

Fair Share Housing Center

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In the Matter of the
Application of the Township of
Haddon, County of Camden.

SUPERIOR COURT OF NEW JERSEY
Law Division, Camden County
Docket No. CAM-L-293-25

CIVIL ACTION
(Mount Laurel)

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

THIS MATTER having come before the Court via the joint request of the Township via Justin M. Strausser, Esq. (of The Platt Law Group P.C.), as well as Fair Share Housing Center, via counsel Laura S. Smith-Denker, Esq. (on behalf of Fair Share Housing Center), seeking a certification of compliance with the Fair Housing Act ("FHA"); and

WHEREAS, the Township of Haddon (the "Township" or "Haddon") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a Fourth Round declaratory judgment action on January 29, 2025; and

WHEREAS, the above-named parties having previously

presented a consent order to the Court which was entered on January 15, 2026, and which consent order is incorporated herein by reference; and

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

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

WHEREAS, no other interested-party filed a challenge by the August 31, 2025 statutory deadline or any other communication in the matter; and

WHEREAS, the Court having reviewed the Township's 2025 HEFSP, 2026 HEFSP Amendment, attachments, and implementing ordinances and resolutions, incorporating therein any changes from the Court's prior order(s) and determined that they meet the "objective standard" and are in compliance with the Fair Housing Act and the Mount Laurel doctrine so long as the conditions set forth in this order are met; and

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

IT IS on this 20th day of April,

2026, **ORDERED** as follows:

1. The Township's Fourth Round 2025 HEFSP, 2026 HEFSP Amendment, attachments, and applicable implementing ordinances and resolutions, collectively referenced at SCHEDULE-1 hereto as Exhibit P-1 through Exhibit P-7 (inclusive) and herein as the "Implementing Ordinances & Resolutions", are hereby admitted into evidence and entered into the record.
2. Subject to the satisfaction of the Conditions of this Order and the deadlines established therein, the Township of Haddon's Fourth Round 2025 HEFSP as amended by the 2026 HEFSP Amendment (Exhibit P-1 and P-3) are hereby approved and deemed to meet the "objective standard" pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) of complying with the Fair Housing Act and the Mount Laurel doctrine and the Township is granted a Fourth Round Compliance Certification as to its Fourth Round Rehabilitation Obligation ("Present Need"), its Prior Round Obligation (1987-1999), its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and its Fourth Round Prospective Need Obligation pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et seq.) ("FHA"), the Uniform Housing Affordability Controls

(N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing (hereinafter "COAH") substantive rules, and Mount Laurel case law, including the New Jersey Supreme Court's Mount Laurel IV decision.

3. The Township's Compliance Certification shall remain in effect for ten (10) years beginning on July 1, 2025 and ending on June 30, 2035, and during this ten (10) year period the Township shall have repose from exclusionary zoning litigation, including, but not limited to, Builder's Remedy lawsuits, as provided for in the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. The Township's Compliance Certification shall remain subject, however, to possible revocation or other Order of the Court that it does or may hereafter issue, on notice of motion to the Township and all interested parties and good cause shown, at any time during the pendency of the Fourth Round Housing cycle.
4. As per the Township's Fourth Round HEFSP (as amended) and earlier court orders, the Township's Fourth Round Present Need or Rehabilitation Obligation is 35, the Township's Prior Round Obligation (1987-1999) is 35, the Township's Third Round Obligation (1999-2025) is 198, and the Township's Fourth Round Prospective Need (2025-2035) is 69.

5. The Township will address its Fourth Round Present Need/Rehabilitation Obligation via continued participation in the Camden County Home Improvement Program.
6. The Township's Prior Round Obligation is 35 and has been met with the following completed compliance mechanisms:

Mechanism	Type	Units	Bonus	Total
Rohrer Towers II, 100 senior affordable units, capped at 8	Senior rentals	8	-	8
Albertson Village (Rose Hill)	Family rentals	8	8	16
Haddon Towne Center (Fieldstone) 10 of 25 affordable units	Family rentals	10	1	11
TOTAL		26	9	35

7. The Township's Third Round Obligation is 198 and shall be met with the following mechanisms:

Mechanism	Type	Units	Bonus	Total
Rohrer Towers II - 45 senior rentals, pre-1986, not counted for Third Rd settlement purposes	Senior rentals	-	-	-
Coles Landing - completed	Senior rentals	49, cap	-	49
Haddon Towne Center (Fieldstone) (15 of 25, bal.) - completed	Family rentals	15	15	30
Old Thriftway/Crystal Lake mixed-use redevelopment, 15% setaside - prop.	Family rentals	25	25	50
Wells Fargo/600 Cuthbert redevelopment, 15% setaside - prop.	Family rentals	18	10, cap	28
TOTAL		107	50	157
<i>Balance of 41 to be satisfied via other mechanisms as described in the Fourth Round HEFSP Amendment including the adopted Haddon Ave Overlay and Development Fee Ordinances and in term #10 of this Consent Order including the adopted Mandatory Affordable Housing Setaside Ordinance..</i>				

8. The Township's Fourth Round Prospective Need Obligation of 69 is adjusted through a Vacant Land Adjustment ("VLA"), yielding a Realistic Development Potential ("RDP") of 5 and an Unmet Need of 64.

9. The Township's Fourth Round RDP of 5 shall be met with the following mechanisms:

Haddon Township Fourth Round Compliance Mechanisms (RDP = 5)	Credits	Bonuses	Total
Coles Landing – afford senior rental (1 of 8 bal., of 57, capped)	1	.	1
Proposed Market-to-Affordable Program – afford family rentals	3	1, cap	4
Total	4	1	5

10. The Township's Fourth Round Unmet Need of 64 shall be met with the following mechanisms:

- Mandatory Affordable Housing Set-aside ordinance that requires a 20% affordable housing set-aside for any multi-family development created through any municipal rezoning, Zoning Board action, variance from use and/or density standards, redevelopment plan, or rehabilitation plan that provide for densities at or above six (6) units per acre.
- Overlay zoning for inclusionary development:
 - i. Westmont Plaza (Block 13.03, Lot 1) at 20 du/ac with a 20% set aside for affordable housing.
 - ii. Haddon Commons (Block 11.01, Lots 1, 1.01, 2 and 3) at 15 du/ac with a 20% set aside for affordable housing.
- Zoning amendments that impose a development fee consistent with N.J.A.C. 5:93-8.

11. The Township and FSHC agree that the following conditions remain to be met after the Court's grant of Fourth Round Compliance Certification:

- Old Thriftway/Crystal Lake redevelopment: The Township will provide the executed redeveloper agreement by April 17, 2026 and the adopted redevelopment plan by June 15, 2026. The Township will provide the recorded affordability controls within thirty (30) days of the Township's receipt of same.
- Wells Fargo/600 Cuthbert redevelopment: The Township will draft the redevelopment plan and redeveloper agreement by June 15, 2026 and provide the adopted/executed redevelopment plan and redeveloper agreement by September 15, 2026. The Township will provide the recorded affordability controls within thirty (30) days of the Township's receipt of same.
- Market-to-affordable program: the Township will adopt the market-to-affordable program manual within ninety (90) days.
- Administrative manuals: the Township will submit updated general for-sale and rental administrative manuals within 90 days after publication of model manuals by either AHPNJ or HMFA.

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

- The Township by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all development fees and any other payments into its trust fund that have been collected including residential and non-residential development fees, along with the current balance in the municipality's affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1st to December 31st.
- The Township by February 15, 2026, and annually, shall provide the Department of Community Affairs with an up-to-date municipal status report based on its collection and publication of information concerning the number affordable of housing units actually constructed, construction starts, certificates of occupancy granted, the start and expiration dates of deed restrictions, and residential and non-residential development fees collected and expended, including purposes and amounts of such expenditures, along with the current balance in the municipality's affordable

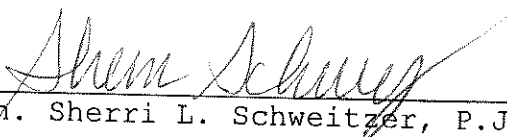
housing trust funds. With respect to units actually constructed, the information shall specify the characteristics of the housing, including housing type, tenure, affordability level, number of bedrooms, date and expiration of affordability controls, and whether occupancy is reserved for families, senior citizens, or other special populations.

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


13. The Court shall retain jurisdiction for the purpose of enforcing the terms and conditions of this Certification of

Compliance and Repose and the Township's adopted Fourth Round HEFSP.


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


Hon. Sherri L. Schweitzer, P.J.Ch.

On behalf of the Township of Haddon:


Justin M. Strausser, Esq.

On behalf of Fair Share Housing Center:


Laura S. Smith-Denker, Esq.

TOWNSHIP OF HADDON
DOCKET NO. CAM-L-293-25

SCHEDULE 1

<u>DOCUMENT NAME (EXHIBIT P-#)</u>	<u>DATE ULOADED ON eCOURTS</u>
Housing Element and Fair Share Plan (P-1)	June 6, 2025
Township Resolution 2025-077 Endorsing Housing Element and Fair Share Plan (P-2)	June 26, 2025
Housing Element and Fair Share Plan 2026 Fourth Round Plan Amendment and Township Planning and Zoning Board Resolution 2026-PB-01 Adopting Amendment (P-3)	March 6, 2026
Township Ordinance No. 1479 Affordable Housing and Development Fee Ordinance (P-4)	March 13, 2026
Township Ordinance No. 1480 Amending Land Use and Development by Rezoning And Adopting Inclusionary Affordable Housing Overlay District (P-5)	March 13, 2026
Township Resolution 2026-040 Adopting Affirmative Market Plan (P-6)	March 13, 2026
Township Resolution 2026-39 Endorsing the 2026 Housing and Fair Share Plan Amendment to the Township's Master Plan (P-7)	March 13, 2026