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March 13, 2026

VIA ECOURTS
Honorable John C. Porto, P. J. Cv.
Burlington County Superior Court
49 Rancocas Road
6 Mount Holly, New Jersey 08060

RE: In the Matter of the Application of the Township of Middle
Docket No.: CPM-L-40-25

Dear Judge Porto:

On behalf of the Township of Middle ("Township" or "Middle"), please be advised as follows. On March 6, 2026, this Court entered a Consent Order ("the Order") recommending approval of the Township's Housing Element and Fair Share Plan subject to various conditions. The Township has satisfied each of these conditions, as noted herein.

First, the Order requires the Township to provide a Zoning Board approval for SDK Properties. Attached please find that resolution. See Exhibit 1.

Second, the Order requires the Township to provide a Rehabilitation Program Manual. Attached please find a resolution adopting such a manual as well as the manual. See Exhibit 2.

Third, the Order requires the Township to provide an affordability assistance manual. Attached please find a resolution adopting such a manual as well as the manual. See Exhibit 3.

Fourth, the Order requires the Township to provide a Spending Plan that complies with N.J.A.C. 5:99. Attached please find a resolution adopting a Spending Plan that complies with N.J.A.C. 5:99 as well as the Spending Plan. See Exhibit 4.

Finally, the order provides that "[t]he Township will update 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.

As to this final requirement, the Township adopted the following ordinances:

ORDINANCE 1735-26 – AN ORDINANCE OF THE TOWNSHIP OF MIDDLE TO REPEAL AND REPLACE CHAPTER 116 "DEVELOPMENT FEES" AND TO AMEND CHAPTER 250 "ZONING" TO REPLACE ARTICLE VIII "AFFORDABLE HOUSING" WITH REVISED REGULATIONS IN CONFORMANCE WITH THE AMENDED FAIR HOUSING ACT. See Exhibit 5.

In addition, the Township adopted the following resolutions into those referenced above:

1. RESOLUTION - ADOPTING THE AFFIRMATIVE MARKETING PLAN PREPARED BY TRIAD ASSOCIATES. See Exhibit 6.

2. RESOLUTION - ADOPTING AN OPERATING MANUAL PREPARED BY TRIAD. See Exhibit 7.

3. RESOLUTION - OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLE STATING ITS INTENT TO BOND OR TAKE SUCH OTHER STEPS AS MAY BE NECESSARY TO FULLY FUND ITS HOUSING ELEMENT AND FAIR SHARE PLAN. See Exhibit 8.

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: All Attorneys of Counsel (via ecourts)

Exhibit 1

RESOLUTION #252308

ZONING BOARD OF ADJUSTMENT, TOWNSHIP OF MIDDLE
COUNTY OF CAPE MAY, STATE OF NEW JERSEY

WHEREAS, the Middle Township Zoning Board of Adjustment conducted a regular meeting on June 12, 2025; and

WHEREAS, at that meeting the Middle Township Zoning Board of Adjustment heard and considered the application of the SDK Properties, LLC (the "Applicant"), the owner of the properties located at 15 Johnstown Lane and 1101 Route 9 South, a/k/a Block 355.01, Lots 6 and 7 (the "Subject Property"), seeking preliminary major site plan approval, a D(1) use variance, a D(4) floor area ratio variance (a maximum floor area of 0.20 is permitted whereas 0.31 is proposed), a D(5) density variance (4.0 dwellings per acre are permitted whereas 8.09 dwellings per acre are proposed), 'C' variance relief in relation to maximum front yard setback – Town Business Zone (25ft. is permitted whereas 26.5ft. is proposed), minimum side yard setback – Residential Zone (50ft. is permitted whereas 30ft. is proposed), minimum landscape buffer – Residential Zone (25ft is permitted whereas 10.5ft. is proposed), and waivers for not providing one (1) shade tree per thirty (30) linear feet of perimeter paving, for providing ten (10) parking spaces in a row without a landscape divider, from providing a loading zone, from providing an environmental impact and assessment report, and from providing a community impact statement, in order to develop a forty-eight (48) unit townhome and a twelve (12) unit apartment complex; and

WHEREAS, the Applicant has complied with the requirements of the Municipal Land Use Act and the procedural requirements of the Middle Township Zoning Board of Adjustment in order to prosecute this application; and

WHEREAS, at the June 12, 2025 meeting, the Middle Township Zoning Board of Adjustment carefully considered the application submitted as well as the following testimony and evidence:

1. The Applicant was represented by Andrew Catanese, Esquire.
2. Mr. Catanese outlined the nature of the application and the requested relief.
3. The Subject Property is located at 15 Johnstown Lane and 1101 Route 9 South, a/k/a Block 355.01, Lots 6 and 7.
4. The Subject Property is partially located in the Township's TB (Town Business) zoning district and partially in the Township's R (Residential) zoning district.
5. The Subject Property is an existing vacant parcel of land.

6. The Applicant is seeking approval to construct a sixty (60) unit residential development, consisting of forty-eight (48) townhomes and twelve (12) apartments.
7. The Applicant is requesting preliminary major site plan approval, a D(1) use variance, a D(4) floor area ratio variance, a D(5) density variance, 'C' variance relief, and waivers.
8. In connection with this application, the Board received the following plans, which are incorporated herein as fact
    a. Site Plans prepared by Schaeffer Nassar Scheidegg Consulting Engineers, LLC, consisting of ten (10) sheets, dated December 23, 2024; and
    b. Architectural Plans prepared by Kimmel Bogrette Architecture + Site, Inc., consisting of seven (7) sheets, dated May 27, 2025.
9. In addition, the Applicant introduced the following exhibits, which were received by the Board, and which are incorporated herein as fact:
    a. Exhibit A-1: A color rendering of the proposed site plan; and
    b. Exhibit A-2: An aerial photograph of the Subject Property and surrounding neighborhood.
10. Mr. Catanese advised the Board that the Applicant's proposal is a much less intense use than what is otherwise permitted in the TB zone.
11. He acknowledged that that the development proposes a density which is greater than that which is permitted in the R zone; however, he argued that the proposal amounts to a better zoning alternative for the site and will provide affordable housing units within the Township.
12. Joseph Horan, R.A, appeared before the Board on behalf of the Applicant. Mr. Horan was accepted by the Board as an expert in the field of architecture and he was placed under oath and testified before the Board.
13. Mr. Horan reviewed the architectural plans associated with the proposed development and the individual townhome and apartment-style units.
14. He advised the Board that the apartment units will be separate from the townhomes and will consist of residential flat style units located in a two-story building.
15. Mr. Horan reviewed the proposed apartment floor plans for the benefit of the Board.
16. He advised the Board that the first-floor units will contain a living room, dining room, and kitchen with two (2) bedrooms located in the rear.
17. The second-floor units will have a similar open floor plan and will also contain two (2) bedrooms.
18. Mr. Horan noted that alternate floor plans are available with designs for one (1) bedroom or three (3) bedrooms.
19. Mr. Horan testified that the apartment units will be designated as affordable housing units.

20. A total of forty-eight (48) townhome units are also proposed within the development located within eight (8) individual buildings.
21. Mr. Horan informed the Board that the townhomes are two and a half (2.5) story units with an open floor plan on the first floor and three (3) bedrooms on the second floor.
22. Mr. Horan discussed the architectural features of the proposed townhomes.
23. He indicated that none of the proposed buildings exceed the maximum building height of 35ft. The proposed townhomes will be built to a height 33ft. and the apartments to 29ft.
24. Mr. Horan testified that all of the proposed units comply with design guidelines outlined within § 250-635 and 250-636 of the Township Code.
25. The buildings will be constructed using alternating materials/colors, varying rooflines, and gable and shed dormers to ensure that a desirable visual environment is provided.
26. He further testified the units will all be similar in appearance but each will be unique.
27. Andrew Schaeffer, P.E., P.P., from Schaeffer Nassar Scheidegg Consulting Engineers, LLC, appeared before the Board on behalf of the Applicant. Mr. Schaeffer was accepted by the Board as an expert in the fields of engineering and land planning, and he was placed under oath and testified before the Board.
28. Mr. Schaeffer reviewed the aerial photograph marked as Exhibit A-2 and he discussed the development within the surrounding area, noting that it primarily consists of residential dwellings.
29. He confirmed the front portion of the Subject Property is located in the TB (Town Business) zoning district and the rear portion is located in the R (Residential) zoning district.
30. Mr. Schaeffer testified Johnstown Lane is proposed to be widened in connection with the Applicant's proposal, and sidewalks will be installed which will benefit the neighborhood.
31. He confirmed that the development consists of a total of sixty (60) residential units, comprised of forty-eight (48) townhomes and twelve (12) apartments.
32. He opined that all proposed structures comply with the applicable design guidelines.
33. Mr. Schaeffer testified there will be a large open space in the front yard adjacent to US Route 9 in an effort to maintain consistency with the setback requirements of the R (residential) zoning district.
34. Mr. Schaeffer testified the goal was to keep homes away from US Route 9.
35. He noted that the structures exceed minimum side yard setback requirements and maintain the required minimum distance between structures.
36. Stormwater management basins are proposed within the front yard; however, Mr. Schaeffer testified that they were designed to be larger than required in order to reduce the required depth to blend them into the topography.

37. Mr. Schaeffer testified that three (3) off-street parking spaces are provided per townhome, which exceeds the minimum off-street parking required.
38. He indicated that apartment parking will be provided in front of the apartment structure which complies with the minimum parking required. In addition, guest parking is provided throughout the development.
39. The proposed development is consistent with the residential development in the surrounding neighborhood.
40. Mr. Schaeffer testified there is a twenty-four (24) unit townhome development located to the North which is also within the TB zone.
41. Mr. Schaeffer confirmed the variances and relief sought in connection with the application.
42. He noted that the proposed development is well below permitted lot and building coverages which supports the fact that the Applicant is not seeking to overdevelop the site.
43. Mr. Schaeffer testified that the TB zone allows for much more intense uses than what is proposed by the Applicant.
44. Mr. Schaeffer opined that a commercial use at the Subject Property would have a detrimental impact on the existing residential uses that exist in the immediate area. Traffic would increase and parking in the neighborhood would become more difficult.
45. With respect to the requested use variance, Mr. Schaeffer opined that the fact that the Subject Property is located in two (2) zoning districts, and the fact that minimal variance relief is required supports the fact that the site is particularly suited given the location and adjacent residential development.
46. With respect to the floor area ratio variance, Mr. Schaeffer reiterated that the proposal does not seek to overdevelop the site, the proposed residential structures conform to applicable design guidelines, and the increased floor area ratio will have no impact on neighboring properties.
47. With respect to the density variance, Mr. Schaeffer opined that the permitted density is calculated using the size of the entire site, and the split zoning situation is what triggers the need for variance relief as the residential zone permits a density of 12 du/ac whereas the proposed development is well below.
48. Mr. Schaeffer further opined the property can accommodate the increase in density.
49. Mr. Schaeffer opined that several of the purposes of zoning, outlined within N.J.S.A. 40:55D-2, are advanced in connection with this application and support the relief sought by the Applicant as it:
    a. Encourages municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;

c. Provides adequate light, air and open space;

e. Promotes the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;

g. Provides sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; and

i. Promotes a desirable visual environment through creative development techniques and good civic design and arrangement.

50. Mr. Schaeffer testified there is a need for residential housing in the Township.

51. He advised the Board that the Subject Property would not be appropriate for commercial development given the fact that it is located a significant distance from the main TB zone, it is adjacent to primarily residential uses, and it is unlikely to be developed with a commercial use.

52. Mr. Schaeffer further opined that the Applicant's proposal presents no substantial detriments to the public good nor will it impair the intent or purpose of the Township's zone plan or zoning ordinance.

53. In response to a question posed by the Board, Mr. Schaeffer testified that access to the development was designed to line up with the neighboring Pharmacy's driveway to ensure consistency with recognized traffic safety standards.

54. In response to a question posed by the Board, Mr. Schaeffer testified the townhomes will store trash/recycling within garages, and collection will take place once a week.

55. He indicated that the apartment units will have a dedicated trash enclosure for their use.

56. Mr. Schaeffer testified the landscape buffer variance is sought to allow for a 6ft. fence and to facilitate additional landscaping.

57. In response to a Board question, Mr. Schaeffer confirmed that the entire site will be landscaped.

58. The Subject Property will be serviced by public sewer and water which will be extended down Johnstown Lane.

59. The Board received a review memorandum prepared by Board Engineer Vincent C. Orlando, P.E., P.P., L.L.A., C.M.E. of Engineering Design Associates, P.A., dated June 11, 2025, which was received by the Board, and which is incorporated herein as fact. As a condition of approval, the Applicant will comply with the comments and conditions outlined in Mr. Orlando's report.

60. Mr. Orlando confirmed the relief sought by the Applicant.

61. Mr. Orlando indicated that the Applicant must provide an 8.5ft. wide right-of-way dedication along Johnstown Lane to facilitate increasing the width of the public right-of-way.
62. Mr. Orlando discussed the landscape plan proposed for the property and indicated that additional plantings will be required.
63. He further noted the sidewalks should be revised at all locations of parking areas to provide safe access for pedestrians to navigate from vehicles to the sidewalk.
64. He advised the Applicant that additional lighting must be added to the parking areas.
65. Mr. Orlando discussed the stormwater design and revisions that need to be made to the overall design to improve functionality.
66. Mr. Orlando reviewed the waivers requested by the Applicant, and he indicated that he took no exception to same.
67. At the conclusion of the Applicant's presentation the Meeting was opened to the public for comment. Five (5) individuals addressed the Board, namely:
    a. Tony Anzelone, owner of the property located at 1102 Route 9 South appeared, and he was placed under oath to testify before the Board. Mr. Anzelone indicated that he was in favor of the Applicant's proposal. Mr. Anzelone indicated that the Subject Property could have been developed with a large retail store without the need for variance relief which would have a detrimental impact on the neighborhood. He advised the Board that he prefers the proposal to develop the Subject Property with a residential use rather than a commercial use. He indicated that the Applicant's proposal also provides housing in a municipality where it is desperately needed.
    b. Robert Taylor, owner of the property located at 12 Johnstown Lane appeared, and he was placed under oath to testify before the Board. Mr. Taylor indicated that he was concerned about the sidewalk in front of his house due to the changing grade. He indicated that he was not opposed to the development.
    c. Wendy Jones, owner of the property located at 19 Johnstown Lane appeared, and she was placed under oath to testify before the Board. Ms. Jones indicated that she wants more landscaping on the project and a fence to be erected along the western property line.
    d. Ernest South, owner of the property located at 19 Johnstown Lane appeared, and he was placed under oath to testify before the Board. Mr. South indicated he was opposed to the Applicant's proposal. Mr. South questioned the location of the sidewalk and the road widening that will occur on the south side of the

property. He contended that the Applicant's proposal amounted to an overdevelopment of the site.

e. Scott Reef, owner of the property located at 1037 Route 9 South appeared, and he was placed under oath to testify before the Board. Mr. Reef indicated he was in favor of the project. He opined that there is a need for housing in Middle Township, and he prefers residential rather than commercial.

68. No additional members of the public spoke out in favor or against the application. Accordingly, the public portion of this application was closed.

WHEREAS, the Board, after hearing the testimony and reviewing the application and evidence submitted, made the following findings of fact and conclusions of law:

1. The Applicant is the owner of the Subject Property and has standing to come before the Board.
2. The taxes are current on the Subject Property and the notice requirements have been satisfied by the Applicant.
3. The Applicant was represented by Andrew Catanese, Esquire.
4. The Subject Property is located at 15 Johnstown Lane/ 1101 Route 9 South, a/k/a Block 355.01, Lots 6 and 7.
5. The Subject Property is a vacant parcel partially located in the TB (Town Business) and R (Residential) zoning districts. The front portion lies in the TB zone, while the rear portion is in the R zone.
6. The Applicant is proposing to develop a forty-eight (48) unit townhouse and twelve (12) residential apartments that will be designated as affordable housing units.
7. The Applicant is requesting preliminary major site plan approval, a D(1) use variance, D(4) floor area ratio variance, D(5) density variance, 'C' variance relief, and associated waivers.
8. The following plans were received by the Board:
   a. Site Plans prepared by Schaeffer Nassar Scheidegg Consulting Engineers, LLC, consisting of ten (10) sheets, dated December 23, 2024; and
   b. Architectural Plans prepared by Kimmel Bogrette Architecture + Site, Inc., consisting of seven (7) sheets, dated May 27, 2025.
9. The Applicant introduced two (2) exhibits:
   a. Exhibit A-1: A color rendering of the proposed site plan; and
   b. Exhibit A-2: An aerial photograph of the Subject Property and surrounding neighborhood.

10. Joseph Horan, R.A. appeared on behalf of the Applicant, and he provided testimony in relation to the proposed architectural plans and the overall design of the structures and development.
11. The proposed townhomes and apartment units conform to the applicable design guidelines outlined within § 250-635 and 250-636 of the Township Code.
12. All buildings meet height restrictions and feature varying materials, rooflines, and architectural elements.
13. The units are similar in appearance; however, each is unique in its own way.
14. The proposed apartments will be designated as affordable housing units and will be deed restricted accordingly.
15. The apartment units are designed as one-story residential flat units.
16. The apartments have similar floor plans; however, alternate designs will be provided for apartments containing one (1) bedroom and three (3) bedroom, subject to demand and design preferences.
17. The townhomes are two-and-a-half stories and each will contain three (3) bedrooms.
18. The site exceeds the minimum off-street parking requirements.
19. Andrew Schaeffer, PE, PP, from Schaeffer Nassar Scheidegg Consulting Engineers, LLC, also appeared on behalf of the Applicant, and he provided testimony in relation to the design of the proposed site plan and in support of the requested variance relief.
20. Mr. Schaeffer discussed the roadwork that will be done, including the widening of roads and the addition of a sidewalk.
21. He confirmed the proposed building on the Subject Property and explained design standards were met.
22. Stormwater management improvements are designed to integrate with existing infrastructure.
23. The proposed density and design are consistent with surrounding residential uses and compatible with the character of the neighborhood.
24. He provided justification in support of the requested variance relief.
25. There is a need for the housing in the Township, and this development will help to address that need.
26. He opined that the Applicant's proposal presents no substantial detriments to the public good nor will it impair the intent or purpose of the Township's zone plan or zoning ordinance
27. The Board found Mr. Schaeffer's testimony to be credible and persuasive.
28. Public comment was received from five (5) individuals.

29. The Board finds that the requested variances, waivers, and preliminary major site plan approval satisfy the statutory criteria under N.J.S.A. 40:55D-70 and other applicable laws.
30. The proposed development advances several purposes of zoning, including promoting a desirable visual environment, providing adequate housing, and encouraging appropriate land use.
31. The Board specifically finds that the Subject Property is particularly suited to accommodate the proposed residential development notwithstanding the fact that the Subject Property is split zoned.
32. A commercial use would be incompatible with the existing neighborhood.
33. The Board further finds that the floor area ratio and density variances are justified by the site's capacity to handle the proposed development without adverse impacts on neighboring properties or municipal zoning plans.
34. The 'C' variance and waivers facilitate better site design, landscaping, and pedestrian safety without detriment to the public good.
35. The Board finds that the benefits of granting the relief sought by the Applicant outweigh any potential detriments to the public, and that there are no substantial detriments to the intent or purpose of the zoning ordinance or zone plan.
36. The Board also finds that the Applicant has adequately addressed the requirements and applicable criteria associated with preliminary and final major approval and is therefore entitled to same.

WHEREAS, the Middle Township Planning Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and zoning ordinance;

WHEREAS, this Resolution is intended to memorialize the foregoing findings and conclusions made by the Board during its June 12, 2025, regularly scheduled meeting.

NOW THEREFORE, BE IT RESOLVED by the Middle Township Planning Board on this 10th day of July, 2025, that the application of SDK Properties, LLC, the owner of the properties located at 15 Johnstown Lane and 1101 Route 9 South, a/k/a Block 355.01, Lots 6 and 7, seeking preliminary major site plan approval, a D(1) use variance, a D(4) floor area ratio variance (a maximum floor area of 0.20 is permitted whereas 0.31 is proposed), a D(5) density variance (4.0 dwellings per acre are permitted whereas 8.09 dwellings per acre are proposed), 'C' variance relief in relation to maximum front yard setback – Town Business Zone (25ft. is permitted whereas 26.5ft. is proposed), minimum side yard setback – Residential Zone (50ft. is permitted whereas 30ft. is proposed), minimum landscape buffer – Residential Zone (25ft is permitted whereas 10.5ft. is proposed), and waivers for not providing one (1) shade tree per thirty (30) linear feet of perimeter

paving, for providing ten (10) parking spaces in a row without a landscape divider, from providing a loading zone, from providing an environmental impact and assessment report, and from providing a community impact statement, in order to develop a forty-eight (48) unit townhome and a twelve (12) unit apartment complex, is hereby granted, subject to the following terms and conditions:

1. All development shall be in accordance with the plans filed in connection with this Application.
2. The Applicant shall comply with and obtain any and all other governmental approvals required in connection with this project including, but not limited to, local, county, state and federal approvals.
3. The Applicant will comply with the comments and conditions outlined within Mr. Orlando's report.
4. The Applicant shall comply with all zoning, building, and construction ordinances and codes.
5. The Applicant shall submit four (4) copies of revised/final plans, as appropriate, to the Board Secretary and digital copies of all revised plans for review and approval prior to obtaining permits.
6. The discretion of the Middle Township Zoning Officer, the Township reserves the right to require the Applicant to obtain and submit an 'as-built' survey upon completion of development and/or construction evidencing the exact location and height of structures to ensure said development is completed in accordance with the plans submitted and the resolution approved by the Board and as a condition of the issuance of a certificate of occupancy.
7. All plans, exhibits and testimony presented to the Board in support of this application are hereby incorporated by the Board and relied upon in the entry of this decision.
8. As an essential and non-severable condition of this approval, the Applicant shall comply with all affordable housing obligations including but not limited to those created by the Statewide Non-residential Development Fee Act, signed into law in July of 2008 (N.J.S.A. 40:55D-8.1 et seq.).
9. Agreement by the Applicant to specific items not contained within the Resolution, which are otherwise set forth in the application, or which are contained within the record of the hearing of the application, are adopted by reference even though not set forth herein at length.
10. A copy of this Resolution shall be supplied to the Applicant and filed with the Township Clerk.

11. Notice of this decision shall be published in the official newspaper of the municipality by the secretary of the Board.
12. The Resolution shall take effect immediately subject to Applicant's compliance with the conditions set forth herein.

The following members of the Planning Board of the Township of Middle were present and participated in the vote at the June 12, 2025, meeting: T. Repici, C. Brown, W. Crowther, A. Markle, C. Fitzmartin, K. Banks, K. Wuerker.

Presented by: C. Brown

Seconded by: T. Repici

The foregoing Memorializing Resolution was passed by the Planning Board of the Township of Middle at a meeting held on July 10, 2025. It memorializes a decision the Board reached on June 12, 2025.

Rachel Shepherd, Board Secretary
Middle Township Planning Board

Exhibit 2

TOWNSHIP OF MIDDLE
COUNTY OF CAPE MAY
STATE OF NEW JERSEY

RESOLUTION
135-26

Subject: ADOPTING THE AFFORDABLE HOUSING TRUST FUNDS OWNER-OCCUPIED AND RENTAL REHABILITATION MANUAL PREPARED BY TRIAD ASSOCIATES
Introduced By: Committeeman Gandy Seconded By: Committeeman Norris
Vote – Aye: Committeeman Gandy, Committeeman Norris, Mayor Leusner
Nay:

WHEREAS, the Township of Middle ("Township") is required to administer its Affordable Housing Trust Funds in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., applicable Court Orders, and the Township's Court-approved Housing Element and Fair Share Plan; and

WHEREAS, the proper administration of Affordable Housing Trust Funds includes the establishment of clear written policies governing eligibility, program procedures, income verification, rehabilitation standards, and compliance requirements for both owner-occupied and rental rehabilitation activities; and

WHEREAS, Triad Associates, the Township's affordable housing consultant, has prepared a comprehensive document for the rehab of for-sale units occupied by low or moderate income households and a comprehensive document for rental units occupied by low or moderate income households (hereinafter collectively "the Manual"), outlining the policies, procedures, and administrative protocols necessary to implement the Township's rehabilitation programs in accordance with State law and regulatory requirements; and

WHEREAS, the Township Committee finds that the Manual is in the best interest of the Township, ensures compliance with affordable housing requirements, and provides a clear operational framework for the administration of the rehabilitation programs funded by the Township's Affordable Housing Trust Fund; and

WHEREAS, the Township Committee desires to formally adopt the Manual and authorize its use by Township officials, staff, and designated administrative agents.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle, County of Cape May, State of New Jersey, as follows:

1. The Township Committee hereby adopts the Owner-Occupied and Rental Rehabilitation Manuals, as prepared by Triad Associates for use in administering the Township's rehabilitation programs.
2. The Township Committee hereby authorizes the Township Administrator, Municipal Housing Liaison, and the Township's Administrative Agent to implement the policies and procedures contained in said Manual.
3. The Manual may be amended from time to time to ensure continued compliance with State regulations, Court Orders, and Township procedures, provided such amendments are approved by the Township Committee.
4. This Resolution shall take effect immediately upon adoption.

I, Kimberly D. Osmundsen, Township Clerk of the Township of Middle, Cape May County, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting of said Middle Township Committee, held on March 11, 2026 and said Resolution was adopted by not less than a two-thirds vote of the members of the Township Committee.

Witness my hand and seal of
the Township of Middle, this
11th day of March, 2026

Kimberly D. Osmundsen, Township Clerk

OPERATING MANUAL
For the Administration of the AFFORDABLE HOUSING OWNER and RENTAL REHABILITATION PROGRAM

In Accordance with the Uniform Housing Affordability Controls

FEBRUARY 2026

Prepared by

TRIAD ASSOCIATES

CELEBRATING OVER $1.5 BILLION IN FUNDING SECURED

INTRODUCTION

This Housing Rehabilitation Program Operating Manual has been prepared to assist in the administration of the Middle Township Housing Rehabilitation Program. It will serve as a guide to the program staff and applicants.

This manual describes the basic content and operation of the program, examines program purposes and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the rehabilitation process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, cost estimating, contract payments, record keeping and overall program administration.

The Housing Rehabilitation Program will be administered by the Middle Township and their Housing Rehabilitation Program Consultant for Owner-Occupied and Rental Rehabilitation.

The following represents the procedures developed to offer an applicant the opportunity to apply for the program.

A. Fair Housing and Equal Housing Opportunities

EQUAL HOUSING OPPORTUNITY

It is unlawful to discriminate against any person making application to participate in the rehabilitation program or rent a unit regarding race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments. For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division on Civil Rights at 1-866-405-3050 or http://www.state.nj.us/lps/dcr/index.html.

ELIGIBLE PARTICIPANTS

A. Categories of Participants

Owner-occupied housing units are eligible to receive funding for rehabilitation provided that the occupants of the units are determined to be low- or moderate-income households and that the units are determined to be substandard.

B. Income Limits for Participation

The occupants of the units must have incomes that now fall within the income guidelines established for the *County of Cape May,* these limits are revised annually.

C. Program Area

This is a municipal-wide program. The rehabilitation property must be in the Middle Township.

D. Certification of Substandard

The purpose of the program is to bring substandard housing up to code. Substandard units are those units requiring repair or replacement of at least one major system. A major system is one of the following:

1. Roof
2. Plumbing (including wells)
3. Heating
4. Electrical
5. Sanitary plumbing (including septic systems)
6. Load bearing structural systems.
7. Lead paint abatement
8. Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors)

Code violations will be determined by an inspection conducted by a program inspector.

AVAILABLE BENEFITS

A. Program Financing

Up to $25,000 per unit may be available for improvements to eligible owner-occupied properties, the minimum average per unit rehabilitation hard costs shall be $10,000 in accordance with N.J.A.C. 5:93-5.2(h)(2). If a particular unit requires more than $25,000, the Municipality will approve on a case-by-case basis, keeping with the requirement dictating that the minimum average per unit rehabilitation hard cost shall be $10,000.

B. Owner-occupied Units – Program Financing/Program Affordability Controls

Loans will be a ten-year interest-free, deferred payment loan secured by a mortgage payable upon transfer of title. After the Five-Year Anniversary of the Loan Signing, 20% of the mortgage loan principal will be forgiven for each of the remaining five years. If the title has not transferred after ten years, the entire loan is considered forgiven.

Should an owner-occupant die before repayment of the loan, the balance of the loan which has not been forgiven, will be due at the time of settlement of the estate. However, if the household inheriting the unit is income eligible and agrees to occupy the unit or even if not income-eligible agrees to rent the unit only to income-eligible households, the terms of the funding agreement shall be transferred to the inheriting household.

If an owner-occupied housing unit is sold prior to the end of the controls on affordability, the portion of the loan which has not been forgiven, shall be recaptured and used to rehabilitate another housing unit, unless the unit is sold to a low- or moderate-income household at an affordable price.

Funding for owner-occupied units will be secured by a mortgage and mortgage note to the municipality.

C. Subordination

The **Middle Township** may agree to subordinate a loan if the mortgage company supplies an appraisal showing that the new loan plus the balance on the old loan does not exceed 95% of the appraised value of the unit.

In order for the Municipality to approve the request, the Municipality must be subordinate to no more than two loans and there must be sufficient equity in the property. Subordination requests will only be considered for the following reasons: *1) to reduce monthly mortgage payments; 2) debt consolidation; and 3) additional home improvement funds to maintain Code and/or Certificate of Occupancy Codes*.

ELIGIBLE PROPERTY IMPROVEMENTS

A. Eligible Improvements

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

At least one major system must be replaced or included in the repairs, which include one of the following:

1. Roof
2. Plumbing (including wells)
3. Heating
4. Electrical
5. Sanitary plumbing (including septic systems)
6. Load bearing structural systems
7. Lead paint abatement

8. Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors)

The related work may include, but not be limited to the following:

1. Interior trim work,
2. Interior and/or exterior doors
3. Interior and/or exterior hardware
4. Window treatment
5. Interior stair repair
6. Exterior step repair or replacement
7. Porch repair
8. Wall surface repair
9. Painting
10. Exterior rain carrying system repair

B. Ineligible Improvements

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

C. Rehabilitation Standards

Upon rehabilitation, housing deficiencies shall be corrected, and the unit shall comply with the New Jersey State Housing Code, N.J.A.C. 5:28. For construction projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode (N.J.A.C. 5:23-6). In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.

D. Certification of Standard

All code deficiencies noted in the inspection report must be corrected and rehabilitated. Units must be in compliance with the standards proscribed in sub-section C above upon the issuance of a certificate of completion or occupancy. The program inspector must certify any structure repaired as a whole or in part with rehabilitation funds to be free of any code violations.

E. Emergency Repairs

A situation relating to safety and/or health hazard for the occupants would constitute an emergency. The program inspector will confirm the need for such work. In emergency cases, the formal solicitation process will not be followed. A minimum of three (3) estimates will be obtained, when possible, for the "emergency" work. However, eligibility, as stated in Section I, subsection B, must be determined prior to

soliciting estimates. Application for additional non-emergency work may be made in accordance with the procedures outlined in this Operating Manual. The funding for the emergency work and any additional rehabilitation may not exceed the program financing provisions in Section II, sub-section A.

OVERVIEW OF ADMINISTRATIVE PROCEDURES

A. Application

Property owners interested in participating in the housing rehabilitation program may submit preliminary applications to the program staff. Preliminary applications are available at the following locations:

Middle Township
33 Mechanic Street, Cape May Court House, NJ 08210
(609) 465-8732

Upon request, the program staff will mail a preliminary application to an interested property owner.

Applications will be processed in the order of receipt. Only emergency situations shall be handled out of the order of receipt.

B. Income Eligibility and Program Certification

For the households seeking a determination of income eligibility, all wage earners 18 years of age or older in the household must submit appropriate documentation to document the household income, as further described below.

1. Copy of the deed to the property.
2. Proof that property taxes and water and sewer bills are current.
3. Proof of property insurance, including liability, fire and flood insurance where necessary.

If after reviewing the income documentation submitted an applicant is determined to be ineligible, the applicant will receive a letter delineating the reasons for the determination of ineligibility. An applicant may be determined ineligible if the applicant's income exceeds the program income limits.

The program staff will arrange for a title search of all properties entering the program.

After the initial interview and the program staff has substantiated that the occupant is income-eligible, and the title search is favorable, the Eligible Certification Form will be completed and signed

Upon confirmation of income eligibility of the applicant or the applicant's tenants, the program staff will send a letter, including the Eligible Certification Form, to the applicant certifying the applicant. Eligibility will remain valid for six months. If the applicant has not signed a contract for rehabilitation within six months of the date of the letter certifying eligibility, the applicant will be required to reapply for certification.

C. Housing Inspection/Substandard Certification

Once determined eligible, the program staff will arrange for the program inspector to inspect the entire residential property.

The program inspector will inspect the house, take photographs, and certify that at least one major system is substandard. All required repairs would be identified.

D. Ineligible Properties

If after review of the property documentation submitted and the inspection report and/or work write-up an applicant's property is determined to be ineligible, the program staff will send a letter delineating the reasons for the determination of ineligibility. An applicant's property may be determined to be ineligible for any one of the following reasons:

1. Title search is unfavorable.
2. Property does not need sufficient repairs to meet eligibility requirements.
3. Real estate taxes are in arrears.
4. Proof of property insurance not submitted.
5. Property is listed for sale.
6. Property is in foreclosure.

The **Middle Township** may disqualify properties requiring excessive repairs to meet municipal housing standards. The estimated or bid cost of repairs must exceed *50* percent of the estimated after-rehabilitation value of the property for the municipality to exclude the property.

If after reviewing the property documentation submitted and the inspection report and/or work write-up an applicant's property is determined to be eligible, the inspector will then certify that the dwelling is substandard by completing and signing the Certificate of Substandard Form and submitting this to the program staff.

E. Cost Estimate

The program inspector will prepare a Work Write-up and Cost Estimate. This estimate will include a breakdown of each major work item by category as well as by location in the house. It will contain information as to the scope and specific details on the materials to be used. A Cost Estimate will be computed and included within the program documentation. The program staff will review the Preliminary Work Write-up with the property owner. Only required repairs to units occupied by income eligible households will be funded through the housing rehabilitation program.

F. Contractor Bidding Negotiations

After the unit and the unit occupant have been certified as eligible, the program staff will provide a bid request to a list of approved, pre-qualified trade contractors for bidding. Program staff will review the proposals and provide the property owner with a list of contractors who have submitted eligible bids for the work. Eligible bids will be those that:

1. Satisfy with the specifications of the Work Write-Up
2. Have no math errors
3. Have been submitted by an eligible contractor
4. Are no more than 20% above or below the Program Cost Estimator's final cost estimate for the work, unless an exception has been recommended by the Cost Estimator and approved by the Program Director.

5. Have been submitted by a contractor who, in the opinion of the Program Director, has the ability to perform the designated tasks within a responsible period of time as is specified in the Contract documents.

The program staff and property owner will then review these bids. The lowest responsible trade contractor shall then be selected. If the property owner wishes to use a contractor other than the lowest responsible bidder, the property owner shall pay the difference between the lowest bid price and the bid price of the selected contractor. Property owners may seek proposals from non-program participating contractors. However, the Municipality must pre-approve the contractor prior to submitting a bid.

G. Contract Signing/Pre-Construction Conference

Program staff will provide the property owner with the bids to review. The program staff will then call a Pre-Construction Conference. Documents to be executed at the Pre-construction Conference include Contractors Agreement(s), Mortgage and Mortgage Note. The property owner, program staff representative and contractor will execute the appropriate documents and copies will be provided as appropriate. A staff member will outline project procedures to which property owner must adhere. A Proceed to Work Order, guaranteeing that the work will commence within fifteen (15) calendar days of the date of the conference and be totally completed within ninety (90) days from the start of work, will be issued to each contractor at this Conference.

H. Progress Inspections

The program inspector will make periodic inspections to monitor the progress of property improvements. This is necessary to ensure that the ongoing improvements are in accordance with the scope of work outlined in the work write-up. It is the contractor's responsibility to notify the Building Inspector before closing walls on plumbing and electrical improvements.

I. Change Orders

If it becomes apparent during construction that additional repairs are necessary or the described repair needs to be amended, the program inspector will inspect the areas in need of repair and prepare a change order describing the work to be done. The applicant and the contractor will review the change order with the program staff and agree on a price. Once all parties approve of the change order and agree on the price, they will sign documents amending the contract agreement to include the change order.

J. Payment Schedule

The contract will permit two payments if the project costs more than $12,000. First payment is made when the project is one-half completed. Final payment upon completion.

The contractor will submit a payment request. The applicant will sign a payment approval if both the applicant and program inspector are satisfied with the work performed. The municipality will then release the payment. Final payment will be released once all final inspections are made, a Certificate of Occupancy is issued (if applicable) and the program staff receives Lien Releases and a Property Owner Sign-off letter.

K. Resolution of Disputes/Appeal Process

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

L. Final Inspection

Upon notification by the contractor that all work is complete and where required a Certificate of Occupancy has been issued, a final inspection shall be conducted and photographs taken. The property owner and the necessary contractors shall be present at the final inspection to respond to any final punch list items.

M. Record Mortgage Documentation

Program staff will file the executed Mortgage with the County Clerk.

N. File Closing

After the final payment is made, the applicant's file will be closed by the program staff.

PROCEDURE FOR OWNER OCCUPIED INCOME-ELIGIBILITY CERTIFICATION

A. Complete a Household Eligibility Determination Form

The program staff shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify their income, pursuant to the Uniform Housing Affordability Controls at N.J.A.C. 5:80-16.1 et seq. Income verification documentation should include, but is not limited to the following for each member of a household who is 18 years of age or older:

1. 1-month (consecutive weeks) paystubs, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
2. Copies of Federal and State income tax returns for each of the preceding three tax years - A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
3. A letter or appropriate reporting form verifying monthly benefits such as
4. Social Security or SSI – Current award letter or computer printout letter
5. Unemployment – verification of Unemployment Benefits
6. Welfare -TANF[1] current award letter

[1] TANF – Temporary Assistance for Needy Families

7. Disability - Worker's compensation letter or
8. Pension income (monthly or annually) – a pension letter
9. A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court or education scholarship/stipends – current award letter.
10. 3 months of reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds (In brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates).
11. Evidence or reports of income from directly held assets, such as real estate or businesses.
12. Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
13. Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property attach copies of all leases.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

B. Income

1. Wages, salaries, tips, commissions
2. Alimony
3. Regularly scheduled overtime
4. Pensions
5. Social security
6. Unemployment compensation (verify the remaining number of weeks they are eligible to receive)
7. TANF
8. Verified regular child support
9. Disability
10. Net income from business or real estate
11. Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
12. Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate. Rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance.
13. Rent from real estate is considered income
14. Any other forms of regular income reported to the Internal Revenue Service

C. Not Income

1. Rebates or credits received under low-income energy assistance programs
2. Food stamps
3. Payments received for foster care
4. Relocation assistance benefits

5. Income of live-in attendants
6. Scholarships
7. Student loans
8. Personal property such as automobiles
9. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
10. Part-time income of dependents enrolled as full-time students
11. Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income
12. To calculate income, the current gross income of the applicant is used to project that income over the next 12 months.

D. Student Income

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35-hour workweek.

E. Records Documenting Household Composition and Circumstances

The following are various records for documenting household information:

1. Social Security records or cards. Either individual Social Security card or letter from Social Security Administration
2. Adoption papers, or legal documents showing adoption in process
3. Income tax return
4. Birth Certificate or Passport
5. Alien Registration Card

F. Income Certification

Certify the income eligibility of low- and moderate-income households by completing the application form. Provide the household with the original and keep a copy in the project files.

The complete submission of all the required documentation shall be submitted to the Program Staff within 30 days, or the applicant's application may be moved to the bottom of the selection list.

G. Appeals

Appeals from all decisions of an Administrative Agent shall be made in writing to the designated agency.

CONTRACTOR RELATED PROCEDURES

A. Contractor Selection

Contractors must apply to the program staff to be placed on the pre-approved contractors list. Contractors seeking inclusion on the list must submit references from at least three recent general contracting jobs. Contractors also must submit documentation proving financial stability. Contractors must carry workmen's compensation coverage and liability insurance of at least $100,000/$300,000 for

bodily injury or death and $50,000 for property damage. Only licensed contractors will be permitted to perform specialty work such as plumbing, heating and electrical

B. Number of Proposals Required

The approved work write-up will be submitted to the contractors by the program staff. Contractors must visit the property and submit bids within *14* days. The contract will be awarded to the lowest bidder[2], provided that the program inspector or the professional who drafted the work write-up certifies that the work can be completed at the price bid and that the bid is reasonably close to the cost estimate. Bids must fall within *20%* of the cost estimate.

C. Contractor Requirements

Upon notification of selection, the contractor shall submit all required insurance certification to the program staff. A contract signing conference will be called by the program staff to be attended by the property owner and contractor. At the time of Agreement execution, the contractor shall sign a Certification of Work Schedule prepared by the program staff.

MAINTENANCE OF RECORDS

A. Files To Be Maintained on Every Applicant

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

1. Application Form
2. Income Verification
3. Letter of Certification of Eligibility or Letter of Determination of Ineligibility

Files of applicants approved for the program will also contain the following additional documentation:

1. Housing Inspection Report
2. Photographs - Before
3. Certification of Property Eligibility or Determination of Ineligibility
4. Proof of Homeowners Insurance
5. Copy of Deed to Property

For properties determined eligible for the program where the applicants choose to continue in the program, the files shall contain the following:

1. Work Write-Up/Cost Estimate
2. Copies of Bids
3. Applicant/Contractor Contract Agreement
4. Recorded Mortgage/Lien Documents
5. Copies of All Required Permits
6. Contractor Requests for Progress Payments

[2] If the property owner wishes to use a contractor other than the lowest responsible bidder, the property owner shall pay the difference between the lowest bid price and the bid price of the selected contractor.

7. Progress Payment Inspection Reports
8. Progress Payment Vouchers
9. Change Orders (If needed)
10. Final Inspection Report
11. Photographs - After
12. Certification of Completion and Release of Contractor's Bond

B. Rehabilitation Log

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

C. Monitoring

1. For each unit the following information must be retained to be reported annually:
2. Street Address
3. Block/Lot/Unit Number
4. Owner/Renter
5. Income: Very Low/Low/Mod
6. Final Inspection Date
7. Funds expended on Hard Costs
8. Development Fees expended
9. Funds Recaptured
10. Major Systems Repaired
11. Unit Below Code & Raised to Code
12. Effective date of affordability controls
13. Length of Affordability Controls (yrs)
14. Date Affordability Controls removed
15. Reason for removal of Affordability Controls

PROGRAM MARKETING

Upon the initial implementation of the program, the municipality will market the program as follows: 1). the municipality will include flyers with the tax bills and/or water bills to property owners currently owning rental units; 2). The municipality will advertise the program in the local newspaper and the local cable station and 3). Program information will be available at the municipal building, library, and on the municipal website.

Prior to commencement of the program and periodically thereafter, the municipality will hold informational meetings on the program to all interested contractors. Each contractor will have the opportunity to apply for inclusion of the municipal contractor list.

INTRODUCTION: Rental Rehabilitation

This Rehabilitation Program Operating Manual has been prepared to assist in the administration of the **Middle Township** Rental Rehabilitation Program. It will serve as a guide to the program staff and applicants.

This manual describes the basic content and operation of the program, examines program purposes and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the rehabilitation process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, cost estimating, contract payments, record keeping and overall program administration.

The Rental Rehabilitation Program will be administered by the **Middle Township** and Triad Associates, the **Townships** Housing Rehabilitation Program Consultant. The Administrative Agent for the rental units is Triad Associates.

The following represents the procedures developed to offer an applicant the opportunity to apply to the program.

B. Fair Housing and Equal Housing Opportunities

EQUAL HOUSING OPPORTUNITY

It is unlawful to discriminate against any person making application to participate in the rehabilitation program or rent a unit with regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments. For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division on Civil Rights at 1-866-405-3050 or http://www.state.nj.us/lps/dcr/index.html.

ELIGIBLE PARTICIPANTS

A. Categories of Participants

Renter-occupied housing units are eligible to receive funding for rehabilitation provided that the occupants of the units are determined to be low- or moderate-income households and that the units are determined to be substandard. Owners of rental properties do not have to be low- or moderate-income households. If a structure contains two or more units and an owner, who is not income eligible, occupies one unit funding may be provided for the rehabilitation of the rest of the units if income-eligible households occupy those units. Units that are currently vacant will be rented through the **Township** Administrative Agent. Rents must be affordable to low- or moderate-income households.

NOTE: Pursuant to N.J.A.C. 5:97-6.2(b)6 - rental units may not be excluded from a municipal rehabilitation program. If a county administers the municipal rehabilitation program and the county program does not include rehabilitation of rental units, the municipality will need to supplement the county program with its own rehabilitation program for rental units.

B. Income Limits for Participation

The occupants of the units must have incomes that now fall within the income guidelines established for the ***County of Cape May*** by the Superior Court. These limits are revised annually as figures become available and can be found in the appendices. Units that are vacant at the time of rehabilitation must be rented through the **Township(s)** Administrative Agent, Triad Associates, to a qualified applicant.

NOTE: The program will strive to provide that low-income households occupy at least 50 percent of the units rehabilitated.

C. Program Area

This is a municipal-wide program. The rehabilitation property must be located in the **Middle Township**.

D. Certification of Substandard

The purpose of the program is to bring substandard housing up to code. Substandard units are those units requiring repair or replacement of at least one major system. A major system is any one of the following:

1. Roof
2. Plumbing (including wells)
3. Heating
4. Electrical
5. Sanitary plumbing (including septic systems)
6. Load bearing structural systems
7. Lead paint abatement
8. Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors)

Code violations will be determined by an inspection conducted by a program inspector.

AVAILABLE BENEFITS

A. Program Financing

The average per unit rehabilitation costs shall be **$10,000.** The landlords are required to provide at least 50% of the **total rehabilitation costs** needed for each unit to meet the New Jersey State Housing Code, N.J.A.C. 5:28 and each unit must meet the major system repair or replacement requirement upon completion.

The maximum loan available per unit from the Township is $10,000. If a particular unit requires more than $10,000 investment the Township will review and approve on a case-by-case basis.

B. Renter-occupied Units - Program Financing/Program Affordability Controls

Eligible landlords of one-four-unit buildings may be eligible for an interest free loan which will be due if title to the property is transferred within (10) ten years of the loan date. Upon the (10) ten year loan anniversary, the full amount of the loan is forgiven. The landlords are required to provide at least 50% of the **total rehabilitation costs** needed for each unit to meet the New Jersey State Housing Code, N.J.A.C. 5:28 and each unit must meet the major system repair or replacement requirement. At the time the application is submitted, owners must submit proof of their share through bank statements, credit lines, etc. Title searches and property appraisals will be required to determine if there is sufficient equity in the property to cover the cost of the loan. The landlords will be expected to pay for the costs of the title searches and provide up to date property appraisals. In addition to the interest free loan, a ten-year deed restriction, attached to the mortgage and note, will be used to control the contract rent and ongoing tenant eligibility on rental units that receive assistance. The loan will be due upon transfer of title to the property if the property is sold within 10 years. After 10 years the lien is forgiven; however, the deed restrictions shall remain in effect for ten years from the date the units are certified as standard. There are no monthly payments. The deed restriction and mortgage documents will be recorded in the county deed book.

In situations where the non-income eligible owner(s) of eligible rental units occupies a unit in the structure to be rehabilitated, repairs to shared systems (i.e.: roof, heating, foundations, etc.) will be prorated with the owner(s) receiving no financial assistance for the owner's share.

If a unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate- income household at an affordable price and affirmatively marketed pursuant to the N.J.A.C. 5:97-9. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9.

C. Subordination

Middle Township may agree to subordinate a loan if the mortgage company supplies an appraisal showing that the new loan plus the balance on the old loan does not exceed 95% of the appraised value of the unit.

ELIGIBLE PROPERTY IMPROVEMENTS

A. Eligible Improvements

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

At least one major system must be replaced or included in the repairs, which include one of the following:

- Roof
- Plumbing (including wells)
- Heating
- Electrical
- Sanitary plumbing (including septic systems)
- Load bearing structural systems
- Lead paint abatement
- Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors)

The related work may include, but not be limited to the following:

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

B. Ineligible Improvements

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

C. Rehabilitation Standards

Upon rehabilitation, housing deficiencies shall be corrected, and the unit shall comply with the New Jersey State Housing Code, N.J.A.C. 5:28. For construction projects that require the issuance of a construction permit pursuant to the Uniform Construction Code, the unit must also comply with the requirements of the Rehabilitation Subcode (N.J.A.C. 5:23-6). In these instances, the more restrictive requirements of the New Jersey State Housing Code or the Rehabilitation Subcode shall apply. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.

D. Certification of Standard

All code deficiencies noted in the inspection report must be corrected and rehabilitated. Units must be in compliance with the standards proscribed in sub-section C above upon issuance of a certificate of completion or occupancy. The program inspector must certify any structure repaired in whole or in part with rehabilitation funds to be free of any code violations.

E. Emergency Repairs

A situation relating to a safety and/or health hazard for the occupants would constitute an emergency. A municipal inspector will confirm the need for such work. In emergency cases, the formal solicitation process will not be followed. A minimum of three (3) estimates will be obtained, when possible, for the "emergency" work. However, eligibility, as stated in Section I, subsection B, must be determined prior to soliciting estimates. Application for additional non-emergency work may be made in accordance with the procedures outlined in this Operating Manual. The funding for the emergency work and any additional rehabilitation may not exceed the program financing provisions in Section II, sub-section A.

OVERVIEW OF ADMINISTRATIVE PROCEDURES

A. Application/Interview

Property owners interested in participating in the housing rehabilitation program may submit preliminary applications to the program staff. Preliminary applications are available at the following locations:

Middle Township
33 Mechanic Street, Cape May Court House, NJ 08210
(609) 465-8732

Upon request, the program staff will mail a preliminary application to an interested property owner.

Applicants for rental rehabilitation funding must provide a list of tenants and the rents paid by each. The program staff will contact the tenants to provide evidence of income eligibility of the occupants of the units.

Applications will be processed in the order of receipt. Only emergency situations shall be handled out of the order of receipt.

B. Income Eligibility and Program Certification

Property owners of renter-occupied units must submit the following documentation:

- Copy of the deed to the property.
- Proof that property taxes and water and sewer bills are current.
- Proof of property insurance, including liability, fire and flood insurance, were necessary.

If after reviewing the income documentation submitted by the applicant's tenants, the tenant is determined to be ineligible, the applicant will receive a letter delineating the reasons for the determination of ineligibility. An applicant may be determined ineligible if each tenant's income exceeds current income limits.

The program staff will arrange for a title search of all properties entering the program.

Upon confirmation of income eligibility of the applicant's tenants, the program staff will send a letter to the applicant certifying the applicant's and or tenant's eligibility. Eligibility will remain valid for six months. If the applicant has not signed a contract for rehabilitation within six months of the date of the letter certifying eligibility, the applicant will be required to reapply for certification.

C. Housing Inspection/Substandard Certification

Once determined eligible, the program staff will arrange for a qualified program inspector to inspect the entire residential property.

The program inspector will inspect the house, take photographs, and certify that at least one major system is substandard. All required repairs would be identified.

D. Ineligible Properties

If after review of the property documentation submitted and the inspection report and/or work write-up an applicant's property is determined to be ineligible, the program staff will send a letter delineating the reasons for the determination of ineligibility. An applicant's property may be determined to be ineligible for any one of the following reasons:

- Title search is unfavorable.
- Property does not need sufficient repairs to meet eligibility requirements.
- Real estate taxes are in arrears.
- Proof of property insurance not submitted.
- Property is listed for sale.
- Property is in foreclosure.
- Total debt on the property will exceed the value of the property.

Middle Township may disqualify properties requiring excessive repairs to meet municipal housing standards. The estimated or bid cost of repairs must exceed *50* percent of the estimated after-rehabilitation value of the property for the municipality to exclude the property if after review of the property documentation submitted and the inspection report and/or work write-up an applicant's property is determined to be eligible, the inspector will then certify that the dwelling is substandard by completing and signing the Certificate of Substandard Form and submitting this to the program staff.

E. Cost Estimate

The program inspector will prepare a Work Write-up and Cost Estimate. This estimate will include a breakdown of each major work item by category as well as by location in the house. It will contain information as to the scope and specific details on the materials to be used. A Cost Estimate will be computed and included within the program documentation. The program staff will review the Preliminary Work Write-up with the property owner.

Only required repairs to units occupied by income eligible households will be funded through the housing rehabilitation program. If the property owner desires work not fundable through the program, including work on a non-eligible rental unit in a multi-unit building or improvements not covered by the program, such work may be added to the work write-up if the property owner provides funds to be deposited in the municipality's Housing Trust Fund prior to the commencement of the rehabilitation of the property equivalent to (*110 percent or a higher percentage*) of the estimated cost of the elective work. Such deposited funds not expended at the time of the issuance of a certificate of completion/occupancy will be returned to the property owner with accrued interest.

F. Contractor Bidding Negotiations

After the unit and the unit occupant have been certified as eligible, the program staff will provide bid requests to the approved contractors on bid list. The program staff and property owner will then review these bids. The lowest responsible trade contractor shall then be selected. If the property owner wishes to use a contractor other than the lowest responsible bidder, the property owner shall pay the difference between the lowest bid price and the bid price of the selected contractor.

Property owners may seek proposals from non-program participating contractors. However, the Township must pre-approve the contractor prior to submitting a bid.

G. Contract Signing/Pre-Construction Conference

Program staff will meet with the property owner to review all bids by the various trades. This review will include a Final Work Write-up and Cost Estimate. The Contractor Agreement will be prepared by the program staff, as well as the Borrower's Agreement covering all the required terms and conditions.

The program staff will then call a Pre-Construction Conference. Documents to be executed at the Pre-construction Conference include Contractors Agreement(s), a Restricted Covenant, Mortgage and Mortgage Note. The property owner, program staff representative, and contractor will execute the appropriate documents and copies will be provided as appropriate. A staff member will outline project procedures to which property owner must adhere. A Proceed to Work Order, guaranteeing that the work will commence within fifteen (15) calendar days of the date of the conference and be totally completed within ninety (90) days from the start of work, will be issued to each contractor at this Conference.

H. Progress Inspections

The program staff will make periodic inspections to monitor the progress of property improvements. This is necessary to ensure that the ongoing improvements are in accordance with the scope of work

outlined in the work write-up. It is the contractor's responsibility to notify the Building Inspector before closing up walls on plumbing and electrical improvements.

I. Change Orders

If it becomes apparent during the course of construction that additional repairs are necessary or the described repair needs to be amended, the program staff will have the qualified professional(s) inspect the areas in need of repair and prepare a change order describing the work to be done. The applicant and the contractor will review the change order with the program staff and agree on a price. Once all parties approve of the change order and agree on the price, they will sign documents amending the contract agreement to include the change order. Additionally, if the applicant is not funding the additional cost, new financing documents will be executed reflecting the increase.

J. Payment Schedule

The contract will permit two payments to the contractor. First payment is made when the project is halfway completed. Second (final) payment upon completion. The contractor will submit a payment request. The applicant will sign a payment approval if both the applicant and housing/building inspector are satisfied with the work performed. The municipality will then release the payment.
Final payment will be released once all final inspections are made, a Certificate of Occupancy is issued (if applicable) and the program staff receives a Property Owner Sign-off letter.

K. Appeal Process

If an applicant does not approve a payment that the housing/building inspector has approved, the disputed payment will be appealed to the Township Council for a hearing. The Council will decide if the payment shall be released to the contractor or the contractor must complete additional work or correct work completed before the release of the payment. The municipality's decision will be binding on both the applicant and the contractor

L. Final Inspection

Upon notification by the contractor that all work is complete and where required a Certificate of Occupancy has been issued, a final inspection shall be conducted and photographs taken. The program staff (or a representative), the property owner, and the necessary contractors shall be present at the final inspection to respond to any final punch list items.

M. Record Restricted Covenant and Mortgage Documentation

Program staff will file the executed Restricted Covenant and Mortgage with the County Clerk.

N. File Closing

After the final payment is made, the applicant's file will be closed by the program staff.

CONTRACTOR RELATED PROCEDURES

A. Contractor Selection

Contractors must apply to the program staff to be placed on the pre-approved contractors list. Contractors seeking inclusion on the list must submit references from at least three recent general contracting jobs. Contractors also must submit documentation proving financial stability. Contractors must carry workmen's compensation coverage and liability insurance of at least $100,000/$300,000 for bodily injury or death and $50,000 for property damage. Only program tradesmen will be permitted to perform specialty work such as plumbing, heating and electrical.

B. Number of Proposals Required

The property owner will select a minimum of three general contractors from a list of pre-approved contractors. Property owners may not select contractors who do not appear on the list.[3] The approved work write-up will be submitted to the selected contractors by the program staff. Contractors must visit the property and submit bids within *14* days. The contract will be awarded to the lowest bidder[4], provided that the housing/building inspector or the professional who drafted the work write-up certifies that the work can be completed at the price bid and that the bid is reasonably close to the cost estimate. Bids must fall within *20* percent of the cost estimate.

C. Contractor Requirements

Upon notification of selection, the contractor shall submit all required insurance certification to the program staff. A contract signing conference will be called by the program staff to be attended by the property owner and contractor. At the time of Agreement execution, the contractor shall sign a Certification of Work Schedule prepared by the program staff.

MAINTENANCE OF RECORDS

A. Files To Be Maintained on Every Applicant

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

- Application Form
- Tenant Information Form (Rental Units Only)
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility

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[3] The program permits a property owner to seek proposals from non-program participating contractors. However, Program Staff must pre-approve the contractor prior to submitting a bid.

[4] If the property owner wishes to use a contractor other than the lowest responsible bidder, the property owner shall pay the difference between the lowest bid price and the bid price of the selected contractor.

B. Files of applicants approved for the program will also contain the following additional documentation:

- Housing Inspection Report
- Photographs - Before
- Certification of Property Eligibility or Determination of Ineligibility
- Proof of Homeowners Insurance
- Copy of Deed to Property

C. For properties determined eligible for the program where the applicants choose to continue in the program, the files shall contain the following:

- Work Write-Up/Cost Estimate
- Copies of Bids
- Applicant/Contractor Contract Agreement
- Recorded Mortgage/Lien Documents
- Copies of All Required Permits
- Contractor Requests for Progress Payments
- Progress Payment Inspection Reports
- Progress Payment Vouchers
- Change Orders (If needed)
- Final Inspection Report
- Photographs - After
- Certification of Completion and Release of Contractor's Bond

Individual files will be maintained throughout the process.

D. Rehabilitation Log

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

E. Monitoring

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

- Street Address
- Block/Lot/Unit Number
- Owner/Renter
- Income: Very Low/Low/Mod
- Final Inspection Date
- Funds expended on Hard Costs
- Development Fees expended
- Funds Recaptured
- Major Systems Repaired
- Unit Below Code & Raised to Code
- Effective date of affordability controls

- Length of Affordability Controls (yrs)
- Date Affordability Controls removed
- Reason for removal of Affordability Controls

PROGRAM MARKETING

Upon the initial implementation of the program, the municipality will market the program as follows: 1). the municipality will include flyers with the tax bills and/or water bills to property owners currently owning rental units; 2). The municipality will advertise the program in the local newspaper, the Criterion, and on METV, the local cable station and 3). Program information will be available at the municipal building, library, and on the municipal website.

Prior to commencement of the program and periodically thereafter, the municipality will hold informational meetings on the program to all interested contractors. Each contractor will have the opportunity to apply for inclusion of the municipal contractor list.

INTRODUCTION: Rental Procedures

This Operating Manual has been prepared to assist in the administration of a For-Rent Program for the **Middle Township.** It will serve as a guide to the program staff. This manual describes the basic content and operation of the program, examines program purposes and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.
This manual explains the steps in the initial rental process and in the re-rental process. It describes the eligibility requirements for participation in the program, record keeping and overall program administration.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunities laws[1], the Uniform Housing Affordability Controls (UHAC) NJAC 5:80-26.1 et seq.[2], the substantive rules and the affordable housing regulations of the **Middle Township** (hereafter referred to as the "Regulations").
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.

What is Affordable housing?

Affordable housing, unlike market-rate housing, is subject to affordability controls that restrict the price for a specified duration as mandated by relevant regulations. This duration typically spans 30 years or more. A rental unit is considered "affordable" under State regulations if the household pays 35% or less of its gross income on housing costs. In age-restricted units, households can spend up to 40% of their household income on housing expenses. Regulations for ownership, or for sale affordable housing, permit buyers to spend up to 33% of their gross household income on housing expenses.

Housing expenses are defined differently for ownership (for sale) Affordable Housing and rental housing.

In the case of ownership (for sale) Affordable Housing expenses are defined as:

- Primary mortgage principal, and interest.
- Local real estate taxes.
- Condominium or association dues, if any; and
- Homeowners insurance.

The following constitutes housing expenses for rental units:

- Rent; and
- Tenant-paid utilities.

Affordable housing is priced to be affordable to households earning up to 80% of the regional area median income by household size.

[1] https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview
[2] https://www.nj.gov/dca/services/lps/hss/admin_files/uhac/2006uhacmanual.pdf

Who Qualifies for Affordable Housing?

To be eligible for affordable housing in New Jersey, a household's income must be below the income limit for the region in which the affordable housing is located, either for low or moderate levels:

- A *moderate-income household* earns between 50 percent and 80 percent of the area median income by household size.
- A *low-income household* is classified as earning less than 50 percent of the area median income by household size.
- The Fair Housing Act included an additional requirement for *very low-income households*, classified as earning less than 30 percent of the area's median income by household size.

The 2008 New Jersey Fair Housing Act amendments require municipalities to provide at least 13% of affordable units post-2008 in their fair share plans to very low-income households earning 30 percent or less of median income by household size.

The six housing regions consist of up to four counties:

Region	Counties
1	Bergen, Hudson, Passaic, Sussex
2	Essex, Morris, Union, Warren
3	Hunterdon, Middlesex, Somerset
4	Mercer, Monmouth, Ocean
5	Burlington, Camden, Gloucester
6	Atlantic, Cape May, Cumberland, Salem

The Regional Income Limits Chart provides income limits for each of the six housing regions. Median incomes, and therefore income limits, differ by region. Income limits are updated annually in the Spring of each year.

Applicants do not have to currently live in the region if they are interested in applying for an affordable unit. An applicant's income qualification is determined by the Regional Income Limits for where the unit is located rather than where the applicant currently lives.

Affordable Housing Programs and Opportunities

A copy of the **Middle Township** Housing Element and Fair Share Plan is available at:

Middle Township
33 Mechanic Street, Cape May Court House, NJ 08210
PHONE NUMBER

Other Affordable Housing Programs and Opportunities

A wide variety of organizations and agencies administer affordable housing. Under the Fair Housing Act's jurisdiction, each New Jersey community has a Municipal Housing Liaison responsible for helping the local affordable housing program. Individuals interested in applying for affordable housing should contact the Municipal Housing Liaison in the community they are interested in living in. Some communities administer their affordable housing and have their own application process. If not, the Municipal Housing Liaison can direct applicants to developers, nonprofit agencies, State agencies, or consultants that may administer affordable housing within the community.

The *New Jersey Housing and Mortgage Finance Agency* have established New Jersey's Housing Resource Center, an online, searchable database of affordable housing in the State. The Housing Resource Center provides a listing of available, affordable housing. Available units are listed with contact and application information. Visit the Housing Resource Center at www.njhrc.gov.

The *Affordable Housing Professionals of New Jersey* maintains a web page with a comprehensive list of affordable housing opportunities in New Jersey. Please visit https://ahpnj.org/housing-search for more information.

Fair Housing and Equal Housing Opportunities

It is unlawful to discriminate against any person making an application to buy or rent a home with regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments.

For more information on discrimination or if anyone feels they are a victim of discrimination, please get in touch with the New Jersey Division on Civil Rights at 1-866-405-3050 or https://www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/.

AFFIRMATIVE MARKETING

Overview of the Requirements of an Affirmative Marketing Plan

All affordable units are required to be affirmatively marketed using the Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments to housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to identify households who are least likely to apply for affordable housing and to target households throughout the entire housing region in which the units are located.

Every Affirmative Marketing Plan must include all of the following:

- Publication of at least one advertisement in a newspaper of general circulation within the housing region; and
- Publication on at least one housing search website, plus one additional digital strategy such as digital paid ads, social media or an additional housing search website.
- At least one additional regional marketing strategy, such as advertisements in a local publication, mailings to major employers, or community and regional organizations such as non-profit, religious, and civic organizations.

Online Advertising

To comply with the rules of the Fair Housing Act the developer, owner, or Administrative Agent of affordable units must affirmatively market units through newspaper, digital marketing, and housing search websites. To stay current with changes in technology and how the public searches for housing, the owner, developer, property manager, or other administrative entity will be required to post rental units onto the NJHMFA's Housing Resource Center (HRC) under P.L. 2020, c.51, effective November 1, 2020. Any affordable units listed for the first time, existing units expected to become available and open waiting lists for current and future units must be listed on the HRC. All postings should include a link to an online fillable pre-application or downloadable application and information on obtaining a paper application.

For each affordable housing rental opportunity within the city, the Affirmative Marketing Plan must include the following information:

- The address of the project and development name, if any
- The number of rental units
- The price ranges of the rental units
- The number of bedrooms in the units
- The name and contact information of the Administrative Agent
- A description of the Random Selection method that will be used to select applicants for affordable housing and the date on which the first Random Selection will be conducted.
- Disclosure of required application fees, if any.

Advertisements must contain the following information for each Affordable Housing opportunity:

- The location of and directions to the units
- A range of prices for the housing units
- The number of bedrooms in the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The website where interested households may complete a pre-application
- The name and contact information of the Administrative Agent
- A description of the Random Selection method that will be used to select applicants for affordable housing and the date on which the first Random Selection will be conducted.

It is also recommended that the following information be included in the advertisements:

- Last date applications will be accepted.
- A statement concerning the availability of credit, budget, and homeownership counseling services.
- If already adopted by ordinance, a statement concerning regional or veteran preference.
- "Visit www.njhrc.gov for more affordable housing opportunities."

Implementation of the Affirmative Marketing Plan

The affirmative marketing process for affordable units should begin at least four months before expected occupancy. In implementing the marketing program, the Administrative Agent shall undertake all the strategies outlined in the Affirmative Marketing Plan. Advertising and outreach shall occur during the first week of the marketing program and each month after that until all the units have been rented. The Administrative Agent shall market and advertise each project separately during each project's initial affirmative marketing. Applications for affordable housing shall be available in several locations through the Affirmative Marketing Plan. The period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

MATCHING HOUSEHOLDS WITH AVAILABLE UNITS

The Administrative Agent uses a two-step process to match available units with potential tenants and buyers of affordable homes. First, anyone interested in buying or renting an affordable unit must complete a pre-application. The pre-application is brief and designed to collect only the information necessary to assess a household's income and bedroom requirements for available units. Pre-applications may be submitted online or via paper.

Once a pre-applicant has been part of a random selection and has been potentially matched with an available unit, they will be required to complete a full application. The application collects detailed information on each household member, including their income, assets, and other information necessary to determine the household's eligibility according to the UHAC regulations.

The Random Selection Process

UHAC requires communities to include a "random selection" among interested applicants when an affordable housing unit is available. Random selection ensures "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." The initial Random Selection for a given project may be conducted no sooner than sixty (60) days following the start of the Affirmative Marketing Plan.

The Affirmative Marketing Plan details the specific steps of the random selection process.

Identifying Candidates for Available Units

The Administrative Agent will use the following process to test each applicant against the available unit(s) in the order of their random selection.

1. Regional Preference Test. If applicable, pre-applicants that live or work in the **Middle Township** will be considered first as per the Township Affirmative Housing Ordinance establishing a preference for pre-applicants that live or work within the COAH Region.
2. Veteran Preference Test. If applicable to the available unit(s), pre-applicants who served in time of war or other emergency, as defined in section 1 of P.L.1963, c. 171 (C.54:4-8.10) and who apply within 90 days of the initial marketing period shall receive preference for the rental of the agreed-upon percentage of affordable units.
3. Bedroom Test. Next, the number of bedrooms in the available unit(s) will be tested against the random selection list. If the first pre-applicant qualifies for a unit with a different number of bedrooms, they will be skipped, and the next pre-applicant will be evaluated. Once a match is made between the available unit(s) and a pre-applicant, the following criteria will be tested.
4. Income Test. The first pre-applicant on the random selection list that meets the bedroom test will then be tested to ensure their reported income is sufficient to afford the housing expenses of the available unit. See *Maximum Monthly Expenses.*
5. If the database record for the pre-applicant is more than six months old, the AA will contact the pre-applicant to update their gross household income, household size, and bedroom requirement. Any changes will be made to the random selection list and the pre-applicant database.

Confirming the Interest of a Candidate

A pre-applicant that passes the Regional Preference, Veteran Preference (if applicable), Bedroom, and Income Tests is considered a viable candidate for the available unit and will be contacted to determine their interest in the available unit. The Administrative Agent will provide the candidate with essential information about the unit, including current rent (or sales price). Other information may include amenities, parking availability, HOA/association dues, real estate taxes, and potential availability date. If the candidate is interested in the unit, they will be instructed by the Administrative Agent to contact the Landlord, Property Manager, or seller of the unit to visit the unit. Prospective buyers must provide a mortgage pre-approval letter before visiting an available unit before they are referred to the seller to view the unit.

If the candidate is interested in moving forward after seeing the unit, the Administrative Agent will make the full application available. Prospective buyers and renters are given 48 hours to decide if they want to move forward after visiting an available unit. Before completing a full application, prospective tenants must first meet the Landlord's tenant selection criteria. The candidate will be instructed to complete the full application and attach all the required source documents listed on the application.

Full Application & Income Certification Process

An applicant who has confirmed their interest in buying or renting an available, Affordable Housing unit will be required to complete a full application and provide the required documentation listed in the application for household certification. Those documents include the following:

The application must be complete and signed before the Administrative Agent reviews an application. In addition, all applicable source documents are required before reviewing the application.

It may be necessary for the Administrative Agent to collect additional information and documentation from the applicant beyond the items listed above. The Administrative Agent will notify applicant households in writing of certification or denial within 20 days of the determination.

Once approved, a certified household for an ownership unit will have a contract of sale drawn up and executed with the seller. Then, the certified household will move through the purchasing process to closing with the guidance of their lender and chosen title company.

See *Household Certification* for more information on how eligibility is determined.

HOUSEHOLD CERTIFICATION PROCESS

Before any household can rent or buy an affordable unit, the Administrative Agent must certify the household as eligible. Certification of a household involves verifying two critical pieces of data: 1) Household size and composition, including gender, and 2) The total household income. The certification process begins once the applicant submits a completed full application along with all required documentation. After the eligibility documents and supporting data have been collected, the Administrative Agent will review the information and calculate the household's income to determine eligibility.

Procedure for Income-Eligibility Certification

The Administrative Agent shall require each member of an applicant household who is 18 or older to provide documentation to verify their income. The household shall have ten (10) business days from the first notification to submit all required documents. Income verification documentation includes, but is not limited to, the following for every member of a household who is 18 years of age or older:

- Copies of driver's license or state IDs for all adults in the household
- Copies of social security cards for all members of the household
- Copies of birth certificates for all members of the household.
- Four (4) most recent consecutive pay stubs for each source of income for every working member of the household. Proof of employment income may include documentation of bonuses, overtime, or tips, or a letter from the employer stating the current annual income. For self-employed applicants, a current certified Profit and Loss Statement and Balance Sheet are required.
- Copies of full Federal and State income tax returns (all pages) and W2s for the preceding three (3) tax years for each working adult in the household.
- A letter or appropriate reporting form verifying monthly benefits, such as
    - Social Security income including children
    - Unemployment
    - Welfare or TANF
    - Disability or Worker's Compensation
    - Pension income
    - Where applicable, the most recent award letter for SSI or SSD.
- A notarized letter, court order, or statement verifying any other sources of income claimed by the applicant, such as alimony or child support.
- Six (6) consecutive months of complete statements (all pages) for all savings and checking accounts. This includes bank statements, passbooks, and income reports from banks or other financial institutions that hold or manage trust funds, money market accounts, certificates of deposit, stocks, or bonds.
- Evidence or reports of income from directly held assets, such as real estate or businesses.
- Other documentation that may be necessary to document any other source of income fully must be provided upon request.

The following is a list of various types of wages, payments, rebates, and credits. Those considered as part of the household's income are listed under Income. Sources not considered part of the household's income are listed under Not Income.

The following is a list of various types of wages, payments, rebates, and credits. Those considered as part of the household's income are listed under Income. Sources not considered part of the household's income are listed under Not Income.

Income

- Wages, salaries, tips, commissions
- Alimony
- Regularly scheduled overtime
- Pensions
- Social security
- Unemployment compensation
- Temporary Assistance to Needy Families (TANF)
- Verified regular child support
- Disability
- Net income from business or real estate
- Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
- Imputed interest (using a current average annual rate of two percent) from non-income-producing assets, such as equity in real estate. Rent from real estate is considered income after deducting any mortgage payments, taxes, and property owner's insurance.
- Rent from real estate is considered income
- Any other forms of regular income reported to the Internal Revenue Service

Not Income

- Income received on behalf of foster children
- Rebates or credits received under low-income energy assistance programs
- Food stamps
- Relocation assistance benefits
- Income of live-in attendants
- Scholarships
- Student loans
- Personal property such as automobiles, clothing, household items
- Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
- Part-time income of persons enrolled as full-time students
- Court-ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

Student Income

Only the full-time income from a full-time job held by a full-time student is considered income. A full-time student is a household member enrolled in a degree-seeking program for 12 or more credit hours per semester. Part-time income is a job of less than a 35-hour per week.

The Real Estate Asset Limit

If an applicant's primary residence has no mortgage debt and is valued at or above the regional asset limit as published annually by the New Jersey Housing and Mortgage Finance Agency (NJHMFA) with the Annual Regional Income Limits Chart (see Appendix A), the household will be determined ineligible for certification.

However, if the applicant's existing monthly housing costs, including taxes, homeowner insurance, and condominium or homeowner association fees, exceed 38 percent of the household's eligible monthly income, the household will be exempt from the asset limit.

An applicant must provide a recent Market Value Appraisal or Realtor Comparative Market Analysis on the home they own unless the applicant has mortgage debt on the house or can demonstrate that the existing monthly housing costs exceed 38 percent of the household's eligible monthly income in which case the applicant is exempt from the asset limit.

Before obtaining a professional appraisal, the applicant should review the property's tax appraisal and current market value and compare them to the asset limit to avoid unnecessary expenses. The statewide asset limit is $300,000. For instance, if homes are commonly sold in the applicant's neighborhood for over $300,000, it is unlikely that an appraisal will determine a value below the asset limit.

Income from Real Estate

If real estate owned by an applicant for affordable housing is a rental property, the rent is considered income. After deducting any mortgage payments, real estate taxes, property owner insurance, and reasonable property management expenses as reported to the Internal Revenue Service, the remaining amount shall be counted as income.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Administrative Agent should determine the imputed interest from the property's value. The Administrative Agent should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Then, based on current money market rates, interest will be imputed on the determined value of real estate. The imputed interest will be added to the household's annual income.

Maximum Monthly Expenses

The percentage of funds that a household can contribute toward housing expenses is limited. However, an applicant may qualify for an exception based on the household's current housing cost (see below). Therefore, the Administrative Agent will strive to place an applicant in a unit with a monthly housing cost equal to or less than the applicant's current housing cost.

Maximum Monthly Expenses for Tenants

A certified household cannot lease a restricted rental unit requiring more than 35 percent of the verified household income (40 percent for age-restricted units) to pay rent and utilities. However, at the discretion of the Administrative Agent, this limit may b exceeded if:

- The household currently pays more than 35 percent (40 percent for a household seeking age-restricted units) of its gross household income for rent, and the proposed rent will reduce the household's housing costs;
- The household 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.
- The household is currently in substandard or overcrowded living conditions.
- The household documents the existence of assets with which the household proposes to supplement the rent payments or
- The household documents proposed 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; and
- The household receives budget counseling.

Housing Counseling

The Administrative Agent is responsible for providing referrals for counseling as a part of the Affirmative Marketing Plan and during the application process. Although housing counseling is recommended, a household must only attend counseling if their monthly housing expense exceeds UHAC standards. A HUD-approved housing counseling agency, or one approved by the NJ Department of Banking and Insurance, meets UHAC's requirements for an experienced Housing Counseling Agency. If the Administrative Agent is not authorized by HUD or the NJ Department of Banking and Insurance, the Agent will make referrals to one of the HUD-approved housing counseling agencies in New Jersey. This counseling to low- and moderate-income housing applicants will focus on budgeting, credit issues, and mortgage qualification and is free of charge. A list of non-profit counselors approved by HUD and the New Jersey Department of Banking and Insurance is included on DCA's website and is available from the Administrative Agent.

The Applicant Interview

The prospective applicant may meet with the Administrative Agent to review the certification and random selection processes in detail and ask any questions they may have about the project or the process. The Administrative Agent is prepared to complete the certification process via virtual meeting, telephone, mail, and email. If an interview is to be conducted, the Administrative Agent will attempt to achieve the following objectives:

- Confirm and update all information provided on the application.
- Explain program requirements, procedures for verifying information, and penalties for providing false information. Ask the head of household, co-head, spouse, and household members over 18 to sign the Authorization for Release of Information forms and other verification requests.
- Review the applicant's identification and financial information and documentation, ask questions to clarify the application information, and obtain any additional information needed to verify the household's income.
- Make sure the applicant has reported all sources for earned and benefit income and assets (including assets disposed of for less than fair market value in the past two years). In addition, the applicant must give a written certification as to whether any household member did or did not dispose of any assets for less than the fair market value during the past two years.

Approving or Rejecting a Household

Administrative Agents must notify applicant households of their eligibility within twenty (20) days of the Administrative Agent's determination. Households with a verified total household income that exceeds 80 percent of the current Regional Income Limit (Appendix A) for the appropriate family size are ineligible to buy or rent an affordable unit. A letter rejecting the household's application shall be mailed or emailed to the household.

Similarly, households with a verified total household income that is within the income limits but too low to afford any units administered by the Administrative Agent shall be sent a letter rejecting the household's application and referring them to housing counseling.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the Administrative Agent cannot place the household in a restricted unit after 180 days, an extension may be granted once the household's eligibility is verified.

Once the applicant is certified and matched to an available unit, the Administrative Agent must secure from the applicant a signed and notarized acknowledgment of their requirements and responsibilities of renting or owning a restricted unit. In addition, UHAC's Disclosure Statement shall be forwarded to the applicants.

In addition to non-eligibility based on income, the Administrative Agent may deny certification because of the household's failure or inability to document household composition, income, assets, sufficient funds for a down payment, or any other required facts and information. A household may also be denied certification if the Administrative Agent determines the applicant made a willful or material misstatement of fact.

Dismissal of Applications

Applications can be dismissed for one or more of the following reasons:

- The application is not signed or submitted on time.
- The applicant commits fraud, or the application is not truthful or complete.
- The applicant cannot or does not provide documentation to verify their income or other required information when due.
- The household income does not meet a particular property's minimum or maximum income requirements.
- The applicant household owns a primary residence with no mortgage on the property valued at or above the regional asset limit as published annually.
- The applicant fails to respond to any inquiry promptly.
- The applicant is non-cooperative or abusive with the staff, property manager, or landlord.
- The applicant changes address or other contact information without informing the Administrative Agent in writing.
- The applicant does not meet the credit standard or other lawful requirements set forth by managers of rental properties.
- The applicant fails to verify attendance in a credit counseling program when required to do so by the program rules.
- The applicant does not promptly respond to periodic update inquiries.
- The applicant fails to sign the Compliance Certification, Certificate for Applicant, and Lease Document, as may be required.
- The applicant, once approved, fails to sign the lease promptly.

Applicants who are dismissed must re-apply. A minimum period of six months applies where the applicant has been denied for fraud, uncooperative behavior, or other serious matters.

Applicants will be removed from the applicant pool once approved for an affordable unit. Applicants are not removed from the applicant pool if they do not respond to a Notice of Availability.

ROLES AND RESPONSIBILITIES

Key Roles

The *Municipal Housing Liaison (MHL)* is a **Middle Township** full-time employee. The MHL serves as the main point of contact for residents, developers, and stakeholders interested in learning more about the Township's efforts to create affordable housing. The *Administrative Agent (AA)* is responsible for the overall administration of affordable housing portfolio and various related affordable housing programs. The Administrative Agent is a private consultant:
Triad Associates
1301 W. Forest Grove Road, Building 3 Vineland,
NJ 08360
P: (856) 690-5749
F: (856) 690-5622
Email: housing@triadincorporated.co
Website: www.triadhousingprograms.com

Responsibilities of the Municipal Housing Liaison

The Municipal Housing Liaison is responsible for coordinating all the activities of the municipal government as it relates to the creation and administration of affordable housing units, in conjunction with the Township Affordable Housing Attorney, where appropriate (see Responsibilities of the Affordable Housing Attorney). The primary purpose of the Municipal Housing Liaison is to ensure that all affordable housing projects are established and administered according to applicable regulations. The duties of the Municipal Housing Liaison include the following:

- Monitor the status of all restricted units, regardless of any arrangements the Township may have with one or more Administrative Agents, it is the Municipal Housing Liaison's responsibility to know the status of all restricted units in the community.
- Serve as the Township primary point of contact for all inquiries from the State, Administrative Agents, developers, affordable housing sponsors, owners, property managers, and interested households. In addition, the Municipal Housing Liaison serves as the primary point of contact on affordable housing issues. Therefore, interested applicants should be provided with information on the types of affordable units within the Township and, where applicable, the name of the Administrative Agent who manages the units and the contact information for the Administrative Agent.
- Compile, verify, and submit annual reporting. Administrative Agents are responsible for collecting much of the data that is ultimately included in an annual monitoring report. However, the Municipal Housing Liaison's responsible for collecting and verifying this data and consolidating it into the annual report.

- Coordinate meetings with Administrative Agents and Developers/Affordable Housing Sponsors/Owners. When a new affordable unit or series of units is in the planning process, the Municipal Housing Liaison should coordinate a meeting between the Administrative Agent and the developer, affordable housing sponsor, or owner. This initial meeting aims to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all related local ordinances.

The Municipal Housing Liaison, in conjunction with the Affordable Housing Attorney, must have the affordable housing provisions of any Master Deed and Public Offering reviewed for consistency with UHAC regulations before they are recorded and submitted to DCA for approval.

Responsibilities of an Administrative Agent

The primary responsibility of an Administrative Agent is to establish and enforce affordability controls and ensure that units in their portfolio are rented to eligible households. Administrative Agents must:

- Secure written acknowledgment from all developers, affordable housing sponsors, and owners that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.
- Create and adhere to an Operating Manual. Administrative Agents are required to follow the policies and procedures of an Operating Manual, as applicable to the scope of services they have been contracted to perform.
- Implement the Affirmative Marketing Plan. The Administrative Agent, the developer, the affordable housing sponsor, or the owner could be responsible for implementing the Affirmative Marketing Plan. This responsibility should be discussed with the Municipal Housing Liaison, Administrative Agent, developer, affordable housing sponsor, or owner at the first meeting. Affirmative marketing includes conducting regional outreach and advertising for available affordable units. Advertising costs have been delegated to the developer in accordance with the adopted Affirmative Marketing Plan.
- Accept applications from interested households. Interested households will contact the Administrative Agent in response to marketing initiatives or by referral from the Municipal Housing Liaison. The Administrative Agent will supply applicants with applications, provide additional information on available units, and accept completed applications.
- Conduct a random selection of applicants for the rental of restricted units. The Administrative Agent is responsible for conducting the random selection in accordance with the Affirmative Marketing Plan and any related local ordinances and as described in the Operating Manual.

- Create and maintain a pool of applicant households. This includes contacting households in the applicant pool to determine continued interest and household size and income changes.
- Determine the eligibility of households. Collecting application materials and documentation from applicant households and analyzing it for eligibility is the responsibility of an Administrative Agent. A written determination of a household's eligibility must be provided within twenty (20) days of the Administrative Agent's determination of eligibility or non-eligibility. Whether or not the household is eligible for a unit, it is an Administrative Agent's responsibility to secure all information provided by the household in individual files and maintain strict confidentiality of all information regarding that household. In addition, an Administrative Agent is required to ensure that all certified applicants execute a Disclosure Statement acknowledging the rights and requirements of renting or owning an affordable unit.
- Establish and maintain effective communication with property managers and landlords. Property managers and landlords of restricted units should be instructed and regularly reminded that the Administrative Agent is their primary point of contact. The Administrative Agent must immediately inform all property managers and landlords of any changes to the Administrative Agent's contact information or business hours. Property managers and landlords should be instructed to contact the Administrative Agent immediately:
- Immediately upon learning that an affordable rental unit will be vacated.
- For review and approval of annual rental increases.
- Provide annual notification of maximum rents. Each year, when AHPNJ releases its low-and moderate-income limits, rental households must be notified of the new maximum rent that may be charged for their unit. The Administrative Agent's contact information must be included in the notification if the tenant is overcharged.
- Serve as the custodian of all legal documents. An Administrative Agent is responsible for maintaining the originals of all legal instruments for the units in their portfolio. In addition, throughout the duration of a control period, an Administrative Agent must maintain a file containing its affordability control documents. This includes but is not limited to, the recorded Declarations of Covenants, Conditions, Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, and Recapture Mortgage Notes.
- Serve as point of contact on all matters relating to affordability controls. It is recommended that the Administrative Agent develop a system to be notified by lenders when a unit is at risk of foreclosure. In the event of a foreclosure, the Administrative Agent should work with the foreclosing institution to ensure that the affordability controls are maintained. The Administrative Agent should seek the attorney's counsel on legal matters threatening the durability of affordability controls.
- Provide annual activity reports to the Municipal Housing Liaison for use in the annual required monitoring report. An Administrative Agent is responsible for collecting the reporting data on each unit in the Administrative Agent's portfolio.
- Maintain and distribute information on HUD-approved Housing Counseling Programs.

Responsibilities of the Affordable Housing Attorney

The Affordable Housing Attorney assists the **Middle Township** developing, administrating, and enforcing affordability controls, including but not limited to the following:

- Assisting the Municipal Housing Liaison with reviewing the affordable housing provisions of any Master Deed and Public Offering for consistency with UHAC regulations before they are recorded and submitted to DCA for approval.
- Providing all reasonable and necessary assistance to support the Administrative Agent's efforts to ensure compliance with the housing affordability controls, including reviewing legal documents and legal actions required on foreclosures and violations.

Responsibilities of Developers

When a new affordable unit or series of units is in the planning process, the affordable housing developer should contact the Municipal Housing Liaison, who shall coordinate a meeting with the Administrative Agent, where applicable, and the developer, affordable housing sponsor, or owner.

This initial meeting aims to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all related local ordinances- that the Township has already adopted.

The Administrative Agent will secure from the developer's written acknowledgment that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

Responsibilities of Owners of Rental Affordable Rental Units

Open and direct communication between the Owners of affordable rental units, the Municipal Housing Liaison, and the Administrative Agent is essential to the ongoing administration of affordability controls. Although the Administrative Agent is required to serve as the primary point of contact with households, the Owner must provide the Municipal Housing Liaison and Administrative Agent with information on vacancies. Owners of rental developments are also responsible for working with the Administrative Agent to ensure that the Municipal Housing Liaison has all the necessary information to complete the annual reporting.

Responsibilities of Landlords and Property Managers

Landlords and property managers must place a notice in all rental properties annually informing residents of the rent increase for the year and the contact information for the Administrative Agent.

APPLICATION PROCESS AND FEES

In compliance with the Fair Chance in Housing Act (FCHA), N.J.S.A. 46:8-52 to -64 effective January 1, 2022, criminal background information may be obtained after a conditional offer is made. Potential renters must be made aware that criminal background information will be obtained before a final rental offer is made. The application process for vacant rental units are as follows:

1. The Administrative Agent will conduct pre-screening for income eligibility and availability of applicants in the Applicant Pool and refer applicants, in lottery number order, to the leasing/management office;
2. Upon receipt of referral, the leasing/management staff can run a credit check and accept an application. This cannot include criminal background checks. Application fees required for candidates for affordable housing units may not exceed the fees charged to market candidates in the same project. If the application is approved, the landlord shall inform Triad of the determination.
3. Triad will conduct a full income certification and send the certification back to the leasing/management office. If approved, a landlord can make a conditional offer for the unit and conduct a criminal background check. If denied, the applicant and leasing/management staff will be notified in writing by Triad.
4. If an applicant is denied based on their criminal background check (according to the Fair Chance in Housing Act criteria) both the applicant and Triad shall be notified in writing that a decision was made not to proceed with renting the unit to the applicant, to include a detailed explanation for the denial. If approved, a landlord can enter a lease and send the executed lease and certification back to Triad for our records.

Additional resources can be found on the Division on Civil Rights website: https://www.njoag.gov/about/divisions-and-offices/division-on-civil-rights-home/fcha/.

DETERMINING AFFORDABLE RENTS

Development Considerations and Compliance Issues

There are several regulations that must be considered from the *development perspective* before the rents of individual units can be calculated. The following is a summary of the requirements for affordable projects.

Bedroom Distribution. The standards on the distribution of unit sizes for affordable developments require that:

- The combined number of efficiency and one-bedroom units may be no greater than 20 percent of the total low- and moderate-income units;
- At least 30 percent of all low- and moderate-income units must be two-bedroom units;
- At least 20 percent of all low- and moderate-income units are three-bedroom units; and the remainder has been allocated

Pricing by Household Size. Initial rents are based on targeted "model" household sizes for each size home as determined by the number of bedrooms. Initial rents must adhere to the following rules. These maximum sales prices and rents are based on the Annual Regional Income Limits Chart at the time of occupancy.

The below rules are only to be used for setting initial rents. They are not guidelines for matching household sizes with unit sizes. The pricing of age-restricted units may not exceed affordability based on a two-person household.

Affordability	Size of Unit	Household Size Used to Determine Maximum Rent
A studio shall be affordable to a one-person household	Studio/Efficiency	1
A one-bedroom unit shall be affordable to a one-and one-half person household	1 Bedroom	1.5
A two-bedroom unit shall be affordable to a three-person household	2 Bedrooms	3
A three-bedroom unit shall be affordable to a four-and one-half person household	3 Bedrooms	4.5
A four-bedroom unit shall be affordable to a six-person household	4 Bedrooms	6

Determining Initial Rents

To determine the affordable rents the Administrative Agent uses the approved UHAC Affordable Housing calculators provided by the New Jersey Housing and Mortgage Finance Agency (NJHMFA).

Additional Regulations for Rental Developments

In addition to the regulations covered earlier in the Section Development Considerations and Compliance Issues, rental projects must also comply with the following regulations:

Split Between Low- and Moderate-income Rental Units. At least 50 percent (of the affordable units within each bedroom distribution (unit size) must be low-income units and at least 13 percent of the affordable units within each bedroom distribution must be affordable to households earning no more than 30 percent of the regional median income. The remainder of the affordable units must be affordable to moderate-income households.

Affordability Average. The average rent for all affordable units cannot exceed 52 percent of the regional median income. At least one rent for each bedroom type must be offered for both low-income and moderate-income units. Calculation of the affordability average is available on DCA's website.

Maximum Rent. The maximum rent of restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of the regional median income.

Determining Rent Increases

Annual rent increases are permitted in affordable units. Rent increases are permitted at the anniversary of tenancy according to New Jersey Housing and Mortgage Finance Agency's Annual Regional Income Limits Chart, available on New Jersey Housing and Mortgage Finance Agency's website. These increases must be filed with and approved by the Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. The maximum allowable rent would be calculated by starting with the rent schedule approved as part of initial lease-up of the development and calculating the annual approved increase from the initial lease-up year to the present. Rents may not be increased more than once a year, may not be increased by more than one increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

VIOLATION, DEFAULTS AND REMEDIES

In the event of a threatened breach of any of the regulations governing the affordable unit by an Owner of a rental development, the Administrative Agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the municipality, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of low- and moderate-income housing. Upon the occurrence of a breach of any of the regulations governing the affordable units by an Owner of a rental development, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, 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.

Appeals

Appeals from all decisions of an Administrative Agent shall be made in writing to the Commissioner of the Executive Director of the NJ Housing Mortgage and Finance Agency:

NJ HMFA
Executive Director 637 South Clinton Avenue
P.O. Box 18550
Trenton, NJ 08625

The Executive Director's written decision, which shall be made within 15 days of receipt of an appeal, shall be a final administrative action.

MAINTENANCE OF RECORDS & APPLICANT FILES

Pursuant to NJAC 5:80-26.14(a)8, NJAC 5:80-26.15(c) and NJAC 5:80-26.17 current records must be maintained by the Administrative Agent and outdated records must be given to the municipality for safe-keeping. A file must be created and maintained on each restricted unit for its control period.

Administrative Agents maintain detailed records on all marketing initiatives.

Files To Be Maintained on Every Applicant

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

- Application Form.
- Tenant Information Form
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

Files To Be Maintained on Every Unit

The Administrative Agent will maintain files on every unit for the length of the affordability controls. The unit file will contain at a minimum:

- Base rent
- Identification as low- or moderate-income
- Description of number of bedrooms and physical layout
- Floor plan
- Application materials, verifications and certifications of all present owners, pertinent correspondence
- Copy of lease
- Disclosure Statement

Files to Be Maintained on Every Project

The Administrative Agent will maintain files on every project for the length of the affordability controls. The project file will contain at a minimum:

- Condominium Master Deed
- Condominium Public Offering
- Crediting Information
- Original deed restriction
- Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement

Files To Be Maintained on The Applicant Pool

- Any changes to the applicant pool
- Any action taken with regard to the applicant pool
- Any activity that occurs that affects a particular applicant
- Current applications for all applicants whose status is active in the applicant pool
- The application, the initial rejection notice, the applicant's reply to the notice, a copy of the Administrative Agent's final response to the applicant, and all documentation of the reason the applicant's name was removed from the applicant pool.

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80- 26.17 current records must be maintained by the Administrative Agent and outdated records must be given to the municipality for safe-keeping. A file must be created and maintained on each restricted unit for its control period.

Monitoring

The information required for each unit includes but is not limited to the following:

- A Recorded Deed for each project
- Street Address
- Block/Lot/Qualifier/Unit Number
- Housing Type
- Income: Very Low/Low/Moderate
- Initial Rental Price
- % of affordability
- Bedroom Type
- Age-restricted
- Handicap accessible/adaptable
- Date of Certificate of occupancy
- Effective date of affordability controls
- Length of affordability controls (years)
- Date Affordability controls removed

Appendix C

HUD APPROVED COUNSELING AGENCIES

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
ATLANTIC	CONSUMER CREDIT AND BUDGET COUNSELING, DBA NATIONAL FOUNDATION FOR DEBT MANAGEMENT	**Phone:** 609-390-9652 **Fax:** 609-390-9653 **E-mail: help@cc-bc.com** **Web: www.cc-bc.com** **Agency ID:** 81557	299 South Shore Rd. MARMORA, New Jersey 08223	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish
BERGEN	COUNTY OF BERGEN, DEPARTMENT OF HUMAN SERVICES, DIVISION OF SENIOR SERVICES	**Phone:** 201-336-7431 **E-mail:** senior@co.bergen.nj.us **Web: www.co.bergen.nj.us** **Agency ID:** 80398	1 Bergen County Plz Division Senior Services, Floor 2 HACKENSACK, New Jersey 07601	- Mortgage Delinquency and Default Resolution Counseling - Reverse Mortgage Counseling	- English
BERGEN	FAIR HOUSING COUNCIL OF NORTHERN NEW JERSEY	**Phone:** 201-489-3552 **E-mail:** info@fairhousingnj.org **Web: www.fairhousingnj.org** **Agency ID:** 80399	131 Main St Ste 140 HACKENSACK, New Jersey 07601	- Fair Housing Pre-Purchase Education Workshops - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Rental Housing Counseling	- English - Spanish
BERGEN	GREATER BERGEN COMMUNITY ACTION, INC.	**Phone:** 201-968-0200 **Fax:** 201-342-9339 **E-mail: info@greaterbergen.org** **Web: www.greaterbergen.org** **Agency ID:** 84293	392 Main St HACKENSACK, New Jersey 07601	- Financial, Budgeting, and Credit Workshops - Home Improvement and Rehabilitation Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops - Services for Homeless Counseling	- English - Spanish
BURLINGTON	BURLINGTON COUNTY COMMUNITY ACTION PROGRAM	**Phone:** 609-835-4329 option 2 **Fax:** 609-835-9607 **E-mail: housing @bccap.org** **Web: www.bccap.org** **Agency ID:** 81842	One Van Sciver Parkway WILLINGBORO, New Jersey 08046	- Financial Management/Budget Counseling - Rental Housing Counseling - Services for Homeless Counseling	- English
CAMDEN	SENIOR CITIZENS UNITED COMMUNITY SERVICES OF CAMDEN COUNTY, INC.	**Phone:** 856-456-1121 **E-mail:** scucs@scucs.org **Web: www.scucs.org** **Agency ID:** 80409	537 W Nicholson Rd AUDUBON, New Jersey 08106	- Financial Management/Budget Counseling - Home Improvement and Rehabilitation Counseling - Pre-purchase Counseling - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
CAMDEN	NEIGHBORHOOD HOUSING SERVICES OF CAMDEN, INC	**Phone:** 856-541-0720 **Fax:** 856-541-8440 **E-mail:** info@nhscamden.org **Web:** www.nhscamden.org **Agency ID:** 80892	601-603 Clinton Street CAMDEN, New Jersey 08103	- Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - First Time Homebuyer Grant Program	- English - Spanish - Vietnamese
CAMDEN	PARKSIDE BUSINESS AND COMMUNITY IN PARTNERSHIP, INC.	**Phone:** 856-964-0440 **Fax:** 856-964-3664 **E-mail:** MDiaz@pbcip.org **Web:** www.pbcip.org **Agency ID:** 83501	1487 Kenwood Avenue CAMDEN, New Jersey 08103	- Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Resolving/Preventing Mortgage Delinquency Workshops	- English
CAMDEN	ST. JOSEPH'S CARPENTER SOCIETY	**Phone:** 856-966-8117 **Fax:** 856-342-7289 **E-mail:** info@sjcscamden.org **Web:** www.sjcscamden.org **Agency ID:** 84308	20 Church St CAMDEN, New Jersey 08105	- Financial, Budgeting, and Credit Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Counseling	- English - Spanish
CAMDEN	CCCS OF DELAWARE VALLEY, INC. DBA CLARIFI	**Phone:** 800-989-2227 **Toll-free:** 800-989-2227 **Fax:** 215-563-7020 **E-mail:** customerservice@clarifi.org **Web:** www.clarifi.org **Agency ID:** 82100	1060 Kings Highway N Suite 315 CHERRY HILL, New Jersey 08034	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Home Repairs	- English
CAMDEN	GREENPATH FINANCIAL WELLNESS	**Phone:** 866-406-2062 **Email:** housingdepartment@greenpath.com **Web:** www.greenpath.org/housing **Agency ID:** 90542	1060 Kings Hwy N Suite 315 CHERRY HILL, New Jersey 08034	- Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
CAMDEN	NEW JERSEY CITIZEN ACTION	**Phone:** 856-966-3091 **Fax:** 856-414-1054 **E-mail: application@njcitizenaction.org** **Web: www.njcitizenaction.org** **Agency ID:** 81026	1040 Kings Highway Suite 308 CHERRY HILL, New Jersey 08034	- Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Free Tax Prep - Small landlord Education Program	- English - Spanish
CAPE MAY	CONSUMER CREDIT AND BUDGET COUNSELING, DBA NATIONAL FOUNDATION FOR DEBT MANAGEMENT	**Phone:** 609-390-9652 **Fax:** 609-390-9653 **E-mail: help@cc-bc.com** **Web: www.cc-bc.com** **Agency ID:** 81557	299 South Shore Rd. MARMORA, New Jersey 08223	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish
CUMBERLAND	CONSUMER CREDIT AND BUDGET COUNSELING, DBA NATIONAL FOUNDATION FOR DEBT MANAGEMENT	**Phone:** 609-390-9652 **Fax:** 609-390-9653 **E-mail: help@cc-bc.com** **Web: www.cc-bc.com** **Agency ID:** 81557	299 South Shore Rd. MARMORA, New Jersey 08223	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish
CUMBERLAND	NEW JERSEY CITIZEN ACTION	**Phone:** 856-966-3091 **Toll-free:** 800-656-9637 **Fax:** 856-414-1054 **E-mail: application@njcitizenaction.org** **Web: www.njcitizenaction.org** **Agency ID:** 81026	1040 Kings Highway Suite 308 CHERRY HILL, New Jersey 08034	- Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling	- English - Spanish
ESSEX	HOMES OF MONTCLAIR ECUMENICAL CORP. (HOMECORP)	**Phone:** 973-744-4141 **Fax:** 973-744-5333 **E-mail: info@homecorp.org** **Web: www.homecorp.org** **Agency ID:** 90058	17 Talbot St MONTCLAIR, New Jersey 07042	- Financial, Budgeting, and Credit Workshops - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops	- English

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
ESSEX	CONSUMER CREDIT AND BUDGET COUNSELING, DBA NATIONAL FOUNDATION FOR DEBT MANAGEMENT	**Phone**: 888-738-8233 Fax: 888) 738-8234 **E-mail: help@cc-bc.com** **Web: www.cc-bc.com** **Agency ID:** 90224	299 South Shore Rd, US Route 9 South, Marmora, NJ 08223, US	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish
ESSEX	CATHOLIC CHARITIES OF THE ARCHDIOCESE OF NEWARK	**Phone:** 973-596-4100 **Fax:** 973-676-0172 **E-mail:** mmorore@ccannj.org **Web: www.ccannj.com** **Agency ID:** 90020	590 North 7th Street NEWARK, New Jersey 07107	- Rental Housing Counseling - Services for Homeless Counseling	- English - Spanish
ESSEX	LA CASA DE DON PEDRO	**Phone:** 973-482-8312 **Fax:** 973-485-9984 **E-mail:** info@lacasadedonpedro.org **Web:** www.lacasanwk.org **Agency ID:** 84555	75 Park Ave, Newark, NJ 07104	- Financial, Budgeting, and Credit Workshops - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops	- English - Spanish
ESSEX	NACA (NEIGHBORHOOD ASSISTANCE CORPORATION OF AMERICA)	**Phone:** 973-679-2601 **Toll-free:** 617-250-6222 (Headquartes) **Fax:** 877-329-6222 **E-mail: N/A** **Web: https://www.naca.com** **Agency ID:** 84368	60 Park Pl Fl 15 S NEWARK, New Jersey 07102	- Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Predatory Lending Education Workshops	- English - Other - Spanish
ESSEX	NEW COMMUNITY FEDERAL CREDIT UNION	**Phone:** 973-621-2363 **Toll-free:** 973-621-5624 **Fax:** 973-645-0252 **E-mail: mulu@newcommunity.org** info.fcu@newcommunity.org **Web: www.newcommunityfcu.org** **Agency ID:** 81161	274 S Orange Ave NEWARK, New Jersey 07103	- Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Predatory Lending Education Workshops	- English - Hindi

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
ESSEX	NEW JERSEY CITIZEN ACTION	**Phone:** 973-643-8800 **Toll-free:** 800-656-9637 **Fax:** 973-643-8100 **E-mail: application@njcitizenaction.org** **Web: www.njcitizenaction.org** **Agency ID:** 80765	The Hahne's Building 625 Broad St Ste 270 NEWARK, New Jersey 07102	- Financial Management/Budget Counseling - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops	- English - Spanish
ESSEX	TRI-CITY PEOPLES CORPORATION	**Phone:** 973-675-4484 **Fax:** 862-930-3745 **E-mail: tcaldwell@tri-citypeoples.org** **Web: www.tri-citypeoples.org** **Agency ID:** 83474	The People's Center 675 S 19th St NEWARK, New Jersey 07103	- Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Services for Homeless Counseling	- English
ESSEX	URBAN LEAGUE OF ESSEX COUNTY	**Phone:** 973-624-9535 **E-mail:** info@ulec.org **Web: www.ulec.org** **Agency ID:** 83500	508 Central Ave NEWARK, New Jersey 07107	- Financial, Budgeting, and Credit Workshops - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Predatory Lending Education Workshops - Rental Housing Counseling - Resolving/Preventing Mortgage Delinquency Workshops - Services for Homeless Counseling	- English - Spanish
GLOUCESTER	CONSUMER CREDIT AND BUDGET COUNSELING, DBA NATIONAL FOUNDATION FOR DEBT MANAGEMENT	**Phone:** 609-390-9652 **Fax:** 609-390-9653 **E-mail: help@cc-bc.com** **Web: www.cc-bc.com** **Agency ID:** 81557	299 South Shore Rd. MARMORA, New Jersey 08223	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
GLOUCESTER	NEW JERSEY CITIZEN ACTION	**Phone:** 973-643-8800 **Toll-free:** 800-656-9637 **Fax:** 973-643-8100 **E-mail: application@njcitizenaction.org** **Web: www.njcitizenaction.org** **Agency ID:** 81026	1040 Kings Highway Suite 308 CHERRY HILL, New Jersey 08034	- Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling	- English - Spanish
HUDSON	HUDSON COUNTY HOUSING RESOURCE CENTER, INC.	**Phone:** 201-795-5615 **Fax:** 201-795-1091 **E-mail:** info@hudsonghrc.org **Web: https://hudsonhrc.org/** **Agency ID:** 84986	830 Bergen Ave Suite 1A JERSEY CITY, New Jersey 07306	- Rental Housing Counseling	- ASL - English - Portuguese - Spanish
HUDSON	THE WATERFRONT PROJECT, INC.	**Phone:** 551-256-7578 **Fax:** 201-630-4313 **E-mail:** director@thewaterfrontproject.org **Web: www.thewaterfrontproject.org** **Agency ID:** 90239	830 Bergen Ave Suite 4A JERSEY CITY, New Jersey 07306	- Fair Housing - Financial Management - Pre-purchase Counseling - Post purchase Counseling - Rental Housing Counseling	- English - Spanish
HUDSON	NORTH HUDSON COMMUNITY ACTION CORPORATION	**Phone:** 201-866-3140 **E-mail:** scastano@nhcac.org **Web: www.nhcac.org** **Agency ID:** 80255	407 39th Street Apt 2 UNION CITY, New Jersey 07087	- Fair Housing Pre-Purchase Education Workshops - Financial, Budgeting, and Credit Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops - Services for Homeless Counseling	- English
HUNTERDON	CENTRAL JERSEY HOUSING RESOURCE CENTER, INC.	**Phone:** 908-446-0036 **E-mail: 2cjhrc@gmail.com** **Web: www.cjhrc.org** **Agency ID:** 80650	92 E Main St Suite 407 SOMERVILLE, New Jersey 08876	- Financial, Budgeting, and Credit Workshops - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops - Services for Homeless Counseling	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
MERCER	ISLES, INCORPORATED	**Phone:** 609-341-4700/609-341-4783 **Fax:** 609-341-4783 **E-mail: homehelp@isles.org** **Web: https://isles.org** **Agency ID:** 80988	10 Wood St TRENTON, New Jersey 08618	- Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Resolving/Preventing Mortgage Delinquency Workshops	- Cantonese - English - Spanish
MIDDLESEX	NEW JERSEY CITIZEN ACTION	**Phone:** 732-246-4772 **Toll-free:** 800-656-9637 **Fax:** 732-214-8385 **E-mail: application@njcitizenaction.org** **Web: www.njcitizenaction.org** **Agency ID:** 80769	75 Raritan Ave Ste 200 HIGHLAND PARK, New Jersey 07055	- Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling	- English - Spanish
MIDDLESEX	PUERTO RICAN ACTION BOARD, INC.	**Phone:** 732-832-7535 **Fax:** 732-832-7536 **E-mail:** Lilla@prab.org **Web: www.prab.org** **Agency ID:** 84236	754 Route 18, Suite 202 East Brunswick, NJ, 08816-5601	- Homebuyer Education and Counseling and Housing Counseling - Mortgage Counseling, Mortgage Assistance and Foreclosure Mediation - Landlord-Tenet Mediation - Housing Discrimination Prevention - Homelessness Prevention - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Resolving/Preventing Mortgage Delinquency Workshops - Services for Homeless Counseling	- English - Spanish
MIDDLESEX	PUERTO RICAN ASSOCIATION FOR HUMAN DEVELOPMENT, INC.	**Phone:** 732-442-1081 **Alternate Phone:** 732-638-2800 **Fax:** 732-826-3082 **E-mail:** contact@prahd.org aivan@prahd.org **Web: www.prahd.org** **Agency ID:** 84906	100 First Street PERTH AMBOY, New Jersey 08861	- Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Resolving/Preventing Mortgage Delinquency Workshops - Down Payment Assistance Program For Middlesex County, State Program	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
MIDDLESEX	THE HOUSING AUTHORITY OF THE CITY OF PERTH AMBOY	**Phone:** 732-826-3110-631 **Fax:** 732-826-3111 **E-mail: ehill@perthamboyha.org** **Web: www.perthamboyha.org/** **Agency ID:** 83664	881 Amboy Avenue PO BOX 390 PERTH AMBOY, New Jersey 08861	- Financial Management/Budget Counseling (FSS participants) - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling	- English - Other - Spanish
MONMOUTH	GARDEN STATE CONSUMER CREDIT COUNSELING, INC D/B/A NAVICORE SOLUTIONS	**Phone:** 732-409-6281 **Toll-free:** 866-472-4557 **Fax:** 732-863-5052 **E-mail: housing@navicoresolutions.org** **Web: www.navcioresolutions.org** **Agency ID:** 84870	200 US Highway 9 MANAPALAN, New Jersey 07726	- Financial Management/Budget Counseling - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling	- English - Spanish
MONMOUTH	AFFORDABLE HOUSING AUTHORITY	**Phone:** 732-389-2958 **E-mail: info@housingall.org** **Web: www.housingall.org** **Agency ID:** 82133	3535 Route 66 Parkway 100, Building 4 NEPTUNE, New Jersey 07753	- Financial, Budgeting, and Credit Workshops - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Resolving/Preventing Mortgage Delinquency Workshops - Reverse Mortgage Counseling	- Czech - English - Polish - Spanish -Ukrainian
MONMOUTH	MONEY MANAGEMENT INTERNATIONAL	**Phone:** 732-747-2792 **Toll-free:** 866-232-9080 **Fax:** 866-921-5129 **E-mail: counselinginfo@moneymanagement.org** **Web: www.moneymanagement.org** **Agency ID:** 82645	309 Fellowship Rd, Suite 200 Mount Laurel, New Jersey, 08054	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Online Homebuyer courses	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
MONMOUTH	NAVICORE SOLUTIONS	**Phone:** (732) 409-6281 **Email** housing@navicoresolutions.org **Web**: http://www.navicoresolutions.org **Agency ID**: 82226	200 US Highway 9 Manalapan, New Jersey, 07726	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Home Improvement and Rehabilitation Counseling - Non-Delinquency Post Purchase Workshops - Pre-Purchase Counseling - Pre-Purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling	- English - Spanish
MORRIS	HOUSING PARTNERSHIP OF NEW JERSEY	**Phone:** 973-659-9222 **Fax:** 973-659-9220 **E-mail:** contact@hpnj.us **Web: www.housingpartnershipnj.org** **Agency ID:** 81648	2 E. Blackwell St Ste 12 DOVER, New Jersey 07801	- Financial Management/Budget Counseling - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Financial Capability One on One Counseling - Financial Empowerment Workshop - Downpayment Assistance Loan Programs - CDFI Loan Program - Resolving/Preventing Mortgage Delinquency Workshops	- English - Spanish
OCEAN	AFFORDABLE HOUSING ALLIANCE, INC. TOMS RIVER BRANCH OFFICE	**Phone:** 732-389-2958/ 732-341-2272 **Fax:** 732-240-3639 **E-mail: info@@housingall.org** **Web: www.housingall.org** **Agency ID:** 90482	405 Washington Street TOMS RIVER, New Jersey 08753	- Financial, Budgeting, and Credit Workshops - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Reverse Mortgage Counseling	- English - Spanish
OCEAN	OCEAN, INC. (COMMUNITY ACTION PARTNERSHIP)	**Phone:** 732-244-5333 X 1108 **Fax:** 732-288-2619 **Email:** sshepard@oceaninc.org info@oceaninc.org **Web: www.oceaninc.org** **Agency ID:** 90545	40 Washington Street TOMS RIVER, New Jersey 08753	- Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Financial, Budgeting, and Credit Workshops - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Predatory Lending Education Workshops - Rental Housing Counseling - Resolving/Preventing Mortgage Delinquency Workshops	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
PASSAIC	HOUSING AUTHORITY OF THE CITY OF PATERSON	**Phone:** 973-345-5080 **Fax:** 973-977-9085 **E-mail:** **Web: www.patersonhousingauthority.org** **Agency ID:** 81792	60 Van Houten St PO BOX H PATERSON, New Jersey 07505	- Financial Management/Budget Counseling - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops	- English - Spanish
PASSAIC	PATERSON TASK FORCE FOR COMMUNITY ACTION. INC	**Phone:** (973) 279-2333 ext.134 **Email:** dnicholson@patersontaskforce.com **Website:** http://www.patersontaskforce.com **Agency Id**: 80404	191 Market Street Paterson, New Jersey, 07505	- Fair Housing Pre-Purchase Education Workshops - Financial, Budgeting, and Credit Workshops - Mortgage Delinquency and Default Resolution Counseling - Pre-Purchase Counseling - Pre-Purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshop -	- English
SALEM	CONSUMER CREDIT AND BUDGET COUNSELING, DBA NATIONAL FOUNDATION FOR DEBT MANAGEMENT	**Phone:** 866-403-7798 **Toll-free:** 888-738-8233 **Fax:** 888-738-8234 **E-mail: help@cc-bc.com** **Web: www.cc-bc.com** **Agency ID:** 81557	299 S Shore Rd. US Route 9 So MARMORA, New Jersey 08223	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish
SALEM	NEW JERSEY CITIZEN ACTION	**Phone:** 856-966-3091 **Toll-free:** 800-656-9637 **Fax:** 856-414-1054 **E-mail: application@njcitizenaction.org** **Web: www.njcitizenaction.org** **Agency ID:** 81026	1040 Kings Highway Suite 308 CHERRY HILL, New Jersey 08034	- Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling	- English - Spanish
SOMERSET	CENTRAL JERSEY HOUSING RESOURCE CENTER, INC.	**Phone:** 908-446-0036 **E-mail: 2cjhrc@gmail.com** **Web: www.cjhrc.org** **Agency ID:** 80650	92 E Main St Suite 407 SOMERVILLE, New Jersey 08876	- Financial, Budgeting, and Credit Workshops - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops - Services for Homeless Counseling	- English - Spanish

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
SUSSEX	CONSUMER CREDIT AND BUDGET COUNSELING, DBA NATIONAL FOUNDATION FOR DEBT MANAGEMENT	**Phone:** 609-390-9652 **Toll-free:** 888-738-8233 **Fax:** 888-738-8234 **E-mail:** help@cc-bc.com/ rgraves@nfdm.org **Web:** www.cc-bc.com **Agency ID:** 90224	26 Park St. MONTCLAIR, New Jersey 07042	- Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Reverse Mortgage Counseling - Services for Homeless Counseling	- English - Spanish
SUSSEX	NEW JERSEY CITIZEN ACTION	**Phone:** 973-643-8800 **Toll-free:** 800-656-9637 **Fax:** 973-643-8100 **E-mail:** application@njcitizenaction.org **Web:** www.njcitizenaction.org **Agency ID:** 80765	625 Broad St Ste 270 NEWARK, New Jersey 07102	- Financial Management/Budget Counseling - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops	- English - Spanish
UNION	URBAN LEAGUE OF UNION COUNTY	**Phone:** 908-351-7200 **Email:** UrbanLeague@uloucnj.org **Web:** www.uloucnj.org **Agency ID:** 80403	1139 E Jersey St Ste 515 ELIZABETH, New Jersey 07201	- Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Financial, Budgeting, and Credit Workshops - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops - Resolving/Preventing Mortgage Delinquency Workshops - Services for Homeless Counseling	- English - Spanish
UNION	NID-HCA PLAINFIELD	**Phone:** 908-941-1112 833-364-3422 **E-mail:** MuhammadM@nidhousing.com **Web:** www.nidhousing.com **Agency ID:** 90527	311 Park Ave PLAINFIELD, New Jersey 07060	- Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops - Resolving/Preventing Mortgage Delinquency Workshops - Services for Homeless Counseling	- English

HUD COUNSELING AGENCIES IN NEW JERSEY BY COUNTY

COUNTY	AGENCY NAME	PHONE, TOLL FREE FAX NUMBER EMAIL, WEBSITE AGENCY ID	ADDRESS	COUNSELING SERVICES	LANGUAGES
WARREN	**NEW JERSEY CITIZEN ACTION**	**Phone:** 973-643-8800 **Toll-free:** 800-656-9637 **Fax:** 973-643-8100 **E-mail: application@njcitizenaction.org** **Web: www.njcitizenaction.org** **Agency ID:** 80765	625 Broad St Ste 270 NEWARK, New Jersey 07102	- Financial Management/Budget Counseling - Home Improvement and Rehabilitation Counseling - Mortgage Delinquency and Default Resolution Counseling - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Rental Housing Counseling - Rental Housing Workshops	- English - Spanish

People living in counties not listed here, should go to the nearest location in their housing region:

Region 1: Bergen, Hudson, Passaic and Sussex
Region 2: Essex, Morris, Union and Warren
Region 3: Hunterdon, Middlesex and Somerset
Region 4: Mercer, Monmouth and Ocean
Region 5: Burlington, Camden and Gloucester
Region 6: Atlantic, Cape May, Cumberland and Salem

The information listed here is from www.HUD.gov. This list is updated aa 04/30/25.

Appendix C ARCHIVE MANAGEMENT

STATE OF NEW JERSEY

MUNICIPAL HOUSING AND DEVELOPMENT MS00000-002

DIVISION of ARCHIVES & NJDARM RECORDS MANAGEMENT

Prepared by:
Division of Archives and Records Management
2300 Stuyvesant Avenue, PO Box 307 Trenton, NJ 08625-0307
www.njarchives.org
609.530.3200

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Records Retention and Disposition Schedule	Agency: M500000	Schedule: 002	Page #:1 of 8

Department:	MUNICIPAL HOUSING AND DEVELOPMENT	**Agency Representative:**	BARBARA WALSH
Division:		**Title:**	DIRECTOR
Bureau:		**Phone #:**	

SCHEDULE APPROVAL: Unless in litigation, the records covered by this schedule, upon expiration of their retention periods, will be deemed to have no continuing value to the State of New Jersey and will be disposed of as indicated in accordance with the law and regulations of the State Records Committee. This schedule will become effective on the date approved by the State Records Committee.

Agency Representative Signature:	**Date:**	**Secretary, State Records Committee Signature:**	**Date:**

Record Series #	**Record Title and Description**	Audit	Alternate Media	Archival Review	Vital Record	Confidential	**Retention Policy** Total Retention Period	**Retention Policy** Minimum Period in Agency	**Disposition**	**Citation**
	Director's Office									
0001-0000	Project File	X	X				10 Years After completion of construction		Destroy	
0002-0000	Blueprints and Maps		X				10 Years After completion of construction		Destroy	
0003-0000	Federal Grant File --- File contains but is not limited to Federal Grant Agreements, financial records, statistical records, and supporting documentation.	X								
0003-0001	Federal Grant File - Agreements --- File contains but is not limited to Federal Grant Agreements, financial records, statistical records, and supporting documentation.	X					6 Years After termination of grant		Destroy	
0003-0002	Federal Grant File - Supporting Documentation, Financial Records, and Statistical Records --- File contains but is not limited to Federal Grant Agreements, financial records, statistical records, and supporting documentation.						6 Years After termination of grant		Destroy	

* P - Public, C - Confidential

Records Retention and Disposition Schedule	Agency: M500000	Schedule: 002	Page #:2 of 8

Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	Vital Record	Confidential	Retention Policy: Total Retention Period	Retention Policy: Minimum Period in Agency	Disposition	Citation
	Economic Development									
0050-0000	Economic Development Studies and Surveys						Permanent		Retain at Agency	
0051-0000	Urban Renewal File - Economic Development						10 Years After completion of construction		Destroy	
	Neighborhood Development									
0120-0000	Affordable Housing Project File --- File contains but is not limited to the following: Documentation from the Developer including Developer Certifications, Planned Real Estate Development (PRED) Public Offering Statement, deed, municipal land use approval and/or grant contract, project total number of units, total number of affordable units, total number of very-low, low-, and/or moderate-income units, number of units by bedroom distribution by very-low, low- and/or moderate income, floor plans, project maps, list of project principals or partners, project construction schedule, proposed pricing, list of public funding sources, grant agreement (copies), loan agreement (copies), condominium or homeowner fees, real estate taxes, utilities, flood insurance, contact information, rental lease agreement, Planning Zoning Board Resolutions (copies), Condominium/Homeowner Association or Rental Project Recorded files, Affirmative Marketing Plans and Advertisements, and Cost of Advertising records.	X	X						Destroy	
0120-0001	Affordable Housing Project File - Approved						Life of Deed restriction plus 10 yrs or Or Until Municipality Relinquishes Contol Plus 10 Yrs		Destroy	

* P - Public, C - Confidential

Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	Vital Record	Confidential	Retention Policy: Total Retention Period	Retention Policy: Minimum Period in Agency	Disposition	Citation
0120-0002	Affordable Housing Project File - Denied/Withdrawn						3 Years		Destroy	
0120-0003	Affordable Housing Project File - Referral List					P	3 Years After referral list is purged		Destroy	
0121-0000	Affordable Housing Application File --- File includes but not limited to preliminary and final applications, documentation, disclosures, appeals,extentions and correspondence.									
	Neighborhood Development									
0121-0001	Affordable Housing Application File - Cerification Approved	X					3 Years After recorded discharge of mortgage or 3 yrs after expiration of lease		Destroy	
0121-0002	Affordable Housing Application File - Certificatipn Denied Or Expired	X					3 Years		Destroy	
0122-0000	Affordable Housing Unit File --- Fiile includes but is not limited to deeds with restrictions, recorded mortgages and notes, discharges, approved increases, correspondence, certifications, contracts, and leases.	X					Life of Deed restriction plus 10 yrs		Destroy	
0122-0001	Affordable Housing Unit File - Mailing Notification Of Responsibilities						3 Years After recorded discharge of mortgage or 3 yrs after expiration of lease		Destroy	

* P - Public, C - Confidential

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Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	Vital Record	Confidential	Retention Policy: Total Retention Period	Retention Policy: Minimum Period in Agency	Disposition	Citation
	Neighborhood Development									
0123-0000	Affordable Housing Unit Inventory	X					3 Years After update		Destroy	
0124-0000	Affordable Housing Trust Fund And/Or Regional Contribution Agreement (RCA) Bank Account						6 Years After termination of account		Destroy	
0125-0000	Enforcement File - Projects And Units --- File includes but is not limited to Notices to Absentee Owner and correspondence.						10 Years After case closed		Destroy	
0126-0000	Monitoring Reports – Annual Submission						10 Years		Destroy	
0127-0000	Operations Manual						Life of Deed restriction plus 10 yrs or until municipality relinquishes control plus 10 yrs		Destroy	
	Neighborhood Planning									
0150-0000	Environmental Assessment File	X	X				Permanent		Retain at Agency	
0151-0000	Housing Project File	X	X				10 Years After completion of construction		Destroy	
0152-0000	General Planning Project File	X	X				10 Years After completion of construction		Destroy	

* P - Public, C - Confidential

Records Retention and Disposition Schedule	Agency: M500000	Schedule: 002	Page #:5 of 8

Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	Vital Record	Confidential	Retention Policy: Total Retention Period	Retention Policy: Minimum Period in Agency	Disposition	Citation
0153-0000	Green Acres Project File	X	X				Permanent		Retain at Agency	
0154-0000	Urban Renewal File - Neighborhood Planning	X	X				10 Years After completion of construction		Destroy	
0155-0000	Flood Control File	X	X				Permanent		Retain at Agency	
0156-0000	Rent Stabilization File	X	X				7 Years		Destroy	
0157-0000	Recreation Recovery Action Plan	X	X				Permanent		Retain at Agency	
	Property Improvement									
0200-0000	Financial, Construction And Loan Data For Each Property Assisted By Property Improvement Program.	X					10 Years After completion of construction		Destroy	
0201-0000	Estimator's Records	X					10 Years		Destroy	
0202-0000	Delinquent Accounts	X					6 Years After final payment		Destroy	
0203-0000	Program Accounts	X					6 Years		Destroy	
	Property Management									
0250-0000	Sold Properties And Indices	X					7 Years Unless in litigation		Destroy	
0251-0000	Redeemed Properties	X					7 Years Unless in litigation		Destroy	
0252-0000	Inspection File	X					7 Years Unless in litigation		Destroy	

* P - Public, C - Confidential

Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	Vital Record	Confidential	Retention Policy: Total Retention Period	Retention Policy: Minimum Period in Agency	Disposition	Citation
0253-0000	Relocation File	X					7 Years Unless in litigation		Destroy	
0254-0000	Owned Properties and Indices	X	X				Permanent		Retain at Agency	
0255-0000	General Record Series Deleted - See County and Municipal General Schedule.	X								
0256-0000	Title Foreclosures	X					Permanent		Retain at Agency	
	Property Maintenance									
0300-0000	Work Orders	X					6 Years		Destroy	
0301-0000	Housing Plans	X	X				Permanent		Retain at Agency	
0302-0000	Utility Bills	X					6 Years		Destroy	
0303-0000	Quarterly Reports	X					3 Years		Destroy	
0304-0000	City Owned Properties and Lots	X	X				7 Years After disposal of building		Destroy	
0305-0000	Seniority List - Property Maintenance	X					As updated		Destroy	
0306-0000	Police Reports	X					3 Years		Destroy	
0307-0000	Gas Usage Reports	X					2 Years		Destroy	
0308-0000	Solid Waste Transport Records	X					6 Years		Destroy	
	Traffic and Parking									
0350-0000	Street Closings	X					6 Years		Destroy	
0351-0000	General Record Series Deleted - See County and Municipal General Schedule.	X								

* P - Public, C - Confidential

Record Series #	Record Title and Description	Audit	Alternate Media	Archival Review	Vital Record	Confidential	Retention Policy: Total Retention Period	Retention Policy: Minimum Period in Agency	Disposition	Citation
0352-0000	Traffic Reports	X					3 Years		Destroy	
0353-0000	Project File - Traffic and Parking	X					6 Years		Destroy	
0354-0000	Work Orders - Street Sweeping and Street Lighting	X					6 Years		Destroy	
0355-0000	Barricade Data	X					3 Years		Destroy	
0356-0000	Crosswalk Data	X					3 Years As updated		Destroy	
0357-0000	Yellow Curb Painting Work Orders	X					3 Years As updated		Destroy	
0358-0000	Signal Requests	X					6 Years Unless in litigation		Destroy	
0359-0000	Building Plans - Public Building	X	X				Permanent		Retain at Agency	
0360-0000	Vehicle Use Data	X					3 Years After disposition of vehicle		Destroy	
0361-0000	Daily Work Report	X					6 Years		Destroy	
0362-0000	Signing and Government Marking	X	X				Permanent		Retain at Agency	
0363-0000	Special Signing (Non-Traffic) and Lettering	X	X				Permanent		Retain at Agency	
0364-0000	Damage Reports and Billings	X					6 Years		Destroy	
0365-0000	Drawings, Plans, and Maps	X	X				Permanent		Retain at Agency	
	Community Affairs									
0400-0000	Relocation Hearings	X					7 Years After settlement		Destroy	
0401-0000	Condemnation Hearings	X	X				Permanent		Retain at Agency	

* P - Public, C - Confidential

Records Retention and Disposition Schedule	Agency: M500000						Schedule: 002		Page #:8 of 8	
Record Series #	**Record Title and Description**	Audit	Alternate Media	Archival Review	Vital Record	Confidential	**Retention Policy** Total Retention Period	Minimum Period in Agency	**Disposition**	**Citation**
0402-0000	Demolition File	X	X				Permanent		Retain at Agency	
0403-0000	Project Case File	X	X				10 Years After completion of construction		Destroy	
0404-0000	Inspection Reports	X					7 Years		Destroy	
0405-0000	Rental Assistance Certification/Recreation of Tenant Eligibility	X					6 Years		Destroy	
0406-0000	Notice of Rent Increase	X					7 Years After termination of lease		Destroy	

Exhibit 3

TOWNSHIP OF MIDDLE
COUNTY OF CAPE MAY
STATE OF NEW JERSEY

RESOLUTION
139-26

Subject: ADOPTING THE AFFORDABILITY ASSISTANCE MANUAL PREPARED BY TRIAD ASSOCIATES
Introduced By: Committeeman Gandy Seconded By: Committeeman Norris
Vote – Aye: Committeeman Gandy, Committeeman Norris, Mayor Leusner
Nay:

WHEREAS, the Township of Middle 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 Triad Associates as its administrative agent to implement its affordable housing plan inclusive of its Affordability Assistance Program; and

WHEREAS, Triad Associates has prepared an Affordability Assistance Manual outlining policies, procedures, and administrative guidelines to support the implementation of affordability assistance plan; and

WHEREAS, the Township Committee has reviewed said Manual and finds it to be in the best interest of the Township to formally adopt it; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middle that the Affordability Assistance Manual prepared by Triad Associates 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 this Resolution shall take effect immediately upon passage, and the Township Administrator, Affordable Housing Liaison, and all appropriate officials are authorized to implement the provisions of the Manual as necessary.

I, Kimberly D. Osmundsen, Township Clerk of the Township of Middle, Cape May County, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting of said Middle Township Committee, held on March 11, 2026 and said Resolution was adopted by not less than a two-thirds vote of the members of the Township Committee.

Witness my hand and seal of
the Township of Middle, this
11th day of March, 2026

Kimberly D. Osmundsen, Township Clerk

AFFORDABILITY ASSISTANCE PROGRAM MANUAL

In Accordance with the Uniform Housing Affordability Controls

FEBRUARY 2026

Prepared by

TRIAD
IMPROVING HOUSING OPPORTUNITIES

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III. EXHIBITS:

EXHIBIT 1: Summary of Affordability Assistance Program Terms

EXHIBIT 2: Affordability Assistance Application

EXHIBIT 3: Down Payment Assistance Program Documents

EXHIBIT 4: First Month’s Rent Assistance Program Documents

EXHIBIT 5: Emergency Repair Assistance Program Documents

INTRODUCTION

The purpose of this Manual is to describe the policies and procedures of the Affordability Assistance Program. This Manual describes the basic content and operation of the various affordable assistance program components.

In accordance with the Fair Housing Act Adopted New Rules: N.J.A.C. 5:99 - 2.5, a municipality shall set aside a portion of its affordable housing trust fund for the purpose of providing affordability assistance to low- and moderate-income households in affordable units included in a municipal fair share plan, in accordance with N.J.A.C. 5:99-2.5. 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. N.J.A.C. 5:99-2.5.

I. TYPES OF AFFORDABILITY ASSISTANCE

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

A. **EMERGENCY AND HEALTH/SAFETY REPAIRS** – Affordability Assistance funding is available to assist owners of low-and moderate-units to make emergency and/or health and safety related repairs that they do not have the financial resources to make otherwise. Funding will not be provided for standard maintenance items, work covered by the homeowner association, damage covered by homeowner insurance and/ or minor repairs such as small areas of peeling paint or other items that can be addressed easily by the homeowner. This funding will help preserve the affordable deed restricted housing stock and the residents who reside in the homes. Only units in the Municipality's Fair Share Plan (portfolio of affordable units) are eligible to apply. The maximum combined grant available to any one affordable home will be $10,000.

B. **ENERGY EFFICIENCY PROGRAM (EEP)** - This program makes available zero interest forgivable loans to income-qualified Owners of deed restricted affordable homes in the Municipality. The following Energy Efficiency upgrades/replacements are eligible:
   - HVAC or heat pump equipment;
   - Hot water heater;
   - Windows and doors

   The maximum combined grant available to any one affordable home will be $10,000. By replacing existing heating /cooling (HVAC) systems, windows, doors and/or hot water heaters with new, high

energy efficiency standards, the goal of this program is to save energy and reduce the energy-related costs for low- and moderate-income households, while maintaining a high level of comfort.

C. CREATE ADDITIONAL VERY LOW-INCOME UNITS – Affordability assistance may be utilized to create additional very low-income units by converting a moderate or low-income unit into a very low-income unit in new developments. The affordability assistance will result in additional very low-income units beyond what is required by state affordable housing rules. The Municipality may negotiate with developers of inclusionary developments to determine the appropriate amount of subsidy required to make the unit affordable to a very low-income household.

D. FIRST MONTHS RENT ASSISTANCE (SECURITY DEPOSIT ASSISTANCE) - This program makes available grants to income-qualified tenants of deed restricted affordable apartments in the Municipality in an amount equal to the amount of rent that the landlord charges for the first month of occupancy. The grant will be available to all new tenants of very low-, low- and moderate- income rental units. The Maximum grant will be $2,500.00

E. DOWN PAYMENT ASSISTANCE - The Municipality Down Payment Assistance Program is designed to help low- and moderate-income households achieve the goal of homeownership. This program will provide a no interest, forgivable loan to homebuyers of deed restricted affordable properties within the Municipality to use as a principal down payment and/or closing costs. The goal of the program is to provide financial assistance to income-qualified homebuyers moving to the Municipality. The maximum grant is $10,000.00

F. HOMEOWNERSHIP ASSISTANCE PROGRAM - The Program is designed to help low- and moderate-income homeowners retain stable finances. This program will provide a no interest, forgivable loan to homeowners of deed restricted affordable properties within the Municipality who are in arrears with mortgage payments, taxes, utility payments, special assessments, or homeowners' fees. Funds are made available through the Municipality's Affordable Housing Trust Fund. The goal of the program is to provide financial assistance to income-qualified homeowners. The maximum grant is $10,000.00.

ELIGIBILITY

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

1. There are affordability assistance funds remaining in the Housing Trust Fund for the year.
2. The applicant owns a deed restricted affordable unit in the Municipality that they maintain as their primary residence.
3. The applicant rents a deed restricted affordable unit in the Municipality.
4. The applicant has not received an affordability assistance in the past. (Only one award per household is permitted. This requirement can be waived on a case-by-case basis)
5. Applicants applying for repairs will require income certification at the time of application.

6. Applicants applying for repairs, must show proof that property taxes, municipal utilities and, if applicable, mortgage and homeowner association fee are paid current.
7. Applicants applying for repairs must show proof that the needed improvements will remediate a serious threat to the health and/or safety of the building's residents.

REPAYMENT TERMS & REPAYMENT AGREEMENT

When required, loans for properties participating in the Affordability Assistance Program shall be secured through a Mortgage and Mortgage Note in favor of the municipality and executed by the property owner. The Mortgage and Mortgage Note will be executed at closing. The original mortgage note shall be retained by the Municipality Clerk and kept in the unit file. The Administrative Agent will send the affordability assistance Mortgage requiring recording to the Municipality. Upon receipt the Municipality will file said document with the County Clerk's office.

When required, the following is the term of the mortgage:

All loans are zero interest, forgivable loans. If property is sold prior to the fifth year, the loan becomes due upon change in ownership. After the fifth year, the loan shall be forgiven by 20% each year, up to year 10. After year 10, the loan will be completely forgiven. Mortgages, the Control Period and five year time period for the Emergency Repair and Energy Efficiency grants begin on the date all work is completed and approved, and for the Down Payment Assistance and Homeownership Assistance Program the period begins on the date the funds are released.

II. PROGRAM ADMINISTRATION

The Administrative Agent will be responsible for administering the program. Questions about the Program should be directed the Administrative Agent. All forms are included in the appendices

TRIAD Associates
1301 W. Forest Grove Road
Vineland, NJ 08360
Phone: (856) 690-9590
Fax: (856)-690-5622
www.triadincorporated.com
www.triadhousingprograms.com

1. EMERGENCY AND HEALTH/SAFETY REPAIRS PROGRAM PROCEDURES

- Homeowner submits application for assistance along with proof of work items needed. Refer to section on Requirements of Work Items.
- The Administrative Agent income certifies applicant and confirms property taxes, municipal utilities and, existing mortgage and homeowner association fee are paid current.
- Building inspector visits home to document the need for emergency repair and to prepare the work specifications to be reviewed by the appropriate code official.

- Upon eligibility determination and site visit– the Administrative Agent will send homeowner:
  - ✓ Eligibility letter (including paragraph on municipal contractor payment process to show to the contractor)
  - ✓ Work specifications
  - ✓ Instructions to obtain and provide proposal from 3 contractors (willing to be paid by municipality at job completion). Homeowner to identify contractor selected to do the job and provide that contractor's business registration, Consumer Affairs home improvement license and certificate of insurance listing program as certificate holder. The homeowner will have to fund any amount over the program funding limit, payable directly to the contractor.
- Once homeowner provides the above items, the Administrative Agent will send the homeowner's certificate of eligibility and contractor selection to the Municipality to pass a resolution authorizing funding assistance. Upon receipt of the approved municipal resolution, provide the homeowner the construction agreement for the homeowner and contractor to sign, as well as program mortgage & note for the homeowner to sign in front of notary and return to program.
- The Municipality is not a party to any contract between homeowner and contractor and the Municipality does not ensure that work performed by contractor is completed to satisfaction of homeowner. The construction agreement is between the homeowner and contractor; the Municipality is not a party to the agreement for purposes of any claims by the parties against one another.
- Upon construction completion, the homeowner will provide to the Program:
  - ✓ Written homeowner's approval of satisfactory job completion.
  - ✓ Invoice from contractor identifying the work items they completed.
  - ✓ Copies of municipal permits and closed out permits via municipal Certificate of Approval for the applicable items installed.
- If the work does not require a permit, certification of work by the contractor will be accepted.
- The Administrative Agent will submit the contractor invoice to the municipality for payment and forward the mortgage to the municipality to file (record) with the county clerk.

Emergency and Health/Safety Repairs Program Eligibility Certification Process

In order to be eligible for assistance, households in each unit to be assisted must be determined to be income eligible. All adult members, 18 years of age and older, of the household must be fully certified as income-eligible before any assistance will be provided by the Program. The Administrative Agent will income qualify applicants in accordance with the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-

16.1 et seq., except for the regional maximum asset limit issued annually in the *Affordable Housing Regional Income Limits by Household Size*.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

A. WHAT IS CONSIDERED INCOME

The following income sources are considered income and will be included in the income eligibility determination:

- Wages, salaries, tips, commissions
- Regularly scheduled overtime
- Unemployment compensation (verify the remaining number of weeks they are eligible to receive)
- Social Security
- Pensions
- Disability
- Alimony
- Verified regular child support (received)
- Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
- Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate. Rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance.
- TANF (Temporary Assistance For Needy Families)
- Net income from business or real estate
- Rent from real estate is considered income
- Any other forms of regular income reported to the Internal Revenue Service

B. WHAT IS NOT CONSIDERED INCOME

The following income sources are not considered income and will not be included in the income eligibility determination:

- Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income
- Part-time income of dependents enrolled as full-time students
- Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
- Food stamps
- Rebates or credits received under low-income energy assistance programs
- Payments received for foster care
- Relocation assistance benefits
- Income of live-in attendants
- Scholarships
- Student loans

- Personal property such as automobiles

C. HOW TO VERIFY INCOME

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Income verification documentation should include, but is not limited to the following for each and every member of a household who is 18 years of age or older:

- Four current consecutive pay stubs, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- A signed copy of regular IRS Form 1040 (Tax computation form), 1040A or 1040EZ (as applicable) and state income tax returns filed for the last three years prior to the date of interview or notarized tax waiver letter for respective tax year(s)
- A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- If applicable, a letter or appropriate reporting form verifying monthly benefits such as:
    1. Social Security or SSI – Current award letter or computer printout letter
    2. Unemployment – verification of Unemployment Benefits
    3. Welfare -TANF current award letter
    4. Disability - Worker's compensation letter or
    5. Pension income (monthly or annually) – a pension letter
    6. A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court (includes separation agreement or divorce papers) or education scholarship/stipends – current award letter;
- Reports from the last two consecutive months that verify income from assets to be submitted by banks or other financial institutions managing savings and checking accounts (bank statements and passbooks), trust funds, money market accounts, certificate of deposit, stocks or bonds (In brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates). Examples include copies of all interest and dividend statements for savings accounts, interest and non-interest-bearing checking accounts, and investments;

- Evidence or reports of income from directly held assets, such as real estate or businesses owned by any household member 18 years and older.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
- Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property attach copies of all leases.

D. ADDITIONAL INCOME VERIFICATION PROCEDURES

1. STUDENT INCOME

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35-hour workweek.

2. INCOME FROM REAL ESTATE

If real estate owned by an applicant for affordable housing is a rental property, the rent is considered income. After deduction of any mortgage interest, real estate taxes, property owner insurance and reasonable property management expenses as reported to the Internal Revenue Service, the remaining amount shall be counted as income.

If an applicant owns real estate, other than primary residence, the Program Case Manager should determine the imputed interest from the value of the property. The Program Case Manager should deduct outstanding mortgage debt from the documented market value established by either a market value appraisal or by applying the property tax equalization market value method, as well as real estate commission if property was to be sold. Based on current money market rates, interest will be imputed on the determined value of the real estate.

E. OTHER ELIGIBILITY REQUIREMENTS

Applicant to submit the following in the application package:

- Recorded deed to the property to be assisted;
- If you are a widow or widower, copy of Death Certificate should be included;
- Receipt for property taxes paid current.
- Signed Release form to verify eligibility determination from third party sources;
- Proof that all mortgage payments are current; and
- Copy of any and all other liens recorded against the property.

- Personal identification (a copy of any of the following Driver's License, Passport, Birth Certificate, Social Security Card, Adoption Papers, Alien Registration Card, etc.) for each household member.

F. REQUIREMENTS OF UTILITIES & TAXES PAID CURRENT

All applicants' water/sewer and tax accounts must be paid current.

G, REQUIREMENTS OF WORK ITEMS

Homeowner has to demonstrate the existing problem has been inspected and the threat verified by one of the following:

- The appropriate local construction official;
- A local health official; or
- Systems or components that have been red tagged by utility company and/or verified non-functional by a qualified service technician.

This is done at time of submission of the program application.

G. ELIGIBILITY CERTIFICATION

After Administrative Agent Program staff determines that the household is income eligible and meets all other eligible requirements, the Administrative Agent Program Manager will complete and sign the Eligibility Certification. This certification is valid for six months starting from date of eligibility certification. A Construction Agreement must be signed within this time period. If not, the Program Manager must reevaluate the household's eligibility.

- The Municipality Emergency Repair Assistance Program will provide a maximum loan of $10,000.00. to each eligible homeowner. If property is sold prior to the fifth year, the loan becomes due upon change in ownership. After the fifth year, the loan shall be forgiven by 20% each year, up to year 10. After year 10, the loan will be completely forgiven.

2. ENERGY EFFECIENCY UPGRADES

A. ELIGIBILITY CERTIFICATION

After the Administrative Agent Program staff determines that the household is income eligible and meets all other eligible requirements, the Administrative Agent Program Manager will complete and sign the Eligibility Certification. This certification is valid for six months starting from date of eligibility certification. A Construction Agreement must be signed within this time period. If not, the Program Manager must reevaluate the household's eligibility.

- The Municipality Energy Efficiency Program will provide a maximum loan of up to $15,000 to each eligible homeowner. If property is sold prior to the fifth year, the loan becomes due upon

change in ownership. After the fifth year, the loan shall be forgiven by 20% each year, up to year 10. After year 10, the loan will be completely forgiven.

3. CREATION OF ADDITIONAL VERY LOW-INCOME UNITS PROGRAM PROCEDURE

A. Terms to be negotiated between landlord/developer and the Municipality.

B. Upon approval of terms by both parties, Municipal attorney prepares Resolution authorizing award and terms, including changes in unit designation(s) from conversion of moderate and low-income units to very low-income units; revisions to restrictive covenant language, etc. Administrative Agent shall assist attorney upon request. See Exhibit 1.

C. Municipality adopts Resolution.

D. Municipality sends assistance directly to landlord/developer.

E. Administrative Agent records assistance on master reporting spreadsheet.

4. FIRST MONTHS RENT ASSISTANCE PROCEDURES

The Municipality will designate a portion of all development fees collected and interest earned towards a First Months Rent Grant program. This grant will be available to an income eligible renter with good credit standing who qualifies for a low- or moderate-income rental unit in one of the Municipality's deed restricted units or its Rental Housing Rehabilitation Program as per the following guidelines:

- The First Months Rent will be in the form of a grant equal to the first month's rental amount determined by the landlord and will be paid to the landlord on behalf of the tenant.
- The Municipality's First Months Rent Affordability Assistance Program will be administered by the Administrative Agent. After an applicant is income qualified by the Administrative Agent pursuant to New Jersey Fair Housing rules and UHAC, or cannot be qualified due to a need for assistance, an affordability assistance application will be completed and forwarded with all necessary documentation to the Administrative Agent. The affordability assistance recipient will sign a contract with municipality which states the amount of funds granted, procedures and duration and conditions of affordability assistance. All tenants of affordable units within the Municipality will be advised of the availability of the Municipality's Affordability Assistance Program. An income eligible occupant or applicant for an affordable unit within the municipality may not be denied participation in the Affordability Assistance Program(s) unless funding is no longer available.
- If the unit is a Rental Housing Rehabilitation Program unit, and a 10-year deed restriction was recorded on the unit at the completion of rehabilitation work and the restriction is still in effect at the time of the tenant's application for First Months Rent.
- The Municipality First Months Rent Program will provide a maximum grant in the amount of the first month's rent, not to exceed $2,500.00.

5. DOWN PAYMENT ASSISTANCE PROCEDURES

The Municipality Down Payment Assistance Program is designed to help low- and moderate-income households achieve the goal of homeownership. This program will provide a no interest, forgivable loan to homebuyers of deed restricted affordable properties within the Municipality to use as a principal down

payment and/or closing costs. The goal of the program is to provide financial assistance to income-qualified homebuyers moving to the Municipality.

ELIGIBLE PARTICIPANTS

Applicants for this loan program must be income-qualified by the Administrative Agent for the Municipality and must be under contract to purchase a deed restricted home in the Municipality. This means that the applicant must have made application to buy a home, been income-qualified and selected to purchase an affordable home within the Municipality, and signed a contract with the seller.

ELIGIBLE PROPERTIES

Properties must be within the Municipality and be deed restricted in accordance with the U.H.A.C. guidelines. The price of the home will be limited by the deed restriction to be affordable to either a low or moderate-income household.

LEVEL OF FINANCING

The Municipality Down Payment Assistance Program will provide a maximum loan of $10,000.

TERMS AND CONDITIONS

The loan is given as a zero-interest loan. If property is sold prior to the fifth year, the loan becomes due upon change in ownership. After the fifth year, the loan shall be forgiven by 20% each year, up to year 10. After year 10, the loan will be completely forgiven. The loan will be secured by a second mortgage and note.

Recipients of Down Payment Assistance Program funds are required to maintain the unit as their principal residence for the duration of the loan period and abide by all other requirements of the deed restriction and UHAC. In the event the property is sold or disposed of during the term of the loan, the outstanding loan amount in accordance with the schedule above shall be immediately due and payable to the Municipality according to the terms of the Mortgage and Mortgage Note.

SECURITY INSTRUMENTS

Loans for all properties participating in the Down Payment Assistance Program shall be secured through a Mortgage and Mortgage Note (see Exhibit 3) in favor of the municipality executed by the property owner. The Municipality will record said documents with the County Clerk's office upon the completion of the closing of title. The Mortgage and Mortgage Note will be executed at closing. The original mortgage note shall be retained by the Municipality Clerk and kept in the unit file.

6. HOMEOWNERSHIP ASSISTANCE PROCEDURES

The Program is designed to help low and moderate-income homeowners retain stable finances. This program will provide a no interest, forgivable loan to homeowners of deed restricted affordable properties within the Municipality who are in arrears with mortgage payments, taxes, utility payments, special assessments, or homeowners' fees. Funds are made available through the Municipality's Affordable Housing Trust Fund. The goal of the program is to provide financial assistance to income-qualified homeowners. This program will provide a no interest, forgivable loan to homebuyers of deed restricted affordable properties within the Municipality.

ELIGIBLE PARTICIPANTS

Applicants for this loan program must be income-qualified by the Administrative Agent for the Municipality and must be the owner of an affordable housing unit in the Municipality.

ELIGIBLE PROPERTIES

Properties must be within the Municipality and be deed restricted in accordance with the U.H.A.C. guidelines.

LEVEL OF FINANCING

The Municipality Homeownership Assistance Program will provide a maximum loan of $10,000.

TERMS AND CONDITIONS

The loan is given as a zero-interest loan. If property is sold prior to the fifth year, the loan becomes due upon change in ownership. After the fifth year, the loan shall be forgiven by 20% each year, up to year 10. After year 10, the loan will be completely forgiven. The loan will be secured by a second mortgage and note.

Recipients of Homeownership Assistance Program funds are required to maintain the unit as their principal residence for the duration of the loan period and abide by all other requirements of the deed restriction and UHAC. In the event the property is sold or disposed of during the term of the loan, the outstanding loan amount in accordance with the schedule above shall be immediately due and payable to the Municipality according to the terms of the Mortgage and Mortgage Note.

SECURITY INSTRUMENTS

Loans for all properties participating in the Homeownership Assistance Program shall be secured through a Mortgage and Mortgage Note in favor of the municipality executed by the property owner. The Municipality will record said documents with the County Clerk's office upon the completion of appropriate forms. The Mortgage and Mortgage Note will be executed at closing. The original mortgage note shall be retained by the Municipality Clerk and kept in the unit file.

Exhibit 4

TOWNSHIP OF MIDDLE
COUNTY OF CAPE MAY
STATE OF NEW JERSEY

RESOLUTION
137-26

Subject: UPDATING SPENDING PLAN
Introduced By: Committeeman Gandy Seconded By: Committeeman Norris
Vote – Aye: Committeeman Gandy, Committeeman Norris, Mayor Leusner
Nay:

WHEREAS, the Township of Middle (hereinafter "Township" or "Middle") adopted a Development Fee Ordinance, which established standards for the imposition and collection of development fees; and

WHEREAS, in addition, the New Jersey Legislature adopted the Statewide Nonresidential Development Fee Act (SNDFA) authorizing and directing municipalities to impose a fee on nonresidential development, subject to specified exceptions; and

WHEREAS, the Township imposed and collected fees in accordance with its Development Fee Ordinance and the SNDFA; and

WHEREAS, the Township deposited fees collected in an affordable housing trust fund; and

WHEREAS, the Township adopted a Spending Plan to show the monies to the Township anticipated it would have in its trust fund in Round 4 and how the Township planned to spend the trust fund money in accordance with applicable laws; and

WHEREAS, the Township included that Spending Plan as an exhibit to the Housing Element and Fair Share Plan it filed in June of 2025; and

WHEREAS, in December of 2025, several months after the Planning Board adopted the HEFSP in June of 2025, the New Jersey Department of Community Affairs ("DCA") provided regulations governing how affordable housing fees may be spent; and

WHEREAS, the Township wishes to demonstrate its commitment to spending trust fund monies in accordance with current laws; and

WHEREAS, accordingly, to comply with the new DCA regulations that only became available in December of 2025, the Township's affordable housing planner has updated the Spending Plan and included the updated plan as an exhibit to the Amendment to the 2025 Housing Element and Fair Share Plan; and

WHEREAS, the Updated Spending Plan is attached hereto; and

WHEREAS, the Township has reviewed the Updated Spending Plan and finds that it is in the best interest of the Township to adopt it and seek approval of same in conjunction with efforts to secure approval of its HEFSP as amended.

NOW THEREFORE BE IT RESOLVED that the Committee of the Township of Middle hereby adopts the updated Spending Plan attached hereto; and

BE IT FURTHER RESOLVED THAT the Township hereby directs its professionals to file this duly updated Spending Plan in a timely manner and to take such other actions as it deems appropriate to secure approval of the Township's amended Housing Element and Fair Share Plan inclusive of this updated Spending Plan.

I, Kimberly D. Osmundsen, Township Clerk of the Township of Middle, Cape May County, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a meeting of said Middle Township Committee, held on March 11, 2026 and said Resolution was adopted by not less than a two-thirds vote of the members of the Township Committee.

Witness my hand and seal of
the Township of Middle, this
11th day of March, 2026

Kimberly D. Osmundsen, Township Clerk

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DRAFT

Middle Township, Cape May County

Amended Affordable Housing Trust Fund Spending Plan

Fourth Round (2025 – 2035)

INTRODUCTION AND BACKGROUND

In June of 2025, Middle Township prepared and filed a Housing Element and Fair Share Plan in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Amended Fair Housing Act (N.J.S.A. 52:27D-301), That Housing Element and Fair Share Plan included a Spending Plan consistent with the laws that existed at that time.

In December 2025, the New Jersey Department of Community Affairs (DCA) promulgated new regulations establishing new standards for trust funds created pursuant to the Fair Housing Act. See N.J.A.C. 5:99 et seq

This Amended Affordable Housing Trust Fund Spending Plan is intended to conform the Township's Spending Plan to the new DCA regulations.

This Amended Spending Plan should be viewed in context. The Township previously adopted a development fee ordinance and the Court approved that ordinance creating a dedicated revenue source for affordable housing. In addition, the Legislature enacted the Statewide Nonresidential Development Fee Act mandating the imposition of an affordable housing fee on nonresidential development. As a result of the adoption and approval of a development fee ordinance and the enactment of the Statewide Nonresidential Development Fee Act considerable monies have been deposited into the Township's Affordable Housing Trust Fund.

In this regard, as of January 1, 2026, the Township had a balance of $2,856,225.95 in the Affordable Housing Trust Fund. This is inclusive of the following cumulative deposits and payments from the AHTF:

- Deposits: $4,551,972.24
    - Fees Collected: $2,647,800.45; Interest Collected: $281,290.03; Other Payments: $130,000; Payments in Lieu: $1,492,881.76

- Payments: $1,685840.47

  Housing Activity: $1,163,600; Administrative Expenses: $522,240.47

Going forward, the Township will prepare annual reporting on Affordable Housing Trust Fund activity. This Spending Plan provides an estimate of projected funding and proposals for expenditure of funds in support of the Housing Plan Element and Fair Share Plan, and provides guidance to ensure that funds are spent in accordance with the requirements of N.J.A.C. 5:99-2. In accordance with N.J.S.A. 52:27D-329.2 and -329.3, all funds deposited into the Township's Affordable Housing Trust Fund are to be spent within 4 years of their receipt. The Township will provide annual monitoring to the AHMS as administered by the NJDCA.

1. REVENUES FOR CERTIFICATION PERIOD

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 trust fund monies will be deposited in a separate interest-bearing affordable housing trust fund account for the purposes of supporting and providing affordable housing. These funds have been and shall be spent in accordance with N.J.A.C. 5:99-2, as described in the sections that follow.

To calculate a projection of revenue anticipated through 2035, the following have been considered:

(a) Development fees.

1. Residential and non-residential construction projects that are subject to the development fee requirements, (Affordable Housing Development Fees) and fees for developments that have already received approval by the Township's Planning and Zoning Boards.

2. Applications for residential and non-residential construction projects that are currently pending and will be heard by the Planning Board and are likely to receive building permits and/or certificates of occupancy before 2035; and

3. Residential and non-residential construction projects that are likely to occur before 2035 based on available land, economic conditions, and historical rates of development.

4. For the purposes of this plan, estimated development fees are $250,000 annually for the remainder of the reporting period. This is based on a conservative estimate of the approximate average of fees collected over the previous 5 years. Actual averages from 2021-2025 were approximately $350,000, with over $1 million in fees being deposited in 2025.

(b) Payment in lieu (PIL) of on-site construction.

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Payments in lieu (PIL) of construction from residential developers that have or are expected to enter into an agreement with the Township to make a specific payment to the Affordable Housing Trust Fund in lieu of providing affordable housing units onsite.

At this time, the Township is not anticipating any payments in lieu of construction.

(c) Other funding sources.

Potential funds from other sources include the sale of units with extinguished controls, repayment of affordable housing program loans (such as rehabilitation or down payment assistance), rental income, and proceeds from the sale of affordable units.

Any such payments will be accepted, but at this time the Township is not anticipating any alternative sources of revenue, and no projections of revenue derive from such payments.

(d) Projected interest.

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate. The interest is conservatively estimated to be approximately $12,000 per year. All interest earned on the account shall be used only for the purposes of affordable housing.

Projected Revenues 2025 - 2035											
Starting Balance (12/31/2025)	**$2,856,225.95**										
SOURCE OF FUNDS	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**Total**
(a) Development Fees:	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$125,000	$2,375,000
1. Approved Development	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	-
2. Development Pending Approval	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	-
3. Projected Development	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$250,000	$125,000	$2,375,000
(b) Payments in Lieu of Construction	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
(c) Other sources	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
(d) Interest on Total Account Balance	$12,000	$12,000	$12,000	$12,000	$12,000	$12,000	$12,000	$12,000	$12,000	$6,000	$114,000
Total	$262,000	$262,000	$262,000	$262,000	$262,000	$262,000	$262,000	$262,000	$262,000	$131,000	$2,489,000

Middle Township projects a total revenue of $2,489,000 to be collected from June 2025 through July 2035 in development fees and interest payments. When combined with the existing balance of $1,561,811.91, the Township can anticipate to have a total of $4,312,811.91 to spend on funding and administering affordable housing programs through 2035.

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2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

Middle Township will follow the following procedures for the collection and distribution of affordable housing trust fund revenues.

(a) Collection of fees and payments:

1. Development fees shall be collected consistent with the Township's development fee ordinance for both residential and non-residential projects in accordance with the N.J.A.C. 5:99-1 et seq and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

2. Payments-in-lieu shall be collected as set forth in an Agreement between the Township and the Developer. Typically, payments will be made in no more than four (4) installments as the development progresses and the entire payment shall be made prior to the issuance of the final Certificate of Occupancy.

(b) Distribution of development fee revenues:

1. The Municipal Housing Liaison and Township Staff coordinate compliance and implementation of the Spending Plan as it relates to the Fair Share Plan; and coordinate recommendations for expenditure of funds in support of compliance or implementation of the Spending Plan.

2. The Township Administrator authorizes staff to prepare a Resolution that includes an explanation of how the expenditure advances the Township's affordable housing objectives, implements some aspect of the Fair Share Plan, and is consistent with the Spending Plan.

3. The Municipal Housing Liaison and the Township CFO review the request and authorize the expenditure by issuing a check.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) New construction, extension of controls, and conversion programs and projects (N.J.A.C.5:99-2.3)

Rehabilitation Program: $1,020,000.00

The Township has previously operated and will reestablish the municipal rehabilitation program. The previous program was funded through Community Development Block Grants, and between 2011 and 2021 over 100 homes were rehabilitated in the Township. The Township will continue this program and fund it through the Affordable Housing Trust Fund. With a Fourth Round rehabilitation obligation of 51 units, the

Township will dedicate $1,020,000, or an average of $20,000 towards each rehabilitation project in order to ensure adequate funding is in place to meet the rehabilitation obligation.

(b) Affordability Assistance (N.J.A.C. 5:99-2.5): $250,000.00

A municipality shall set aside a portion of all development fees collected and interest earned for the purpose of providing affordability assistance to very-low-, low-, and moderate-income households in affordable units included in the municipality's fair share plan pursuant to N.J.S.A. 52:27D-329.1. Affordability assistance for very-low-income households may include offering a subsidy to developers of inclusionary or 100 percent affordable housing developments or buying down the cost of low- or moderate-income units in a municipal fair share plan to make them affordable to very low-income households, including special needs and supportive housing opportunities. A municipality may contract with a private or public entity to administer any part of its housing element and fair share plan, including the requirement for affordability assistance, or any program or activity for which the municipality expends development fee proceeds.

Middle Township plans to dedicate $250,000 from the affordable housing trust fund to provide affordability assistance. This amount is consistent with the Fair Housing Act as amended in March of 2024, and the new DCA regulations. In this regard, neither the Fair Housing Act as amended in 2024 nor the new DCA regulations promulgated in December of 2025 require that 30 percent of a trust fund be devoted to affordability assistance. This marks a departure from the regulations of COAH that imposed a 30 percent requirement.

In accordance with N.J.A.C. 52:27D-329.2, the programs considered to provide affordability assistance to low and moderate income households may include the following:

1. Down Payment Assistance Program;
2. Security Deposit Assistance Program;
3. Low interest loans;
4. Maintenance expenses for condominiums;
5. Rental assistance;
6. Conversion of low or moderate income housing units to very low income housing units;
7. Any other program authorized by the Department of Community Affairs (NJDCA)

(c) Administrative Expenses (N.J.A.C. 5:99-2.4) $188,743 maximum

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Administrative expenses are subject to a cap. N.J.A.C. 5:99-2.4(a) states that no more than 20 percent 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 table below demonstrates the maximum amount of Affordable Housing Trust Fund revenue that will be available for administrative expenses through 2035.

Administrative Expense Calculation		
Actual development fees through 12/31/2025		$2,647,800.45
Development fees projected 2025-2035	+	$2,375,000.00
Less Payment in Lieu Funds	-	$1,492,881.76
Total	=	**$3,529,918.69**
Calculate 20 percent	x .20 =	$705,983.74
Less administrative expenditures through 12/31/2025	-	$522,240.47
Projected maximum allowable for administrative expenses 06/30/2025 through 06/30/2035	=	**$183,743.27**

Middle projects that $88,478.35 will be available for administrative expenses through 2035.

N.J.A.C. 5:99-2.4 (b) and (c) provide that trust fund monies can be spent on administrative expenses for the following expenses.

> **(b)** Administrative expenses may include costs reasonably related to the determination of the fair share obligation and the development of a municipal housing element and fair share plan and may include fees necessary to develop or implement affordable housing programs, an affirmative marketing program, and/or expenses that are reasonably necessary for compliance with the processes of the Program, including, but not limited to, the costs to the municipality of resolving a challenge pursuant to the Program.
>
> **(c)** Administrative expenses may also include costs associated with functions carried out in compliance with UHAC, including activities related to the marketing program and waitlist management, administering the placement of occupants in housing units, income qualification of households, monitoring the turnover of sale and rental units, preserving existing affordable housing, and compliance with the Division's monitoring requirements.

Accordingly, projected administrative expenditures, subject to the 20 percent cap, are as follows:

1. Wait list management and general administration.
2. Administration of Down Payment Assistance Program by Administrative Agent

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3. Establishment and Administration of Homeowner Association Fee Assistance Program by Administrative Agent
4. Establishment and Administration of the Very Low-Income Assistance program
5. Establishment, Implementation, Administration of Market to Affordable program
6. Fees for the sale of affordable units that are priced such that 3% of sale price is less than the Administrative Agent's minimum fee (Township pays the difference).
7. Preparation and Review of Affordable Housing Agreements, Resolutions, Deed Restrictions for affordable housing developments.
8. Preliminary engineering analysis for affordable housing sites
9. GIS mapping and analysis related to preparation and implementation of the Fair Share Plan.
10. Litigation expenses for the review and implementation of the Fourth Round Housing Element and Fair Share Plan.

The proportion of a municipal employee's salary related to the MHL or RCA administrator functions and fees for required educational programs, may be paid as an administrative expense from the municipal affordable housing trust fund in accordance with N.J.A.C. 5:99-2.4(d).

(d) Emerging Compliance Mechanisms (N.J.A.C. 5:99-2.3(a)(14)-(15): $3,891,483

As Middle Township projects to have a considerable surplus of funds beyond the minimum requirements to fully fund the rehabilitation program and the affordability assistance program, the Township will give consideration to mechanisms not currently identified in the May 2025 Housing Element and Fair Share Plan as new and unforeseen opportunities to provide additional affordable housing arise in the future. This may include providing funding assistance to a new 100% affordable project that has yet to be proposed by a developer, additional rehabilitation of existing deficient housing units, development of special needs housing, funding market to affordable conversions, or reallocating additional projected revenues towards affordability assistance programs.

The Township projects $3,891,483 of flexible funds that may be available through the reporting period to be used for emerging mechanisms.

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4. EXPENDITURE SCHEDULE

Middle Township intends to use affordable housing trust fund revenues for the creation and maintenance of affordable housing units, for affordability assistance, and for administration as set forth above. The Township will commit funds to specific programs as outlined above, or the plan will be amended.

TABLE 4. Projected Expenditure Schedule 2025-2035

Programs	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Rehabilitation	$102,000	$102,000	$102,000	$102,000	$102,000	$102,000	$102,000	$102,000	$102,000	$102,000	**$1,020,000**
Affordability Assistance	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	$25,000	**$250,000**
Emerging Mechanisms	$389,148	$389,148	$389,148	$389,148	$389,148	$389,148	$389,148	$389,148	$389,148	$389,148	**$3,891,483**
Administration	$18,374	$18,374	$18,374	$18,374	$18,374	$18,374	$18,374	$18,374	$18,374	$18,374	**$183,743**
Total	**$534,523**	**$534,523**	**$534,523**	**$534,523**	**$534,523**	**$534,523**	**$534,523**	**$534,523**	**$534,523**	**$534,523**	**$5,345,226**

5. EXCESS OR SHORTFALL OF FUNDS

The Township plans to implement the programs set forth in the Fourth Round Fair Share Plan and the Spending Plan incrementally with the funds that are available; and will ensure that the collected funds are spent consistent with the applicable rules and regulations and in a manner that advances the Township's affordable housing goals. The purpose of the Spending Plan is to plan for expenditure of monies in the Affordable Housing Trust Fund. N.J.A.C. 5:99-5.6(c)(1) requires that the spending plan address the "manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan". The Township will assess the status of the AHTF and implementation of the Fair Share Plan annually.

In the event more funds than anticipated are collected and the available funds exceed the amount necessary to implement the Fair Share Plan, the excess funds may be used to expand the programs described above.

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SUMMARY

The Township of Middle intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:99-2.2 through 2.8 and consistent with the programs outlined in the Fourth Round Housing Element and Fair Share Plan dated May 2025 and this Spending Plan.

Middle anticipates collection of $2,489,000.00 in additional revenues through 2035. The municipality has provided a plan to spend projected revenues on specific projects and programs. The exact timing of additional revenues is uncertain, but the estimate is realistic based on development trends in the Township. The Spending Plan will be amended if needed to adjust for changed needs or emergent opportunities for affordable housing production or assistance.

Spending Plan Summary	
Balance as of December 31, 2025	**$2,856,225.95**
Projected Revenue 2025-2035	**$2,489,000.00**
Development Fees	$2,375,000.00
Other Funds	$0.00
Interest	$114,000.00
Payment in Lieu	$0.00
TOTAL REVENUE	**$5,345,225.95**
Expenditures	
Rehabilitation	$1,020,000.00
Affordability Assistance	$250,000.00
Emerging Mechanisms	$3,891,482.68
Administration	$183,743.27
TOTAL PROJECTED EXPENDITURES	**$5,345,225.95**
REMAINING BALANCE	**$0.00**

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Exhibit 5