="checkbox"/> Asian AND White	<input type="checkbox"/> Choose Not to Respond			
<input type="checkbox"/> Native Hawaiian or Pacific Islander	<input type="checkbox"/> Black or African American AND White				
Employment Status					
<input type="checkbox"/> Self-employed	<input type="checkbox"/> Full-time student	<input type="checkbox"/> Retired			
<input type="checkbox"/> Work full-time for employer	<input type="checkbox"/> Permanently unable to work	<input type="checkbox"/> Minor/child			
<input type="checkbox"/> Work part-time for employer	<input type="checkbox"/> Unemployed and seeking work				
<input type="checkbox"/> Homemaker	<input type="checkbox"/> Unemployed and not seeking work				
Educational Attainment					
<input type="checkbox"/> Less than HS Diploma	<input type="checkbox"/> Certification from a vocational or technical training program	<input type="checkbox"/> Bachelor's Degree			
<input type="checkbox"/> High school diploma or equivalent	<input type="checkbox"/> Associate's Degree	<input type="checkbox"/> Master's or other graduate degree			
<input type="checkbox"/> Some post-secondary education					

2. HOUSEHOLD INFORMATION

Please provide information on any other members of your household, such as children, grandparents, or other members.

Additional Household Member #1 (If Applicable)

First Name		Middle	Last Name	Suffix	DOB
Gender	Ethnicity	Is this person a dependent of the Applicant and/or Co-Applicant?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender <input type="checkbox"/> Other	<input type="checkbox"/> Hispanic <input type="checkbox"/> Not Hispanic <input type="checkbox"/> Choose Not to Respond	Does this person live in the house more than 50% of the time?			<input type="checkbox"/> Yes <input type="checkbox"/> No
		Relationship to the applicant?			
		<input type="checkbox"/> Spouse	<input type="checkbox"/> Boyfriend/Girlfriend/ Fiancée	<input type="checkbox"/> Child	<input type="checkbox"/> Other
Race					
<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Pacific Islander		<input type="checkbox"/> White <input type="checkbox"/> American Indian AND White <input type="checkbox"/> Asian AND White <input type="checkbox"/> Black or African American AND White		<input type="checkbox"/> American Indian AND Black <input type="checkbox"/> Other multiple race <input type="checkbox"/> Choose Not to Respond	
Employment Status					
<input type="checkbox"/> Self-employed <input type="checkbox"/> Work full-time for employer <input type="checkbox"/> Work part-time for employer <input type="checkbox"/> Homemaker		<input type="checkbox"/> Full-time student <input type="checkbox"/> Permanently unable to work <input type="checkbox"/> Unemployed and seeking work <input type="checkbox"/> Unemployed and not seeking work		<input type="checkbox"/> Retired <input type="checkbox"/> Minor/child	

Additional Household Member #2 (If Applicable)

First Name		Middle	Last Name	Suffix	DOB
Gender	Ethnicity	Is this person a dependent of the Applicant and/or Co-Applicant?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender <input type="checkbox"/> Other	<input type="checkbox"/> Hispanic <input type="checkbox"/> Not Hispanic <input type="checkbox"/> Choose Not to Respond	Does this person live in the house more than 50% of the time?			<input type="checkbox"/> Yes <input type="checkbox"/> No
		Relationship to the applicant?			
		<input type="checkbox"/> Spouse	<input type="checkbox"/> Boyfriend/Girlfriend/ Fiancée	<input type="checkbox"/> Child	<input type="checkbox"/> Other
Race					
<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Pacific Islander		<input type="checkbox"/> White <input type="checkbox"/> American Indian AND White <input type="checkbox"/> Asian AND White <input type="checkbox"/> Black or African American AND White		<input type="checkbox"/> American Indian AND Black <input type="checkbox"/> Other multiple race <input type="checkbox"/> Choose Not to Respond	
Employment Status					

<input type="checkbox"/> Self-employed	<input type="checkbox"/> Full-time student	<input type="checkbox"/> Retired
<input type="checkbox"/> Work full-time for employer	<input type="checkbox"/> Permanently unable to work	<input type="checkbox"/> Minor/child
<input type="checkbox"/> Work part-time for employer	<input type="checkbox"/> Unemployed and seeking work	
<input type="checkbox"/> Homemaker	<input type="checkbox"/> Unemployed and not seeking work	

Additional Household Member #3 (If Applicable)

First Name		Middle	Last Name	Suffix	DOB
Gender	Ethnicity	Is this person a dependent of the Applicant and/or Co-Applicant?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender <input type="checkbox"/> Other	<input type="checkbox"/> Hispanic <input type="checkbox"/> Not Hispanic <input type="checkbox"/> Choose Not to Respond	Does this person live in the house more than 50% of the time?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Relationship to the applicant?			
		<input type="checkbox"/> Spouse	<input type="checkbox"/> Boyfriend/Girlfriend/ Fiancée	<input type="checkbox"/> Child	<input type="checkbox"/> Other
Race					
<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Pacific Islander		<input type="checkbox"/> White <input type="checkbox"/> American Indian AND White <input type="checkbox"/> Asian AND White <input type="checkbox"/> Black or African American AND White		<input type="checkbox"/> American Indian AND Black <input type="checkbox"/> Other multiple race <input type="checkbox"/> Choose Not to Respond	
Employment Status					
<input type="checkbox"/> Self-employed <input type="checkbox"/> Work full-time for employer <input type="checkbox"/> Work part-time for employer <input type="checkbox"/> Homemaker		<input type="checkbox"/> Full-time student <input type="checkbox"/> Permanently unable to work <input type="checkbox"/> Unemployed and seeking work <input type="checkbox"/> Unemployed and not seeking work		<input type="checkbox"/> Retired <input type="checkbox"/> Minor/child	

Additional Household Member #4 (If Applicable)

First Name		Middle	Last Name	Suffix	DOB
Gender	Ethnicity	Is this person a dependent of the Applicant and/or Co-Applicant?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender <input type="checkbox"/> Other	<input type="checkbox"/> Hispanic <input type="checkbox"/> Not Hispanic <input type="checkbox"/> Choose Not to Respond	Does this person live in the house more than 50% of the time?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Relationship to the applicant?			
		<input type="checkbox"/> Spouse	<input type="checkbox"/> Boyfriend/Girlfriend/ Fiancée	<input type="checkbox"/> Child	<input type="checkbox"/> Other
Race					
<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or Pacific Islander		<input type="checkbox"/> White <input type="checkbox"/> American Indian AND White <input type="checkbox"/> Asian AND White <input type="checkbox"/> Black or African American AND White		<input type="checkbox"/> American Indian AND Black <input type="checkbox"/> Other multiple race <input type="checkbox"/> Choose Not to Respond	
Employment Status					

<input type="checkbox"/> Self-employed	<input type="checkbox"/> Full-time student	<input type="checkbox"/> Retired
<input type="checkbox"/> Work full-time for employer	<input type="checkbox"/> Permanently unable to work	<input type="checkbox"/> Minor/child
<input type="checkbox"/> Work part-time for employer	<input type="checkbox"/> Unemployed and seeking work	
<input type="checkbox"/> Homemaker	<input type="checkbox"/> Unemployed and not seeking work	

Additional Household Member #5 (If Applicable)

First Name		Middle Name	Last Name	Suffix	Date of Birth
Gender	Ethnicity	Is this person a dependent of the Applicant and/or Co-Applicant?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Male	<input type="checkbox"/> Hispanic	Does this person live in the house more than 50% of the time?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Female	<input type="checkbox"/> Not Hispanic	Relationship to the applicant?			
<input type="checkbox"/> Transgender	<input type="checkbox"/> Choose Not to Respond	<input type="checkbox"/> Spouse	<input type="checkbox"/> Boyfriend / Girlfriend / Fiancée	<input type="checkbox"/> Child	<input type="checkbox"/> Other
<input type="checkbox"/> Other					
Race					
<input type="checkbox"/> American Indian or Alaska Native		<input type="checkbox"/> White	<input type="checkbox"/> American Indian AND Black		
<input type="checkbox"/> Asian		<input type="checkbox"/> American Indian AND White	<input type="checkbox"/> Other multiple race		
<input type="checkbox"/> Black or African American		<input type="checkbox"/> Asian AND White	<input type="checkbox"/> Choose Not to Respond		
<input type="checkbox"/> Native Hawaiian or Pacific Islander		<input type="checkbox"/> Black or African American AND White			
Employment Status					
<input type="checkbox"/> Self-employed		<input type="checkbox"/> Full-time student	<input type="checkbox"/> Retired		
<input type="checkbox"/> Work full-time for employer		<input type="checkbox"/> Permanently unable to work	<input type="checkbox"/> Minor/child		
<input type="checkbox"/> Work part-time for employer		<input type="checkbox"/> Unemployed and seeking work			
<input type="checkbox"/> Homemaker		<input type="checkbox"/> Unemployed and not seeking work			

Additional Household Member #6 (If Applicable)

First Name		Middle Name	Last Name	Suffix	Date of Birth
Gender	Ethnicity	Is this person a dependent of the Applicant and/or Co-Applicant?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Male	<input type="checkbox"/> Hispanic	Does this person live in the house more than 50% of the time?			<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Female	<input type="checkbox"/> Not Hispanic	Relationship to the applicant?			
<input type="checkbox"/> Transgender	<input type="checkbox"/> Choose Not to Respond	<input type="checkbox"/> Spouse	<input type="checkbox"/> Boyfriend / Girlfriend / Fiancée	<input type="checkbox"/> Child	<input type="checkbox"/> Other
<input type="checkbox"/> Other					
Race					
<input type="checkbox"/> American Indian or Alaska Native		<input type="checkbox"/> White	<input type="checkbox"/> American Indian AND Black		
<input type="checkbox"/> Asian		<input type="checkbox"/> American Indian AND White	<input type="checkbox"/> Other multiple race		
<input type="checkbox"/> Black or African American		<input type="checkbox"/> Asian AND White	<input type="checkbox"/> Choose Not to Respond		
<input type="checkbox"/> Native Hawaiian or Pacific Islander		<input type="checkbox"/> Black or African American AND White			
Employment Status					
<input type="checkbox"/> Self-employed		<input type="checkbox"/> Full-time student	<input type="checkbox"/> Retired		

<input type="checkbox"/> Work full-time for employer	<input type="checkbox"/> Permanently unable to work	<input type="checkbox"/> Minor/child
<input type="checkbox"/> Work part-time for employer	<input type="checkbox"/> Unemployed and seeking work	
<input type="checkbox"/> Homemaker	<input type="checkbox"/> Unemployed and not seeking work	

3. INCOME

The income information you provide on this page goes into determining your eligibility for affordable housing.

Income Source #1

Income Earner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Other Household Member	Gross Annual Income	\$
Is this income earner a full-time student?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Income Type					
<input type="checkbox"/> Full-time Employment	<input type="checkbox"/> Spousal Support/Alimony	<input type="checkbox"/> Investment Income	<input type="checkbox"/> SSI/SSDI		
<input type="checkbox"/> Part-time Employment	<input type="checkbox"/> Child Support	<input type="checkbox"/> Pension/Annuity	<input type="checkbox"/> Unemployment		
<input type="checkbox"/> Self-Employment	<input type="checkbox"/> TANF/Public Assistance	<input type="checkbox"/> Social Security	<input type="checkbox"/> Other		
Date of Hire / Expected		Occupation Description			

Income Source #2

Income Earner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Other Household Member	Gross Annual Income	\$
Is this income earner a full-time student?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Income Type					
<input type="checkbox"/> Full-time Employment	<input type="checkbox"/> Spousal Support/Alimony	<input type="checkbox"/> Investment Income	<input type="checkbox"/> SSI/SSDI		
<input type="checkbox"/> Part-time Employment	<input type="checkbox"/> Child Support	<input type="checkbox"/> Pension/Annuity	<input type="checkbox"/> Unemployment		
<input type="checkbox"/> Self-Employment	<input type="checkbox"/> TANF/Public Assistance	<input type="checkbox"/> Social Security	<input type="checkbox"/> Other		
Date of Hire / Expected		Occupation Description			

Income Source #3

Income Earner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Other Household Member	Gross Annual Income	\$
Is this income earner a full-time student?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Income Type					
<input type="checkbox"/> Full-time Employment	<input type="checkbox"/> Spousal Support/Alimony	<input type="checkbox"/> Investment Income	<input type="checkbox"/> SSI/SSDI		
<input type="checkbox"/> Part-time Employment	<input type="checkbox"/> Child Support	<input type="checkbox"/> Pension/Annuity	<input type="checkbox"/> Unemployment		
<input type="checkbox"/> Self-Employment	<input type="checkbox"/> TANF/Public Assistance	<input type="checkbox"/> Social Security	<input type="checkbox"/> Other		
Date of Hire / Expected		Occupation Description			

Income Source #4

Income Earner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Other Household Member	Gross Annual Income	\$
Is this income earner a full-time student?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Income Type					
<input type="checkbox"/> Full-time Employment	<input type="checkbox"/> Spousal Support/Alimony	<input type="checkbox"/> Investment Income	<input type="checkbox"/> SSI/SSDI		
<input type="checkbox"/> Part-time Employment	<input type="checkbox"/> Child Support	<input type="checkbox"/> Pension/Annuity	<input type="checkbox"/> Unemployment		
<input type="checkbox"/> Self-Employment	<input type="checkbox"/> TANF/Public Assistance	<input type="checkbox"/> Social Security	<input type="checkbox"/> Other		
Date of Hire / Expected		Occupation Description			

Date of Hire / Expected		Occupation Description	
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Income Source #5

Income Earner	<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Other Household Member	Gross Annual Income	\$
Is this income earner a full-time student?					<input type="checkbox"/> Yes <input type="checkbox"/> No

Income Type			
<input type="checkbox"/> Full-time Employment	<input type="checkbox"/> Spousal Support/Alimony	<input type="checkbox"/> Investment Income	<input type="checkbox"/> SSI/SSDI
<input type="checkbox"/> Part-time Employment	<input type="checkbox"/> Child Support	<input type="checkbox"/> Pension/Annuity	<input type="checkbox"/> Unemployment
<input type="checkbox"/> Self-Employment	<input type="checkbox"/> TANF/Public Assistance	<input type="checkbox"/> Social Security	<input type="checkbox"/> Other

Date of Hire / Expected		Occupation Description	
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Additional Income Information

Does any member of your household who does not have job, expect to seek full or part time employment in the next year?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does any member of your household work for an employer that pays in cash?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is any member of your household expecting to take a leave of absence from work due to lay-off, medical, maternity or military leave?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is any member of your household entitled to child support that he/she is not now receiving?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does any member of your household now receive or expect to receive regular contributions from organizations or from individuals not living in the unit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is any member of your household responsible for paying child support or alimony? This amount will be deducted from your total annual income.	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, monthly amount paid:	\$

4. ASSETS

Checking/Savings Bank Account Information

Please supply information for each of the household member's checking/savings accounts. Include ALL joint accounts.

Account Owner		Account Type	Bank Name	Current Balance	Last 4 Digits of Account #
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Checking Account <input type="checkbox"/> Savings Account		\$	
<input type="checkbox"/> Other Household Member					
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Checking Account <input type="checkbox"/> Savings Account		\$	
<input type="checkbox"/> Other Household Member					
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Checking Account <input type="checkbox"/> Savings Account		\$	
<input type="checkbox"/> Other Household Member					
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Checking Account <input type="checkbox"/> Savings Account		\$	
<input type="checkbox"/> Other Household Member					
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Checking Account <input type="checkbox"/> Savings Account		\$	
<input type="checkbox"/> Other Household Member					

Other Assets Information

Please list other assets such as Certificate of Deposits (CDs), retirement accounts, pensions, 401k's, stocks, bonds, and trusts.

Account Owner		Account Type		Bank/Asset Name	Current Balance	Last 4 Digits of Account #
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Retirement Account <input type="checkbox"/> Investment Account	<input type="checkbox"/> CD <input type="checkbox"/> Other		\$	
<input type="checkbox"/> Other Household Member						
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Retirement Account <input type="checkbox"/> Investment Account	<input type="checkbox"/> CD <input type="checkbox"/> Other		\$	
<input type="checkbox"/> Other Household Member						
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Retirement Account <input type="checkbox"/> Investment Account	<input type="checkbox"/> CD <input type="checkbox"/> Other		\$	
<input type="checkbox"/> Other Household Member						
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Retirement Account <input type="checkbox"/> Investment Account	<input type="checkbox"/> CD <input type="checkbox"/> Other		\$	
<input type="checkbox"/> Other Household Member						
<input type="checkbox"/> Applicant	<input type="checkbox"/> Co-Applicant	<input type="checkbox"/> Retirement Account <input type="checkbox"/> Investment Account	<input type="checkbox"/> CD <input type="checkbox"/> Other		\$	
<input type="checkbox"/> Other Household Member						

Additional Asset Information

Does any member of your household own real estate?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there a mortgage on the property?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there rental income?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you planning on selling the real estate?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has any member of your household sold or given away real property or other assets (including cash) in the past two years?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please list the asset or assets sold or given away in the last two years including the value:	

5. Current Living Situation:

Current living situation information is not a criteria in the approval process but it provides a clearer picture of the types of families who might benefit from affordable housing opportunities.

How many bedrooms are in your current home?			
<input type="checkbox"/> 0 (Studio) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6			
Current Monthly Rent (If Applicable)	\$	Do you have a Housing Choice Voucher (Section 8 Voucher)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Monthly Utilities (Gas, Water, Electricity, Etc.)	\$		

Please list your estimated monthly expenses:

	Monthly Expense
Auto	
Loan	
Insurance	
Maintenance/Repairs	
Housing	
Rent/Mortgage	
Home owners association	
Property Tax	
Insurance	
Medical	
Health Insurance	
Co-pays	
Other (medications, glasses, etc.)	
Utilities	
Internet/phone/cable	
Electricity/heating	
Water Sewer	
Trash	
Cell Phone	
Other	
Childcare/day care	
Child Support/Alimony	
Credit card debt	
Education	
Food	
Gas/tolls/parking	
Public Transportation	
Student loan	
Tuition	
Other: (please specify)	
TOTAL Expenses	

If your total monthly expenses exceed your monthly income, how will you pay your household expenses in the future:

7. Supporting Documents

You must also submit the supporting documents on the following check list for all household members 18 years old or older. ***Please start gathering this information immediately as it may take several days to locate all of the documents.***

<p>Identification</p> <p><input type="checkbox"/> Personal photo identification: Driver's License, passport, or State ID</p>
<p>Income Related Documents – Provide All That Apply</p> <p><input type="checkbox"/> Employment Income: 4 most recent consecutive pay stubs for all employed household members</p> <p><input type="checkbox"/> Social Security: Most recent award letter</p> <p><input type="checkbox"/> Temporary Assistance for Needy Families (TANF): Voucher or other verification</p> <p><input type="checkbox"/> Pension: Letter from pension fund</p> <p><input type="checkbox"/> Child Support: Current statement from NJ child support website, court order or notarized letter re: your child support status</p> <p><input type="checkbox"/> Alimony: Current statement from NJ website or notarized letter regarding your alimony support status</p> <p><input type="checkbox"/> Military Pay: Verification of military pay</p> <p><input type="checkbox"/> Workers' Compensation: Statement showing benefits</p> <p><input type="checkbox"/> Unemployment Benefits: Statement showing benefits</p> <p><input type="checkbox"/> Self Employed or Own Business: Year to date profit & loss statement (not required if submitting K-1 with taxes)</p>
<p>Bank Statements & Other Accounts (Include All Joint Accounts)</p> <p><input type="checkbox"/> Checking Account: All pages of statements for the last 6 consecutive months</p> <p><input type="checkbox"/> Savings Account Statements Including CDs: All pages of statements for the last 6 consecutive months</p> <p><input type="checkbox"/> Other Account Statements: Most recent statement for other assets such as retirement accounts, 401(k)s, stocks, bonds, & trusts</p>
<p>Tax Returns</p> <p><input type="checkbox"/> Federal Tax Return: All pages of 1040 Federal Tax Return for the past 3 consecutive years</p> <p><input type="checkbox"/> Sign the 2nd page of each Federal Tax Return (1040 form) to validate the copy</p> <p><input type="checkbox"/> State Tax Return: All pages for the past 3 consecutive years</p>
<p>If You Own an Investment Property or Rental Property, Please Also Provide The Following</p> <p><input type="checkbox"/> Current mortgage statement</p> <p><input type="checkbox"/> Investment property lease agreement (if applicable)</p> <p><input type="checkbox"/> Current year tax assessment record</p> <p><input type="checkbox"/> Real estate listing if this property is for sale</p> <p><input type="checkbox"/> Contract with the realtor listing property if property is for sale</p> <p><input type="checkbox"/> Foreclosure notice (LIS PENS, etc.) if the property is in foreclosure</p>
<p>Other</p> <p><input type="checkbox"/> Divorce Decree: All pages of divorce decree & settlement agreement</p> <p><input type="checkbox"/> Full Time Student Over 18: School schedule to document full time status</p> <p><input type="checkbox"/> Copy of your current lease agreement</p> <p><input type="checkbox"/> Copy of your affordable housing certification</p>

Applicant Certification:

I/we certify that if selected to receive assistance, the unit I/we occupy will be my/our only residence. I/we understand that the above information is being collected to determine my/our eligibility. I/we authorize the employer/owner/manager to verify all information provided on this application and to contact previous or current Landlords or other sources of credit and verification information which may be released to appropriate Federal, State, or local agencies. I/we certify that the statements made in this application are true and complete to the best of my/our knowledge and belief. I/we understand that false statements or information are punishable under Federal Law.

Signature of Head of Household

(Date)

Signature of Spouse/Co-Head Household

(Date)

We Do Business in Accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988). It is Illegal to Discriminate Against Any Person Because of Race, Color, Religion, Sex, Handicap, Familial Status, or National Origin.

Exhibit 3: Affordability Assistance Program Repayment Agreement

CHERRY HILL TOWNSHIP

AFFORDABILITY ASSISTANCE PROGRAM REPAYMENT AGREEMENT

THIS AGREEMENT made on the _____ day of _____, _____ is between _____ (hereafter "Owner") whose address is _____ and Cherry Hill Township, with offices at 820 Mercer Street, Cherry Hill, NJ 08002 (hereafter "Township") Collectively, the "Owner" and the "Township" referred to herein as the "Parties":

WHEREAS, Owner owns property located at _____, described more specifically as Block No. _____ Lot No. _____, (hereafter "Property"); and

WHEREAS, the Property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the Property as an Affordable Housing unit which, among other restrictions, restricts the Owner in financing the Property or otherwise encumbering the Property by way of mortgage, home equity loan, or other forms of financing; and

WHEREAS, the Township is willing to extend a loan to Owner in the amount of _____; and

WHEREAS, the Owner will sign a mortgage note and record a mortgage on the Property in the principal amount of \$ _____; and

WHEREAS, the Parties wish to memorialize the agreement between them by way of this Affordable Housing Loan Repayment Agreement (hereinafter "Agreement");

NOW THEREFORE IT IS AGREED on this _____ day of _____, _____, by and between the Parties as follows:

1. Owner acknowledges that s/he is aware, and herein reaffirms her understanding, that the Property is and will continue to be governed by the Affordable Housing rules, regulations and restrictions because it is an Affordable Housing unit under the control of the Township.
2. Owner understands and agrees that the restrictions on the Property, which state that s/he cannot make application for any additional money mortgages or refinance any first money mortgages as it may apply to the Affordable Housing unit

in excess of the maximum restricted mortgage amount and not until prior written approval has been obtained from the Administrative Agent.

3. Owner acknowledges and agrees that the Deed signed by the Owner at closing contains the recorded restrictions that govern the Property, which provide that “Upon the occurrence of a breach of any Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.”
4. Owner acknowledges and agrees that the 0% interest loan is secured by a second mortgage and promissory note placed on the unit recorded after this Affordability Assistance Agreement, which applies the affordability control restriction pursuant to the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 *et seq.*).
5. Owner acknowledges and agrees that the Township, pursuant to its Affordable Housing regulations, has the right to foreclose on the Property as a result of any violation of the deed restrictions pertaining to the Property by the Owner and, if successful, the Township can retain all equity in the Property.
6. The Township agrees to extend a loan of \$_____ to the Owner for the exclusive use _____.
7. If the property is sold or otherwise conveyed to a third party during years one through five, the full amount of the loan is to be repaid upon the transfer to the next property owner. During years six through ten, the loan principal is forgiven at a rate of 20% per year. After a period of 10 years, the loan is fully forgiven.
8. If the Owner fails to make any and all necessary payments required by the within Agreement, or otherwise breaches the terms of this Agreement, the Township shall have the right to immediately file a lawsuit, or pursue any other rights that it may have, to remedy the breach and otherwise enforce the Affordable Housing statutes, ordinances, rules and regulations.
9. This Agreement shall be construed in accordance with the laws of the State of New Jersey.

10. This Agreement constitutes the entire Agreement between the Parties. No amendments or modifications to this Agreement shall have any force or effect unless in writing and executed by both Parties.
11. If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holdings shall not invalidate or render unenforceable any other provision hereof.
12. This Agreement shall be binding upon and inure to the benefit of the Parties, their legal representatives, heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Parties hereto have signed and executed this Agreement as of the date indicated above.

Municipality

Attest:

Owner

Attest:

STATE OF NEW JERSEY:

SS

COUNTY OF _____ :

I CERTIFY that on _____, 202_ , _____ personally came before me and acknowledged under oath, to my satisfaction, that he/she:

- (a) was the maker of the attached instrument; and,
- (b) executed this instrument as his or her own act.

Signed and sworn to before me

On _____, _____

STATE OF NEW JERSEY:

SS

COUNTY OF _____ :

I CERTIFY that on _____, 202_ , _____ personally came before me and acknowledged under oath, to my satisfaction, that:

- (a) s/he is the Township Clerk of Cherry Hill the municipal corporation named in this document;
- (b) s/he is the attesting witness to the signing of this document by _____, ____ (title) _____ of Cherry Hill Township;
- (c) this document was signed and delivered by Cherry Hill Township as its voluntary act duly authorized by a proper resolution of the Council
- (d) s/he knows the proper seal of the _____ which was affixed to this document; and
- (e) s/he signed this proof to attest to the truth of these facts.

Signed and sworn to before me

On _____, 202_ _____

Exhibit 4: Mortgage Securing Payment of Affordability Assistance Program Note

TOWNSHIP OF CHERRY HILL

MORTGAGE SECURING PAYMENT OF AFFORDABILITY ASSISTANCE PROGRAM NOTE

THIS MORTGAGE, made on this the ____ day of _____, 202_ by and between _____, (the "OWNER") and Cherry Hill Township (the "Municipality"), in connection with the property described herein (the "PROPERTY");

Article 1. REPAYMENT MORTGAGE NOTE

In consideration of value received, the Owner has signed an Affordability Assistance Program Mortgage Note (the "Note") dated _____. The Owner promises to pay to the Municipality amounts due under the Affordability Assistance Program Mortgage Note, and to abide by all obligations contained therein.

Article 2. MORTGAGE AS SECURITY FOR AMOUNT DUE

This Mortgage is given to the Municipality as security for the payment required to be paid as described in the Mortgage Note, the sum of \$ _____.

Article 3. PROPERTY DESCRIPTION

All of the land and improvements thereon located in the municipality of Cherry Hill Township in the County of Camden, State of New Jersey (hereinafter the "Property"), described more specifically as Block No. _____ Lot No. _____, and known by the street address:

Article 4. RIGHTS GIVEN TO MUNICIPALITY

The Owner gives the Municipality those rights stated in this Mortgage, and all the rights the law gives to the Municipality under Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, *et seq.*). The rights given to the Municipality are covenants running with the land. Upon performance of the promises contained in Note and Mortgage, the Municipality will prepare and deliver to the then current owner of record a quitclaim deed or other document of release.

Article 5. DEFAULT

The Municipality may declare the Owner in default on this Mortgage and on the Note if:

1. The Owner attempts to convey an interest in the Property without giving prior written notice to the Municipality;

2. The ownership of the Property is changed for any reason other than in the course of an exempt sale;
3. The Owner fails to make any payment required by the Note;
4. The holder of any lien on the Property starts foreclosure proceedings; or
5. Bankruptcy, insolvency or receivership proceedings is commenced by or against the Owner.

Article 6. MUNICIPALITY'S RIGHTS UPON DEFAULT

If the Municipality declares that the Note and this Mortgage are in default, the Municipality shall have all of the rights given by law or set forth in this Mortgage.

Article 7. NOTICES

ALL NOTICES MUST BE IN WRITING AND PERSONALLY DELIVERED OR SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE ADDRESSES GIVEN IN THIS MORTGAGE. ADDRESS CHANGES MAY BE MADE UPON WRITTEN NOTICE, MADE IN ACCORDANCE WITH THIS ARTICLE.

Article 8. NO WAIVER BY MUNICIPALITY

The Municipality may exercise any right under this Mortgage or under any law, even if the Municipality has delayed in exercising that authority, or has agreed in an earlier instance not to exercise that right. The Municipality does not waive its right to declare the Owner is in default by making payments or incurring expenses on behalf of the Owner.

Article 9. EACH PERSON LIABLE

The Mortgage is legally binding upon each Owner individually and all their heirs, assigns, agents and designees who succeed to their responsibilities. The Municipality may enforce any of the provisions of the Note and of this Mortgage against any one or more liable individual.

Article 10. SUBORDINATION

This Mortgage will not be subordinate, and will not be subordinated by the Municipality, to any mortgage, refinancing, equity loan, secured letter of credit, or any other obligation secured by the Property, except with respect to (a) any such obligation which was duly recorded prior to the recording hereof, and (b) any such obligation which, when added to all other such obligations recorded against the Property, shall result in total debt secured by the Property being an amount less than the maximum resale price that would be applicable were the Control Period still in effect.

Article 11. AMENDMENTS

No amendment or change to the Note and this Mortgage may be made, except in a written document signed by both parties and approved by the administrative agent appointed pursuant to N.J.A.C. 5:80-26.1 et seq.

Article 13. SIGNATURES

By executing this Mortgage on page 3, hereof, the Owner agrees to all of its terms and conditions.

Article 14. ACKNOWLEDGEMENT

The Owner acknowledges receipt of a true copy of this Mortgage, at no charge to the State.

IN WITNESS WHEREOF, the Owner(s) has executed this Mortgage for the purposes stated herein.

ATTEST:

Signature of (Owner)

Signature (Co-Owner)

STATE OF NEW JERSEY)

) ss:

COUNTY OF _____)

BE IT REMEMBERED, that on this the _____ day of _____, 20__ the subscriber _____ appeared personally before me

(If more than one person signed the foregoing mortgage and appeared before me, the words "the subscriber" and "the Owner" shall include all such persons) and who, being duly sworn by me, deposed and made proof to my satisfaction (i) that he/she is the Owner named in the foregoing mortgage and (ii) and that he/she has executed said mortgage with respect to the Property and for the purposes described and set forth therein.

Sworn to and subscribed before me, _____ on the date set forth above.

NOTARY PUBLIC

Exhibit 5: Promissory Note for Affordability Assistance Program

CHERRY HILL TOWNSHIP

PROMISSORY NOTE FOR AFFORDABILITY ASSISTANCE PROGRAM

THIS NOTE is dated as of _____, 202_, For value received _____ (referred to "Owner") promises to pay to Cherry Hill Township, with offices at 820 Mercer Street, Cherry Hill, NJ 08002 (the "Municipality"), the amounts specified in this Note and promises to abide by the terms contained below.

Article 1. REPAYMENT MORTGAGE

As security for the payment of amounts due under this Note and the performance of all promises contained in this Note, the Owner is giving the Municipality a "Mortgage To Secure Payment of Affordability Assistance Program Note" (the "MORTGAGE"), dated _____, of the property described below (the "PROPERTY"). The Mortgage covers real estate owned by the Owner. The Mortgage will not be subordinate, and will not be subordinated by the Municipality, to any mortgage, refinancing, equity loan, secured letter of credit, or any other obligation secured by the Property, except with respect to (a) any such obligation which was duly recorded prior to the recording hereof, and (b) any such obligation which, when added to all other such obligations recorded against the Property, shall result in total debt secured by the Property being an amount less than the maximum resale price (MRP) that would be applicable were the Control Period still in effect, as those terms are defined in Article 2 of the Mortgage.

Article 2. OWNERS PROMISE TO PAY AND OTHER TERMS

This is a no interest deferred loan in the amount of \$_____ will be for ten (10) years. If the property is sold or otherwise conveyed to a third party during years one through five from the date of issuance of the loan, the full amount of the loan is to be repaid upon the transfer to the next property owner. During years six through ten of the loan, the loan principal is forgiven at a rate of 20% per year and the prorated loan amount shall be repaid by the applicant to the Cherry Hill Township Affordable Housing Trust Fund. After a period of 10 years, the loan is fully forgiven and will be discharged upon request. at the next resale. If sold before ten (10) years,

Article 3. PROPERTY DESCRIPTION

All of the land and improvements thereon located in the municipality of Cherry Hill in the County of Camden, State of New Jersey, described more specifically as Block No. _____ Lot No. _____, and known by the street address: _____.

Article 4. WAIVER OF FORMAL ACTS

The Owner waives its right to require the Municipality to do any of the following before enforcing its rights under this Note:

1. To demand payment of amount due (known as Presentment).