

CITY OF VINELAND

CUMBERLAND COUNTY, NEW JERSEY

Housing Plan Element & Fair Share Plan

Fourth Round (2025-2035)



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EXECUTIVE SUMMARY

The City of Vineland is a large city located in the northern end of Cumberland County along the banks of the Maurice River. The City historically developed as an industrial hub along the railroad and river, as well as a farming community. Today the City is a mix of urban development around its core in the central and western areas of the City, but remains rural woodlands and farmland in the south and east. The City's current population is estimated at just over 60,000 people, with many of those people being considered low or moderate income as the City's median household income is estimated to be approximately \$64,500, which is \$35,000 less than the statewide median. Vineland is committed to providing opportunities to house its low and moderate income population in affordable housing in decent homes in stable communities.

This is the Fourth Round Housing Plan Element and Fair Share Plan for the City of Vineland, Cumberland County, prepared in accordance with the requirements of the Amended Fair Housing Act of N.J.A.C. 52:27D-304. The Fair Housing Act requires that every municipality in New Jersey provide for their "fair share" of the need for housing to serve the low and moderate income households within the greater region, through providing a realistic opportunity for the construction of housing units that would be priced to be affordable to low and moderate income households.

In accordance with the Fair Housing Act, the City has the following affordable housing obligations.

- A rehabilitation obligation of 276 units – These are existing homes in the community that may be occupied by low or moderate income households, and are in need of repairs or rehabilitation of major systems;
- As a qualified urban aid municipality, the City does not have a prospective need (new construction) obligation.

Vineland proposes to satisfy these constitutional obligations through the following mechanisms and projects:

- The City will satisfy its rehabilitation obligation through continuation of its Residential Rehabilitation Program. This AHTF and CDBG funded program has already rehabilitated 160 homes in the City that are occupied by low or moderate income households. 220 additional homes are projected to be rehabilitated through this program through the year 2035.
- Oak Hill – 58 units (family rental)
- 406-419 Third Street – 4 units (family sale)
- Newcomb Senior I & II – 136 units (senior rental)
- Newcomb Senior III – 60 units (senior rental)
- Veterans Project – 28 units (senior rental)

In total, the City proposes up to 286 affordable units of affordable housing, in addition to 612 other existing affordable housing units within Vineland.

INTRODUCTION

LOCATION AND CONTEXT

GEOGRAPHY

The City of Vineland is located along the eastern bank of the Maurice River, within in northern portion of Cumberland County, within the greater southern region of New Jersey. It is one of the principal cities of the Vineland-Bridgeton metropolitan statistical area and located within the larger Philadelphia Metropolitan Area. The City borders Deerfield Township, Millville and Maurice River Township in Cumberland County to the east; Buena and Buena Vista Township in Atlantic County to the northeast; and Franklin Township and Newfield Boro in Gloucester County to the northwest; and Pittsgrove Township in Salem County to the west. The City encompasses a total of 68.39 square miles of land and 0.60 square miles of water; primarily from the Maurice River.

The City's location along the Maurice River provides accessibility to the Delaware Bay and Atlantic Ocean, and has long made it a hub for industry and shipping. The City was serviced by the West Jersey and Seashore Railroad (WJ&S) which provided Train Service to Salem, Cape May, Atlantic City, Philadelphia/Camden, and many other inland and coastal towns in southern New Jersey. Today, NJ Transit provides bus transportation service to Cape May and Philadelphia, Millville, Upper Deerfield Township, and Atlantic City. Additionally, the primary transportation corridors in the City are, New Jersey State Route 47 (Delsea Drive) and New Jersey State Route 55 which traverse north-south connecting the City to Millville and Franklin Township; and New Jersey State Route 56 or Landis Avenue which spans across the city from Pittsgrove Township into Buena Vista Township. Additional Cumberland County roads (540, 552, and 555) and local roads connect adjacent municipalities and neighborhoods to the City's downtown. New Jersey State Route 55 makes up the majority the City's major thoroughfares.



Figure 1 Map of Cumberland County

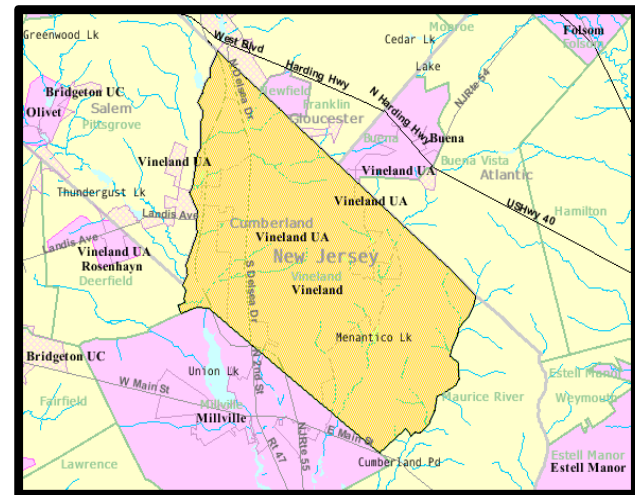


Figure 2 Map of Vineland City

HISTORY AND DEVELOPMENT PATTERNS

Vineland's origins trace back to the 1860's, when Charles Landis purchased 30,000 acres of property in 1861 to create an alcohol-free utopian society based on agriculture and progressive thinking. The first houses were built in 1862, and train service was established to Philadelphia

and New York City. Vineland became an early temperance town, where the sale of alcohol was prohibited. Landis required that buyers of land in Vineland build a house on the purchased property within a year of acquisition, that 2+1/2 acres of the often heavily wooded land be cleared and farmed each year, and that adequate space be placed between houses and roads to allow for planting of flowers and shade trees along the routes through town. Landis Avenue was constructed as a 100-foot (30 m) wide and about 1-mile (2 km) long road running east–west through the center of the community, with other, narrower roads connecting at corners.

The name of Vineland stems from the city's rich soil for growing grapes. The City attracted many Italian grape growers to Vineland, offering 20 acres of land to grow grapes; Thomas Bramwell Welch founded Welch's Grape Juice, and purchased the locally grown grapes to make grape juice. The sandy ground also attracted the glass-making industry and was home to the Progresso soup company. Throughout the first half of the 20th century, most of the city was involved in the poultry industry, which led to the city being called The Egg Basket of America.

The City of Vineland was officially formed on July 1, 1952, through the merger of Landis Township and Vineland Borough, based on the results of a referendum held on February 5, 1952.

Today, Vineland remains as the most populated municipality in Cumberland County. The city's contains a mix of housing types, commercial services, public amenities, and municipal services. The city's economic significance within the region was a key factor for its Urban Enterprise Zone (UEZ) designation in 1985 and its Main Street designation in 2005. These designations have promoted and improved the historic and economic redevelopment of the City's downtown.

POPULATION HISTORY AND DEMOGRAPHICS

The City now has a population of 60,780 people according to 2020 Census count population data. This is a slight increase (56) from the 2010 Census count of 60,724 people, following a sharp increase (4,453) from the 2000 Census count 56,271. According to the SJTPO updated Population and Jobs Projections, Vineland City's population is expected to be in-flux in the coming decades as the City is expected to have a population of 60,700 people by 2050.

According to the 2020 Census, Vineland City had approximately 60,780 residents. Of this population, about 41% identified as White alone, 39% as Black or African American alone, 0.6% as Asian alone, 0.5% as American Indian and Alaska Native alone, and 16.4% as identifying with two or more races.

Additionally, around 26,315 (43.30 %) of residents identified as Hispanic or Latino of any race, while 23, 626 (38.87 %) identified as White alone and not Hispanic or Latino.

Census data from the 2023 ACS 5-Year Estimates indicates that the median household income in Vineland City is approximately \$65,854. This figure is slightly higher than the median household income for Cumberland County, which stands at \$64,499, but notably lower than the statewide median for New Jersey, which is approximately \$101,050.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN

According to the 2001 State Plan Policy Map, the City is mostly located in the Metropolitan Planning Area (PA1). Similarly, the surrounding municipalities of Greenwich City and West Deptford in Vineland County are all mostly located in the Metropolitan Planning Area (PA1) with

Greenwich City having some areas located within the Suburban (PA 2) and Environmentally Sensitive (PA 5) Areas.

The State Plan is designed to strategically direct investment and regulatory efforts toward maintaining and upgrading infrastructure in developed areas, restoring adequate public services in overburdened communities, and protecting New Jersey's agricultural, natural, and cultural resources.

Planning Areas defined in the State Plan Policy Map play a key role by establishing Policy Objectives that guide the implementation of the Statewide Policies. Planning Areas are areas of land that are greater than one square mile that share a common set of conditions, such as population density, infrastructure systems, level of development or protection of natural systems.

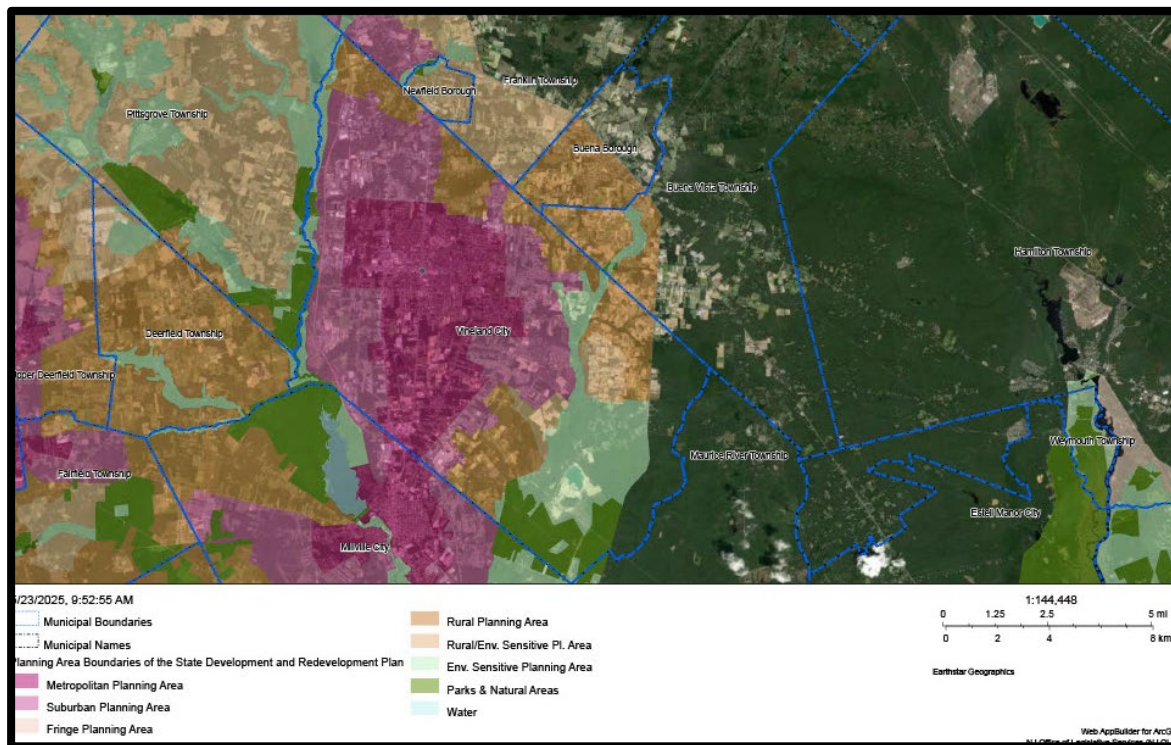


Figure 3: State Plan Policy Map

AFFORDABLE HOUSING

In 1975, the New Jersey Supreme Court decided that developing municipalities in New Jersey had a constitutional obligation to provide a realistic opportunity for its fair share of low-and moderate-income housing. That case, known as “Mount Laurel I,” became the seminal case in New Jersey fair share housing obligations. In 1983, frustrated with the lack of voluntary compliance, the Supreme Court sought to create an incentive for voluntary compliance. In what would become known as “Mount Laurel II,” the Supreme Court introduced the concept of a builder’s remedy suit, an enforcement action to compel compliance. The Court also called for the State Legislature to enact legislation that would save municipalities from the inefficiency of having the courts determine their affordable housing needs.

FIRST AND SECOND ROUNDS

In 1985, the Legislature adopted the Fair Housing Act, P.L. 1985, c.222 (“FHA”). The FHA created the New Jersey Council on Affordable Housing (COAH) and charged COAH with the responsibility of adopting regulations by which municipalities could determine their fair share responsibilities and the means by which they could satisfy those responsibilities. The Legislature also sought to promote voluntary compliance and empowered municipalities to submit to COAH’s jurisdiction and voluntarily comply under the protections of the COAH process from builder’s remedy lawsuits.

Pursuant to the FHA, COAH adopted regulations for the first housing cycle in 1986; which covered the years 1987 through 1993 (“First Round”) and for the second housing cycle in 1994; which covered the years 1993 through 1999 (“Second Round”). Under both the First and Second Rounds, COAH utilized what is commonly referred to as the “fair share” methodology. The Second Round reevaluated the First Round obligations and combined them in later rounds to be called the “Prior Round” obligations.

THIRD ROUND

In 2004, COAH adopted rules to address affordable housing from 1999 through 2014 (“Third Round”). COAH utilized a different methodology in the Third Round known as “growth share.” The “growth share” approach created a nexus between the production of affordable housing and future residential and non-residential development within a municipality, based on the principle that municipalities should provide affordable housing opportunities proportionate to their market rate residential growth, and that, along with employment opportunities there should be proportionate opportunities for affordable housing. This methodology was challenged in court. In January 2007, the New Jersey Appellate Division invalidated key aspects of COAH’s Third Round rules and ordered COAH to propose and adopt amendments to its rules to address any deficiencies.

In July 2008, the Legislature amended the FHA (P.L. 2008 c. 46), including the imposition of a non-residential construction fee, the elimination of regional contribution agreements, and the addition of the category of very low-income housing. Bookending the FHA’s amendment, COAH adopted new Third Round rules in May 2008 and amendments in October 2008. COAH’s rules were again challenged in court. In October 2010, the Appellate Division invalidated the “Growth Share” methodology and returned New Jersey to the “fair share” methodology of the First and Second Rounds. In September 2013, the Supreme Court affirmed the Appellate Division’s decision.

In October 2014 COAH was deadlocked and failed to adopt their newly revised Third Round regulations. Fair Share Housing Center, who was a party to earlier cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. In March 2015, the Supreme Court ruled that COAH had failed and returned jurisdiction of affordable housing issues back to the trial courts as it had been prior to COAH's creation.

Since the 2015 Mt. Laurel IV decision, municipalities have turned to the courts to seek a declaratory judgement of their housing plans to determine whether they are meeting their constitutional affordable housing obligations, and to be granted immunity from any "builder's remedy" lawsuits. With no COAH functioning and providing guidance to municipalities to determine their municipal fair share of statewide and regional obligations, a number of independent groups produced their own reports to determine individual obligations across the state. In several court decisions in 2016 and 2018, judges in Middlesex and Mercer County developed a methodology following closely one proposed by Fair Share Housing Center to determine municipal obligations. In the 2018 decision by Judge Jacobson, it was further determined that the initial period of the Third Round which had not been addressed (1999 – 2015) known as the "gap period" is to be included in each municipality's fair share calculations to address the Third Round.

FOURTH ROUND

In March of 2024, P.L. 2024, c.2 was signed into law establishing new procedures for determining statewide needs and municipal obligations for low- and moderate-income housing. This new law formally abolished COAH and established a new Affordable Housing Dispute Resolution Program, also known as the "Program" for resolving affordable housing disputes, as well as the authority to review and certify municipal fair share housing plans. The law required that the Department of Community Affairs (DCA) calculate municipal affordable housing obligations by October of 2024, then municipalities could accept DCA's calculations or determine their own fair share obligations by applying the methodology of the Jacobsen decision in Mercer County and adopt a binding resolution setting those obligation numbers. The law also provided revisions to the crediting structures for affordable units, with changes to the types of affordable units that are permitted to be granted bonus credits. The law established timelines for submission of documents to demonstrate compliance with the Fair Housing Act.

In addition to the revisions to low- and moderate-income housing crediting, the amended law established a new Affordable Housing Alternative Dispute Resolution Program. The Program is intended to adjudicate any disputes in affordable housing, and function as the administrative body responsible for reviewing and certifying municipal compliance with the Fair Housing Act. Through the Program and the Administrative Office of the Courts, municipalities seeking a judgment of compliance with Affordable Housing regulations must submit their plans to the Program for certification and to retain immunity from any potential builder's remedy lawsuits.

VINELAND'S HISTORY OF COMPLIANCE

On February 3, 1993, Vineland was granted First Round substantive certification from COAH for the six-year period from 1987-1993, which included 246 units of prior cycle credits constructed by the Vineland Housing Authority between 1980 and 1986.

On April 5, 2000, Vineland received Second Round substantive certification from COAH for the housing period of 1993-1999, including the first round, as all Second Round substantive certifications did. In the Second Round, the City was designated an Urban Aid Municipality, and

COAH assigned Vineland a rehabilitation obligation of 372 units and no prospective need (new construction) obligation. The City demonstrated that it rehabilitated 331 units and had a program in place to meet the remainder of that obligation.

In 2006, the City adopted a Third Round Housing Element and Fair Share Plan (HEFSP) in accordance with COAH's 2004 rules, then another HEFSP in 2008 in response to COAH adopting new regulations. In 2008, the City was once again designated an Urban Aid Municipality, and was not assigned a prospective need obligation. In between 2008 and the 2015 Declaratory Judgment application pursuant to the Mount Laurel IV decision, the City continued to create opportunities for affordable housing, including Landis Square, 78 units of affordable age-restricted housing, Melrose Place, 17 family rental units, and 12 affordable units on two inclusionary projects.

On July 2, 2015, the City filed a Declaratory Judgment action pursuant to the Supreme Court's Mount Laurel IV decision, and submitted an HEFSP to the Court, which was approved in a September 16, 2015 Judgment of Compliance and Repose (2015 JOR). The 2015 JOR stated that the City's Prior Round and Third Round prospective need obligations were zero, based on the City's status as an Urban Aid Municipality, and assigned the City a rehabilitation obligation for the Third Round of 319. The 2015 JOR also stated that the City would continue its highly successful rehabilitation program, but also had 811 credits that the City can apply to its Fourth Round obligation.

In 2020-21, the City amended its 2015 HEFSP to add the following projects: (1) a 60-90 unit, 100% affordable family rental project; (2) a proposed 143-unit Assisted Living Facility, of which 15 units would be set-aside for Medicaid recipients; (3) a 10-unit Market to Affordable Program; and (4) a proposed 136-unit, 100% affordable age-restricted project, which had already received HMFA LIHTC funding.

On December 6, 2021, the Court entered a Consent Order between the City and Fair Share Housing Center ("FSHC") amending the City's 2015 JOR to approve the 2021 Amended HEFSP, which preserved the above projects for credit against the City's Fourth Round housing obligation ("2021 Amended JOR"). The 2021 Amended JOR also approved a revised Spending Plan.

To begin the process of compliance with the Fourth Round of affordable housing obligations, the City Council adopted Resolution No. 2025-58 in January 28th, 2025 to identify the City's Fourth Round affordable housing obligations. The resolution adopted by the Council accepted the calculations put forward by the New Jersey Department of Community Affairs (NJDCOA) in their report titled "*Affordable Housing Obligations for 225-2035 (Fourth Round) Methodology and Background*", dated October 18, 2024, and adopted the numbers determined by DCA.

On January 29, 2025, the City filed a Declaratory Judgment Action in Superior Court in accordance with the Administrative Office of the Courts' Directive No. 14-24 ("AOC Directive #14-24"), along with the City's binding resolution to formally begin its application for a Compliance Certification from the Program. In accordance with the Amended FHA and AOC Directive #14-24, the City did not receive any objections to their acceptance of the DCA's calculated obligations by February 28, 2025, so on March 1, 2025, the City's obligations became automatically set by statute. On April 24, 2025, the Superior Court issued an Order setting the City's Fourth Round affordable housing obligations as a present need (rehabilitation) of 276 and a prospective need (new construction) of zero, as the City has once again qualified as an Urban Aid Municipality.

The City of Vineland has prepared this Housing Plan Element and Fair Share Plan in accordance with all requirements of the Municipal Land Use Law and the Amended Fair Housing Act in order to satisfy those obligations for the Fourth Round.

A copy Resolution R-2025-58 can be found in Appendix A-1.

HOUSING PLAN ELEMENT

According to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et. seq. (MLUL), a municipality is required to adopt a Housing Plan Element of the Master Plan (N.J.S.A. 40:55D-28.b(3)), as well as a Fair Share Plan for addressing its low- and moderate-income housing obligations in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. (FHA).

The Fair Housing Act defines a “Housing Element” as:

“that portion of a municipality’s master plan consisting of reports, statements, proposals, maps, diagrams, and text designed to meet the municipality’s fair share of its region’s present and prospective housing needs, particularly with regard to low- and moderate-income housing, and which shall contain the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. of section 3 of P.L.2024, c. 2.”

[N.J.S.A.52:27D-304.1]

Pursuant to the Fair Housing Act, P.L. 1985, c. 222, as amended by P.L. 2024, c.2, a municipality’s housing plan element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with attention to low- and moderate-income housing. This updated Housing Plan Element and Fair Share Plan for the City of Vineland has been prepared in a manner that is consistent with the FHA and MLUL requirements, and contains the following, as required by the FHA:

- a. *An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor’s office, including but not limited to the property record cards;*
- b. *A projection of the municipality’s housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;*
- c. *An analysis of the municipality’s demographic characteristics, including but not necessarily limited to, household size, income level and age;*
- d. *An analysis of the existing and probable future employment characteristics of the municipality;*
- e. *A determination of the municipality’s present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c. 2 (C.52:27D-304.1);*
- f. *A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of*

lands of developers who have expressed a commitment to provide low- and moderate-income housing;

- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20);*
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c. 120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and*
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.*

[N.J.S.A.52:27D-310]

This Housing Plan Element and Fair Share Plan will address the City's obligations to provide a realistic opportunity for the rehabilitation of and construction of low- and moderate-income housing in accordance with the Fair Housing Act for the Fourth Round period of 2025 – 2035. The preparation of a Housing Plan Element and Fair Share Plan is the first step in petitioning the court for Substantive Certification and Judgement of Repose.

As required by N.J.S.A. 52:27D-310, all housing elements must contain a discussion of the municipality’s demographic, housing, and economic characteristics. The following subsections fulfill this requirement by providing a profile of the City’s demographic, housing and employment characteristics based on information from the US Census Bureau, and the New Jersey Department of Labor and Workforce Development.

DEMOGRAPHICS

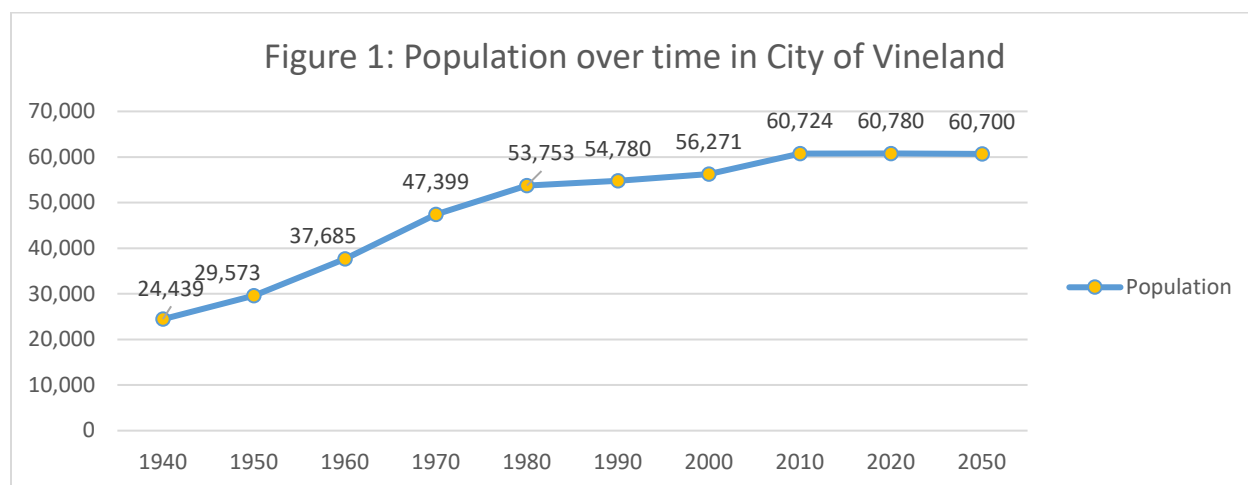
Population

The City of Vineland has experienced lessening increases in population over the past few decades. According to the 2020 U.S Census, the City population stood at 60,780 residents, marking only a 0.9 % increase from the 60,724 residents recorded in 2010. In comparison, the City’s population rose more sharply between 2000 and 2010, increasing 7.91 % from the 56,271 residents recorded by the 2000 Census. In comparison, Cumberland County’s population decreased by 1.75 % between 2010 and 2020, and increased by 7.14 % between 2000 and 2010. Table 1 below illustrates the population growth trends for both City of Vineland and Cumberland County from 2000 through 2020.

Table 1: Population Trends, 2000 - 2010					
	2000	2010	2020	% Change 2000-2010	% Change 2010-2020
City of Vineland	56,271	60,724	60,780	7.91%	0.09%
Cumberland County	146,438	156,898	154,152	7.14%	-1.75%

Source: US Census Bureau Decennial Census (Table DP-1)

Vineland’s population growth between 1940 – 2050 (actual and estimated) is illustrated in Figure 1 below. The largest population growth percentage-wise occurred between 1950 (when the City had 29,573 residents) to 1960 when population increased by 27.43 % to 37,685 residents, while numerically the largest growth occurred between the 1960 and 1970, when the population rose to 47,399, an increase of 9,714 residents. It is projected that Vineland’s population will decrease slightly by 0.13 % between 2020 (60,780 residents) and 2050 (60,700 residents), an overall decrease of 80 residents.



Source: Source: US Census Bureau, Decennial Census, South Jersey Transportation Planning Organization Population and Jobs Projections

Population Composition by Age

The age composition of Vineland has shifted between age cohorts since 2000, as illustrated in Table 2 below. According to the U.S. Census Bureau's Decennial Census Estimates, significant changes occurred between younger and older age groups. The number of residents under 44-years-old experienced scattered fluctuations. There were decreases in those 9 or younger, 15-19, and those between the ages of 25-44 years old, and increases of the 10-14 and 25-24 age cohorts. All other age cohorts above 45 increased, with the largest increase (percentage wise) occurring in the 60-64-year-old age cohort, which increased by 76.6 %.

Population and Cohort Type	2000		2020		Percent Change 2000-2020
	Number	Percent	Number	Percent	
Total population	56,271	100%	60,780	100%	8.01%
Under 5 years	3,477	6.18%	3,352	5.51%	-3.60%
5 to 9 years	4,203	7.47%	4,005	6.59%	-4.71%
10 to 14 years	4,274	7.60%	4,407	7.25%	3.11%
15 to 19 years	3,964	7.04%	3,916	6.44%	-1.21%
20 to 24 years	3,194	5.68%	3,430	5.64%	7.39%
25 to 34 years	7,664	13.62%	7,623	12.54%	-0.53%
35 to 44 years	8,654	15.38%	7,406	12.18%	-14.42%
45 to 54 years	7,747	13.77%	7,899	13.00%	1.96%
55 to 59 years	2,849	5.06%	4,116	6.77%	44.47%
60 to 64 years	2,269	4.03%	4,007	6.59%	76.60%
65 to 74 years	3,910	6.95%	5,998	9.87%	53.40%
75 to 84 years	2,986	5.31%	3,176	5.23%	6.36%
85 years and over	1,080	1.92%	1,445	2.38%	33.80%

Source: US Census Bureau, Decennial Census (Table DP-1)

The age composition of Cumberland County has seen an overall decline in younger age cohorts as compared to the City, as illustrated in Table 3 below. There were decreases in all ages under 44 years old with the exception of the 10-14 age cohort, which increased by 1.62 %. All other cohorts above age 45 increased, with the largest increase (percentage wise) occurring in the 60-64-year-old age cohort, which increased by 69.87 %.

	2000		2020		Percent Change 2000-2020
	Number	Percent	Number	Percent	
Total population	146,438	100%	154,152	100%	5.27%
Under 5 years	9,161	6.26%	8,614	5.59%	-5.97%
5 to 9 years	10,781	7.36%	9,931	6.44%	-7.88%

Table 3: Population by Age Cohort, Cumberland County, 2000 - 2020

	2000		2020		Percent Change 2000-2020
	Number	Percent	Number	Percent	
10 to 14 years	10,929	7.46%	11,106	7.20%	1.62%
15 to 19 years	10,058	6.87%	9,821	6.37%	-2.36%
20 to 24 years	8,752	5.98%	8,696	5.64%	-0.64%
25 to 34 years	22,089	15.08%	21,923	14.22%	-0.75%
35 to 44 years	23,561	16.09%	20,568	13.34%	-12.70%
45 to 54 years	19,325	13.20%	19,568	12.69%	1.26%
55 to 59 years	7,056	4.82%	9,911	6.43%	40.46%
60 to 64 years	5,639	3.85%	9,579	6.21%	69.87%
65 to 74 years	9,724	6.64%	14,185	9.20%	45.88%
75 to 84 years	7,047	4.81%	7,231	4.69%	2.61%
85 years and over	2,316	1.58%	3,019	1.96%	30.35%

Source: US Census Bureau, Decennial Census (Table DP-1)

The median age of Vineland residents was 39.9 as of the 2020 census, which is a 9.32 % increase from the median age of 36.5 as of 2000, as indicated in Table 4 below. Cumberland County's median age rose in a similar manner, from 35.6 in 2000 to 38.2 in 2020, a 7.3 % increase. The statewide median age rose 8.72 % during this same time period, from 37.7 to 39.9. Overall it appears that the broader trend of increasing median age at the City, County and State level is reflective of the Baby Boomer generation continuing to age and are not being replaced by younger cohorts.

Table 4: Median Age, 2000 – 2020

	2000	2020	Percent Change
City of Vineland	36.5	39.9	9.32%
Cumberland County	35.6	38.2	7.30%
New Jersey	36.7	39.9	8.72%

Source: US Census Bureau, Decennial Census (Table DP-1)

Households

Table 5 provides number of households and household sizes within the City of Vineland and Cumberland County. A household is defined as one or more individuals, related or not, living together in a single housing unit.

According to the 2023 ACS 5-Year estimates, there were approximately 21,945 households in Vineland. Of these, the largest percentage were households of two people at 33.13 %, followed by 2-person households at 27.08 %, 1-person households at 23.3 %, with 16.50 % households containing 3 people.

In comparison, the County recorded 32.07 % two-person households, 27.00 % four-person households, 26.12 % one-person households, and 14.81 % being three-person households.

Vineland's average household size was 2.70 people, which is slightly more than both the County's average of 2.68 and New Jersey's average of 2.61, according to the ACS estimates.

Table 5: Household Characteristics in Vineland, Cumberland and New Jersey						
	City of Vineland		Cumberland County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Total Households	21,945	100%	53,341	100%	3,478,355	100%
1-person	5,113	23.30%	13,935	26.12%	918,897	26.42%
2-persons	7,270	33.13%	17,104	32.07%	1,081,842	31.10%
3-persons	3,620	16.50%	7,900	14.81%	594,946	17.10%
4 or more persons	5,942	27.08%	14,402	27.00%	882,670	25.38%
Average Household Size	2.70 people		2.68 people		2.61 people	
Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Table S2501& B25010)						

Family households are defined as two or more individuals living together in the same residence, related by blood, marriage, or adoption. Of the total 21,945 households within Vineland, a total of 15,486 (70.57 %) are family households, while 6,459 (29.43 %) are non-family households. In contrast, Cumberland County has 67.78 % family and 32.22 % non-family households, which are lower (family) and higher (non-family) ratios as compared to the City.

Within Vineland, approximately 63.69 % of family households consist of married couple householders. Among the remaining family households, 13.99 % are headed by a single male householder, and 22.32 % are headed by a single female householder. In comparison, Cumberland County consists of 61.96 % married couples, with 12.82 % male householders and 25.22 % female householders. Further, 12.10 % of the households in Vineland are comprised of individuals aged 65 or older, totaling 2,655 households, whereas in comparison, 32.22 % of Cumberland County households are headed by individuals aged 65 or older.

The average family size in Vineland is 3.21 persons, which is slightly lower than that of Cumberland County as a whole, which is 3.26 people per household.

Table 6: Household by Type, Vineland and Cumberland County				
	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Total Households	21,945	100.00%	53,341	100.00%
Average Household Size	2.70 people		2.68 people	
Total Families	15,486	70.57%	36,155	67.78%
Average Family Size	3.21 people		3.26 people	
Married Couple Family	9,863	63.69%	22,402	61.96%
With own children under 18 years	3,808	38.61%	8,146	36.36%
No children under 18 years	6,055	61.39%	14,256	63.64%
Male householder, no wife present	2167	13.99%	4,636	12.82%
With own children under 18 years	1204	55.56%	2,244	48.40%
No own children under 18 years	963	44.44%	2,392	51.60%

Table 6: Household by Type, Vineland and Cumberland County

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Female householder, no husband present	3456	22.32%	9,117	25.22%
With own children under 18 years	1481	42.85%	4,583	50.27%
No own children under 18 years	1,975	57.15%	4,534	49.73%
Nonfamily Households	6,459	29.43%	17,186	32.22%
65 years and over	2,655	12.10%	6,774	12.70%

Source: US Census Bureau, American Community Survey 5-year Estimates 2019 to 2023 (Table S1101)

HOUSING CONDITIONS

Housing Stock

Vineland's housing stock is predominantly occupied, as indicated in Table 7. According to 2023 ACS estimates, the City has a total of 23,093 housing units, of which 21,945 units (95.03 %) are occupied, and 1,148 (4.97 %) are vacant. Among the occupied units, the majority (15,076 or 68.70 %) are owner-occupied, while 6,869 (or 31.30 %) are renter-occupied.

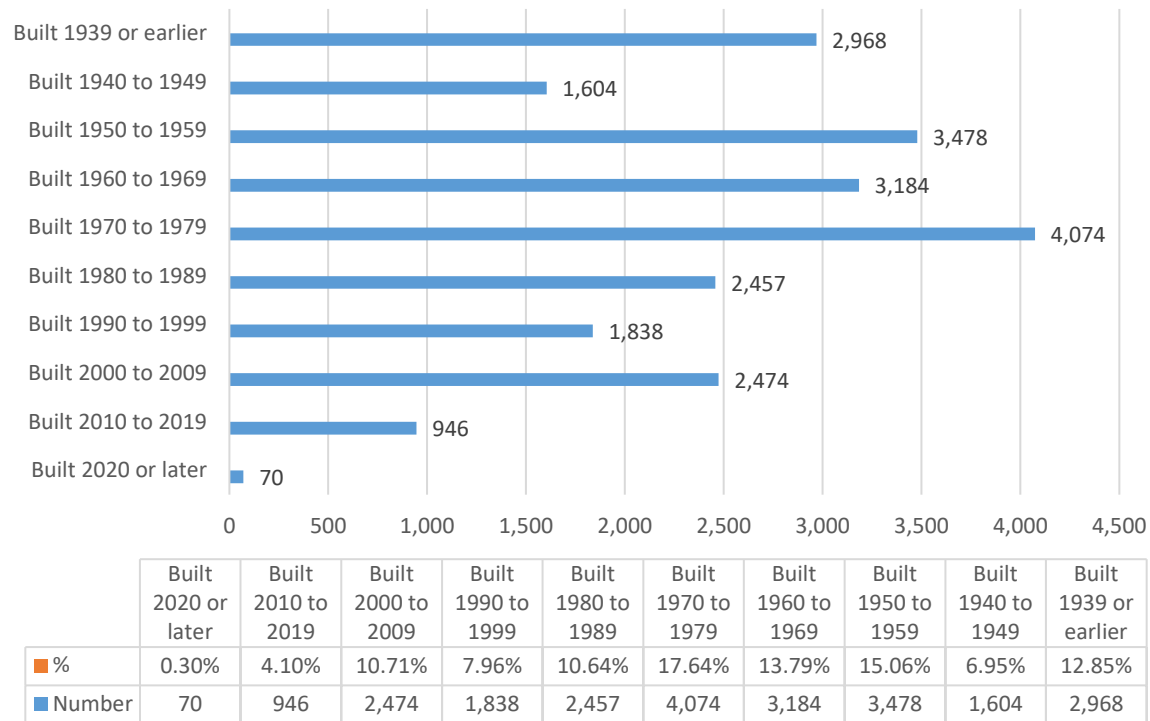
Table 7: Housing Units in the City of Vineland

	Number	Percent
Total Housing Units	23,093	100.00%
Occupied Housing Units	21,945	95.03%
Owner Occupied	15,076	68.70%
Renter Occupied	6,869	31.30%
Vacant Housing Units	1,148	4.97%
For rent	201	17.51%
Rented, not occupied	72	6.27%
For sale only	35	3.05%
Sold, not occupied	35	3.05%
For seasonal, recreational, or occasional use	0	0.00%
For migrant workers	471	41.03%
Other vacant	0	0.00%

Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04 and B25004)

As indicated in Figure 2 below, 4,074 housing units (17.64 % of existing housing stock) within Vineland was built between 1970-1979, which represents the largest amount of housing stock within the City.

Figure 2: Age of Housing Stock



Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)

Housing Type and Size

Vineland's housing stock is predominantly comprised of one-unit detached homes, making up an estimated 66.42 % of the City's total housing units as indicated in Table 8 below. The next highest housing type is those 20 or more units and mobile homes, which make up 7.40 and 7.06 %, respectively, of all housing units within the City. A plurality (42.18 %) of Vineland's housing inventory is made up of 3-bedroom homes, followed by 2-bedroom homes at 25.46 %.

Table 8: Housing Units by Type: City of Vineland

	Number	Percent
Total Housing Units	23,093	100.00%
1-unit detached	15,338	66.42%
1-unit, attached	927	4.01%
2 units	1093	4.73%
3 or 4 units	1228	5.32%
5 to 9 units	671	2.91%
10 to 19 units	498	2.16%
20 or more units	1708	7.40%
Mobile home	1630	7.06%
Boat, RV, Van etc	0	0.00%
Bedrooms		

Table 8: Housing Units by Type: City of Vineland

No bedroom	936	4.05%
1 bedroom	2436	10.55%
2 bedrooms	5,879	25.46%
3 bedrooms	9,741	42.18%
4 bedrooms	3,404	14.74%
5 or more bedrooms	697	3.02%

Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)

Housing Values and Contract Rents

According to the ACS 5-Year Estimates, housing units between \$ 200,000 - \$ 299,999 are a plurality within the City (37.97 %) and Cumberland County (34.14 %). Table 9 provides a detailed breakdown of home values for owner-occupied units within the City and the County. Approximately 8.74 % and 3.02 % of housing units within the City of Vineland were valued at less than \$ 50,000 and between \$50,000 - \$99,999, respectively, as compared to the County's 6.96 % and 6.07 %. The median value of an owner-occupied home in Vineland was \$ 218,200, which is more than the County's median, which was \$ 205,600.

Table 9: Value of Owner-Occupied Housing Units, 2019 -2023

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Total	15,076	100.00%	34,966	100.00%
Less than \$50,000	1318	8.74%	2,433	6.96%
\$50,000 to \$99,999	456	3.02%	2,124	6.07%
\$100,000 to \$149,999	1911	12.68%	5,060	14.47%
\$150,000 to \$199,999	2863	18.99%	7,125	20.38%
\$200,000 to \$299,999	5725	37.97%	11,938	34.14%
\$300,000 to \$499,999	2,251	14.93%	4,738	13.55%
\$500,000 to \$999,999	498	3.30%	1,287	3.68%
\$1,000,000 and greater	54	0.36%	261	0.75%
Median Value	\$218,200		\$205,600	

Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)

A plurality of rental prices in Vineland (46.12 %) are between \$1,000 to \$ 1,499. Table 10 provides a detailed breakdown of gross rent paid within the City and Cumberland County. According to the ACS 5-Year Estimates, the median gross rent in Vineland was \$ 1,207 which is slightly lower than the County median of \$1,254.00. Vineland had 920 units (13.75 % of all units) with rents under \$500 per month, while ACS estimates indicate the 11.70 % of County units had rents below this threshold. Additionally, an estimated 115 Vineland units did not require cash rent payments, compared to 767 such units across the County.

Table 10: Gross Rent Paid, 2019 - 2023

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Total	6,754	100.00%	17,608	100.00%
Less than \$500	929	13.75%	2,060	11.70%

Table 10: Gross Rent Paid, 2019 - 2023

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
\$500 to \$999	1,087	16.09%	3,166	17.98%
\$1,000 to \$1,499	3,115	46.12%	7,115	40.41%
\$1,500 to \$1,999	1,330	19.69%	4,021	22.84%
\$2,000 to \$2,499	120	1.78%	829	4.71%
\$2,500 to \$2,999	145	2.15%	312	1.77%
\$3,000 or more	28	0.41%	105	0.60%
No rent paid	115		767	
Median Gross Rent	\$1,207		\$1,254	

Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables DP04)

Units Affordable to Low- and Moderate-Income Households

A moderate-income household is a household whose gross family income is more than fifty percent (50%) of the median income, but less than eight-percent (80%) of median income for households of the same size within the housing region. A low-income household is a household whose gross family income is equal to or less than fifty-percent (50%) of the regional median gross household income for a household and a very-low income household is classified as earning less than thirty-percent (30%) of the median area income of the same size within the housing region.

Units are considered affordable to low and moderate-income households if the maximum sales price or rent is set within a specified formula as per UHAC regulations, which is determined by the amount that a low- or moderate-income household can likely afford to pay. The City of Vineland is located within is Region 6, which encompasses Atlantic, Salem, Cumberland and Cape May counties. The median household income in Vineland in 2023 was \$65,854. The median annual income for a household of 3 persons in Region 6 is \$92,500. Regional income limits for Region 6 are shown in the Table below.

2025 Affordable Housing Regional Income Limits By Household Size (Persons)

	1	1.5	2	2.5	3	4	4.5	5	6	7	8
Median	\$71,900	\$77,050	\$82,200	\$87,350	\$92,500	\$102,700	\$106,850	\$111,000	\$119,200	\$127,400	\$135,600
Mod	\$57,520	\$61,640	\$65,760	\$69,880	\$74,000	\$82,160	\$85,480	\$88,800	\$95,360	\$101,920	\$108,480
Low	\$35,950	\$38,525	\$41,100	\$43,675	\$46,250	\$51,350	\$53,425	\$55,500	\$59,600	\$63,700	\$67,800
Very Low	\$21,570	\$23,115	\$24,660	\$26,205	\$27,750	\$30,810	\$32,055	\$33,300	\$35,760	\$38,220	\$40,680

Source: AHPNJ, 2025 Regional Income Limits

Based on the qualifying formula in N.J.A.C. 5:80-26, the monthly cost of shelter which includes mortgage (principal and interest), taxes, insurance and homeowners or condominium association fees, may not exceed twenty-eight percent (28%) of gross monthly household income based on a five percent (5%) down payment for the sale of an affordable home. In addition, moderate-income sales units must be available for at least three different price points and low-income sales units available for at least two different price points. The maximum sales prices must now be

affordable to households earning no more than seventy-percent (70%) of median income. The sales prices for a project of more than 5 affordable units must average fifty-five percent (55%) of regional median income.

Under UHAC regulations, rents including utilities may not exceed thirty-percent (30%) of gross monthly income for the low or moderate income household. The average rent must now be affordable to households earning fifty-two percent (52%) of regional median income. The maximum rents must be affordable to households earning no more than sixty-percent (60%) of regional median income. In averaging fifty-two percent (52%), one rent shall be established for very-low-income units, one rent may be established for low-income units and one rent for moderate-income units, for each bedroom distribution. The utility allowance must be consistent with the utility allowance approved by DCA for its Section 8 program.

In addition, at least thirteen percent (13%) of all restricted units must be affordable to households earning no more than thirty-percent (30%) of median income.

In Vineland, with a current median household income of \$65,854, and an average household size of 2.70 people, this would indicate that the average household in Vineland qualifies as a moderate-income household as per the income limits for Region 6. The threshold for a moderate-income household of 3 in Region 6 is between \$69,880 and \$74,000 as an annual income. With the median contract rent of \$1,207/month according to the most recent Census estimates, this indicates that the typical rental apartment in the City of Vineland is currently priced at a level that would be considered affordable for a moderate-income household, but not for a low-income household, as that price for monthly rent would be considered affordable for a household with an annual income of approximately \$48,280.

Housing Characteristics

Overcrowding is minimal in Vineland's owner-occupied unites, with approximately 1.48% (223 units) units exceeding one per room, as compared to the 9.99 % (686 total) of renter-occupied units. As outlined in Table 11 below, 71 units (0.32 % of all units) within the City lack complete plumbing facilities, and 140 units (0.64 % of total units) lack kitchen facilities. Housing deficiencies are often key factors in assessing overall housing conditions and determining municipal rehabilitation needs.

Table 11: Housing Deficiency Characteristics, City of Vineland 2023		
Housing Units with 1.01 or More s Per Room		
	Count	Percent
Owner-Occupied	223	1.48%
Renter-Occupied	686	9.99%
Plumbing Facilities		
Total Occupied Housing Units	21,945	100.00%
Lacking complete plumbing facilities	71	0.32%
Kitchen Equipment		
Total Occupied Housing Units	21,945	100%
Lacking complete kitchen facilities	140	0.64%
<i>Source: US Census Bureau, ACS 5-year Estimates 2019 to 2023 (Tables B25014, S2504)</i>		

Housing Construction

Vineland issued building permits for 645 new residential units between January 2013 and December 2023 as indicated in Table 12 below, which is based upon data provided by the NJ Department of Consumer Affairs. A total of 230 residential demolition permits were issued during this time period. Subtracting the demolition permits from the construction permits reveals a net increase of 415 residential units over the same timeframe.

Of the 645 permits, 437 were for 1 & 2 family homes, 207 were for multi-family units, and 1 was for mixed use. Amount of building permits used was fairly consistent during this time period, averaging 59 permits per year, with a range of 4 issued in 2017 to 97 issued in 2019. In general, this data indicates that City has seen a steady slow growth in housing stock during this time period.

Table 12: Building Permits and Demolition Permits Issued 2013 - 2023						
Year	1&2 Family	Multi Family	Mixed Use	Total New Construction	Total Residential Demolitions	Net Units Added
2013	36	70	1	107	29	78
2014	65	0	0	65	21	44
2015	62	0	0	62	26	36
2016	13	0	0	13	17	-4
2017	4	0	0	4	0	4
2018	22	4	0	26	26	0
2019	97	0	0	97	30	67
2020	36	0	0	36	10	26
2021	26	63	0	89	14	75
2022	40	0	0	40	28	12
2023	36	70	0	106	29	77
Total	437	207	1	645	230	415
Average	40	19	0	59	21	38

Source: NJ DCA, Construction Reporter 2013 to 2023

ECONOMIC CONDITIONS

Employment Status

ACS estimates provide data on the work activity of residents aged 16 and older. Vineland's working-age population was 47,310, with approximately 28,633 residents in the labor force as indicated in Table 13 below. Approximately 39.48 % of the City's working-age residents were not participating in the labor force at the time of the 5-year ACS estimates, which is slightly lower than the County's 42.60 % non-participation rate. 60.52 % of Vineland's labor force (28,633 people) were classified within the civilian labor force cohort, with 26,169 being employed, and 34 residents reported as being a member of the armed forces. Vineland's 5.14 % unemployment rate is higher than County rate of 4.31 %.

Table 13: Employment Status, 2023

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Population 16 years and over	47,310	100.00%	119,461	100.00%
In labor force	28,633	60.52%	68,571	57.40%
Civilian Labor Force	28,599	60.45%	68,485	57.33%
Employed	26,169	55.31%	63,333	53.02%
Unemployed	2,430	5.14%	5,152	4.31%
Armed Forces	34	0.07%	86	0.07%
Not in Labor Force	18,677	39.48%	50,890	42.60%

Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)

Worker Classification

Approximately 76.80 % of Vineland's workers were employed in private wage and salary positions, while 3.55 % were self-employed as indicated in Table 14 below. Government employees made up 19.46 % of the workforce, with unpaid family workers representing 0.19 %.

Table 14: Classification of Workers, City of Vineland, 2023

	Number	Percent
Civilian employed population 16 years and over	26,169	100.00%
Private Wage and Salary Worker	20,099	76.80%
Government Worker	5,092	19.46%
Self-Employed Worker	928	3.55%
Unpaid Family Worker	50	0.19%

Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)

Workforce by Sector

An analysis of employed individuals over the age of 16 by economic sector reveals while there is a diverse range of industries in which Vineland's working-age population is engaged, three (3) sectors comprise over half (52.55 %) of the overall total: educational services, healthcare, and social assistance (28.22 %), manufacturing (12.27 %) and retail trade (12.06 %).

Table 15: Workforce by Sector, City of Vineland, 2023

Industry	Number	Percent
Civilian employed population 16 years and over	26,169	100.00%
Agriculture, forestry, fishing and hunting and mining	386	1.48%
Construction	2,287	8.74%
Manufacturing	3,211	12.27%
Wholesale trade	759	2.90%
Retail trade	3,156	12.06%
Transportation and warehousing, and utilities	1,751	6.69%
Information	84	0.32%
Finance and insurance, and real estate and rental and leasing	1,222	4.67%

Table 15: Workforce by Sector, City of Vineland, 2023

Industry	Number	Percent
Professional, scientific, and management, and administration and waste management services	2,193	8.38%
Educational services, health care and social assistance	7,385	28.22%
Arts, entertainment, and recreation, and accommodation and food services	1,493	5.71%
Other services, except public administration	823	3.14%
Public administration	1,419	5.42%

Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)

Occupations by Type

Table 16 presents a breakdown of occupations by type within the Vineland's employed civilian labor force. The largest segment is engaged in management, business, science, and arts occupations (32.2 %), followed by sales and office occupations (19.26 %), service occupations (18.47 %), and production, transportation, and material moving occupations (19.01 %). The sector with the smallest share is natural resources, construction, and maintenance occupations (11.06 %).

Table 16: Occupations by Type, City of Vineland, 2023

	Number	Percent
Employed Civilian population 16 years and over	26,169	100.00%
Management, business, science, and arts occupations	8,427	32.20%
Service occupations	4,834	18.47%
Sales and office occupations	5,039	19.26%
Natural resources, construction, and maintenance occupations	2,895	11.06%
Production, transportation, and material moving occupations	4,974	19.01%

Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)

Commuting to Work

As shown in Table 17 below, the vast majority of residents (81.08 %) commute to work alone by private vehicle, which is similar to the County's rate of 78.04 %. Those who carpool represent 10.43 % of the workforce, followed by those who commute by other means (2.02 %), those who rely on public transportation (excluding taxicabs) at 0.81 % and those who walked (0.59 % each). The percentage of Vineland's workforce who walked to work is less than the County's rate of 1.32 %. In addition, 5.08 % of the City's workforce worked from home.

Table 17: Means of Commute, City of Vineland, 2023

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Workers 16 years and over	25,102	100.00%	61,511	100.00%

Table 17: Means of Commute, City of Vineland, 2023

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Car, truck, van - Drove Alone	20,353	81.08%	48,006	78.04%
Car, truck, van - Carpooled	2,617	10.43%	7,864	12.78%
Public transportation (excluding taxicab)	203	0.81%	657	1.07%
Walked	147	0.59%	809	1.32%
Other means	508	2.02%	1,138	1.85%
Worked from home	1,274	5.08%	3,037	4.94%

Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03)

Travel Time to Work

Table 18: Travel Time to Work, 2023

	City of Vineland		Cumberland County	
	Number	Percent	Number	Percent
Less than 10 minutes	4,746	19.92%	10,516	4,746
10 to 19 minutes	8,244	34.60%	17,389	8,244
20 to 29 minutes	2,679	11.24%	9,632	2,679
30 to 44 minutes	3,991	16.75%	10,585	3,991
45 to 59 minutes	2,202	9.24%	5,405	2,202
60 to 89 minutes	1,517	6.37%	3,840	1,517
90 or more minutes	449	1.88%	1,107	449
Mean travel time to work (minutes)	24		25	

Source: US Census Bureau, ACS 5-year Estimates 2019-2023 (Table DP03, B08303)

FAIR SHARE PLAN

A Fair Share Plan has been defined by the Amended Fair Housing Act at N.J.A.C. 52:27D-304 as:

“Fair Share Plan” means the plan or proposal that is in a form which may readily be adopted, with accompanying ordinances and resolutions, pursuant to subsection f. of section 3 of P.L.2024, c.2 (C.52:27D-304.1), by which a municipality proposes to satisfy its obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

The Fair Share Plan for the City of Vineland is broken up into four sections;

- Present Need or Rehabilitation Obligation: 276
- Prior Round / First and Second Round (1987-1999) Prospective Need Obligation: 0
- Third Round (1999-2025) Prospective Need Obligation: 0
- Fourth Round (2025-2035) Prospective Need Obligation: 0

The City’s Fair Share Plan describes the completed and proposed mechanisms to address the present need (rehabilitation) obligation, First and Second Round (Prior Round) obligation, Third Round obligation, and Fourth Round obligation.

The City’s Prior Round obligations were determined by COAH, and the Third Round obligation has been determined through application of the Jacobsen methodology. The City’s Fourth Round obligation numbers were determined using calculations provided by the NJ Department of Community Affairs in a report dated October 2024, and adopted by the City Council (Resolution #2025-58) in accordance with the requirements of the Fair Housing Act.

A copy of Resolution R-2025-58 can be found in Appendix A-1.

CONSIDERATION OF LANDS SUITABLE FOR AFFORDABLE HOUSING

The New Jersey Fair Housing Act (N.J.S.A. 52:27D-310(f)) requires that the Housing Element provide a narrative that includes “a consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.”

The City is actively working to rehabilitate older housing stock and enhance infrastructure to support sustainable growth in central and western areas of the City along the transportation corridors of Route 55, Delsea Drive, Landis Avenue, and West Boulevard. These areas already encompass established residential neighborhoods, including single-family homes and multifamily

units, and provide access to the public transportation network of the region on these highways. In general, the lands in the east and south of the City have been targeted as lands for conservation and agriculture. The New Jersey State Development and Redevelopment Plan designates most of the City as part of Planning Area 1, the Metropolitan Planning Area, where development and redevelopment are actively encouraged. Those areas in the east and south of the City where conservation rather than development is proposed by the City's master plan and zoning ordinance are also placed within the Environmentally Sensitive Planning Area of the State Plan, where development and growth are discouraged.

MULTIGENERATIONAL FAMILY HOUSING CONTINUITY

The FHA requires the Housing Element and Fair Share Plan to provide an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of 23 section 1 of P.L.2021, c.273 (C.52:27D-329.20).

A review of the City's ordinances indicates that there are no regulations or restrictions in place that would specifically create a detraction from meeting the Commission's goal of allowing senior citizens to reside at the homes of their extended families. The ordinances in the City of Vineland do not detract from the multigenerational family continuity goal. The City will examine its land use ordinance at its next Master Plan Reexamination Report to identify where accessory apartments and in-law suites may suitably be permitted.

FAIR SHARE OBLIGATION

Affordable Housing obligations are broken down into two distinct categories: “present need” or rehabilitation obligation; and “prospective need” or new construction obligation.

Present Need

“Present need” is not a specifically defined term in the amended Fair Housing Act. The municipal “present need” obligation is determined by estimating the current amount of homes in the City that are likely occupied by low or moderate income households, and are deficient in some way, meaning that the house is over 50 years old and overcrowded, lacks complete plumbing facilities, or lacks a complete kitchen. More specifically:

“A municipality's present need obligation shall be determined by estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof.”

(N.J.A.C. 52:27D-304.3.7.b)

The present need, or rehabilitation obligation is the estimate of the need for repairs to existing homes in the City that are currently occupied by low or moderate income households.

Prospective Need

The FHA at N.J.A.C. 52:27D-304 defines “prospective need” as:

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

In accordance with (N.J.A.C. 52:27D-304.3.7.c)

“A municipality's prospective fair share obligation of the regional prospective need for the upcoming 10-year round shall be determined in accordance with this subsection:

- (1) If a municipality is a qualified urban aid municipality, the municipality shall be exempt from responsibility for any fair share prospective need obligation for the upcoming 10-year round. For the purposes of this section, a municipality is a qualified urban aid municipality if the municipality, as of July 1 of the year prior to the beginning of a new round, is designated by the department, pursuant to P.L. 1978, c.14 (C.52:27D-178 et seq.), to receive State aid and the municipality meets at least one of the following criteria:*

- (a) *The ratio of substandard existing deficient housing units currently occupied by low- and moderate-income households within the municipality, compared to all existing housing in the municipality, is greater than the equivalent ratio in the region;*

(N.J.A.C. 52:27D-304.3.7.c)

According to the calculations for the state prepared by NJDCA in their October 2024 report titled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background”, the City of Vineland is listed as an urban aid municipality for fiscal year 2025 by the Division of Local Government Services, and the ratio of substandard existing deficient housing units currently occupied by low and moderate income households exceeds the ratio of the rest of the region. As a result, the City is considered a “qualified urban aid municipality”, and is exempt from a Fourth Round prospective need obligation.

In accordance with the methodology outlined above, the City has the following cumulative affordable housing obligations:

- Rehabilitation / Present Need = 276 Units
- Prior Rounds / Third Round Prospective Need = No Obligation
- Fourth Round (2025-2035) Prospective Need = No Obligation

PRESENT NEED (REHABILITATION) OBLIGATION

The City has a rehabilitation obligation of 276 units to satisfy the Present Need or Rehabilitation obligation.

The City of Vineland currently operates a Residential Rehabilitation Program that is funded in part through money collected from development fees in the Affordable Housing Trust Fund (AHTF), and in part through Community Development Block Grants (CDBG) received by the City from the Federal Department of Housing and Urban Development. Through this program the City provides no-interest loans to repair sub-standard properties occupied by low- or moderate-income qualified residents. The program is used to fund repairs to major systems on these homes such replacing or repairing roofs, weatherization of homes, and repairs or replacement of electrical systems, HVAC systems, plumbing, or ADA accessibility.

The program is available to both owner-occupied housing and rental properties.

A copy of the rehabilitation program manual can be found in Appendix B-1.

Since 2018, there have been 36 rehabilitation projects funded through the City's AHTF, at a total cost of \$1,945,386.57, for an average project improvement cost of \$54,038.52.

A list of all completed projects funded by the AHTF can be found in Appendix C-1.

Through CDBG funds, the City completed a total of 124 rehabilitation projects between 2020 and 2024, at a total cost of \$1,575,456.46. This represents an average rehabilitation project cost of \$12,705.29 for CDBG funded projects.

A list of all CDBG funded rehab projects can be found in Appendix C-2.

The City will apply these 160 completed rehabilitation projects towards its 276 unit present need obligation. This leaves a remainder of 116 units for the City to rehabilitate through the Fourth Round period of 2025-2035.

The City will continue to operate its current Residential Rehabilitation Program, and if projects continue at a similar pace as the previous 7 years, this represents an average of 22 homes rehabilitated each year. This would represent potentially 220 additional homes in the City being rehabilitated by 2035 over that ten-year period, which when combined with the existing units that have been rehabilitated would satisfy the City's 276 unit present need rehabilitation obligation for the Fourth Round.

PRIOR ROUND / THIRD ROUND OBLIGATIONS (1987-1999 / 1999-2025)

The City does not have a Prior Round (1987-1999) obligation, or a Third Round (1999-2025) prospective need obligation.

FOURTH ROUND OBLIGATIONS

Vineland does not have a Fourth Round prospective need obligation as a qualifying urban aid municipality. However, the City is actively engaging developers to create opportunities for affordable housing, and permitting projects that help to meet the housing needs of its low- and moderate-income residents. While these projects are not necessary to satisfy any obligations under the current rules and regulations of the Fair Housing Act, they may be eligible to satisfy any future obligations for the City of Vineland if in future rounds the City is no longer considered a qualifying urban aid municipality and has a prospective need to address. These units were approved by the Court in the City's 2021 Amended JOR as being creditworthy against future affordable housing obligations, in addition to the 500+ affordable units listed in the City's Court-approved 2015 Housing Plan Element and Fair Share Plan.

Affordable Housing Credits				
Project	Type of Unit	Units	Bonus	Total
Newcomb Senior Phase I	Senior Rental	68	0	68
Newcomb Senior Phase II	Senior Rental	68	0	68
Newcomb Senior Phase III	Senior Rental	60	0	60
Oak Hill	Family Rental	58	0	58
406 Third Street	Family for Sale	1	0	1
410 Third Street	Family for Sale	1	0	1
412 Third Street	Family for Sale	1	0	1
419 Third Street	Family for Sale	1	0	1
Veteran Housing	Senior Rental	28	0	28
Overall Totals		286	0	286

Below is a summary of each of the existing and proposed projects in the City of Vineland that will include affordable housing:

FAMILY PROJECTS

Oak Hill: 58 credits

Block 1909, Lot 50

Oak Road / Becker Drive

Status: Approved

The developer Eastern Pacific Development, LLC, has proposed to construct 58 townhouses in a 100% affordable rental project to be located on property at the intersection of Oak Road and Becker Drive. Each of the proposed townhouses would be a 3-bedroom dwelling. As the project is being funded in part from financing from NJHMFA, the income distribution of the development will meet all minimum requirements of UHAC. The development was approved by the City's Planning Board and memorialized in a resolution dated November 8, 2023.

A copy of the Resolution of Approval from the Planning Board for the project can be found in Appendix C-3.

406-419 Third Street: 4 credits

Blocks 2902, 2903

Address

Status: Approved

The Vineland Development Corporation facilitated the sale and conversion of four market rate homes on Third Street (406, 410, 412, and 419) into affordable single-family homes. The sales prices of these homes ranged from \$87,000 to \$170,000, with each priced to be affordable to a low or moderate income household.

Copies of the documents of sale can be found in Appendix C-4.

SENIOR RENTAL PROJECTS

Newcomb Senior Apartments: 136 credits

Block 4216, Lots 1.01, 1.02, 1.04

66 South State Street

Status: Complete

This project is a 100% affordable senior rental project currently under construction on South State Street in the City. The project is being financed through tax credits that were awarded to the project in 2017. The project is being constructed in two buildings, each of which will house 68 apartments. In total there will be 14 very-low income 1-bedroom apartments, 68 low-income 1-bedroom apartments, and 54 moderate income 1-bedroom apartments.

Phase I of the project was completed and opened in 2022. Phase II, the second building, was completed and opened for occupancy in 2023.

Affordability controls will be put in place for the project for a term of at least 45 years.

A copy of the monitoring report for this project can be found in Appendix C-5.

Newcomb Senior Apartments Phase III: 60 credits

Block 4216, Lots 1.3, 1.4, and 1.5

66 South State Street

Status: Approved

Eastern Pacific Development, LLC, the developer of the Newcomb Senior Apartments project, has proposed a third phase to this 100% affordable senior development to be constructed immediately south of the existing project. The project as proposed would consist of 60 additional apartments, 57 of them one-bedroom units and 3-two-bedroom units, within a new building to be constructed on the site. The project was approved by the City's Planning Board on May 14, 2025. The developer has submitted an application for Low Income Housing Tax Credits.

Affordability controls will be put in place for the project for a term of at least 45 years.

A copy of the Resolution of Approval from the Planning Board for this project can be found in Appendix C-6.

Veterans Housing: 28 credits
Block 3806, Lot 9
South 3rd Street / West Elmer Street
Status: Proposed

A project for senior veterans is proposed for the property located between West Elmer Street, 3rd Street, and West Grape Street. The project entails 28 one-bedroom apartments for veterans within seven 4-bedroom apartment homes, along with a veterans support services center on the site. The property is approximately 1.4 acres in size and is the site of a former school that has been demolished, leaving the site vacant and cleared.

A conceptual site plan for this project can be found in Appendix C-7.

Absent any potential bonus credits, the City may count up to 286 potential affordable housing credits towards a future obligation, subject to any rules, regulations, and restrictions that may be in place at that time.

A map of all projects can be found in Appendix B-4.

SUMMARY OF FAIR SHARE PLAN**REHABILITATION OBLIGATION**

The City has a Present Need or Rehabilitation Obligation of 276 units.

To date, 160 housing units in the City have been rehabilitated through the City's Residential Rehabilitation program. The City will continue to operate the program which is funded by both the City's Affordable Housing Trust Fund, and Community Development Block Grants. If current pace of rehabilitation projects continue, as much as 220 additional homes owned or occupied by low and moderate income households may be rehabilitated.

AFFORDABLE HOUSING PROJECTS

Although the City does not have a prospective need obligation, The City has the following Court-approved projects within the City that currently do, or will contain deed restricted affordable units:

Program/Site	Unit Type	Units
Turnkey III - Vineland Housing Authority (VHA)	Family Rental	66
Parents and Friends - PAFACOM	Special Needs	54
Vineland Training School Group Homes	SSN	58
Kidston Towers (VHA)	Age Restricted	103
Luther Acres Senior Housing - Housing Preservation, Inc.	Age Restricted	100
Walnut Manor - Walnut Manor Preservation, Inc.	Family Rental	100
Parvins Branch - Parvins Estates, LLC	Family Rental	24
Kings Crossing – Inclusionary Project	Family For Sale	7
Atlantic Realty – Inclusionary Project	Family	5
Landis Square – 100% affordable (LIHTC awarded)	Senior Rental	78
Melrose Place – Vineland Housing Development Corp.	Family Rental	17
Oak Hill	Family Rental	58
406-419 Third Street	Family For Sale	4
Newcomb Senior Apartments – 3 Phases	Senior Rental	196
Veteran's Project	Senior Rental	28
TOTAL		898

HOUSING ADMINISTRATION

AFFORDABLE HOUSING ORDINANCE

Chapter 425, Article VIII Affordable Housing, of the City's code provides rules and regulations regarding affordable housing. This ordinance was last amended and updated in February of 2021, by Ordinance No. 2021-6.

The City's Affordable Housing ordinance provides requirements for affirmative marketing, reporting and monitoring, income limits, calculations for maximum rents and sales prices, and requirements for owning or renting a deed-restricted affordable unit, in accordance with the Uniform Housing Affordability Controls.

To the extent that any amendments are necessary to the City's Affordable Housing Ordinance to maintain compliance with the Fair Housing Act or UHAC, the City will adopt such amendments.

DEVELOPMENT FEE ORDINANCE

Chapter 425 of the City's code provides comprehensive requirements for all affordable housing development in the City of Vineland. Specifically, §425-99 is the mandatory development fee requirements for all residential and non-residential development in the City that does not provide on-site affordable housing. The City's ordinance authorizes the collection of 1.5% residential and 2.5% non-residential development fees and allow for the collection of 6% fees for a "d" variance where an increase in the permitted residential density is involved. This creates a dedicated revenue stream for affordable housing programs, with all fees deposited into an interest-bearing account.

AFFORDABLE HOUSING TRUST FUND

The City has opened an interest-bearing affordable housing trust fund, and consistent with the development fee ordinance discussed above, imposes development fees on all applicable residential and non-residential development, and said fees are deposited into the affordable housing trust fund.

A draft Spending Plan for the Affordable Housing Trust Fund can be found in Appendix B-2.

AFFORDABILITY ASSISTANCE PROGRAM

The City will address the minimum affordability assistance requirements of the Affordable Housing Trust Fund spending in accordance with an Affordability Assistance Program that will be implemented, consistent with the Spending Plan outlined above.

The City currently provides assistance in the form of no interest loans to income qualified households for ownership assistance.

MUNICIPAL HOUSING LIAISON

The City has appointed the Director of Economic Development as the Municipal Housing Liaison.

A copy of the Resolution appointing a MHL can be found in Appendix B-3.

AFFORDABLE HOUSING ADMINISTRATIVE AGENT

The City's affordable housing programs and CDBG programs are currently administered by City Staff.

INCOME LEVELS

Vineland City is in COAH's Region 6, which includes Salem, Cumberland, Cape May, and Atlantic Counties. Moderate-income households are those earning between 50% and 80% of the regional median income. Low-income households are those with annual incomes that are between 30% and 50% of the regional median income. Very-low-income households are a subset of "low income" households, and are defined as households earning 30% or less of the regional median income.

APPENDICES

A. Prior Rounds and Fourth Round Obligations

1. Resolution 2025-58 Adopting Fourth Round Obligation
2. Third Round Judgment of Compliance and Repose
3. Amended Third Round Judgment of Compliance and Repose

B. Administrative Documents

1. Rehab Program Manual
2. DRAFT Affordable Housing Trust Fund Spending Plan
3. Resolution Appointing MHL
4. Map of Affordable Projects

C. Crediting Documents

1. AHTF Funded Rehab Projects
2. CDBG Funded Rehab Projects
3. Oak Hill Resolution of Approval
4. Third Street Projects
5. Newcomb Phase I and II
6. Newcomb Phase III Resolution of Approval
7. Veterans Project Concept Plan

Vineland City – Housing Plan Element and Fair Share Plan - [Appendices](#)

[APPENDIX A-1](#)

Resolution Adopting Fourth Round Obligation Numbers

RESOLUTION NO. 2025- 58**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VINELAND COMMITTING TO FOURTH ROUND PRESENT AND PROSPECTIVE NEED AFFORDABLE HOUSING OBLIGATIONS.**

WHEREAS, the City of Vineland (hereinafter the “City” or “Vineland”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 2, 2015, the City of Vineland filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and

WHEREAS, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the City’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 276 and a Prospective Need (New Construction) Obligation of Zero (0) due to its status as a Qualified Urban Aid Municipality; and

WHEREAS, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and

WHEREAS, this Resolution satisfies the requirements of the Amended FHA by accepting the DCA’s estimate of the City’s Present and Prospective Need for Round 4 (2025-2035), as described in the DCA Report; and

WHEREAS, Section 3 of the Amended FHA provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of the Amended FHA; and

WHEREAS, the City’s acceptance of the Fourth Round obligations calculated by the DCA are entitled to a “presumption of validity” because it complies with Sections 6 and 7 of the Amended FHA; and

WHEREAS, in addition to the foregoing, the City specifically reserves the right to adjust its fair share obligations in accordance with applicable Council on Affordable Housing (“COAH”) regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a windshield survey or similar survey which accounts for a more refined estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning documents; and

WHEREAS, in addition to the foregoing, the City specifically reserves all rights to revoke or amend this Resolution and commitment, as may be necessary, in the event of a successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, in addition to the foregoing, the City reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

WHEREAS, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the City’s Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

WHEREAS, in addition to the foregoing, the Acting Administrative Director of the Administrative Office of the Courts issued Directive #14-24 (hereinafter “AOC Directive”) on December 19, 2024; and

WHEREAS, pursuant to AOC Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter “the Program”), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and

WHEREAS, the City seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

WHEREAS, in light of the above, the Mayor and City Council finds that it is in the best interest of the City to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and

NOW, THEREFORE, BE IT RESOLVED on this 28th day of January 2025, by the City Council of the City of Vineland, Cumberland County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.

CITY OF VINELAND, NJ

2. For the reasons set forth in this Resolution, the Mayor and City Council hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 276 and the DCA Fourth Round Prospective Need (New Construction) Obligation of Zero (0) as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:

- a) The right to adjust the City's fair share obligations based on a windshield survey or similar survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and
- b) As described in the WHEREAS section, all rights to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
- c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the City's fair share obligations.

3. Pursuant to the requirements of the FHA as amended, and the AOC Directive #14-24 issued on December 19, 2024, the City hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement (Civil CIS), in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the City's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.

4. This Resolution shall take effect immediately, according to law.

Adopted: January 28, 2025

President of Council pfs

ATTEST:

City Clerk kp

CERTIFICATION

The undersigned, Municipal Clerk for the City of Vineland, County of Cumberland, State of New Jersey, hereby certifies the foregoing to be a true copy of a Resolution adopted by the City Council of the City of Vineland on January 28, 2025.

Keith Petrosky, Municipal Clerk

Vineland City – Housing Plan Element and Fair Share Plan - [Appendices](#)

APPENDIX A-2

Third Round Judgment of Compliance and Repose

JEFFREY R. SURENIAN AND ASSOCIATES, LLC

Brielle Galleria

707 Union Avenue, Suite 301

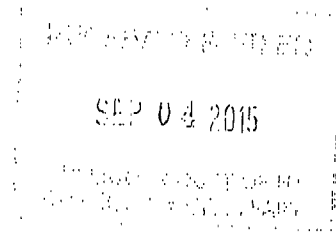
Brielle, NJ 08730

(732) 612-3100

Attorneys for Declaratory Plaintiff, City of Vineland

By: Jeffrey R. Surenian (Attorney ID: 024231983)

Erik C. Nolan (Attorney ID: 014032006)



**IN THE MATTER OF THE
APPLICATION OF THE CITY OF
VINELAND, COUNTY OF
CUMBERLAND**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: CUMBERLAND COUNTY**

DOCKET NO: CUM-L-450-15

CIVIL ACTION – MOUNT LAUREL

**ORDER GRANTING VINELAND A
FINAL ROUND 3 JUDGMENT OF
COMPLIANCE AND REPOSE AND
RELATED MOUNT LAUREL RELIEF**

THIS MATTER having been opened to the Court by Jeffrey R. Surenian and Associates, LLC, Jeffrey R. Surenian, Esq. and Erik C. Nolan, Esq. appearing on behalf of declaratory plaintiff, City of Vineland (hereinafter “the City”); and the Vineland Planning Board (hereinafter “Planning Board”) having previously adopted a Housing Element and Fair Share Plan for all three housing cycles; and the City having endorsed said plan and voluntarily filed said plan with the New Jersey Council on Affordable Housing for review and approval; and the City and its Planning Board having accordingly secured protections from expensive exclusionary zoning litigation; and Fair Share Housing Center having issued a report, dated April 17, 2015, through its expert David N. Kinsey, P.P., F.A.I.C.P in which he asserted that the City had a rehab obligation of 319 units, a Prior Round obligation of zero and a Round 3 obligation of zero; and the City having stipulated to those numbers in an effort to avoid the expense of litigation; and the City’s Planning Board having adopted and the City having recently endorsed another Housing

Element and Fair Share plan (hereinafter “2015 Affordable Housing Plan”) based upon these numbers; and the 2015 Affordable Housing Plan having noted that the City has implemented a continuing and highly successfully rehabilitation program; and that program having created a realistic opportunity for satisfaction of the 319 unit indigenous need; and the City being entitled to a final Round 3 Judgment of Compliance and Repose based upon the foregoing; and the City having an additional 811 credits it can apply towards Round 4; and the Supreme Court having determined that the task of implementing the Mount Laurel doctrine should revert from COAH to the courts because of COAH’s failure to adopt new regulations by the deadline the Court imposed pursuant to an order, dated March 14, 2014; and the Supreme Court having further emphasized the importance and value of voluntary municipal compliance (In re COAH, 221 N.J. at 34); and the immunity doctrine having arisen as a result of specially designated trial judges implementing the charge of the Supreme Court in Mount Laurel II to foster voluntary compliance; and Vineland City having committed itself to comply voluntarily by filing a duly adopted affordable housing plan with the Court for its approval; and the City wishing to complete the process of complying voluntarily now that the Court will have jurisdiction in lieu of COAH; and the Court having determined that, at the very least, the City and its Planning Board are entitled to immunity so that the City may address any concerns the court may have with its 2015 Affordable Housing Plan; and it appearing that granting temporary immunity, if necessary, would advance the objective of (1) barring the filing and serving of any unnecessary Mount Laurel lawsuits; (2) promoting voluntary compliance; and (3) facilitating the resolution of all issues concerning the City’s Mount Laurel responsibilities to be resolved expeditiously and with as little additional burden to the public as possible; and the Court having considered the

pleadings and related papers filed in this matter and the arguments of counsel; and good cause appearing.

IT IS on this 4 day of September, 2015, ORDERED as follows:

1. The Court makes the following findings:
 - a. The City's rehabilitation obligation of the City is hereby established to be 319 units.
 - b. The City's Prior Round prospective need obligation is hereby established to be zero units.
 - c. The City's Round 3 prospective need obligation is hereby established to be zero units.
 - d. The City has a highly successful rehab program that creates a realistic opportunity for satisfaction of its 319-unit rehab obligation.

2. The City is hereby granted a Final Judgment of Compliance and Repose for Round 3 based upon the foregoing findings.

3. The repose shall last for ten years and shall confer all the protections specified by the New Jersey Supreme Court in So. Burlington County N.A.A.C.P. v. Tp. of Mount Laurel, 92 N.J. 158,292 (1983).

4. The repose shall commence from the date hereof and last for 10 years.

If the Court denies the relief in Paragraph 2, the City seeks the following relief in lieu thereof:

~~5. The City is granted immunity from exclusionary zoning lawsuits until such time as (a) the Court identifies any issues concerning why it declines to enter a final judgment of compliance and repose for Round 3 and (b) the City responds to the Court's concerns.~~

6. ~~If the City files its response to the Court's concerns within said five month period,~~
the immunity shall continue pending further action of the Court. *an*

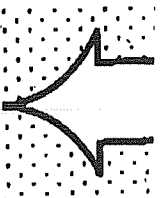
7. Nothing herein shall preclude the City from securing a determination as to its entitlement to credits that may be applied to any future obligations.

8. Counsel for the City shall provide all parties on the Service/Notice List with a copy of this Order within seven (7) days of receipt.

✓ no opp



ANNE McDONNELL, P.J.CH.



Vineland City – Housing Plan Element and Fair Share Plan - [Appendices](#)

[APPENDIX A-3](#)

Amended Third Round Judgment of Compliance and Repose

SURENIAN, EDWARDS & NOLAN, LLC

311 Broadway, Suite A

Point Pleasant Beach, NJ 08742

(732) 612-3100

Attorneys for Declaratory Plaintiff, City of Vineland

By: Jeffrey R. Surenian (Attorney ID: 024231983)

Erik C. Nolan (Attorney ID: 014032006)

**IN THE MATTER OF THE
APPLICATION OF THE CITY OF
VINELAND, COUNTY OF
CUMBERLAND**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
CUMBERLAND COUNTY**

DOCKET NO.: CUM-L-450-15

CIVIL ACTION – MOUNT LAUREL

**FIRST AMENDMENT TO JUDGEMENT
OF COMPLIANCE AND REPOSE**

This matter having been opened to the Court by Surenian, Edwards & Nolan, LLC, and Erik C. Nolan, Esq. appearing on behalf of declaratory plaintiff, City of Vineland (hereinafter “the City”); and Fair Share Housing Center (“FSHC”) having issued a report, dated April 17, 2015, through its expert David N. Kinsey, P.P., F.A.I.C.P., in which he asserted that the City had a Rehabilitation Obligation of 319 units, a Prior Round obligation of Zero (“0”) and a Round 3 obligation of Zero (“0”); and the City having stipulated to those numbers in an effort to avoid the expense of litigation; and the City’s Planning Board having adopted, and the City having endorsed, a Housing Element and Fair Share plan (hereinafter “2015 Affordable Housing Plan”, which is attached hereto as Exhibit P-1) to address the Kinsey Fair Share numbers; and the 2015 Affordable Housing Plan having noted that the City has implemented a continuing and highly successful rehabilitation program; and that program having created a realistic opportunity for satisfaction of the 319 unit Rehabilitation Obligation; and the City being entitled to a final Round

3 Judgment of Compliance and Repose based upon the foregoing; and in 2015, the City having an additional 811 affordable housing credits to apply towards Round 4; and the City having filed a Declaratory Judgment Complaint on July 2, 2015 in response to the Supreme Court's Mount Laurel IV decision (hereinafter "DJ Action"), seeking, among other things, the Court's approval of the Township's 2015 Affordable Housing Plan; and based upon the above mentioned facts, the Court having granted the City a Final Judgment of Compliance and Repose on September 4, 2015 (hereinafter "JOR Order", which is attached hereto as Exhibit P-2); and the JOR Order providing immunity for all Mount Laurel lawsuits, including builders remedy lawsuits, until July 2, 2025, which is the end of Round 3; and the City having amended its 2015 Affordable Housing Plan to include the following new affordable housing projects/programs: (1) a proposed 60-90-unit one hundred percent (100%) affordable family rental project, (2) a proposed 143-unit Assisted Living Facility, of which 15 units will be affordable, (3) a proposed 10-unit Market to Affordable Program, and (4) a proposed 136-unit one hundred percent (100%) affordable age restricted project, to be completed in two 68-unit phases, with both phases having already received HMFA low income tax credits, and construction on the first phase of the project expecting to start in 2021; and the City's Planning Board having adopted and Amendment to the 2015 Affordable Housing Plan (hereinafter "2020 Amendment", which is attached hereto with its Appendices as Exhibit P-3)) to implement these new affordable housing projects/programs on November 12, 2020, and the City Council having endorsed same on January 26, 2021 (the adopting and endorsing resolutions are attached hereto as Exhibit P-4 and Exhibit P-5); and the City having also amended and adopted a revised Spending Plan (which is attached to the 2020 Amendment as Appendix G) to help fund the City's affordable housing projects and programs, including the City's successful Rehabilitation Program; and the City wanting to amend its JOR

Order to receive Court approval of its 2020 Amendment and its revised Spending Plan; and FSHC having reviewed and consented to this First Amendment to the City's JOR Order; and the Court having reviewed the attached exhibits; and for good cause appearing;

IT IS on this 6th day of Dec, 2021, **ORDERED** as follows:

1. The 2020 Amendment (attached Exhibit P-3) to the City of Vineland's 2015 Housing Element and Fair Share Plan (attached Exhibit P-1) creates a realistic opportunity for the production of affordable housing and is hereby approved pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing (hereinafter "COAH") substantive rules, and Mount Laurel case law, including the New Jersey Supreme Court's Mount Laurel IV decision.

2. The City's Judgment of Compliance and Repose, as amended, shall remain in full force and effect until July 2, 2025, and the City shall continue to have immunity from all Mount Laurel lawsuits, including, but not limited to, builder's remedy lawsuits, other than actions brought to enforce the terms of the Court's orders.

3. As per the City's September 4, 2015 JOR Order (attached Exhibit P-2), the City has a Rehabilitation Obligation of 319, a Prior Round Obligation of Zero ("0") and a Round 3 Obligation of Zero ("0").

4. The City will continue to address its 319-unit Rehabilitation Obligation through the continuing operation of the City's Community Development Program, which is operated in coordination with the Vineland Housing Authority (VHA). The City will continue to address its Rehabilitation Obligation by 2025.

5. The following affordable housing projects and programs are hereby preserved for credit in Round 4 under then applicable law:

- a. Market to Affordable Program: Ten (10) credits from ten (10) for-sale family affordable units to be created under the City's Market to Affordable Program. The City will assess the viability of its Market to Affordable Program two years from the entry of this Order and will make whatever necessary adjustments it can in order to continue to maximize the opportunity for the program to create affordable units. Five (5) of the units will be low-income units and five (5) of the units will be moderate income units.
- b. Newcomb 100% Affordable Senior Project: 136 one hundred percent (100%) affordable senior rental units (in two 68-unit phases) from the proposed Newcomb 100% Affordable Senior Project, which will be located on a 6.43 acres site (Block 4216, Lots 1.01 and 1.02). The 136 unit-project will deliver 21 very-low-income units. The project will be broken down into two phases. The first 68-unit phase has received HMFA low-income tax credit funding, and construction is expected to begin in 2021. The second 68-unit phase received HMFA low-income tax credit funding in December of 2020.
- c. Assisted Living Facility: A proposed two building 143-unit Assisted Living Facility will provide 15 affordable Medicaid beds, which will be counted as affordable age restricted credits. This project will be located at Block 4216, Lots 1.03 and 1.05.
- d. 100% Family Rental Project: 60-90 affordable family rental units from a proposed one hundred percent (100%) family rental project. The project site is anticipated to be selected in 2021 or early 2022 with the expectation that a low-income housing tax credit application will be filed in 2022. Pursuant to N.J.A.C. 5:93-1.3, Brian Slauch, PP, AICP will submit a certification that the site is "available, approvable, developable and suitable" with a copy to FSHC who will provide any comments within 30 days of receipt. A construction schedule and pro forma for the project will be developed once the site is selected. 13% of the units will be very-low-income units, 37% will be low-income units and 50% will be moderate-income units. The project will also comply with proper UHAC bedroom distribution requirements.

6. The City's Spending Plan, which is Appendix G of the 2020 Amendment (attached Exhibit P-3), is hereby approved. The City is free to expend funds in its Affordable Housing Trust Funds in accordance with the City's 2015 Affordable Housing Plan as amended, the FHA, applicable COAH regulations and all other applicable law.

7. A copy of this First Amendment to the City's JOR Order shall be served upon counsel for all interested parties through electronic filing within seven (7) days from the date hereof.



HONORABLE ROBERT P. BECKER, P.J.Ch.

We hereby consent to the form and entry of the within order.

FAIR SHARE HOUSING CENTER

Dated: 10/27/2021

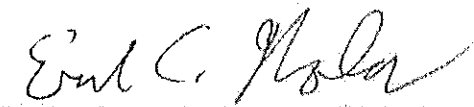
BY:


Laura Smith-Becker, Esq.
On behalf of Fair Share Housing Center

CITY OF VINELAND

Dated: 10/27/21

BY:


Erik C. Nolan, Esq.
On behalf of the City of Vineland

Vineland City – Housing Plan Element and Fair Share Plan - [Appendices](#)

APPENDIX B-1

Rehabilitation Program Manual



CITY OF
VINELAND
WHERE IT'S ALWAYS GROWING SEASON



CITY OF VINELAND

Operating Procedure Manual for the Administration
of a Residential Rehabilitation Program

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CITY OF VINELAND RESIDENTIAL REHAB LOAN PROGRAM

I. PROGRAM OVERVIEW

The City of Vineland Community Development Residential Rehab Loan Program (the Program) has been established to help make needed repairs to residential units in the City of Vineland that are occupied by income-eligible families. As part of an overall Community Development effort, the Loan Program seeks to:

- improve living conditions for eligible city residents;
- preserve Vineland's housing stock;
- stabilize older neighborhoods.

The Loan Program is designed to accomplish this by:

- making available interest-free loans for rehabilitation work;
- helping property owners identify the type and scope of work their properties need;
- assisting property owners in selecting a qualified contractor at a fair price;
- establishing and enforcing housing rehab standards that must be met for all properties in the Program.

The Loan Program is funded by grants from other government agencies, most notably the U.S. Department of Housing and Urban Development (HUD), which provides the Community Development Block Grant (CDBG) funds and the HOME Investment Partnerships Program (HOME) funds. In addition, funding from the Affordable Housing Trust Fund is used for owner-occupied units rehabilitation. The Office of Community Development continually seeks additional funding sources to support the Loan Program. The program will at all times follow the regulations set forth by HUD and all other funding sources utilized by the program.

Operation of this program will be guided by this Policy and Procedures Manual, which may be revised at any time at the discretion of the Program Director so long as all changes are within the regulations set forth by HUD and all other funding sources utilized by the program.

Except in the case of mobile homes and properties that are completely or primarily rental properties, loans provided through this program will be interest-free, deferred payment loans secured by a mortgage or other instrument on the property being repaired. In the case of mobile homes and rental properties, loans will be interest-free installment loans with repayment commencing within 45 days of the completion of work. For owner-occupied properties, the loan will be for the full amount of the rehab work, up to the Program maximum and the principal will remain unchanged and will be 100% repayable under the terms and conditions included in the loan documents. For rental properties, the loan will be for up to 50% of the rehab work. Owners of rental properties will be responsible for the balance of the rehab costs and will be required to deposit the funds in an escrow account with the program prior to the start of work.

The offer of program participation is always subject to availability of funds.

II. ELIGIBLE PARTICIPANTS

A. Owner-occupied properties

To be eligible for a loan under the Residential Rehab Loan Program, an owner-occupied property and its owner(s) must meet the following criteria:

- 1) The property is located within the City of Vineland.
- 2) The owner has owned and lived in the property for at least 12 months. NOTE - An exception to this criteria may be made if a certified home inspection was completed at the time of purchase and an emergency has subsequently arisen to a component that was satisfactory at the time of the inspection.
- 3) The property consists of 1 or 2 residential units, one of which is occupied by the property owner and both of which exist in accordance with the land use regulations of the City of Vineland as determined by the City's Zoning Officer. **Note** - Eligibility for rehab of any rental units will be determined according to the policies described below for rental properties.
- 4) The owner(s)/occupant(s) must be part of an income-eligible household. An income-eligible household is defined as one with a total annual household income equal to 80% or less of the area median income for that family's size as determined each year by HUD. Income limit amounts are available at the City of Vineland Community Development Program office and at the HUD website, www.hud.gov. The Internal Revenue Service Form 1040 definition of "adjusted gross income" is used to calculate annual household income and thus determine eligibility for participation in this program. Additional eligibility restrictions may be added as required by funding sources.
- 5) The owner(s)/occupant(s) must not have assets in excess of \$75,000. For purposes of this provision, "assets" includes stocks, bonds, savings accounts, real estate other than the principal residence and all other property, real or personal, except personal vehicles. The value of real property shall be based on a current appraisal (no more than 12 months old).
- 6) Except for mobile homes, the property must have a deed that has been recorded with Cumberland County.
- 7) The property must have current homeowner's insurance that includes coverage for fire and flood (if applicable).
- 8) All municipal utilities (water, sewer) and property taxes must be current
- 9) After initial inspection, it is determined that rehabilitation required on the property will represent less than 50% of the value of the property after rehabilitation and that, when combined with any existing Community Development Program rehab loans on the property, the total amount owed will not exceed \$40,000.00 or 50% of the property's value, whichever is lower.
- 10) The applicant has not previously defaulted on a loan or loans to the City of Vineland Community Development Program through bankruptcy, foreclosure or any other means.

B. Residential rental properties

To be eligible for a loan under the Residential Rehab Loan Program, a residential rental property must meet the following criteria:

- 1) The property is located within the City of Vineland.
- 2) The property consists of 1 to 4 residential units, all of which exist in accordance with the land use regulations of the City of Vineland as determined by the City Zoning Officer.
- 3) The tenants in at least 51% of the occupied units must be income-eligible households. (Note – this requirement is at least 50% for a 2-unit property.) An income-eligible household is defined as one with a total annual household income equal to 80% or less of the area median income for that family's size as determined each year by HUD. Income limit amounts are available at the City of Vineland Community Development Program office and at the HUD website, www.hud.gov. The Internal Revenue Service Form 1040 definition of "adjusted gross income" is used to calculate annual household income for purposes of this program. Additional eligibility requirements may be added to satisfy funding sources.
- 4) If one or more units is vacant at the time rehab work is done, the property owner must agree that the next tenant in the unit(s) will be an income-eligible household(s).
- 5) The property must have a deed that has been recorded with Cumberland County.
- 6) The property must have current homeowner's insurance that includes coverage for fire and flood (if applicable).
- 7) All municipal utilities (water, sewer, electric) and property taxes must be current.
- 8) After initial inspection, it is determined that rehabilitation required on the property will represent less than 50% of the value of the property after rehabilitation.
- 9) The applicant has not previously defaulted on a loan or loans to the City of Vineland Community Development Program through bankruptcy, foreclosure or any other means.

C. Establishing eligibility

Eligibility will be based upon the following criteria:

Income and assets: Proof of income must be established by the following:

1. Most recent pay stubs for at least 1 month's income for any resident who is employed
2. Most recent Federal Income Tax Return documents (1040, 1040A, EZ, W-2 forms) for all residents who must file income tax
3. Current award notice from Social Security, Pension, Welfare, Unemployment
4. Rental income, self-employment, interest, bonds, stocks, etc.
5. Verification of account balances and other assets
6. Court order of alimony

Income shall include all household members 18 years and older. In addition, unearned income for household members under 18 will be included. Post-secondary students are exempt from all earned income calculations. Proof of enrollment in a post-secondary institution of learning will

be required in such cases. Household members that claim no income must submit a notarized "Certification of No Income."

The Program application includes a space for the applicant to list all assets. By signing the application, the applicant warrants that this listing is complete and true.

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

1. Copy of Deed
2. Copy of Declaration of Homeowner's Insurance
3. Copy of Real Estate Tax Bill with Proof of Payment
4. Copy of Flood Insurance, if within 100-year flood plain
5. Signed Declaration of Occupancy, which is part of the Application

All of the above items must accompany the completed application (except in the case of mobile homes, where items 1 through 4 do not apply).

III. PROGRAM APPLICATION

A. Submitting an Application

Only the owner(s) of a property can apply for participation in the Program.

Because the program requires documentation of income eligibility, applications for this program need to be completed in person at the Community Development Program office in City Hall, 640 E. Wood St., Vineland. An appointment with a program Intake Specialist is required. Appointments can be made by calling 856-794-4077.

There are no application fees associated with the program.

B. Withdrawing an Application

If a property owner decides to withdraw an application after receiving a work write-up and cost estimate inspection by the Rehabilitation Specialist, the costs for such inspection, including all assessments of lead paint risk hazard, will be the responsibility of the property owner. Payment will be due to the City of Vineland, Community Development Program within two weeks of notification by the Program that such costs have occurred. Notification will be forwarded to the property owner by certified mail. Agreement to this provision will be made part of the property owner's application for assistance. Failure to pay the amount owed will result in a City of Vineland lien being placed on the property in the amount owed.

IV. LOAN AVAILABILITY AND TERMS

A. Loans for property improvements

1. Owner-occupied properties: The entire cost of repairs and improvements made through this program, up to the Program maximum (see below), will be paid directly by the program to the contractor. That amount will then become a loan to the property owner. Except in the case of mobile homes, loans will be interest-free, deferred payment loans secured by a secondary mortgage or other instrument on the property being repaired. The principal will remain unchanged and will be 100% repayable under the terms and conditions described under "Loan repayment" below and in the mortgage and loan documents.

1.(a) Elderly or Severely Handicapped: As defined by HUD, Seniors age 62 and above with incomes below 50% of the local median level or Severely Handicapped Individuals can be eligible for a grant up to \$5000.00 to be used towards the repair of their residence, and can be used in conjunction with repairs exceeding the grant.

2. Rental units: Rental units are defined as legally existing housing units, as determined by the City Zoning Officer, registered with the City of Vineland and having received an Occupancy Permit and for which the owner receives rent payments under terms of a written lease with the current occupants. A copy of the lease, signed by both parties, is required for each unit being assisted by the Program. For vacant units, the owner must provide a copy of the lease that will be used to rent the unit and then a copy of the signed lease once the unit has been rented.

For **all rental properties, up to 50% of the cost** of repairs and improvements made through this program, up to the Program maximum, will be paid directly to the contractor. That amount will become a loan to the property owner. The remaining costs will be the responsibility of the property owner and must be placed in escrow with the Program prior to the start of work. The Program will use the escrowed funds along with Program funds to pay the contractor.

Loans will be interest-free installment loans secured by a secondary mortgage on the property being repaired. The loan will be repaid on a monthly basis as described under "Loan repayment" below and in the mortgage and loan documents.

B. Loan repayment

Repayment of Residential Rehab loans will be required as follows:

- In the case of an **owner-occupied property**, the loan will be due when the owner transfers title or ceases to use the property as principal residence. In the event of the owner's death, the loan will be due unless at least one member of the owner's family who was residing in the property at the time the loan was made and has continued to reside there since the loan was made wishes to continue to live in the property and is income-eligible at the time of the owner's death.
- In the case of **mobile homes**, repayment will be on a monthly installment basis. The loan will be interest free. Repayment will commence within 45 days of the completion of

rehab work. For loans of \$6,000.00 or less, 3% of the original loan amount will be due monthly until the loan is satisfied. For loans of more than \$6,000.00, 2% of the original loan amount will be due monthly until the loan is satisfied.

- In the case of a **rental property**, repayment will be on a monthly installment basis. The loan will be interest free. Repayment will commence within 45 days of the completion of rehab work. For loans of \$10,000.00 or less, 3% of the original loan amount will be due monthly until the loan is satisfied. For loans of more than \$10,000.00, 2% of the original loan amount will be due monthly until the loan is satisfied.
- Any other event of default occurs, as described in the loan documents.

C. Loan maximum

The maximum Residential Rehab loan award amount is \$25,000 plus reasonable non-rehab costs, including recording fees and lead paint testing per housing unit. That amount should be reviewed periodically and adjusted, if necessary, by the Community Development Program Director to reflect changes in rehabilitation costs, funding availability, funding source regulations and other relevant factors. The Program Director may approve an exception to the maximum loan amount for a particular property only in extenuating circumstances based upon the necessity to meet code standards. At no time may the maximum loan amount exceed restrictions imposed by funding sources.

D. Loan subordination

The City will consider requests to subordinate a Residential Rehab loan to subsequent financing or refinancing. In all cases, the property owner must supply information listed in the Program's "Subordination Request Check List," which includes information on the new financing terms, recent appraisal of the value of the property and intended uses of the proceeds of any new financing. This and other relevant documentation required by the program will be reviewed by the City solicitor, who will make a recommendation to Vineland City Council on the advisability of granting the subordination request.

E. Loan Security

The City will enter into an Agreement with the Borrower, which specifies the terms and conditions of the Loan funds to be made available through the Program, including reference to a Work Write-Up and Cost Estimate, which will be attached and made part of the Construction Agreement. Embodied in the Borrower's Agreement will be the requirement that the Borrower sign a Mortgage and Note that will be recorded with the County Register and will serve as the appropriate security device for repayment of loans. Mortgage documents will be recorded with the County within 30 days from the date of the Letter of Completion from the Program Director.

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

In the case of mobile homes, an Installment Loan Agreement will be substitute for a Mortgage and Note. In the case of rental properties, and Installment Loan Agreement will be drawn up in addition to the Mortgage and Note.

V. REHABILITATION

A. Program Operations

The City of Vineland will administer the Community Development Residential Rehab Loan Program utilizing existing personnel and consultant services as needed. The Community Development Director will oversee the operations of the program.

Property inspections will be performed by the City of Vineland's Community Development Rehabilitation coordinator and/or housing inspector(s), who will perform detailed inspections of the property, outlining deficiencies and the method to correct deficiencies through the form of a Work Write-Up with detailed specifications. The Work Write-Ups will be based on the Program's written Rehabilitation Standards. Based on the Work Write-Ups, Cost Estimates will be prepared for use by the Director and the homeowner in selecting the work to be undertaken and the contractor(s) to do the work. The Program will employ the services of a certified lead-based paint risk assessor for properties built before 1978 to perform assessments according to HUD guidelines.

B. Eligible Property Improvements

The primary purpose of the City of Vineland Residential Rehabilitation Loan Program is to provide decent, affordable housing for low- and moderate-income households. Therefore, Community Development Residential Rehabilitation Loan Program funds will be available to address quality of life housing issues, correct existing and incipient code violations, minimize the risk of poisoning from lead-based paints and correct weatherization deficiencies as identified in the project's Work Write-Up with detailed specifications.

The Program will prioritize those work items such as roof, heater, electrical, lead hazard reduction and plumbing that affect the health and safety of residents. The improvements to be selected must also be economically feasible and cost-effective. Items used for the purpose of decoration or additions are NOT eligible. Floor coverings, cabinets, fencing, driveways, repairs to garages or other storage areas and other improvements intended to provide a reasonable quality of life are permitted under the program but are of lower priority and cannot be done for aesthetic purposes only.

All rehabilitation work performed will bring units up to code and at least one major system will be replaced.

C. Emergency assistance

Eligible applicants for the program will be provided assistance on a first-come, first-serve basis except in those cases where an emergency is deemed to exist. Depending on the availability of funds, priority may be given to eligible households in the case of the need for emergency repairs and the program process will be expedited to the extent that is prudent and permissible.

The need for emergency repairs will be considered to exist if either of the following is true as determined by program staff and declared by the Program Director:

- The existing condition is an immediate and serious threat to the health and safety of the residents. Examples would include a lack of heat, water, electricity or sanitary sewer or septic service.
- The existing condition is a threat to cause substantial damage to the property. Examples would include significant leaks in plumbing or the roof.

Only those repairs necessary to correct the emergency situation are eligible for this priority assistance.

D. Ineligible Uses

Program funds cannot be used for improvements that:

- are solely or primarily for decorative or aesthetic purposes,
- are generally considered "luxury items," e.g. swimming pools, hot tubs, lawn sprinkler systems. Air conditioning is NOT considered a luxury item and is therefore an eligible cost.
- are not economically feasible (see Section E below),
- are not cost-effective.

E. Unfeasibility of Rehabilitation

In the event that the initial inspection reveals an extraordinary degree of property deficiencies that are of a serious nature, an evaluation will be made as to the feasibility of investing Community Development funds into the project. If this evaluation reveals that the amount of rehabilitation required on the property will be 50% or more of the value of the property after rehabilitation, the Director will have the discretion to disqualify the applicant and therefore, target the limited resources to other qualified properties. This determination is based on the criteria established in the Environmental Review Regulations. A release of funds for implementation of rehabilitation activities is issued on the premise the cost of rehabilitation of qualified properties will not exceed 50% of the property value after rehabilitation. To fund a project of this nature could, therefore, be in violation of the findings and conclusions established in the Environmental Assessment. Furthermore, the Project is designated to rehabilitate existing structurally sound properties and is not designated to reconstruct otherwise sub-standard properties.

VI. Contractor selection, performance and payment

A. Eligible contractors

The City, on behalf of the property owners, will solicit bids from eligible rehabilitation contractors. Prior to receiving a determination of eligibility to participate in the Housing Rehabilitation Program, a contractor must complete an application and provide references, as well as evidence of appropriate liability and workmen's compensation insurance, a State of New Jersey Business Registration Certificate and Home Improvement Contractor's registration and any other relevant documentation requested by the Program staff. To be eligible to bid on work in houses that were constructed prior to 1978, the contractor must also provide evidence of lead hazard training certifications as required by HUD and the U.S. Environmental Protection Agency. The City will determine whether a contractor is on a recognized debarred list. The contractor must also comply with other appropriate regulations established by the City of Vineland and State of New Jersey.

B. Bid openings and contractor selection

The Community Development Program will receive bids on a date and time specified for a bid opening. Normally, bids will be sought in blocks of 3 to 5 properties so that contractors will have reasonable workloads and greater opportunity to submit more cost effective proposals.

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:

- satisfy the specifications of the Work Write-Up
- have been submitted by an eligible contractor
- are no more than 10% above or 20% below the Program rehab specialist's final cost estimate for the work
- and 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 property owner will then select a contractor from the list of eligible bids. If the property owner selects a contractor other than the contractor who submitted the lowest eligible bid, the property owner will provide, prior to the start of work, the difference between the lowest eligible bid and the selected bid. The amount provided by the property owner will be placed in escrow with the Program. The homeowner will be required to execute the contract documents with the selected Contractor.

In the case of emergency procedures (see above) when the policy for open bidding is not feasible, at least three estimates will be solicited from current contractors list. Normal bidding procedures will be followed once the emergency situation has been abated.

Exceptions to bidding requirement – When appropriate, the Program Director can approve a rehab price without bidding. For instance if property owner is a registered contractor who would in all ways be eligible to bid on the work and wishes to do the work him/herself. In such cases,

the contractor must still meet all requirements and the Program must confirm the reasonableness of all costs. Such confirmation may include a staff estimate and/or the solicitation of cost estimates from other contractors for a cost to be paid for from the project funds.

C. Contractor performance

Timeliness and quality of work: It is expected that contractors will complete all work within the time period specified in their contract with the property owner and provide work that, at a minimum, meets the Program's Rehabilitation Standards. The time allowed for completion of work will be established by Program staff prior to the start of construction and will be based on the amount and complexity of the work to be done.

Probationary period: Contractors who have not had prior working experience with the City will not be awarded more than one rehabilitation contract until one property is complete and satisfactory. At such time that a track record has been established that demonstrates work in a timely, professional and workman like manner that complies with the Program's Rehabilitation Standards, the contractor's probationary period will be over and a larger scope of work may be awarded. Contractors who have a favorable performance record with the City may be awarded up to three projects from one bid opening, based on his work schedule and potential to complete the projects in a timely manner.

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

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

In the event that a contractor, sub-contractor, or employee of such violates any of the provisions of this section CONTRACTOR SELECTION PROCEDURES, the Program Director may disqualify the contractor or sub-contractor from future participation in the Program.

Once a rehabilitation project has been begun and the contractor must be removed from, or refuses to complete, a project, the Director must select the contractor who will complete the rehabilitation project. Should the replacement contractor's cost to complete the rehabilitation be

higher than that of the original contractor, the original contractor will be responsible for the difference. That cost cannot be passed along to the homeowner.

D. Contractor payment

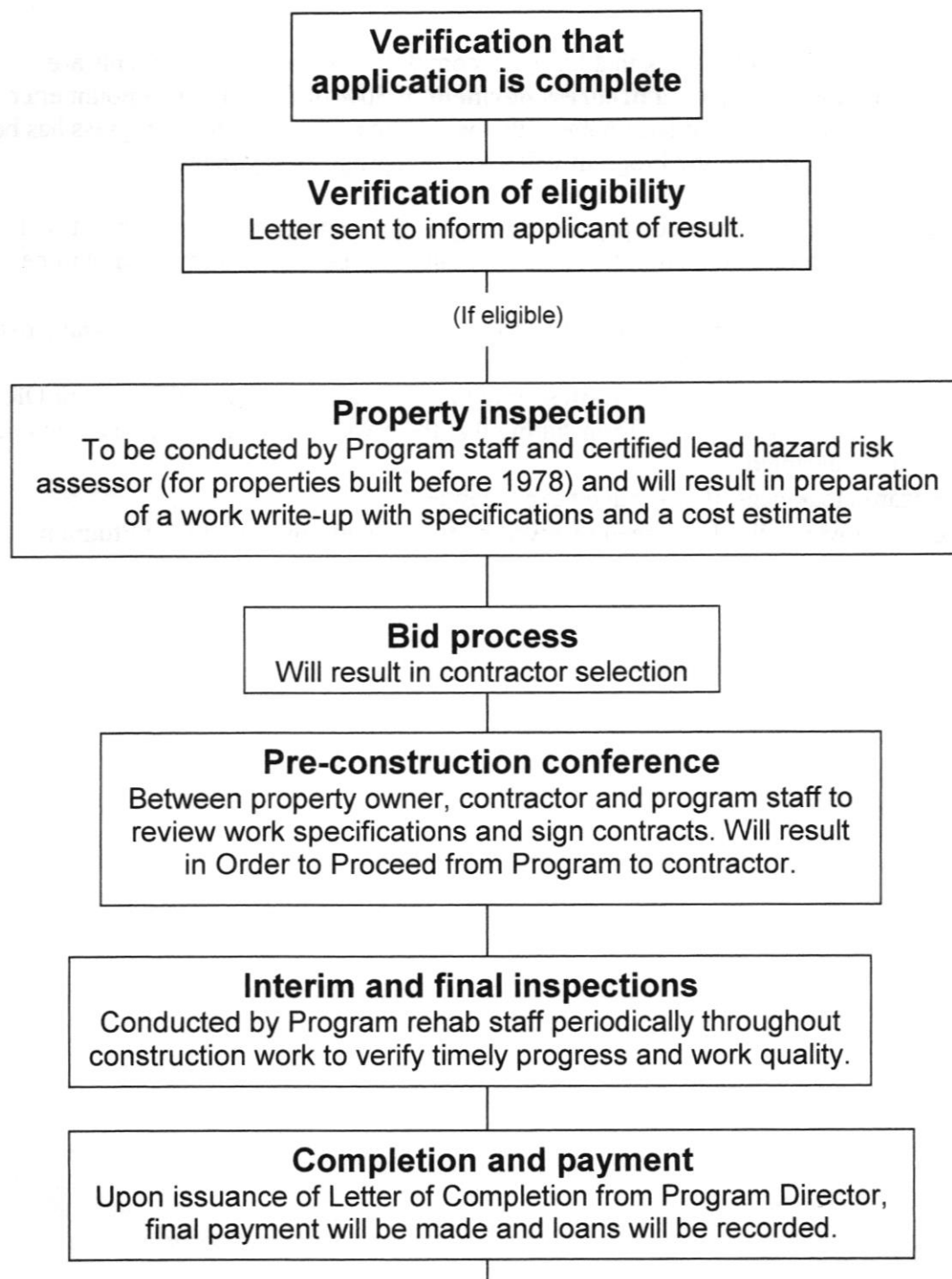
Contractors can only be paid for work that has been completed. No advance payments are permitted. A contractor can request a **progress payment** of 50% of the contract amount after completing work that equates to at least 60% of the project cost. If satisfactory progress has been made at the time of the request, the Program will approve a progress payment.

For all payments, checks will be made payable directly to the contractor. Final payment will be made following a Letter of Completion from the Program. The Letter of Completion will be issued when:

- all Write-Up work has been completed according to Program Rehabilitation Standards, as verified by Program rehab staff;
- the property owner has signed a form stating that he/she is satisfied with the work OR the Program Director has signed a form stating that the owner's refusal to sign a completion form is not warranted;
- lead hazard clearances, if any, have been received;
- copies of all warranties have been received by the property owner and the Program.

VII. Program flow chart

Once an application has been completed, the following steps will take place:



VIII. Miscellaneous

A. Affirmative Marketing Plan

The Rehabilitation Program's Affirmative Marketing Plan is designed to disseminate information on the program's existence, purpose and availability to all potential program participants of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or family size. The Affirmative Marketing Plan is also intended to target those potentially eligible residents who are least likely to know about the Rehabilitation Program without such an effort.

The Affirmative Marketing Plan will be implemented by the Program Director with assistance from other program staff as appropriate. Affirmative Marketing efforts will provide the following information in English and Spanish:

- Program availability;
- Eligibility requirements;
- Terms and conditions of program loans;
- All responsibilities of the program and of program participants.

Affirmative Marketing efforts will be carried out through the following media, methods and strategies:

- Press releases, public service announcements and paid advertising in the following newspapers:
 - The Daily Journal
 - The Cumberland Reminder
 - Comunidad Nuestra (Spanish language)
 - Other local publications as appropriate
- Public service announcements and interviews on the following radio and television stations:
 - Channel 13
 - WVLT radio
 - WMIZ radio (Spanish language)
 - Other local stations as appropriate
- Personal outreach efforts in English and Spanish to Vineland:
 - Churches
 - Child-care facilities
 - Senior centers
 - Health and nutrition offices (e.g. local WIC program)
 - Other locations as appropriate

Affirmative Marketing efforts will be ongoing. They will vary in frequency and intensity as appropriate to the prevailing levels of funding and the program waiting list, if any.

B. Change orders

During implementation of the Rehabilitation Program and rehabilitation construction activities, unforeseen conditions may arise. When such conditions are identified by the Program Rehab Coordinator or Inspector and deemed necessary for correction, the Program Director can allow for a change in the Work Write-Up and specifications, provided such a Change Order:

- does not bring the total loan amount above the Program maximum, unless the additional work is needed to address code violations or other health and safety concerns;
- is agreed to by the property owner;
- is to be provided at a fair and reasonable cost as determined by Program staff using reliable means of determining same.

C. Program staffing

The Program will maintain levels of staffing that are consistent with its mission to provide an effective and efficient residential rehab program and that are within the constraints of the Program budget.

Because Program funding is certain to fluctuate over time, this Manual will not set out specific staffing levels. However, for the program to operate as intended, staffing should include, at a minimum, the positions of Program Director, Intake/Outreach Specialist(s) and Rehab Specialist(s)/Housing Inspector(s).

D. Records and client files

All files will be maintained at Vineland City Hall in accordance with the requirements of all funding sources and with pertinent state regulations. All files will be kept in strict confidence.

E. Location of office and hours

The City of Vineland will provide an office located in the City Hall at 640 East Wood Street, Vineland, New Jersey. The office will be open to the public Monday through Friday between the hours of 8:30 A.M. and 5:00 P.M. The phone number for this office is (856) 794-4000, ext. 4631, 4632, 4633 and 4910. The Program Director will be available through phone contact Mondays through Fridays at (856) 794-4077.

F. COAH rehab reporting

The following guidelines will be met for all projects funded through the Affordable Housing Trust Fund and reported to the New Jersey Council on Affordable Housing (COAH):

- 1) The property will be brought up to the local building code, which is the International Building Code 2006 New Jersey Edition.
- 2) Units will average at least \$10,000 in hard costs of rehab.
- 3) One or more of the following major systems will be repaired: roof, electric, plumbing, sanitary sewer, heat, load-bearing systems, lead paint abatement and weatherization.