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March 12, 2026

### VIA ECOURTS

**Honorable Linda Grasso Jones, J.S.C.**

Monmouth County Courthouse

71 Monument Park, 2nd floor

P.O. Box 1266

Freehold, NJ 07728-1266

**RE: In the Matter of the Application of the Borough of Rumson,  
County of Monmouth, Docket No.: MON-L-304-25**

Dear Judge Jones:

This office represents the Borough of Rumson as Special Affordable Housing Counsel in the above matter. The Borough hereby files this letter and attached documentation to meet the March 15, 2026 deadline in the Fair Housing Act ("FHA"), N.J.S.A. 52:27D-304.1(f)(2)(c), the Program Order entered on January 22, 2026, the Court Order entered on February 25, 2026, and the March 15, 2026 deadlines established in the Mediation Agreement entered into between the Borough and Fair Share Housing Center ("FSHC"), which was filed with the Program and the Court in this matter on January 8, 2026 (hereinafter "FSHC Mediation Agreement")<sup>1</sup>.

To that end, please see the following documentation that is being submitted on behalf of the Borough to the Court and FSHC for review:

1. **Amended Housing Element and Fair Share Plan:** The Borough's Amended Fourth Round Housing Element and Fair Share Plan was adopted by the Borough's Planning

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<sup>1</sup> In addition to the documentation being submitted with this letter to meet the March 15, 2026 deadline, the Borough submitted an earlier letter on August 22, 2025 with attached additional compliance documentation via ecourts to the Program, the Court, FSHC, and all parties.

Board on February 2, 2026, and was endorsed by the Borough Council on February 10, 2026. See attached Exhibit A.

2. **Overlay Zoning Ordinances**: On February 10, 2026, the Borough Council adopted an ordinance amending the Faith Institution Inclusionary Overlay and an ordinance amending the requirements for the mixed-use and multi-family option in the GB, NB and POB Zone districts. See attached Exhibit B.
3. **Affordable Housing Ordinance/Mandatory Set-Aside Ordinance/Development Fee Ordinance**: The Borough Council adopted an updated combined Affordable Housing Ordinance/Mandatory Set-Aside Ordinance/Development Fee Ordinance on March 10, 2026. See attached Exhibit C.
4. **Affirmative Marketing Plan**: The Borough's Fourth Round Affirmative Marketing Plan was adopted on March 10, 2026, and is attached hereto as Exhibit D.
5. **Spending Plan**: The Borough's adopted Fourth Round Spending Plan is attached hereto as Exhibit E.
6. **Administrative Agent Manual and Affordability Assistance Manual**: See attached as Exhibit F the Administrative Agent Manual and the Affordability Assistance Manual.

To date the Borough has worked diligently to meet all of the deadlines required by the FHA, the Program, the Court and the Mediation Agreement with FSHC, and will continue to do so. This has resulted in a multitude of compliance documentation being provided. Should any documentation need to be corrected or amended, the Borough will do so timely, in accordance with the instructions of the Court and in collaboration with FSHC.

I thank Your Honor for your time and attention to this matter.

Respectfully submitted,



Erik C. Nolan

ECN/sp

Enclosures

cc: All counsel of record (*via eCourts*)  
Ariela Rutbeck-Goldman, Esq. (*via eCourts and email*)  
Kendra Lelie, PP, AICP (*via email*)  
Tom Rogers (*via email*)

# EXHIBIT A

**RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF RUMSON ADOPTING AN AMENDED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, pursuant to the Fair Housing Act (“FHA”), N.J.S.A. 52:27D-301 et seq., the Borough of Rumson adopted a “binding resolution” on January 21, 2025 accepting a DCA-calculated Fourth Round Present Need of zero (0) and Fourth Round Prospective Need of 117; and

**WHEREAS**, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”) and the Court, along with its binding resolution, on January 23, 2025; and

**WHEREAS**, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

**WHEREAS**, the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, therefore on April 1, 2025, the Court entered an order establishing the Borough’s Fourth Round Present Need of 0 and Prospective Need of 117; and

**WHEREAS**, the FHA required the municipality to adopt a Fourth Round Housing Element and Fair Share Plan (“Fourth Round Plan”) by June 30, 2025; and

**WHEREAS**, the Planning Board adopted the Fourth Round Plan on June 17, 2025, the Borough Council endorsed the Fourth Round Plan on July 8, 2025, and the Borough filed the adopted Fourth Round Plan with the Program and the Court on June 18, 2025; and

**WHEREAS**, the Borough received a challenge to its Fourth Round Plan from Fair Share Housing Center on August 26, 2025; and

**WHEREAS**, the Borough went through mediation with the Program to resolve Fair Share Housing Center’s challenge, which resulted in a Mediation Agreement being entered into on January 6, 2026; and

**WHEREAS**, as per the FHA and the Mediation Agreement with FSHC, the Borough is required to amend its Fourth Round Plan to include the terms and conditions agreed upon in the Mediation Agreement; and

**WHEREAS**, the Borough has prepared an Amended Fourth Round Housing Element and Fair Share Plan (“Amended Fourth Round Plan”), which is attached hereto as Exhibit A; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Amended Fourth Round Plan on February 2, 2026; and

**WHEREAS**, the Planning Board determined that the attached Amended Fourth Round Plan is consistent with the goals and objectives of the Borough’s current Master Plan, and that adoption and implementation of the Amended Fourth Round Plan is in the public interest and protects public health and safety and promotes the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Rumson, County of Monmouth, State of New Jersey, that the Planning Board hereby adopts the Borough's Amended Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.

  
\_\_\_\_\_  
John Brodsky  
Chairman of the Planning Board

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Planning Board of the Borough of Rumson at a regular meeting held on the 2nd day of February 2026.

  
\_\_\_\_\_  
Thomas S. Rogers, RMC  
Planning Board Secretary

2026-0210-46

February 10, 2026

Councilmember Casazza offered the following resolution and moved its adoption:

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RUMSON  
ENDORING AN AMENDED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE  
PLAN

WHEREAS, pursuant to the Fair Housing Act ("FHA"), N.J.S.A. 52:27D-301 et seq., the Borough of Rumson adopted a "binding resolution" on January 21, 2025 accepting a DCA-calculated Fourth Round Present Need of zero (0) and Fourth Round Prospective Need of 117; and

WHEREAS, the Borough filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program") and the Court, along with its binding resolution, on January 23, 2025; and

WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, therefore on April 1, 2025, the Court entered an order establishing the Borough's Fourth Round Present Need of 0 and Prospective Need of 117; and

WHEREAS, the FHA required the municipality to adopt a Fourth Round Housing Element and Fair Share Plan ("Fourth Round Plan") by June 30, 2025; and

WHEREAS, the Planning Board adopted the Fourth Round Plan on June 17, 2025, the Borough Council endorsed the Fourth Round Plan on July 8, 2025, and the Borough filed the adopted Fourth Round Plan with the Program and the Court on June 18, 2025; and

WHEREAS, the Borough received a challenge to its Fourth Round Plan from Fair Share Housing Center on August 26, 2025; and

WHEREAS, the Borough went through mediation with the Program to resolve Fair Share Housing Center's challenge, which resulted in a Mediation Agreement being entered into on January 6, 2026; and

WHEREAS, as per the FHA and the Mediation Agreement with FSHC, the Borough is required to amend its Fourth Round Plan to include the terms and conditions agreed upon in the Mediation Agreement; and

WHEREAS, the Borough has prepared an Amended Fourth Round Housing Element and Fair Share Plan ("Amended Fourth Round Plan"), which is attached hereto as Exhibit A; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Amended Fourth Round Plan on February 2, 2026; and

WHEREAS, the Borough Council has reviewed the Amended Fourth Round Plan and concurs with the Planning Board's determination that the Amended Fourth Round Plan is consistent with the Borough's Master Plan, promotes the public health, safety, and general welfare, and is in the best interests of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson, County of Monmouth, State of New Jersey, that the Borough Council hereby endorses the Borough's Amended Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.

Resolution seconded by Councilmember Pomphrey and carried on the following roll call vote:

In the affirmative: Conklin, Casazza, Kingsbery, Pomphrey, Lospinuso.

In the negative: None.

Absent: Smith.

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution adopted by the Borough Council of the Borough of Rumson at a regular meeting held on February 10, 2026.



---

Thomas S. Rogers  
Municipal Clerk/Administrator



## **FOURTH ROUND**

# **AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN**

BOROUGH OF RUMSON | MONMOUTH COUNTY, NEW JERSEY

FEBRUARY 2026



**AMENDED FEBRUARY 2026 FOURTH ROUND**  
**HOUSING ELEMENT AND FAIR SHARE PLAN**

ADOPTED BY THE PLANNING BOARD: February 2, 2026

ENDORSED BY THE MAYOR & COUNCIL: February 10, 2026

PREPARED BY:



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KENDRA LELIE, PP, AICP, LLA  
NEW JERSEY PROFESSIONAL PLANNER LICENSE #5537  
**KYLE + MCMANUS ASSOCIATES**  
A SIGNED AND SEALED ORIGINAL IS ON FILE WITH THE BOROUGH CLERK

**RUMSON BOROUGH PLANNING BOARD**

John Brodsky, Chair  
Maryann Baret, Vice Chair  
Gary Casazza, Borough Council  
J. Clayton Kingsbery, Borough Council, Mayor Representative  
Lauren Carras  
Anthony Ciambrone  
Betsy Ford  
Alex Shissias  
Richard Torres  
David Goodes, Alternate  
James McManus, Alternate

Marie DeSoucey, Planning/Zoning Board Secretary  
Edward Hermann, PE, Board Engineer  
Michael B. Steib, Esq., Board Attorney

**RUMSON BOROUGH MAYOR & COUNCIL**

Honorable Joseph K. Hemphill, Mayor  
John J. Conklin III, Council President  
Gary Casazza, Council Member  
J. Clayton Kingsbery, Council Member  
Dr. Michael Lospinuso, Council Member  
Linda J. Smith, Council Member  
Sarah Pomphrey, Council Member

Thomas S. Rogers, Borough Administrator/Municipal Clerk  
David Marks, PE, Borough Engineer  
Mitchell B. Jacobs, Esq., Borough Attorney  
Erik Nolan, Esq., Borough Special Affordable Housing Counsel

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## **EXECUTIVE SUMMARY**

This Fourth Round Housing Element and Fair Share Plan (HEFSP) has been prepared pursuant to the Amended Fair Housing Act (“FHA” or “Amended FHA”) which was signed into law in March 2024. The Borough is required to adopt a Fourth Round HEFSP by June 30, 2025 in accordance with the FHA.

The HEFSP is a plan that addresses the affordable housing obligation as set forth by the FHA. There have been two (2) previous rounds of affordable housing in the State, the Prior Round, which covered a time period from 1987 to 1999, and a Third Round, which covered a time period from 1999-2025.

Rumson Borough received a Judgment of Compliance from Superior Court of the Prior Round and Third Round HEFSP on December 13, 2024. The Prior Round obligations totaled 603 units of which 50 units were the Realistic Development Potential (RDP) obligation and the remaining 553 units were the Unmet Need obligation. The Borough is currently compliant with the Court approval providing 13 existing units and 24 approved units toward the prior round RDP.

The Fourth Round obligation, as determined by the FHA, is 117 affordable housing units. The Fourth Round period is a 10-year obligation period running from July 1, 2025 to June 30, 2035. As detailed in the Fourth Round HEFSP, the Borough has a zero (0) RDP with the full obligation of 117 units categorized as Unmet Need. The Borough is satisfying the Unmet Need obligation by increasing the permitted density within each of the existing affordable housing overlay zoning districts that were adopted during the Third Round.

**The Fourth Round Housing Element and Fair Share Plan was adopted by the Planning Board on June 17, 2025 and submitted to the Affordable Housing Dispute Resolution Program (“Program”) on June 18, 2025 in accordance with the Fair Housing Act. Fair Share Housing Center (“FSHC”) filed a challenge against the Borough’s HEFSP with the Program on August 27, 2025.**

**FSHC challenged several aspects of the Borough’s HEFSP including the vacant land adjustment, realistic development potential and unmet need mechanisms. The Program held several mediation meetings between the Borough and FSHC where the issues were narrowed to just the unmet need mechanisms. A mediation agreement was executed by the Borough on January 6, 2026 and by FSHC on December 29, 2025.**

**This amended HEFSP implements the changes agreed to in the mediation agreement with FSHC. Aside from other minor non-substantive changes, the primary revisions can be identified in bold underline italics text in the body of the HEFSP. The primary revisions include an increase of density permitted in the existing Mixed Use and Multi-Family Overlay ordinance (from 15 dwelling units per acre to 16 dwelling units per acre) and the Faith Institution Inclusionary Overlay ordinance (from 8-10 dwelling units per acre to 9-11 dwelling units per acre). The Residential Overlay Inclusionary (“ROI”) districts were removed as mechanisms to address the Fourth Round Unmet Need obligation, but will stay in place in order to still address the Borough’s Third Round Unmet Need obligation. In addition, the Borough agreed to pursue a supportive and special needs home with a minimum of four bedrooms during the Fourth Round.**

## **INTRODUCTION & BACKGROUND**

Since the 1975 New Jersey Supreme Court decision known as “Mount Laurel I”, New Jersey municipalities have had a constitutional obligation to provide opportunities for the creation of low and moderate housing units. This 1975 decision led to a body of case law, legislative changes, and rulemaking by a state agency that, collectively, is now referred to as the “Mount Laurel doctrine”. Through these actions, New Jersey municipalities have been assigned a specific number of affordable housing units that must be created or planned to “satisfy” their constitutional obligation, commonly referred to as their affordable housing obligation.

Participation in this process and satisfaction of the affordable housing obligation, can be achieved voluntarily or involuntarily. However, the affordable housing laws heavily incentivize voluntary compliance. Municipalities that do not voluntarily comply may be vulnerable to “builder’s remedy” litigation. A builder’s remedy is a litigation tool to compel the municipality to include a builder’s site in the Fair Share plan. However, to secure such a remedy, the developer must “succeed in litigation”, provide a “substantial” affordable housing set-aside and the developer’s “proposed project” must not clearly violate “sound land use planning”. The Supreme Court’s desire to ensure that developers who provide affordable housing do so in accordance with sound planning, which is a pillar of the Mount Laurel doctrine.

Affordable housing in New Jersey is defined as housing units which are reserved for households with incomes not more than 80% of the regional median income. Each affordable unit, with limited exceptions, must remain reserved for very-low-, low-, and moderate-income households for a minimum of 30 years and for rental units, 40 years, and it is typically enforced by a deed restriction. Each affordable unit is eligible for one “credit” against the affordable housing obligation and certain units are eligible for “bonus credits”. In addition to providing the minimum number of credits, municipalities must ensure diversity in the level of affordability – meaning very-low-, low- and moderate-income units – and diversity in the size of affordable units – meaning one-, two- and three-bedroom units.

### **The Housing Element and Fair Share Plan**

In accordance with the Fair Housing Act (as amended) this Housing Element and Fair Share Plan includes the following:

- a. An inventory of the municipality’s total 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;
- b. A projection of the municipality’s housing stock, including the probable future construction of low and moderate income housing for the next ten (10) 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; and
- 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 of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low- and moderate-income housing; and
  - f. A consideration of the lands 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 providing 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. 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.

Items (a) through (d) are included as an appendix item and items (e) through (h) are included in the body of this Fair Share Plan.

## **AFFORDABILITY REQUIREMENTS**

Affordable housing is defined under New Jersey's FHA as a dwelling, either for sale or rent, which is within the financial means of households of very-low-, low-, or moderate-income, as is measured within each housing region. Rumson Borough is in Region 4, which includes Mercer, Monmouth, and Ocean counties. Moderate-income households are those with annual incomes greater than 50%, but less than 80% of the regional median income. Low-income households are those with annual incomes that are 50% or less than the regional median income. Very-low-income households are a subset of "low-income" households and are defined as those with incomes 30% or less than the regional median income.

Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.3, et seq., requires that the maximum rent for a qualified unit be affordable to households with incomes 60% or less than the median income for the region. The average rent must be affordable to households with incomes no greater than 52% of the median income. The maximum sale prices for affordable units must be affordable to households with incomes 70% or less than the median income. The average sale price must be affordable to a household with an income of 55% or less than the median income.

The regional median income uses the federal income limits established by Department of Housing and Urban Development (hereinafter "HUD") on an annual basis. In the spring of each year, HUD releases updated regional income limits. It is from these income limits that the rents and sale prices for affordable units are derived. Said income limits post Mount Laurel IV are now set by Court Order.

For 2025, New Jersey Housing and Mortgage Finance Agency (NJHMFA) updated income limits for all housing regions in New Jersey. These income limits for Region 4 will be utilized for Rumson. See Table 1 for 2025 income limits for Region 4.

<b>Table 1: 2025 Income Limits for Region 4</b>					
<b>Household Income Levels</b>	<b>1-Person Household</b>	<b>2-Person Household</b>	<b>3-Person Household</b>	<b>4-Person Household</b>	<b>5-Person Household</b>
Moderate	\$75,440	\$86,160	\$96,960	\$107,680	\$116,320
Low	\$47,150	\$53,850	\$60,600	\$67,300	\$72,700
Very Low	\$28,290	\$32,310	\$36,360	\$40,380	\$43,620
<i>Source: 2025 NJHMFA Income Requirements</i>					

The following tables provide illustrative sale prices and rents for 2025. The sample rents and sale prices are illustrative and are gross figures, which do not account for the specified utility allowances for rental units or for specific mortgage rates, taxes, etc. for sales units.

<b>Table 2: Illustrative 2025 Affordable Gross Rents for Region 4</b>			
<b>Household Income Levels (% of Median Income)</b>	<b>1-Bedroom Unit Rent</b>	<b>2-Bedroom Unit Rent</b>	<b>3-Bedroom Unit Rent</b>
Moderate	\$2,163	\$2,598	\$2,992
Low	\$1,344	\$1,622	\$1,874
Very Low	\$808	\$971	\$1,124

<b>Table 3: Illustrative 2025 Affordable Sales Prices for Region 4</b>			
<b>Household Income Levels (% of Median Income)</b>	<b>1 Bedroom Unit Price</b>	<b>2 Bedroom Unit Price</b>	<b>3 Bedroom Unit Price</b>
Moderate	\$196,680	\$237,959	\$276,486
Low	\$137,709	\$167,194	\$194,714

## **FOURTH ROUND PRESENT AND PROSPECTIVE NEED OBLIGATION**

Each municipality's fair share affordable housing obligation consists of a rehabilitation component (present need) and a new construction component (prospective need). Pursuant to the Amended Fair Housing Act (FHA), the NJ State Department of Community Affairs (DCA) was required to calculate the rehabilitation (present need) and prospective need obligations for municipalities within the State. The methodology to calculate the municipality's obligation was based on three main factors including the median household income as compared to the Region 4 median household income, the total municipal nonresidential property valuation as compared to the total Region 4 nonresidential property valuation and municipality's total developable land as compared to the developable land in Region 4.

The FHA entitled municipalities to adjust the obligation if the information used in the DCA calculation was outdated or in error. After reviewing the DCA methodology for the present and prospective need obligations, the Borough determined that the DCA calculation for the present and prospective need was correct, and the Borough Council adopted a binding resolution accepting the obligations (Resolution 2025-0121-26 ) on January 21, 2025 . The resolution and supporting report were submitted to Superior Court on January 23, 2025. A Superior Court Order setting the affordable housing obligations was issued on April 1, 2025.

The Borough's obligation for the Fourth Round is as follows:

- Present Need (Rehabilitation): 0 units. The rehabilitation obligation can be defined as an estimate of the number of deteriorated housing units existing in Rumson Borough occupied by low- and moderate-income households.
- Prospective Need: 117 units. The prospective need obligation can be defined as the cumulative July 1, 2025, through June 30, 2035, new construction affordable housing obligation.

## **Vacant Land Adjustment and Realistic Development Potential (RDP) Analysis**

If there is insufficient land to meet the new construction obligation, a municipality is entitled to rely on COAH regulations to adjust the new construction obligation downward pursuant to N.J.S.A 52:27D- 311 (m). The adjusted number is known as the realistic development potential (RDP). The RDP represents the portion of the new construction affordable housing obligation that can theoretically be addressed with inclusionary development (defined as a mix of market and affordable units) on lots identified as being suitable in the Vacant Land Analysis ("VLA"). The portion of the new construction obligation for which there is insufficient land is known as the "unmet need". The unmet need is calculated as the difference between the total obligation and the RDP.

The total Prior Round (268 units) and Third Round (335 units) obligations were outsized as compared to the availability of developable land in Rumson Borough. Accordingly, the Borough applied a vacant land adjustment that arrived at a Realistic Development Potential (hereinafter "RDP") and a remaining unmet need.

The Borough’s total prior round obligation was 603 units and based on the previous vacant land adjustment the combined Prior Round and Third Round RDP and unmet need was:

- RDP: 50 units
- Unmet Need: 553 units

The Amended FHA permits municipalities to rely on COAH regulations that do not contradict the Amended FHA or a binding court decision. COAH regulations recognized that a municipality that spent the time and effort to secure a vacant land adjustment should not be required to do that analysis again:

*COAH regulations N.J.A.C. 5:97-5.1 (d): A vacant land adjustment that was granted as part of a first round certification or judgment of compliance shall continue to be valid provided the municipality has implemented all of the terms of the substantive certification or judgment of compliance, and received or petitioned to the Council for second round substantive certification or was under the Court's jurisdiction for second round. If the municipality failed to implement the terms of the substantive certification or judgment of compliance, the Council may reevaluate the vacant land adjustment.*

The Borough was originally granted a Final Judgment of Compliance from Monmouth County Superior Court for the Prior and Third round adjusted obligation on June 1, 2021. Due to revisions in the Housing Element and Fair Share Plan, the plan was amended, and another Final Judgment of Compliance was issued on December 13, 2024, which included an updated vacant land adjustment. The Court approved the adjusted new construction obligation (RDP) to fifty (50) based upon the lack of vacant developable land. Under COAH Third Round regulations, the Borough is relying on its prior vacant land adjustment. N.J.A.C. 5:97-5.1 (d). Although COAH was abolished by N.J.S.A. 52:27D-304.1, the Borough is permitted to rely on COAH’s Third Round regulation since it has not been contradicted by statutory amendment or a binding court decision. N.J.S.A. 52:27D-311(m).

The following table provides the status of the projects that addressed the Prior and Third Round RDP obligation:

Satisfaction of the Prior and Third Round 50 Total Unit RDP					
Program	Unit Type	Status	Units	Bonus Credits	Total Credits
Market to Affordable	Family For Sale and Rental	Occupied	2	0	2
Washington Street	Inclusionary Family Rental	Occupied	1	1	2

Satisfaction of the Prior and Third Round 50 Total Unit RDP					
Program	Unit Type	Status	Units	Bonus Credits	Total Credits
Lafayette Mews	Inclusionary Family Rental	Occupied	2	2	4
62 Carton Street	100% Affordable Municipally Sponsored (12 age-restricted rentals)	Approved	12	0	12
49 W. River Road	100% Affordable Municipally Sponsored (12 family rentals)	Approved	12	10	22
Scattered Sites	6 Maplewood (1 family for sale)	Occupied	1	0	1
Scattered Sites	15 Maplewood (1 family rental)	Occupied	1	0	1
Scattered Sites	15 Maplewood (4 special needs bedrooms)	Under Construction	4	0	4
Scattered Sites	61 South Ward (2 family rentals)	Occupied	2	0	2
<b>Total</b>			<b>37</b>	<b>13</b>	<b>50</b>

**Subsequently, a more recent analysis was completed in which it was determined that there were no changed circumstances in the Borough, and in accordance with the FSHC mediation agreement, the parties agreed to a zero (0) RDP for the Fourth Round. Therefore the Borough's Fourth Round Realistic Development Potential ("Fourth Round RDP) remained zero (0).**

While the Borough does not have an RDP obligation to satisfy, the Borough will continue to pursue opportunities to purchase properties with the goal of providing 100% affordable housing projects in partnership with non-profit organizations, **including a four-bedroom supportive and special needs home.** The Spending Plan provides funds that will be dedicated to the purchase of property for the purpose of developing 100% affordable housing projects, **including a four-bedroom supportive and special needs home,** during the Fourth Round.

## **Unmet Need Determination**

With a Fourth Round RDP of zero (0), the full prospective need obligation (117 units) is considered to be unmet need. The Amended FHA requires the following:

*Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall as part of the process of adopting and implementing its housing element and fair share plan identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted, and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so. Section 1 of P.L.1995, c.231 (C.52:27D-310.1)*

To satisfy this requirement, the Borough has already established extensive inclusionary overlay zoning based on sound planning in realistic areas of the municipality, which was previously approved by the Court in the Borough's Third Round HEFSP. Since the Borough already has these overlay districts in place, it will amend certain overlay zoning districts to increase densities and provide additional meaningful and realistic zoning to address 33 units of unmet need.

## **FAIR SHARE PLAN**

### **Third Round Compliance Status**

Pursuant to the Amended FHA, the Fourth Round Fair Share Plan is required to provide an assessment of the degree to which the prior rounds fair share obligations have been met as established by prior court approval. The municipality is required to determine to what extent the obligation is unfulfilled or whether the municipality has excess credits. If a prior round obligation remains unfulfilled the municipality shall address the prior round unfulfilled obligation in this Fourth Round Fair Share Plan. Units included as part of the municipality's unfulfilled prior round obligation shall not count towards the cap on units (microrequirements) in the municipality's Fourth Round prospective need obligation. In addressing the status of the prior round projects, the municipality must demonstrate how any sites that were not built in the prior rounds continue to present a realistic opportunity.

All but three of the sites from the Third Round, which received a final Judgment of Compliance in December of 2024, are built.

The Carton Street 100% affordable housing project was approved by the Planning Board in November 2024 and is currently in the financing process with the Department of Community Affairs (DCA). The West River Road 100% affordable housing project was approved by the Planning Board in December 2024 and has received financing from the DCA.

The 15 Maplewood Avenue Special Needs project received funding from the NJ Housing Mortgage Finance Agency (HMFA) and is under construction.

## **The Fourth Round Compliance Process**

On March 20, 2024, Governor Murphy signed an amendment to the Fair Housing Act into law (“Amended FHA”) that created new procedures and laws. Pursuant to the Amended FHA, by January 31, 2025, municipalities must adopt a “binding resolution”; and file a declaratory relief lawsuit with the Court and “the Program” that includes the binding resolution within 48 hours from the adoption of the binding resolution. In addition, the municipality must publish the resolution on a publicly accessible internet website and the municipal website. In addition, the municipality must file a Housing Element and Fair Share Plan with the Court and Program by June 30, 2025, and comply with a series of other requirements.

The Borough took the necessary steps required by the Amended FHA by adopting the binding resolution and filing the declaratory relief action to establish the Fourth Round obligation. The Borough and the Planning Board also adopted and submitted an initial Housing Element and Fair Share Plan with the Court and the Program prior to June 30, 2025 in order to comply with the Amended FHA deadline. **The Borough thereafter negotiated a Mediation Agreement with FSHC, which was entered into in December of 2025. The Borough and the Planning Board will adopt this Amended Housing Element and Fair Share Plan, and submit it to the Court for review by March 15, 2026.**

## **Consideration of Affordable Housing Options**

The Borough has not received proposals from developers of affordable housing projects to apply to the Fourth Round prospective need obligation.

The Borough believes that the unmet need zoning proposed in this Fair Share Plan represents meaningful zoning to capture future affordable housing opportunities in the Borough. The mechanisms established within this Amended Fourth Round Fair Share Plan satisfy the Borough’s affordable housing obligation as adjusted through an updated Vacant Land Analysis. While the Borough recognizes that developers may, in the future, present sites that possess characteristics that could lend themselves to affordable housing development, additional sites are not needed to satisfy the obligation at this time. Additionally, as per the Mediation Agreement with FSHC, within two years of the entry of a final Fourth Round Compliance Certification, the Borough will provide documentation on a proposed Group home consisting of at least 4 bedrooms. The progressive efforts of this community to provide affordable housing within the bounds of sound planning provide a solid basis for the consideration of responsible proposals.

## Satisfaction of the Fourth Round Affordable Housing Obligation

***Unmet Need Required: 29 units (25% of 117 units)***

***Unmet Need Proposed: 33 units***

Under the terms of the Mediation Agreement with FSHC, and since there have been no changed circumstances in the Borough, the Borough's Fourth Round RDP is zero (0).

As per the Mediation Agreement with FSHC, within two years of the entry of a final Fourth Round Compliance Certification, the Borough will provide documentation on a proposed Group home consisting of at least 4 bedrooms. This will be applied to the Borough's RDP or unmet need once the Group Home is constructed.

The remaining obligation is known as the Fourth Round Unmet Need and will be addressed through an increase in density in certain existing inclusionary overlay districts that were established during the Third Round as follows. An overlay zone is a zoning option that allows an applicant to develop at higher densities for residential development provided they set aside at least 20% of the units as affordable housing available to low-and moderate-income households. This type of zoning is known as inclusionary zoning. The proposed ordinance amendments are included in the appendix and represent meaningful zoning options for future affordable housing opportunities.

### ***Mixed Use Multi-Family Overlay Zone (MUMFO): 24 AH units***

The MUMFO zoning district covers over thirty (30) acres and has an existing permitted maximum density of ten (10) dwelling units an acre for mixed-uses and twelve (12) dwelling units an acre for multi-family uses and requires a 20% set-aside for affordable housing units for inclusionary housing projects that take advantage of the overlay zoning option. The Borough will increase the maximum density to ***sixteen (16)*** dwelling units an acre and with a 20% set-aside requirement for affordable housing will yield a potential total of ***twenty four (24)*** additional affordable housing units.

### ***Faith Institution Inclusionary Overlay (FIIO) – Block 104, Lot 1.01 & Block 81, Lot 6: 8 AH units***

This FIIO zoning district covers over twelve (12) acres and has an existing permitted maximum density of six (6) dwelling units and requires a 20% set-aside for affordable housing units for inclusionary housing projects that take advantage of the overlay zoning option. The Borough will increase the maximum density to ***nine (9)*** dwelling units an acre and with a 20% set-aside requirement for affordable housing will yield a potential total of ***eight (8)*** additional affordable housing units.

### ***Faith Institution Inclusionary Overlay (FIIO) – Block 10, Lot 6: 1 AH unit***

This FIIO zoning district lot is two (2) acres and has an existing permitted maximum density of eight (8) dwelling units and requires a 20% set-aside for affordable housing units for inclusionary housing projects that take advantage of the overlay zoning option. The Borough will increase the maximum

density to **eleven (11)** dwelling units an acre and with a 20% set-aside requirement for affordable housing will yield a potential total of one (1) additional affordable housing unit.

**The previous version of the HEFSP included density increasing in the ROI-2, ROI-4 and ROI-5 overlay zoning districts. In accordance with the mediation agreement with FSHC these changes will not be included in meeting the Fourth Round Unmet Need obligation any longer, but these overlay zoning districts continue to be applicable toward the Third Round Unmet Need.**

**In addition, as per the Mediation Agreement with FSHC, within two years of the entry of a final Fourth Round Compliance Certification, the Borough will provide documentation on the status of providing a supportive and special needs home consisting of at least 4 bedrooms.**

## **PRESERVATION OF MULTIGENERATIONAL FAMILY CONTINUITY**

The 2024 FHA requires 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). The Commission has the primary goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity. A review of the Borough's ordinance indicates that there are no ordinances that would inhibit the Commission's goal of enabling senior citizens to reside in the homes of their extended families. In fact, the Borough defines a family that is permitted to live in a single family dwelling in such a way that a senior citizen may live in that single family dwelling unit with their extended family which is a permitted use in the residential zoning districts. The Rumson ordinances advance the multigenerational family continuity goal.

## **STATE DEVELOPMENT AND REDEVELOPMENT PLAN CONSISTENCY**

The Fourth Round Housing Element and Fair Share Plan is consistent with the 2001 State Development and Redevelopment Plan (SDRP) as the proposed increased densities within the existing overlay zones will provide for a meaningful opportunity for the construction of affordable housing. Other than the area along the Navesink River, all of Rumson is designated as PA1, which is the Metropolitan Planning Area. Pursuant to the SDRP, PA1 is the preferred location for redevelopment for compact growth. The development of affordable housing in PA1 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into existing "centers" where infrastructure can support the development and support services such as open space, retail shopping, public transportation and schools that are within walking distance. The existing overlay zones that receive increased density opportunities are mainly located in the PA1. The Borough's Fourth Round Plan

is consistent with the 2001 SDRP.

## **AFFORDABLE HOUSING ADMINISTRATION & AFFIRMATIVE MARKETING**

Rumson Borough adopted an Affordable Housing Ordinance in accordance with COAH's substantive rules and UHAC. The Affordable Housing Ordinance governs the establishment of affordable units in the Borough as well as regulating the occupancy of such units. The Borough's Affordable Housing Ordinance covers the phasing of affordable units, the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and prices, affirmative marketing, income qualification, etc. The Borough will update the Affordable Housing Ordinance as needed and determined by the Program or Court.

The Borough also established the position of the Municipal Housing Liaison (MHL) and appointed a staff member to the position. The Borough relies on their affordable housing administrator to conduct the administration and affirmative marketing of its affordable housing sites. The affirmative marketing plans are designed to attract buyers and/or renters 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 number of children to the affordable units located in the Borough. Additionally, the affirmative marketing plan is intended to target those potentially eligible people who are least likely to apply for affordable units and who reside in the Borough's housing region, Region 4, consisting of Monmouth, Mercer and Ocean counties.

The administrative agent, who is a consultant to the Borough, is responsible for the marketing, the setting of sale and rental prices for affordable units, income certification of applicants, creation of a waiting list of income certified applicants and the initial random selection process for new affordable housing units. The Borough's Operating Manual, which describes the policies and procedures used to create affordable housing units and fill them with income-eligible families, is available on the Borough's website.

The existing affirmative marketing plan includes regulations for qualifications of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with N.J.A.C. 5:80-26.1 et seq. All newly created affordable units will comply with the 30-year or 40-year affordability control required by UHAC, N.J.A.C. 5:80-26.5 and 5:80-26.11. This plan must be adhered to by all private, non-profit, and municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit.

## **AFFORDABLE HOUSING TRUST FUND**

A development fee ordinance was adopted to create a dedicated revenue source for general affordable housing uses.

The Borough's Spending Plan will cover anticipated revenues, collection of revenues, and the use of revenues, which will be prepared in accordance with COAH's applicable substantive rules. All collected revenues will be placed in the Borough's Affordable Housing Trust fund and may be dispensed for the use of eligible affordable housing activities including, but not limited to:

- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisition and/or improvement of land to be used for affordable housing;
- Purchase of affordable housing units for the purpose of maintaining or implementing affordability controls,
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low- and moderate-income housing activity; and
- Any other activity as specified in the approved spending plan.

At least 30% of collected development fees, excluding expenditures made since July 17, 2008, when affordability assistance became a statutory requirement in the Fair Housing Act, shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in a municipal Fair Share Plan. At least one-third (1/3) of the affordability assistance must be expended on very-low income units. Additionally, no more than 20% of the revenues collected from development fees each year, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, a housing element and fair share plan, and/or an affirmative marketing program.

## **COST GENERATION**

The Borough's Land Development Ordinance has been reviewed to eliminate unnecessary cost generating standards. The Borough will adopt, if needed, Planning Board rules for expediting the review of development applications containing affordable housing. Such expedition may consist of, but is not limited to, scheduling pre-application conferences and special monthly public hearings. Furthermore, development applications containing affordable housing shall be reviewed for consistency with the Land Development Ordinance, Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.) and the mandate of the FHA regarding unnecessary cost generating features. Rumson Borough shall comply with COAH's requirements for unnecessary cost generating requirements, N.J.A.C. 5:93-10.1, procedures for development applications containing affordable housing, N.J.A.C. 5:93-10.4, and requirements for special studies and escrow accounts where an application contains affordable housing.

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## DEMOGRAPHIC ANALYSIS

Rumson grew during the mid-twentieth century (Table 1). From 1940 to 1970, the number of Rumson residents rose from 2,926 to 7,421 persons. The largest population increase came during the 1950s when the population surged by 58.4% as people flocked to greenfield development sprouting up in sparsely settled parts of Monmouth County. Population growth slowed in the 1960s, with the community adding residents at a 15.9% clip, with the rate of population change further slowing in the 1970s, when the number of residents increased by only 2.7%. In the 1980s, Rumson’s population actually declined, dropping by 12.1%. The population rebounded somewhat during the 1990s, when it expanded by 6.5%, before a slight decrease in the 2000s, a decrease of 0.2%. The number of residents increased by 3.1% in the 2010s and, as of 2020, 7,343 persons lived in Rumson.

It should be noted here that, although the total population data in Table 1 is drawn from the Decennial U.S. Census survey, all subsequent Census Bureau data contained herein comes from the 2019-2023 American Community Survey (ACS), which is calculated as a 5-year estimate.

**Table 1: Population Trends (1920-2020)**

Year	Rumson		Monmouth County		New Jersey	
	Total	% Change	Total	% Change	Total	% Change
1940	2,926	--	161,238	--	4,160,165	--
1950	4,044	38.2%	225,327	39.7%	4,835,329	16.2%
1960	6,405	58.4%	334,401	48.4%	6,066,782	25.5%
1970	7,421	15.9%	459,379	37.4%	7,171,112	18.2%
1980	7,623	2.7%	503,173	9.5%	7,365,011	2.7%
1990	6,701	-12.1%	553,124	9.9%	7,730,188	5.0%
2000	7,137	6.5%	615,301	11.2%	8,414,350	8.9%
2010	7,122	-0.2%	630,380	2.5%	8,791,894	4.5%
2020	7,343	3.1%	643,615	2.1%	9,288,944	5.7%

*Source: Census Bureau, Decennial Census; NJ Dept. of Labor and Workforce Development*

Table 2 shows the population cohorts for Rumson as of 2023. Men comprise 51.8% of the population while women total 48.2% of residents. Persons between the ages of 35 and 54 are the largest age group, representing 27.6% of the community in all. This cohort typically includes many parents and, unsurprisingly, those 5 to 19 years of age make up the second largest cohort, with 24.9% of residents. Children under the age of 5 constitute 4.7% of the population. Similarly, there are relatively few young adults, as persons between the ages of 20 and 34 comprise only 11.6% of community members. As for older residents, 31.2% of residents are 55 years of age and older. Of this, 55 to 64 years of age account for 14.9% of residents while 16.3% of community members are 65 years of age and older. Overall, the median resident is 43.1 years of age.



**Table 2: Population by Age and Sex**

Age Group	Total Population		Male		Female	
	Number	% of Population	Number	% of Population	Number	% of Population
Under 5 years of age	344	4.7%	140	3.7%	204	5.8%
5 to 19 years of age	1,807	24.9%	916	24.3%	891	25.5%
20 to 34 years of age	845	11.6%	556	14.8%	289	8.3%
35 to 54 years of age	2,003	27.6%	942	25.0%	1,061	30.3%
55 to 64 years of age	1,083	14.9%	535	14.2%	548	15.7%
65+ years of age	1,183	16.3%	677	18.0%	506	14.5%
<b>Total</b>	<b>7,265</b>	<b>100.0%</b>	<b>3,766</b>	<b>100.0%</b>	<b>3,499</b>	<b>100.0%</b>
<b>Median age</b>	<b>43.1</b>		<b>41.9</b>		<b>43.6</b>	

*Source: Census Bureau, 2019-2023 5-Year American Community Survey*

Between 2013 and 2023, the two oldest cohorts increased by 473 persons (Table 3). At the same time, the rest of the population decreased by 273 persons. Even so, the median age stayed the same as the previous decade, 43.1 years of age. The two youngest age groups, residents under 5 and those between the ages of 5 and 19, declined in size, sinking by 14.6% and 5.4%, respectively. For its part, the 35 to 54 age group fell by 13.3%. The number of persons between the ages of 20 and 34, however, shot up by 30.0%, which explains why the median age remained level. Should residents in this age group have more children in the near future, then it is likely the population will remain relatively young going forward.

**Table 3: Population Change by Age, 2013 to 2023**

Age Group	2013		2023		Change, 2013 to 2023	
	2013	%, Total Population	2023	%, Total Population	Total Change	% Change
Under 5 years of age	403	5.7%	344	4.7%	-59	-14.6%
5 to 19 years of age	1,910	27.0%	1,807	24.9%	-103	-5.4%
20 to 34 years of age	650	9.2%	845	11.6%	195	30.0%
35 to 54 years of age	2,309	32.7%	2,003	27.6%	-306	-13.3%
55 to 64 years of age	1,015	14.4%	1,083	14.9%	68	6.7%
65+ years of age	778	11.0%	1,183	16.3%	405	52.1%
<b>Total</b>	<b>7,065</b>	<b>--</b>	<b>7,265</b>	<b>--</b>	<b>200</b>	<b>2.8%</b>
<b>Median Age</b>	<b>43.1</b>		<b>43.1</b>		<b>0.0</b>	<b>--</b>

*Source: 2009-2013, 2019-2023 5-Year American Community Survey*

Rumson is home to 2,352 households in all. Households in Rumson are relatively large compared to the rest of the state. The average household size for the community is 3.08 persons, eclipsing the respective averages for Monmouth County and New Jersey, 2.55 and 2.61 persons (Table 3). All told, 13.6% of



households consist of five persons or more. By comparison, only 10.2% and 9.0% of households in New Jersey and Monmouth County, respectively have so many persons. Three- and four-person households make up a relatively large portion of the community, or 40.5% of households. The community has an ample number of two-person households as well, totaling 35.5% in all. One-person households, though, are relatively uncommon, accounting for only 10.3% of all households, compared to 26.6% in Monmouth County as a whole.

**Table 4: Household Size**

Household Size	Rumson		Monmouth County		New Jersey	
	Total	%	Total	%	Total	%
1-person household	243	10.3%	66,589	26.6%	918,897	26.4%
2-person household	835	35.5%	81,289	32.5%	1,081,842	31.1%
3-person household	429	18.2%	40,929	16.4%	594,946	17.1%
4-person household	525	22.3%	39,131	15.6%	530,520	15.3%
5-person household	275	11.7%	15,144	6.1%	218,492	6.3%
6-person household	34	1.4%	4,654	1.9%	79,678	2.3%
7+-person household	11	0.5%	2,459	1.0%	53,980	1.6%
Total households	2,352	100.0%	250,195	100.0%	3,478,355	100.0%
<b>Average Household Size</b>	<b>3.08</b>		<b>2.55</b>		<b>2.61</b>	

*Source: 2019-2023 5-Year American Community Survey*

Rumson is a place rich in family, with family households accounting for 80.6% of all households in the village (Table 5). Statewide, family households constitute only 67.8% of households. In Rumson, family households consist of 3.42 persons on average, somewhat higher than the respective state and county averages, 3.19 and 3.12 persons per household. The average household size for nonfamily households in Rumson is also relatively high, 1.50 persons per household. In contrast, the average household size for nonfamily households is 1.20 persons per household in Monmouth County and 1.22 persons per household statewide. The large percentage of family households, along with the large size of family and nonfamily households alike, should buoy population growth in the years to come.

**Table 5: Family and Nonfamily Households**

Household Type	Rumson	Monmouth County	New Jersey
Total family households	80.6%	67.9%	67.8%
Total nonfamily households	19.4%	32.1%	32.2%
Average household size, family households	3.42	3.12	3.19
Average household size, nonfamily households	1.50	1.20	1.22

*Source: 2019-2023 5-Year ACS*



Rumson residents have exceptionally high rates of educational attainment. Of all residents at least 25 years of age, a remarkable 77.7% have at least a bachelor's degree while 31.2% have a graduate or professional degree (Table 6). Even for Monmouth County, where 50.6% of residents have at least a bachelor's degree, these figures stand out. In all, 98.7% have earned a high school diploma. Given the strong relationship between educational attainment and income, the high levels of education play a major role in shaping the borough's economy.

**Table 6: Educational Attainment**

Highest level of education	Rumson	Monmouth County	New Jersey
Less than 9th grade	0.2%	2.5%	4.6%
9th to 12th grade, no diploma	1.1%	3.4%	4.7%
High school graduate (includes equivalency)	7.3%	21.4%	25.7%
Some college, no degree	9.5%	15.0%	15.3%
Associate's degree	4.1%	7.2%	6.7%
Bachelor's degree	46.5%	30.9%	25.8%
Graduate or professional degree	31.2%	19.7%	17.1%
<b>High school graduate or higher</b>	<b>98.7%</b>	<b>94.2%</b>	<b>90.7%</b>
<b>Bachelor's degree or higher</b>	<b>77.7%</b>	<b>50.6%</b>	<b>42.9%</b>

*Source: 2019-2023 5-Year ACS*

White persons who are not Hispanic comprise 93.2% of the population (Table 7). This surpasses the percentage for Monmouth County, where 72.1% of the population is white and not Hispanic. Another 1.5% of the community is Hispanic and white. Overall, 3.8% of the population is Hispanic, well below the statewide figure, 22.1%. Black residents comprise 0.1% of the population while Asian-Americans comprise 0.4% of all residents. Persons of multiple races constitute 3.8% of residents, approximately half the 7.6% tallied for Monmouth County.

**Table 7: Race and Ethnicity**

Race and Ethnicity	Rumson	Monmouth County	New Jersey
<i>Non-Hispanic</i>	96.2%	87.3%	78.1%
White	93.2%	72.1%	51.9%
Black	0.1%	5.9%	12.3%
Asian	0.6%	5.3%	9.8%
Other Race Alone	0.4%	0.8%	0.8%
Two or more Races	2.1%	3.3%	3.2%
<i>Hispanic (All Races)</i>	3.8%	12.7%	21.9%



Race and Ethnicity	Rumson	Monmouth County	New Jersey
Hispanic, White	1.5%	4.0%	5.0%
Hispanic, Black	0.0%	0.3%	0.7%
Hispanic, Other	0.5%	4.0%	8.9%
Hispanic, Two or More Races	1.7%	4.3%	7.4%

*Source: 2019-2023 5-Year ACS*

## SOCIOECONOMIC ANALYSIS

Rumson is an affluent community. According to the most recent American Community Survey, 61.4% of households have an income of at least \$200,000 (Table 8). The median household income in the borough is so high that the Census Bureau’s data application generated a default value, ‘\$250,000+’ In comparison, the median income in Monmouth County is \$122,727, less than half the median income in the borough. Meanwhile, the average household income is \$405,122. Households with an income between \$100,000 and \$199,999 compose 18.8% of households. All told, four in five households, 80.2% in all, have an income of \$100,000 or greater. As for those with fewer means, 8.9% of households have an income less than \$50,000, just over a third of the comparable share at the state level, 25.2%.

**Table 8: Household Income**

Household Income	Rumson	Monmouth County	New Jersey
Less than \$25,000	3.9%	9.7%	11.9%
\$25,000-\$50,000	5.0%	11.3%	13.3%
\$50,000-\$100,000	10.9%	20.3%	24.3%
\$100,000-\$200,000	18.8%	31.2%	29.7%
More than \$200,000	61.4%	27.7%	20.7%
<b>Median Household Income</b>	<b>\$250,000+</b>	<b>\$122,727</b>	<b>\$101,050</b>
<b>Mean Household Income</b>	<b>\$405,122</b>	<b>\$168,016</b>	<b>\$140,299</b>

*Source: 2019-2023 5-Year ACS*

The poverty rate for Rumson is only 3.2% (Table 9). This is well below the county poverty rate of 6.4%. According to the American Community Survey, no seniors in Rumson live in poverty. In a similar vein, the child poverty rate is only 0.5%. It is positive to see little indication of poverty within these two cohorts as they are particularly vulnerable to poverty.



**Table 9: Poverty Rate**

Indicator	Rumson	Monmouth County	New Jersey
Poverty Rate, Overall	3.2%	6.4%	9.8%
Poverty Rate, Under 18 years old	0.5%	7.1%	13.3%
Poverty Rate, Seniors	0.0%	7.0%	9.5%

*Source: 2019-2023 5-Year ACS*

Over the past decade, Rumson workers have had an easier time finding jobs than their peers in the rest of the county and state. During this time, the municipal unemployment rate stayed consistently below the state- and countywide rates. In the 2010s, the unemployment rate trended downward, reaching a low of 2.1% in 2019. The unemployment rate subsequently shot up to 5.5% in 2020, with the advent of Covid, before tapering back down to 4.5% in 2021. Even in 2020, Rumson withstood the economic disruption from the pandemic far better than the rest of the county and state, where the unemployment rate spiked respectively to 8.5% and 9.4% in 2020. The data indicate that employment and, by extension, household finances are relatively stable.

**Table 10: Unemployment Rate**

<b>Table 10: Unemployment Rate, 2013-2023</b>			
Year	Rumson	Monmouth County	New Jersey
2013	5.8%	7.7%	8.4%
2014	4.5%	6.1%	6.7%
2015	3.9%	5.1%	5.7%
2016	3.3%	4.4%	4.9%
2017	2.9%	4.0%	4.5%
2018	2.4%	3.5%	4.0%
2019	2.1%	3.1%	3.5%
2020	5.5%	8.5%	9.4%
2021	4.5%	5.9%	6.7%
2022	2.6%	3.5%	3.9%
2023	3.5%	3.8%	4.4%

*Source: NJ Dept. of Labor and Workforce Development*

For-profit companies employ 70.5% of the borough’s working population, higher than the share at the state- or county-level (Table 11). The municipality also has a relatively high percentage of self-employed residents, 13.0% in all. The relatively high number of self-employed residents suggests the presence of entrepreneurs and workers with specialized talent who can work for themselves. An additional 10.3% of



employed residents are government workers, below the percentage for the county as a whole, 14.6%. Not-for-profit employees, meanwhile, account for 6.1% of the employed population.

**Table 11: Class of Worker**

Class of Worker	Rumson	Monmouth County	New Jersey
For-profit company employee	70.5%	68.6%	69.2%
Not-for-profit employee	6.1%	6.6%	7.6%
Government Worker	10.3%	14.6%	14.2%
Self-employed, business owner	6.9%	5.0%	3.9%
Self-employed, contractor	6.1%	5.3%	5.1%

*Source: 2019-2023 5-Year ACS*

Data for various occupation types (Table 12) reinforces how relatively skilled the Rumson workforce is compared to overall population. Irrespective of the industry, 65.2% of employed residents work in a management, business, science, or arts position. These are individuals who possess the specialized level of skills and knowledge required for these roles. Only 4.0% of Rumson workers work in production, transportation, and moving, compared to 7.1% in Monmouth County and 11.3% in New Jersey. Similarly, a mere 1.7% of residents work in natural resources, construction, and maintenance, far less than the 6.9% for both the county and state. Workers in service occupations comprise a tenth of the employed population, 10.0%, well under the respective totals for the county and state. Workers in sales and office jobs account for the remaining 19.0% of workers residing in Rumson.

**Table 12: Occupation**

Occupation	Rumson	Monmouth County	New Jersey
Management, business, science, and arts	65.2%	51.6%	46.9%
Service occupations	10.0%	13.7%	14.8%
Sales and office occupations	19.0%	20.7%	20.0%
Natural resources, construction, and maintenance occupations	1.7%	6.9%	6.9%
Production, transportation, and material moving	4.0%	7.1%	11.3%

*Source: 2019-2023 5-Year ACS*

Rumson residents are employed in all of the major industrial sectors, but the financial sector is especially critical to the local economy. In total, more than one in four workers living in the borough works for a financial, insurance, or real estate firm, or 28.7% of the employed population overall (Table 13). By comparison, only 16.4% and 15.4% of working residents in Monmouth County and the Garden State, respectively, work in the sector. the county- and statewide rates, 16.4% and 15.4%, respectively. The professional, scientific, and management sector is also integral to the local economy. Of working



residents, 16.3% work in this sector, compared to 10.3% statewide. According to the US Bureau of Labor Statistics, these are “activities that require a high degree of expertise and training” and encompass professions as disparate as the law, accounting, and engineering. The community also has a higher-than-average share of residents who work in the information and educational services sectors, 5.0% and 11.2%, respectively. In general, the working population is employed in industries that require high skills and specialized talent.

**Table 13: Industry**

Industry	Rumson	Monmouth County	New Jersey
Agriculture, forestry, fishing and hunting, and mining	1.4%	0.3%	0.3%
Construction	3.0%	7.6%	6.4%
Manufacturing	5.7%	7.7%	9.8%
Wholesale trade	1.0%	2.8%	3.4%
Retail trade	9.2%	8.3%	8.7%
Transportation and warehousing, and utilities	1.1%	4.5%	6.9%
Information	5.0%	3.7%	2.9%
Finance and insurance, and real estate and rental and leasing	28.7%	12.3%	10.3%
Professional, scientific, and management, and administrative and waste management services	16.3%	17.0%	15.4%
Educational services	11.2%	9.9%	8.9%
Health care and social assistance	7.8%	12.9%	13.3%
Arts, entertainment, and recreation, and accommodation and food services	4.4%	4.5%	4.8%
Other services except public administration	1.0%	3.1%	3.5%
Public administration	4.1%	5.3%	5.3%

Source: 2019-2023 5-Year ACS



An outside share of the employed population, 28.2%, works from home (Table 14). This greatly outpaces the share for Monmouth County, 16.8%, as well as for New Jersey as a whole, 15.0%. Almost half of working residents get to work by car, 48.7%, with 46.6% of workers driving to work alone. Yet, Rumson residents are less likely to get to work by car, compared to their peers in Monmouth County, where 74.0% of the employed population in the county get to work by car. Public transportation users make up a relatively large portion of the working population, 15.8%, far surpassing the respective state- and countywide shares, 8.5% and 5.5%. A sizable segment of workers walk or ride a bicycle to work, 5.1% and 1.6%, respectively.

**Table 14: Means of Transport to Work**

Means of Transport	Rumson	Monmouth County	New Jersey
Drove alone	46.6%	66.8%	63.7%
Carpooled	2.1%	7.2%	7.7%
Public transportation	15.8%	5.5%	8.5%
Walked	5.1%	1.5%	2.6%
Bicycle	1.6%	0.5%	0.3%
Taxicab, motorcycle, or other means	0.5%	1.7%	2.1%
Worked from home	28.2%	16.8%	15.0%

*Source: 2019-2023 5-Year ACS*

Rumson commuters endure longer travel times than those commuting from elsewhere. A sizable percentage, 35.2%, have commutes of an hour or longer, well in excess of the percentage statewide, 14.2% (Table 15). The large share of workers with hourlong commutes is likely a reflection of the high number of commuters traveling to New York and other employment centers by train. Another 7.6% of commuters have a trip to work that lasts at between 45 and 59 minutes while a further 6.7% have a commute that lasts between 30 and 44 minutes. In other words, just under half of Rumson commuters, 49.5% in all, have a commute that lasts at least a half hour. Rumson commuters require more time to get to work on average, 43.5 minutes, compared to 32.8 minutes for Monmouth County commuters overall. Clearly, the segment of working residents with very long commutes is inflating the community’s average. Some residents do have relatively short commutes as 34.4% of commuters have a trip to work of less than 20 minutes, including a fifth of commuters who get to work in less than a quarter of an hour.

**Table 15: Travel Time to Work**

Travel Time	Rumson	Monmouth County	New Jersey
Less than 10 minutes	11.2%	11.4%	9.9%
10 to 14 minutes	9.0%	12.8%	11.5%
15 to 19 minutes	14.2%	12.9%	13.1%



Travel Time	Rumson	Monmouth County	New Jersey
20 to 29 minutes	16.2%	16.8%	19.6%
30 to 44 minutes	6.7%	19.2%	21.9%
45 to 59 minutes	7.6%	9.4%	9.9%
60 or more minutes	35.2%	17.4%	14.2%
<b>Mean travel time to work (minutes)</b>	<b>43.5</b>	<b>32.8</b>	<b>30.9</b>

*Source: 2019-2023 5-Year ACS*

Almost half of households in the borough, 46.4%, have three motor vehicles or more (Table 16). This easily surpasses the comparable figures for the county and state, 37.6% and 30.3%. An additional 42.9% of households have two automobiles. In other words, 89.3% of households possess a minimum of two cars. By comparison, only 81.5% of Monmouth County households and 70.2% in New Jersey as a whole have two cars or more. A further 9.7% of households have one automobile while 0.9% of households have no motor vehicles at all.

**Table 16: Total Vehicles Available**

Total Vehicles	Rumson	Monmouth County	New Jersey
No vehicle	0.9%	1.9%	6.4%
1 vehicle	9.7%	16.6%	23.3%
2 vehicles	42.9%	43.9%	39.9%
3 or more vehicles	46.4%	37.6%	30.3%

*Source: NJ 2019-2023 5-Year ACS*



## HOUSING ANALYSIS

The vast majority of residents live in owner-occupied homes. Altogether, 95.7% of residents live in owner-occupied housing units (Table 17). Just over one in twenty-five residents live in a rental, or 2.5% of the population. The municipality’s owner-occupied share far exceeds the percentage at the state level, 63.7%. It also surpasses the percentage in Monmouth County, 75.4%.

**Table 17: Tenure**

Tenure	Rumson	Monmouth County	New Jersey
Owner-Occupied	95.7%	75.4%	63.7%
Renter-Occupied	4.3%	24.6%	36.3%

*Source: 2019-2023 5-Year ACS*

There are relatively few vacant housing units in Rumson. To be specific, 4.4% of housing units in the municipality are vacant while, countywide, 7.2% of units are vacant (Table 18). While the low vacancy rate surely boosts home values, it shows that housing in Monmouth County is very hard to come by. Housing experts generally consider a vacancy rate of approximately 7% to be optimal in the sense that vacant housing units find buyers and renters in a timely manner while the cost of housing remains relatively stable.

**Table 18: Occupancy Status**

Occupancy Status	Rumson	Monmouth County	New Jersey
Occupied	95.6%	92.8%	92.1%
Vacant	4.4%	7.2%	7.9%

*Source: 2019-2023 5-Year ACS*

Notably, homes used only for seasonal or recreational purposes constitute a sizable share of the vacant housing stock, 30.8% (Table 19). In Monmouth County, more than half of the units that are technically vacant, 51.7% in all, are used by persons visiting the county on a seasonal basis and for recreational purposes. This makes sense as Monmouth County is a place with a large number of second homes as well as homes rented to people visiting the Jersey Shore. The relatively large number of homes used by beachgoers and the like means that fewer homes than evident at first glance are available to persons searching for housing. Some of the vacant homes in the borough are for sale and, thus, waiting to be purchased, totaling 41.1% of vacant units in all. The remainder of the vacant housing stock, 28.0%, are vacant for other reasons, a category that includes everything from property foreclosures to homes with structural damage.



**Table 19: Vacancy Status**

Vacancy Status	Rumson	Monmouth County	New Jersey
For rent	0.0%	11.4%	16.0%
Rented, not occupied	0.0%	2.9%	2.7%
For sale only	41.1%	7.8%	6.4%
Sold, not occupied	0.0%	4.1%	4.1%
For seasonal, recreational, or occasional use	30.8%	51.7%	43.7%
For migrant workers	0.0%	0.0%	0.0%
Other vacant	28.0%	22.1%	27.1%

*Source: 2019-2023 5-Year ACS*

The housing stock in Rumson is composed overwhelmingly of single-family homes, 98.1% (Table 20). This far outstrips the respective shares for New Jersey and Monmouth County, 75.6% and 62.7%, respectively. Almost all of the one-family residences are detached homes, which account for 96.7% of housing, with an additional 1.4% of units one-family attached residences. Two-unit structures make up 0.9% of the housing stock while three- and four-dwelling buildings comprise 0.5% of residential units. Multifamily buildings with 5 to 9 units account for the remaining 0.4% of homes.

**Table 20: Units in Structure**

Housing Type	Rumson	Monmouth County	New Jersey
1, detached	96.7%	66.1%	52.7%
1, attached	1.4%	9.5%	10.0%
2	0.9%	2.8%	8.6%
3 or 4	0.5%	3.6%	6.1%
5 to 9	0.4%	3.7%	4.7%
10 to 19	0.0%	4.1%	4.9%
20 to 49	0.0%	2.6%	4.2%
50 or more	0.0%	6.5%	7.9%
Mobile home	0.0%	1.1%	0.9%
Boat, RV, van, etc.	0.0%	0.0%	0.0%

*Source: 2019-2023 5-Year ACS*

In Rumson, even the rental stock is comprised of single-family homes, with almost two-thirds of rentals, or 64.2%, located in one-family detached residences and another 7.5% in one-family attached units (Table 21). Two-family homes make up 13.8% of rental units while three- and four-unit buildings account for an additional 7.5% of rentals. Buildings with 5 to 9 units constitute the remainder of the rental stock in



Rumson, an estimated 6.9% of rentals overall. As for owner-occupied housing, 99.0% of homes are in one-family detached residences. A further 1.0% is in one-family attached houses while 1.9% are in buildings of 5 to 9 units.

**Table 81: Units in Structure by Tenure**

Housing Type	Rumson		Monmouth County		New Jersey	
	Owner-Occupied	Renter-Occupied	Owner-Occupied	Renter-Occupied	Owner-Occupied	Renter-Occupied
1, detached	99.0%	64.2%	82.9%	18.3%	77.1%	11.7%
1, attached	1.0%	7.5%	9.6%	8.8%	10.2%	8.4%
2	0.0%	13.8%	0.7%	8.6%	4.6%	15.5%
3 or 4	0.0%	7.5%	0.9%	11.3%	1.7%	13.8%
5 to 9	0.0%	6.9%	1.5%	10.4%	1.4%	10.6%
10 to 19	0.0%	0.0%	1.3%	12.5%	1.2%	11.4%
20 to 49	0.0%	0.0%	0.8%	8.2%	1.0%	9.7%
50 or more	0.0%	0.0%	1.3%	20.9%	1.8%	18.4%
Mobile home	0.0%	0.0%	1.0%	1.0%	1.1%	0.4%
Boat, RV, van, etc.	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

*Source: 2019-2023 5-Year ACS*

As mentioned above, most of Rumson’s population growth occurred during the second half of the twentieth century. Even so, 23.1% of existing residences were constructed prior to 1940, with an additional 5.3% built in the 1940s (Table 22). Development, however, did not begin in earnest until the 1950s, when 15.1% of residences were built with an additional 10.1% of homes erected during the 1960s. Housing construction subsequently slowed, with 8.4% of homes built in the 1970s, 8.6% in the 1980s, and 2.6% in the 1990s. A spate of residential development occurred during the 2000s, when 15.6% of units were constructed while homes built between 2010 and 2020 comprise a further 9.0% of housing units. As for the remainder, an estimated 2.0% of residences were built in 2020 or later.

**Table 92: Year Structure Built**

Year Structure Built	Rumson	Monmouth County	New Jersey
Built 2020 or later	2.0%	0.6%	0.6%
Built 2010 to 2019	9.0%	5.8%	5.8%
Built 2000 to 2009	15.6%	9.4%	9.1%
Built 1990 to 1999	2.6%	11.3%	9.1%
Built 1980 to 1989	8.6%	15.8%	11.9%



Year Structure Built	Rumson	Monmouth County	New Jersey
Built 1970 to 1979	8.4%	13.2%	12.4%
Built 1960 to 1969	10.1%	14.0%	13.0%
Built 1950 to 1959	15.3%	12.3%	14.1%
Built 1940 to 1949	5.3%	4.2%	6.7%
Built 1939 or earlier	23.1%	13.5%	17.5%

*Source: 2019-2023 5-Year ACS*

Homes in Rumson are large relative to the housing stock in the rest of the county and state. Approximately two-thirds of homes in the municipality, 66.9%, have four bedrooms or more (Table 23). This surpasses the respective figures for New Jersey and Monmouth County, 25.6% and 35.7%. About one in four homes, 25.1%, have three bedrooms. The remainder of residences, 8.0%, have two bedrooms or less. In contrast, 35.3% of homes in Monmouth County have two bedrooms or less, while statewide, the figure is 42.7%,

**Table 23: Number of Bedrooms, Housing Stock**

Total Bedrooms	Rumson	Monmouth County	New Jersey
No bedroom	0.0%	1.7%	3.0%
1 bedroom	1.0%	12.6%	14.2%
2 bedrooms	7.0%	21.0%	25.5%
3 bedrooms	25.1%	29.0%	31.8%
4 bedrooms	36.6%	26.5%	19.7%
5 or more bedrooms	30.3%	9.2%	5.9%

*Source: 2019-2023 5-Year ACS*

The bevy of large houses in Rumson also shows up in the ACS data for total rooms per house. 54.5% of Rumson homes have at least 9 rooms, most that a survey-taker can select on their ACS questionnaire (Table 24). Hence, the Census states that '9.0+' is the median number of rooms per unit. Countywide, the median number of rooms is 6.4 rooms per unit, with only 21.3% of residences having 9 units or more. At the state level, the median number of rooms is 5.7 rooms per unit while only 15.2% of housing units have 9 rooms or more. The data do indicate a scarcity of less spacious options. While accounting for over half of housing countywide, just 19.7% of Rumson residences have 6 rooms or less. The community's single-family character and high incomes surely contribute to the expansiveness of the homes built in the township. The lack of smaller options is concerning, however, as dwellers have less space to maintain and can age in place.



**Table 24: Number of Rooms Per Home**

Total Rooms	Rumson	Monmouth County	New Jersey
1 room	0.0%	1.6%	2.7%
2 rooms	0.4%	2.6%	3.0%
3 rooms	0.0%	8.1%	10.5%
4 rooms	3.5%	12.1%	15.2%
5 rooms	7.5%	12.9%	15.8%
6 rooms	8.3%	14.6%	15.4%
7 rooms	15.1%	13.0%	12.0%
8 rooms	10.8%	13.9%	10.4%
9 rooms or more	54.5%	21.3%	15.2%
<b>Median rooms</b>	<b>9.0+</b>	<b>6.4</b>	<b>5.7</b>

*Source: 2019-2023 5-Year ACS*

Some households occupy homes in substandard condition. For instance, 0.6% of residential units lack complete kitchen facilities, while a further 0.6% lack complete plumbing facilities (Table 25). Still, no homes lack telephone service, according to the American Community Survey. Likewise, no households live in overcrowded conditions, with more than one occupant per room. Furthermore, no households lack fuel to heat their home, according to the data released by the Census Bureau. Natural gas supplied by a utility is the most widely used heating fuel, warming 87.1% of homes. Electricity is used by an additional 9.4% of households while oil heats 3.5% of homes.

**Table 25: Housing Quality Indicators**

Home Heating Fuel	Rumson	Monmouth County	New Jersey
Utility gas	87.1%	80.9%	73.3%
Bottled, tank, or LP gas	0.0%	1.7%	2.5%
Electricity	9.4%	12.9%	15.6%
Fuel oil, kerosene, etc.	3.5%	3.3%	6.8%
Coal or coke	0.0%	0.0%	0.0%
Wood	0.0%	0.1%	0.3%
Solar energy	0.0%	0.2%	0.2%
Other fuel	0.0%	0.4%	0.5%
No fuel used	0.0%	0.5%	0.8%



<b>Lacking facilities</b>			
Lacking complete plumbing facilities	0.6%	0.2%	0.3%
Lacking complete kitchen facilities	0.6%	0.8%	0.8%
No telephone service available	0.0%	0.8%	0.9%
<b>Occupants Per Room</b>			
1.00 or less	100.0%	98.3%	96.3%
1.01 to 1.50	0.0%	1.2%	2.4%
1.51 or more	0.0%	0.5%	1.3%

*Source: 2019-2023 5-Year ACS*

Most householders moved into their home during the twenty-first century. In total, 71.6% of householders moved into their home since the beginning of 2000 (Table 26). Approximately 22.5% of householders have moved into their dwelling since 2017. Another 29.5% of householders moved into their homes between 2010 and 2017 while a further 19.6% moved in between 2000 and 2009. An estimated 28.4% of householders moved into their present home before the turn of the century. More than half of these householders, 15.2% of householders overall, moved into their residence in the 1990s while 13.2% have been in their home prior to 1990.

**Table 26: Year Moved In**

<b>Year Moved In</b>	<b>Rumson</b>	<b>Monmouth County</b>	<b>New Jersey</b>
Moved in 2021 or later	9.5%	6.8%	8.3%
Moved in 2018 to 2020	13.0%	18.8%	20.6%
Moved in 2010 to 2017	29.5%	28.6%	28.6%
Moved in 2000 to 2009	19.6%	19.5%	19.2%
Moved in 1990 to 1999	15.2%	14.2%	11.4%
Moved in 1989 and earlier	13.2%	12.1%	11.9%

*Source: 2019-2023 5-Year ACS*



## HOUSING MARKET ANALYSIS

About three in five homeowners in Rumson have a mortgage, or 60.4%, while roughly two in five do not have a mortgage, or 39.6% (Table 27). The share of homeowners who do not have a mortgage is distinctly higher than in either the county or state. In Monmouth County and New Jersey alike, 64.4% of homeowners have a mortgage while 35.6% do not.

**Table 27: Mortgage Status**

Mortgage Status	Rumson	Monmouth County	New Jersey
With a mortgage	60.4%	64.4%	64.4%
Without a mortgage	39.6%	35.6%	35.6%

*Source: 2019-2023 5-Year ACS*

Homes in Rumson have high values compared with the wider county and state. More than two in five homes in the borough have a value of at least \$1,000,000, about four times the figure for Monmouth County, 11.3% (Table 28). Similarly, the median home value, \$1,609,400, is almost four times the median statewide. In addition, a further 36.9% of residences with a value of at least \$750,000 and less than \$999,999 while 14.8% of houses have a value of between \$500,000 and \$749,999. In other words, 93.3% of homes have a value of \$500,000 or above. This is in stark contrast to the rest of New Jersey, where only 38.2% of residences have a value of \$500,000 or above. At the other end of the housing market, only 6.7% of residences have a value below \$500,000. By comparison, 61.8% of homes in New Jersey and 65.7% in Monmouth County have a value below \$500,000.

**Table 28: Home Values**

Home Value	Rumson	Monmouth County	New Jersey
Less than \$100,000	1.0%	3.1%	4.4%
\$100,000 to \$299,999	1.4%	9.2%	23.6%
\$300,000 to \$499,999	4.3%	29.2%	33.8%
\$500,000 to \$749,999	14.8%	31.7%	23.0%
\$750,000 to \$999,999	36.9%	15.4%	8.6%
\$1,000,000 or more	41.6%	11.3%	6.6%
<b>Median home value</b>	<b>\$1,609,400</b>	<b>\$566,500</b>	<b>\$427,600</b>

*Source: 2019-2023 5-Year ACS*

Home prices have surged in the last decade, particularly in the last five years. Since 2015, when the average home sold for \$1,246,850, prices have almost doubled, increasing by 85.3% change overall (Table 29). By 2024, the average sales price stood at \$2,309,951, among the highest in the state. Prices have



soared throughout Monmouth County, climbing by 73.7% since 2015. While the volume of home sales in Rumson remains relatively close to its pre-pandemic level, sales have markedly declined throughout Monmouth County. In 2024, 2,750 homes were sold countywide, the lowest level in over a decade. Given that home prices are skyrocketing, the decline in home sales must be because fewer homeowners are moving. If fewer homes are put on the market, then home prices will probably maintain their rise.

**Table 29: Home Sales**

Year	Rumson		Monmouth County	
	Total Sales	Avg Sales Price	Total Sales	Avg Sales Price
2015	102	\$1,246,850	6,146	\$478,821
2016	47	\$1,351,074	3,029	\$483,506
2017	39	\$1,497,197	3,679	\$495,743
2018	57	\$1,470,482	3,813	\$533,873
2019	38	\$1,307,237	3,558	\$512,214
2020	48	\$1,830,917	3,357	\$544,180
2021	85	\$1,745,440	4,407	\$638,158
2022	50	\$1,708,233	3,600	\$677,266
2023	24	\$2,063,040	2,776	\$729,440
2024	38	\$2,309,951	2,760	\$831,577

*Source: NJ Division of Taxation, NJ Treasury*

The spike in home values has impacted residential tax assessments. Since 2020, the average assessment has risen to \$2,080,892, from \$1,336,434 in the first year of the pandemic (Table 30). The steeper figure keeps assessments in line with the escalation of home prices. A similar trend has played out in Monmouth County as a whole, with the average residential assessment increasing to \$715,263.

**Table 100: Residential Tax Assessments**

Year	Total Lots, Rumson	Average Assessment	Total Lots, Monmouth County	Average Assessment
2016	2,467	\$1,336,434	211,934	\$445,876
2020	2,538	\$1,476,548	213,716	\$503,341
2024	2,537	\$2,080,892	214,709	\$715,263

*Source: NJ Division of Taxation, NJ Treasury*

Rumson residents are somewhat better situated to meet the cost of housing than their peers in the rest of Monmouth County. The share of households that are deemed cost-burdened, those spending 30% or more of household income on housing costs, is below the share in the wider county. In all, 25.7% of



Rumson households are cost-burdened compared to 34.5% of households in Monmouth County (Table 31). Another 15.6% of households spend between 20% and 29% of their income on housing. More than half of the households in the community, 56.1%, expend less than 20% of their income on housing, surpassing the countywide figure of 41.9%. Given how steep home values in Rumson are, the comparatively lighter cost burden can be attributed to the fruitful incomes earned by the community's residents.

**Table 31: Burden of Housing Costs, All Households**

Housing Costs as % of Household Income	Rumson	Monmouth County	New Jersey
Less than 20% of household income	56.1%	41.9%	39.3%
20 to 29% of household income	15.6%	21.6%	22.9%
30% or more of household income	25.7%	34.5%	35.7%
Zero or negative income	0.8%	0.7%	1.1%
No cash rent	1.7%	1.2%	1.1%

*Source: 2019-2023 5-Year ACS*

Homeowners are under less financial strain than renters. Of all homeowners, a quarter spend at least 30% of their income on housing, or 25.1% in all (Table 32). Of the remaining households, 58.1%, spend less than 20% of their income on housing, somewhat more than in Monmouth County as a whole, while an additional 15.9% of Rumson homeowners allocate between 20% and 29% of their income towards the cost of housing.

**Table 112: Burden of Housing Costs, Owner-Occupied Housing**

Housing Costs as % of Household Income	Rumson	Monmouth County	New Jersey
Less than 20% of household income	58.1%	49.4%	48.1%
20 to 29% of household income	15.9%	22.7%	22.7%
30% or more of household income	25.1%	27.2%	28.5%
Zero or negative income	0.9%	0.7%	0.6%

*Source: 2019-2023 5-Year ACS*

In terms of monthly costs, 88.3% of households with a mortgage pay \$3,000 or more on housing (Table 33). This exceeds the rate for Monmouth County, or 51.2%. Housing costs are so steep that the Census simply lists a median monthly cost of '\$4,000+' by default. Exorbitant housing costs are a deeply concerning issue for the entire state of New Jersey, where the median monthly cost for homeowners with a mortgage is \$2,767. In Monmouth County, the median cost for homes with a mortgage is \$3,037 per month.



**Table 33: Monthly Costs, Homeowners with a Mortgage**

Monthly housing costs	Rumson	Monmouth County	New Jersey
Less than \$500	0.7%	0.2%	0.4%
\$500 to \$999	0.0%	1.3%	1.8%
\$1,000 to \$1,499	0.0%	4.6%	6.6%
\$1,500 to \$1,999	3.5%	9.9%	13.7%
\$2,000 to \$2,499	4.4%	16.0%	17.7%
\$2,500 to \$2,999	3.1%	16.8%	17.0%
\$3,000 or more	88.3%	51.2%	42.7%
<b>Median monthly housing cost</b>	<b>\$4,000+</b>	<b>\$3,037</b>	<b>\$2,787</b>

*Source: 2019-2023 5-Year ACS*

Monthly housing costs are necessarily lower for those households without a mortgage. Still, housing costs are relatively high for these households as well. These expenditures go towards taxes, insurance payments, utilities, and other fees. In all, 98.4% of Rumson households without a mortgage pay \$1,000 per month or more in housing costs (Table 34). This exceeds the countywide share of 75.9% and the statewide share of 67.1%. Here, too, the median cost per month for Rumson is the Census assigned default, ‘\$1,500+’. Of remaining households, 0.6% spend between \$600 and \$800 a month, while 1.0% spend less than \$600 a month on housing. The latter figure contrasts greatly with the county and state, where the comparable rates are 6.3% and 9.5%, respectively.

**Table 34: Monthly Costs, Homeowners without a Mortgage**

Monthly housing costs	Rumson	Monmouth County	New Jersey
Less than \$250	1.0%	2.0%	1.9%
\$250 to \$399	0.0%	1.3%	2.6%
\$400 to \$599	0.0%	3.0%	5.0%
\$600 to \$799	0.6%	5.3%	8.8%
\$800 to \$999	0.0%	12.5%	14.6%
\$1,000 or more	98.4%	75.9%	67.1%
<b>Median monthly housing costs</b>	<b>\$1,500+</b>	<b>\$1,312</b>	<b>\$1,205</b>

*Source: 2019-2023 5-Year ACS*

Housing costs put a greater financial strain on renters, with 34.6% of households in renter-occupied housing spending at least 30% of their income on housing (Table 35). Even so, renters in Rumson can bear the cost of housing than their peers in the rest of Monmouth County, where 49.9% of renters are cost-burdened. An additional 11.3% of households in renter-occupied housing spend between 20% and 29% on housing costs while 28.3% set aside than 20% of their income to meet the cost of housing. A significant



share of renters in the borough, 25.8%, have no cash rent at all, almost ten times the state-level share, or 2.9%.

**Table 35: Burden of Housing Costs, Renter-Occupied Housing**

Housing Costs as % of Household Income	Rumson	Monmouth County	New Jersey
Less than 20% of household income	28.3%	22.8%	23.8%
20 to 29% of household income	11.3%	21.7%	23.1%
30% or more of household income	34.6%	49.9%	48.3%
Zero or negative income	0.0%	1.7%	1.9%
No cash rent	25.8%	3.9%	2.9%

*Source: 2019-2023 5-Year ACS*

Roughly two-fifths of households in renter-occupied housing, or 40.7%, have a rent of at least \$3,000 (Table 36). What's more, 31.4% of households pay between \$2,000 and \$3,000 in rent per month. In other words, 72.4% of households have a gross rent of at least \$2,000 per month. This is a stark contrast to Monmouth County, where 38.0% of households in the county have a rent of \$2,000 or more. Another 10.2% of households have a rent between \$1,500 and \$1,999 while the remainder, 17.8%, have a rent of between \$1,000 and \$1,499. The median rent in the borough is \$2,351, easily eclipses the median rent for Monmouth County and New Jersey, \$1,771 and \$1,653, respectively.

**Table 36: Gross Rent**

Gross Rent	Rumson	Monmouth County	New Jersey
Less than \$500	0.0%	6.8%	6.3%
\$500 to \$999	0.0%	5.8%	8.7%
\$1,000 to \$1,499	17.8%	23.2%	26.3%
\$1,500 to \$1,999	10.2%	26.2%	28.5%
\$2,000 to \$2,499	31.4%	18.4%	15.9%
\$2,500 to \$2,999	0.0%	10.4%	6.7%
\$3,000 or more	40.7%	9.2%	7.6%
<b>Median rent</b>	<b>\$2,351</b>	<b>\$1,771</b>	<b>\$1,653</b>

*Source: 2019-2023 5-Year ACS*



## DEVELOPMENT TRENDS

The borough approved building for new housing at a steady clip over the last two decades. Beginning in 2004, an average of 30 housing units were permitted annually (Table 37) Permitting only slowed marginally in the last ten years, when an average of 28 housing units were permitted annually. Homebuilding appears to have trailed off somewhat in the last five years on record, with an average of only 20.2 units permitted annually since 2019.

**Table 37: Total Housing Permits Issued Per Year, 2004-2023**

Year	Rumson	Monmouth County	New Jersey
2004	40	2,461	39,238
2005	34	2,581	39,688
2006	41	2,009	32,048
2007	36	1,939	25,948
2008	27	1,200	16,338
2009	17	896	11,145
2010	23	806	11,885
2011	27	806	11,882
2012	30	1,034	15,270
2013	46	1,425	18,795
2014	38	1,367	22,896
2015	37	1,176	19,503
2016	41	1,901	24,170
2017	25	1,729	25,961
2018	32	1,828	26,048
2019	20	1,262	30,770
2020	14	1,642	26,680
2021	24	1,622	30,044
2022	35	1,384	31,792
2023	18	1,663	21,682
<b>10 Year Average</b>	<b>28</b>	<b>1,545</b>	<b>25,304</b>
<b>20-Year Average</b>	<b>30</b>	<b>1,537</b>	<b>24,089</b>

*Source: NJ Dept. of Community Affairs*

Except for four mixed-use units, all of the building permits pertaining to housing permits have been for one- and two-family residences (Table 38). This is a striking departure from regional and state-level building patterns. Over the last 10 years for which we have data, one- and two-family homes accounted for only 61.6% of the building permits issued by Monmouth County municipalities on an average annual



basis. Statewide, one- and two-family residences were responsible for only 36.2% of homes permitted in the last decade.

**Table 38: Total Housing Permits Issued by Type, 2004-2023**

Year	Rumson			Monmouth County			New Jersey		
	1-2 Units	Multifamily	Mixed-Use	1-2 Units	Multifamily	Mixed-Use	1-2 Units	Multifamily	Mixed-Use
2004	38	0	2	2,012	437	12	27,103	11,383	752
2005	34	0	0	1,883	681	17	26,715	12,687	286
2006	41	0	0	1,340	666	3	20,090	11,760	198
2007	36	0	0	1,025	892	22	14,235	11,553	160
2008	27	0	0	798	364	38	8,960	7,102	276
2009	17	0	0	663	229	4	6,776	4,309	60
2010	23	0	0	616	190	0	6,934	4,733	218
2011	27	0	0	636	170	0	6,236	5,184	462
2012	30	0	0	660	366	8	6,700	8,527	43
2013	44	0	2	1,198	217	10	9,666	8,998	131
2014	38	0	0	1,009	334	24	10,678	11,909	309
2015	37	0	0	829	340	7	9,470	9,989	44
2016	41	0	0	833	1,057	11	8,885	15,217	68
2017	25	0	0	912	792	25	9,201	16,146	614
2018	32	0	0	860	958	10	9,026	16,811	211
2019	20	0	0	785	471	6	8,954	21,762	54
2020	14	0	0	911	716	15	8,673	17,950	57
2021	24	0	0	1,064	556	2	10,479	19,471	94
2022	35	0	0	1,093	280	11	9,163	21,913	716
2023	18	0	0	1,291	368	4	9,552	11,538	592
<b>10-Year Average</b>	<b>28</b>	<b>0</b>	<b>0</b>	<b>959</b>	<b>587</b>	<b>12</b>	<b>9,408</b>	<b>16,271</b>	<b>276</b>
<b>20-Year Average</b>	<b>30</b>	<b>0</b>	<b>0</b>	<b>1,021</b>	<b>504</b>	<b>11</b>	<b>11,375</b>	<b>12,447</b>	<b>267</b>

*Source: NJ Dept. of Community Affairs*

A similar pattern can be seen in the certificate of occupancy data. As with building permits, certificates of occupancy were issued mainly for one- and two-family homes (Table 39). According to NJ DCA data, an average of 20 one- and two-family homes per year have been certified in Rumson in the last 10 years. Countywide, 63.7% of certificates of occupancy for homes were for 1- and 2-family homes while 41.4% were issued for 1- and 2-family at the state level.

**Table 39: Certificates of Occupancy, 2014-2023**

Year	Rumson			Monmouth County			New Jersey		
	1-2 Units	Multifamily	Mixed-Use	1-2 Units	Multifamily	Mixed-Use	1-2 Units	Multifamily	Mixed-Use
2014	35	0	2	873	108	4	8,158	5,042	55
2015	30	0	0	761	225	17	8,308	7,010	72
2016	38	0	0	698	224	6	7,912	7,073	38
2017	30	0	0	691	313	8	7,511	8,955	259
2018	15	0	0	778	421	9	7,164	9,861	293
2019	13	0	0	429	300	8	5,309	11,097	389
2020	8	0	0	463	798	3	5,716	9,755	54
2021	7	0	0	385	523	3	4,818	12,801	24
2022	5	0	0	527	312	0	5,167	10,545	66
2023	14	0	0	870	415	2	6,983	11,568	17
<b>10-Year Average</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>648</b>	<b>364</b>	<b>6</b>	<b>6,705</b>	<b>9,371</b>	<b>127</b>

*Source: NJ Dept. of Community Affairs*

While building permits for new homes in Rumson have been steadily approved for years, so, too, have demolition permits for homes. Over the last two decades, Borough staffers have approved demolition permits for an average of 24.5 housing units annually (Table 40). One- and two-family homes constituted most of these units although some were for homes on mixed-use sites. It seems likely, then, that many of the one- and two-family homes permitted were constructed on sites where existing residences were torn down. It's also important to note that a spike of demolition permits occurred in 2013, when demolition permits were approved for 60 housing units, presumably in consequence of Hurricane Sandy.

**Table 120: Demolition Permits, 2004-2023**

Year	1-2 Family	Multifamily	Mixed-Use	Total
2004	23	0	1	24
2005	20	0	19	39
2006	30	0	1	31
2007	17	0	14	31
2008	22	0	0	22
2009	11	0	1	12
2010	23	0	0	23
2011	24	0	2	26
2012	29	0	0	29



Year	1-2 Family	Multifamily	Mixed-Use	Total
2013	60	0	0	60
2014	33	0	1	34
2015	29	0	0	29
2016	31	0	0	31
2017	19	0	0	19
2018	23	0	0	23
2019	20	0	0	20
2020	12	0	0	12
2021	31	0	0	31
2022	17	0	0	17
2023	16	0	0	16
<b>Total</b>	<b>490</b>	<b>0</b>	<b>39</b>	<b>529</b>
<b>10-Year Average</b>	<b>23.1</b>	<b>0</b>	<b>0.1</b>	<b>23.2</b>
<b>20-Year Average</b>	<b>24.5</b>	<b>0</b>	<b>1.95</b>	<b>26.45</b>

*Source: NJ Dept of Community Affairs*

Adjusting for demolition, the municipality has permitted, on net, 5.2 housing units per year on average in the last decade (Table 41). In total, 111 one- and two-family homes on net have been added to the borough’s housing stock in the last two decades, which equates to an average of 5.3 units permitted every year. In contrast, there are 35 fewer mixed-use homes in Rumson than in 2004, with the vast majority of demolition permits for mixed-use homes coming in 2005 and 2007. On an average annual basis, this translates to the loss of 1.75 mixed-use units per year.

**Table 131: Net Housing Permits, 2004-2023**

Year	1-2 Family	Multifamily	Mixed-Use	Total
2004	15	0	1	16
2005	14	0	-19	-5
2006	11	0	-1	10
2007	19	0	-14	5
2008	5	0	0	5
2009	6	0	-1	5
2010	0	0	0	0
2011	3	0	-2	1



Year	1-2 Family	Multifamily	Mixed-Use	Total
2012	1	0	0	1
2013	-16	0	2	-14
2014	5	0	-1	4
2015	8	0	0	8
2016	10	0	0	10
2017	6	0	0	6
2018	9	0	0	9
2019	0	0	0	0
2020	2	0	0	2
2021	-7	0	0	-7
2022	18	0	0	18
2023	2	0	0	2
<b>Total</b>	<b>111</b>	<b>0</b>	<b>-35</b>	<b>76</b>
<b>10-Year Average</b>	<b>5.3</b>	<b>0</b>	<b>-0.1</b>	<b>5.2</b>
<b>20-Year Average</b>	<b>5.55</b>	<b>0</b>	<b>-1.75</b>	<b>3.8</b>

*Source: NJ Dept of Community Affairs*

Office construction has occurred intermittently in Rumson over the last two decades. Since 2004, Rumson has permitted the construction of 1,676 square feet of office space on average every year (Table 42). During that time, the highest amount of office space permitted in a year came in 2023, the most recent year on record when 13,502 square feet of office space was permitted. In 12 of the 20 years on record, however, no office space was permitted in Rumson. On average, then, 1,676 square feet of office space has been permitted per year. Meanwhile, the only retail construction occurred in 2022 when 5,330 square feet was permitted. Aside from this, no new retail construction has taken place in the last two decades. On an average annual basis, the borough permitted 267 square feet of retail space per year. The municipality, though, has permitted a steady stream of other types of nonresidential development. These are grouped by NJ DCA into an ‘Other’ classification. For these uses, officials have issued building permits on average for 10,7335 square feet of nonresidential space per year.



**Table 142: Building Permits, Nonresidential Construction, 2004-2023**

Year	Rumson			Monmouth County		
	Office	Retail	Other	Office	Retail	Other
2004	1,373	0	14,637	776,676	380,576	2,660,341
2005	2,365	0	1,268	672,563	531,289	1,305,901
2006	0	0	14,800	937,008	197,248	2,316,072
2007	0	0	0	968,794	400,940	1,505,602
2008	0	0	0	318,481	414,612	896,526
2009	5,681	0	0	293,900	61,926	1,107,128
2010	1	0	597	343,680	282,233	594,300
2011	0	0	0	320,603	104,300	563,100
2012	0	0	1	249,063	233,940	752,636
2013	302	0	26,723	340,222	177,855	674,444
2014	358	0	6,531	282,481	312,136	579,801
2015	1	0	0	384,157	160,413	648,336
2016	0	0	0	547,984	145,787	1,651,202
2017	4,264	0	0	412,057	110,882	1,523,056
2018	5,664	0	1,200	414,509	265,417	1,438,184
2019	0	0	0	306,076	115,411	979,768
2020	0	0	148,948	374,497	169,029	984,296
2021	0	0	0	641,091	34,786	3,417,673
2022	0	5,330	0	193,054	16,849	1,795,919
2023	13,502	0	0	380,772	173,552	1,224,061
<b>20-Year Average</b>	<b>1,676</b>	<b>267</b>	<b>10,735</b>	<b>457,883</b>	<b>214,459</b>	<b>1,330,917</b>

*\*Excludes multifamily and dormitory construction*

*Source: NJ Dept. of Community Affairs*

## PLANNING PROJECTIONS

Monmouth County is served by the North Jersey Transportation Planning Authority (NJTPA), one of New Jersey’s three metropolitan planning organizations. NJTPA calculates population and employment projections to anticipate the long-range planning needs of the North Jersey portion of the New York metropolitan area.

The agency forecasts that Rumson and Monmouth County will have lower population and household growth than the rest of NJTPA coverage area (Table 43). Specifically, Rumson is projected to have an



annualized growth of 0.21% for households and 0.14% for population. The forecast growth is lower for population as household sizes are expected to increase, which would continue a decades-long trend. As projected, 2,539 households and 7,464 residents would live in the borough by 2050. The forecast growth is marginally higher in Monmouth County overall, whose population NJTPA expects to grow by 40,439 persons and 23,731 households by 2050. This represents an annualized growth rate of 0.27% for households and 0.18% for population. The growth rates for the county and borough fall short of those forecast for NJTPA’s jurisdiction overall, 0.46% and 0.42%, respectively. Interestingly, the agency expects employment growth in the community to be more robust, with a growth rate of 0.33%, surpassing Monmouth County. Still, it falls short of the employment growth projected for the NJTPA region as a whole, which is expected to grow at a 0.42% annual rate between 2015 and 2050.

**Table 43: Long-term Population, Household and Employment Forecasts**

Metric	Rumson	Monmouth County	NJTPA
<b>2015 Population</b>	7,095	629,185	6,688,013
<b>2050 Population</b>	7,464	669,624	7,743,120
<b>Annualized % Population Change 2015-2050</b>	<b>0.14%</b>	<b>0.18%</b>	<b>0.42%</b>
<b>2015 Household</b>	2,357	235,513	2,444,799
<b>2050 Household</b>	2,539	259,244	2,868,943
<b>Annualized % Household Change 2015-2050</b>	<b>0.21%</b>	<b>0.27%</b>	<b>0.46%</b>
<b>2015 Employment</b>	1,791	262,372	2,910,458
<b>2050 Employment</b>	2,007	293,290	3,375,651
<b>Annualized % Employment Change 2015-2050</b>	<b>0.33%</b>	<b>0.32%</b>	<b>0.42%</b>

*Source: NJTPA*

## Appendix B

**RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF RUMSON ADOPTING AN AMENDED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, pursuant to the Fair Housing Act (“FHA”), N.J.S.A. 52:27D-301 et seq., the Borough of Rumson adopted a “binding resolution” on January 21, 2025 accepting a DCA-calculated Fourth Round Present Need of zero (0) and Fourth Round Prospective Need of 117; and

**WHEREAS**, the Borough filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”) and the Court, along with its binding resolution, on January 23, 2025; and

**WHEREAS**, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

**WHEREAS**, the Borough did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, therefore on April 1, 2025, the Court entered an order establishing the Borough’s Fourth Round Present Need of 0 and Prospective Need of 117; and

**WHEREAS**, the FHA required the municipality to adopt a Fourth Round Housing Element and Fair Share Plan (“Fourth Round Plan”) by June 30, 2025; and

**WHEREAS**, the Planning Board adopted the Fourth Round Plan on June 17, 2025, the Borough Council endorsed the Fourth Round Plan on July 8, 2025, and the Borough filed the adopted Fourth Round Plan with the Program and the Court on June 18, 2025; and

**WHEREAS**, the Borough received a challenge to its Fourth Round Plan from Fair Share Housing Center on August 26, 2025; and

**WHEREAS**, the Borough went through mediation with the Program to resolve Fair Share Housing Center’s challenge, which resulted in a Mediation Agreement being entered into on January 6, 2026; and

**WHEREAS**, as per the FHA and the Mediation Agreement with FSHC, the Borough is required to amend its Fourth Round Plan to include the terms and conditions agreed upon in the Mediation Agreement; and

**WHEREAS**, the Borough has prepared an Amended Fourth Round Housing Element and Fair Share Plan (“Amended Fourth Round Plan”), which is attached hereto as Exhibit A; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Amended Fourth Round Plan on February 2, 2026; and

**WHEREAS**, the Planning Board determined that the attached Amended Fourth Round Plan is consistent with the goals and objectives of the Borough’s current Master Plan, and that adoption and implementation of the Amended Fourth Round Plan is in the public interest and protects public health and safety and promotes the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Rumson, County of Monmouth, State of New Jersey, that the Planning Board hereby adopts the Borough's Amended Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.



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John Brodsky  
Chairman of the Planning Board

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Planning Board of the Borough of Rumson at a regular meeting held on the 2nd day of February 2026.



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Thomas S. Rogers, RMC  
Planning Board Secretary

2026-0210-46

February 10, 2026

Councilmember Casazza offered the following resolution and moved its adoption:

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RUMSON  
ENDORING AN AMENDED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE  
PLAN

WHEREAS, pursuant to the Fair Housing Act ("FHA"), N.J.S.A. 52:27D-301 et seq., the Borough of Rumson adopted a "binding resolution" on January 21, 2025 accepting a DCA-calculated Fourth Round Present Need of zero (0) and Fourth Round Prospective Need of 117; and

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WHEREAS, the filing of the DJ Complaint gave the Borough automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

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WHEREAS, as per the FHA and the Mediation Agreement with FSHC, the Borough is required to amend its Fourth Round Plan to include the terms and conditions agreed upon in the Mediation Agreement; and

WHEREAS, the Borough has prepared an Amended Fourth Round Housing Element and Fair Share Plan ("Amended Fourth Round Plan"), which is attached hereto as Exhibit A; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Amended Fourth Round Plan on February 2, 2026; and

WHEREAS, the Borough Council has reviewed the Amended Fourth Round Plan and concurs with the Planning Board's determination that the Amended Fourth Round Plan is consistent with the Borough's Master Plan, promotes the public health, safety, and general welfare, and is in the best interests of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson, County of Monmouth, State of New Jersey, that the Borough Council hereby endorses the Borough's Amended Fourth Round Housing Element and Fair Share Plan attached hereto as Exhibit A.

Resolution seconded by Councilmember Pomphrey and carried on the following roll call vote:

In the affirmative: Conklin, Casazza, Kingsbery, Pomphrey, Lospinuso.

In the negative: None.

Absent: Smith.

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution adopted by the Borough Council of the Borough of Rumson at a regular meeting held on February 10, 2026.



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Thomas S. Rogers  
Municipal Clerk/Administrator



## Appendix C

Block	Lot	Property Location	Property Class	Owners Name	Area (Acres)	Status	Notes
79	3	7 BLACKPOINT HORSESHOE	1	BEIJAM, LLC	1.574	zoning approval new house-No construction	
83	11	3 ALLENCREST ROAD	1	ROE & SONS, LLC	1.439	Permit issued 2/12/24	
83	12	1 ALLENCREST ROAD	1	ALLENCREST, LLC	3.573	Permit issued 10/19/22	
16	9	35 BUENA VISTA AVE.	1	ATLANTIC BUILDERS CUSTOM HOMES, LLC	2.508	Permit issued 2/12/24	
12	1	40 GIRCLE DR	1	WALSH BUILDERS, LLC	0.763	Permit issued 1/8/24	
18	34	16 SOMERSET DRIVE	1	KENNEDY, BRENDAN & RACHEL	1.584	Permit issued 6/24/23	
12	8	10 CIRCLE DRIVE	1	ATLANTIC BUILDERS CUSTOM HOMES, LLC	0.746	Permit issued 7/27/23	
101	2	58 RUMSON RD	1	BUTTERS, ROBERTA & DIANNE	1.78	Home was demolished and neighbor bought it. May be merged.	
80	11	22 N WARD AVE.	1	CURRO, JOSEPH & ALEXIS	2.986	Permit issued 5/10/23	
88	8	40 BELLEVUE AVE.	1	PAULUS, DOROTHY & PETER	3.088	Permit issued 1/14/23	
88	6	186 BELLEVUE AVE	1	PAULUS, DOROTHY & PETER	3.089	Permit issued 1/14/23	
88	12	186 BELLEVUE AVE	1	PAULUS, DOROTHY & PETER	3.089	Permit issued 1/14/23	
117	5	6 HATHOR LIFE ROAD	1	SHOREWOODS BUILDERS, INC	1.657	Permit issued 2/27/23	
110	2	14 RIVERSIDE DR	1	MCVEETY, PAUL & PATRICIA	1.056	Under contract for a SF home	
110	10	4 GURBWAY	1	BLUESUNSETS RUMSON NO 2, LLC	1.541	Permit issued 4/2/24	
85	10	133 BINGHAM AVE.	1	ATLANTIC BUILDERS CUSTOM HOMES, LLC	1.007	Permit issued 8/25/23	
123	2,02	105 RUMSON ROAD	1	DEULLIS, LEON JR & STACY	1.49	Encumbered with drainage easement and pond	
134	18	26 SHREWSBURY DRIVE	1	SULLIVAN, GREGORY & DIBRUNO, CARA	1.373	Permit issued 7/10/24	
60	2	CARTON ST.	15C	BOROUGH OF RUMSON	0.349	Recreation park	
144	30	GRANT AVE.	15C	BOROUGH OF RUMSON	0.486	Pump station	
91	2,02 & 5	10 SO ROHALLION DRIVE	3B	ROHALLION INVESTMENTS, LLC	2.486	Claim with improvement	
88	6 & 7	36 BELLEVUE AVENUE	3B	MARTURANO, PETER & MEGHANN	7.412	Claim with improvement	

Owner planted clover for bees but the planting is located in the rear and side and front yards which are not enough area to support inclusionary housing.  
 Owner planted clover for bees but the planting is located in the rear and side and front yards which are not enough area to support inclusionary housing.

## Appendix D

**BOROUGH OF RUMSON  
MONMOUTH COUNTY, NEW JERSEY**

**RESOLUTION ADOPTING AN AFFIRMATIVE MARKETING PLAN FOR THE  
BOROUGH OF RUMSON**

**WHEREAS**, in accordance with applicable Council on Affordable Housing (“COAH”) regulations and the New Jersey Uniform Housing Affordability Controls (“UHAC”) N.J.A.C. 5:80-26, et seq., the Borough of Rumson is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by rehabilitation are affirmatively marketed to very low, low and moderate income households, particularly those living and/or working within Housing Region 4, the Housing Region encompassing the Borough of Rumson; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Rumson, County of Monmouth, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

**Affirmative Marketing Plan**

- A. All affordable housing units in the Borough of Rumson shall be marketed in accordance with the provisions herein unless otherwise provided in N.J.A.C. 5:93-1, et seq. This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low, low or moderate-income units, including those that are part of the Borough’s prior round Fair Share Plan and its current Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Fair Share Plan.
- B. The Affirmative Marketing Plan shall be implemented by an Administrative Agent designated by and/or under contract to the Borough of Rumson. All the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of the affordable unit(s). The exception to this is that the cost of affirmatively marketing the Market to Affordable and/or Accessory Apartment Program may be borne by the Borough, at the Borough’s discretion.
- C. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Borough, shall undertake all the following strategies:
  - 1. Review, approve and ensure that the developers/sellers/owners publish at least one advertisement in a newspaper of general circulation within the housing region.
  - 2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
  - 3. At least one additional regional marketing strategy using one of the other sources listed below at Sec. E of this plan.

- D. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 4 in which the Borough is located and covers the entire period of deed restriction for each restricted housing unit.
- E. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for applications for very low, low, and moderate-income units shall appear in the Two River Times, Trenton Times, and Asbury Park Press.
  2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers during the first week of the marketing program and subsequently utilizing internet advertisements each month thereafter until all available units have been leased. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Borough's Administrative Agent.

Advertisements will also be placed on the following websites:

Rumson Borough - <http://www.rumsonnj.gov/newannouncements/rumson-affordable-housing-program.html>

New Jersey Housing Resource Center (NJHRC) - <http://www.njhrc.gov>  
CGP&H – <http://www.affordablehomesnewjersey.com>

Advertisements posted to NJHRC will occur on or before the earlier of:

- (1) at least 60 days prior to conducting a lottery of the applicants; or
- (2) within one day following when the owner, developer, property manager, or other administrative entity provides any information regarding how to apply for units to prospective applicants or solicits any applications from potential applicants through any other means.

The posting on NJHRC shall include, at a minimum:

- i. The date that the affordable housing units are expected to be completed,
- ii. The date of the lottery,
- iii. The number of affordable housing units,
- iv. An accounting of how many of the affordable housing units will be available to very low-, low-, and moderate-income households, and
- v. Each bedroom size that will be available.

3. The advertisement shall include a description of the:
  - i. Street address(es) of the units;
  - ii. Directions to the units;
  - iii. Range of prices for the units;
  - iv. Number of bedrooms in the affordable units (bedroom mix);
  - v. Maximum income permitted to qualify for the units;
  - vi. Location of applications;
  - vii. Business hours when interested households may obtain an application;
  - viii. Application fees, if any;
  - ix. Number of units currently available; and
  - x. Anticipated dates of availability.
4. Advertisements will be broadcast on at least one regional cable television or radio station
5. Applications shall be mailed by the Administrative Agent to the prospective applications upon request. However, when on-line preliminary applications are utilized, if prospective applicants do not have internet access, they will be given a phone number to call the Administrative Agent, who will then enter all pre-application information online during the phone call. Locations of applications, brochures, and flyers to affirmatively market the program are listed in attached Appendix II, and will also be made available on the Borough's website. Also, information on how to apply shall be made available at the developer's sales/rental office and shall be mailed or emailed to prospective applicants upon request.
6. The Administrative Agent shall develop, maintain and regularly update a list of community contact person(s) and/or organizations(s) in Monmouth, Ocean, and Mercer Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers. Please see Appendix I for a complete list.
  - i. Quarterly informational flyers shall be sent to each of the following agencies with a request for publication in their journals and for circulation among their members:

Mercer County Board of Realtors  
Monmouth/Ocean County Association of Realtors
  - ii. Quarterly informational circulars shall be sent to the administrators of each of the following agencies in the counties of and requests to post same shall be sent to the administrators of each of the following agencies within the counties of Monmouth, Ocean, and Mercer:

Welfare or Social Service Board  
Rental Assistance Office (local office of DCA)  
Offices on Aging or Division of Senior Services  
Housing Authority

Community Action Agencies  
Community Development Departments

- iii. Quarterly informational shall be sent to the chief personnel administrators of all the major employers within the region as listed in attached Appendix I in accordance with the Region 4 Affirmative Marketing Plan.
- iv. Quarterly informational and copies of press releases and advertisements of the availability of very low, low and moderate-income housing shall be sent to the following additional community and regional organizations:

Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)

New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd.  
#775, Brigantine, NJ 08203)

The Latino Action Network (P.O. Box 943, Freehold, NJ 07728)

STEPS (14 Clifton Ave S, Lakewood, NJ, 08701)

Greater Red Bank Branch of the NAACP (PO Box 2147, Red Bank, NJ, 07701)

Asbury Park/Neptune Branch of the NAACP (PO Box 1143, Asbury Park 07712)

Bayshore Branch of the NAACP (PO Box 865, Matawan, NJ, 07747)

Greater Freehold Branch of the NAACP (PO Box 246, Marlboro Annex, NJ,  
07746)

Greater Long Branch Branch of the NAACP (38 Memorial Parkway, Long  
Branch, NJ, 07740)

Trenton Branch of the NAACP (PO Box 1355, Trenton, NJ, 08608)

Supportive Housing Association (185 Valley Street, South Orange, NJ 07079)

- v. The Administrative Agent will also provide specific direct notice to the following community and regional organizations whenever affordable housing units become available in the Borough, listed in attached Appendix II:

Monmouth County Office on Aging (PO Box 1255, Freehold, NJ, 07728)

Ocean County Office of Senior Services (1027 Hooper Ave., Toms River, NJ,  
08754)

Mercer County Office on Aging (Mercer County Administration Building, PO Box 8068, Trenton, NJ, 08650)

Monmouth County Public Housing Agency (PO Box 3000 Freehold NJ, 07728)

Mercer County Library Headquarters (2751 Brunswick Pike, Lawrenceville, NJ, 08648)

Monmouth County Library Headquarters (125 Symmes Drive, Manalapan, NJ, 07726)

Ocean County Library (101 Washington St., Toms River, NJ, 08753)

Rumson Municipal Building (80 East River Rd, Rumson, NJ, 07760)

Oceanic Free Library (109 Avenue of Two Rivers, Rumson, NJ, 07760)

7. A random selection method to select occupants of very low, low and moderate-income housing will be used by the Borough's Administrative Agent in conformance with N.J.A.C. 5:80-26.16(l).
8. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 4 comprised of Mercer, Ocean, and Monmouth Counties.
9. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1, et seq.
10. Whenever appropriate, the Administrative Agent shall provide or direct qualified very low, low and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
11. All developers/owners of very low, low and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy.

12. The implementation of the Affirmative Marketing Plan shall continue until all very low, low and moderate-income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary. Please note that in addition to complying with this Borough-wide Affirmative Marketing Plan that the Administrative Agent shall also review and approve a separate Affirmative Marketing Plan for every new affordable development in Rumson that is subject to N.J.A.C. 5:80-26.1 et seq. That document shall be completed by the owner/developer and will be compliant with the Borough's Affirmative Marketing Plan as presented herein, and incorporate development specific details and permitted options, all subject to the Administrative Agent's review and approval. The development specific affirmative marketing plans will use the standard form for Region 4, which is attached hereto as Appendix III.
  
13. The Administrative Agent shall provide the Municipal Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, et seq. and the Order granting the Borough a Final Judgment of Compliance and Repose.

**BE IT FURTHER RESOLVED** that the appropriate Borough officials and professionals are authorized to take all actions required to implement the terms of this Resolution.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

APPROVED this \_\_\_\_ day of \_\_\_\_, 2020.

ATTEST:

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Thomas S. Rogers, Borough Clerk & Administrator

# Appendix I

## Appendix I – Rumson Affirmative Marketing Mailing List

<u>Business Name</u>	<u>Address1</u>	<u>Address 2</u>	<u>City State Zip</u>	<u>Co.</u>	<u>Type of Organization</u>
Ardena Baptist Church	593 Adelpia Rd.		Freehold, NJ 07728	Monmouth Co.	Religious Buildings
Arm in Arm	61 Nassau Street		Princeton, NJ 08542	Mercer	Social Service Offices/Administration Buildings
Asbury Park Free Public Library	500 1st Avenue		Asbury Park, NJ 07712	Monmouth Co.	Libraries
Asbury Park Press	3601 Highway 66	PO Box 1550	Neptune, NJ 07754	Ocean Co.	Media
AT&T Holmdel	2103 State Route 35		Holmdel, NJ 07733	Monmouth	Major Employer
Atlantic Highlands Public Library	100 First Ave.		Atlantic Highlands, NJ 07716	Monmouth Co.	Libraries
Bayshore NAACP	PO Box 865		Matawan, NJ 07747	Monmouth	Social Service Offices/Administration Buildings
Belmar Public Library	517 Tenth Ave.		Belmar, NJ 07719	Monmouth Co.	Libraries
Beth El Synagogue	50 Maple Stream Rd.		East Windsor, NJ 08520	Mercer Co.	Religious Buildings
Bethany Baptist Church	15 West Farms Rd.		Farmingdale, NJ 07727	Monmouth Co.	Religious Buildings
Bethany Lutheran Church	1125 Parkside Ave.		Trenton, NJ 08618	Mercer Co.	Religious Buildings
Bethesda United Methodist Church	Ardena Rd. & Route 524		Adelphia, NJ 07710	Monmouth Co.	Religious Buildings
Bible Baptist Church	1934 Klockner Ave.		Trenton, NJ 08619	Mercer Co.	Religious Buildings
Birth Haven, Inc.	Tina Magarino, Executive Director	4 Academy Street	Newton, NJ 07860		
Bradley Beach Public Library	511 Fourth Ave.		Bradley Beach, NJ 07720	Monmouth Co.	Libraries
Brick Township Board of Education	101 Hendrickson Ave.		Brick, NJ 08724	Ocean Co.	Major Employer
Brick Township Municipal Offices	401 Chambers Bridge Rd.		Brick, NJ 08723	Ocean Co.	Major Employer
Brielle Public Library	610 South St.		Brielle, NJ 08730	Monmouth Co.	Libraries
Bristol-Myers Squibb	100 Nassau Park Blvd #300		Princeton, NJ 08540	Mercer	Major Employer
Brookdale Community College	765 Newman Springs Rd.	Attn: Patricia Sensi	Lincroft, NJ 07738	Monmouth Co.	Major Employer
Cablevision of Monmouth	1501 18th Ave.		Wall, NJ 07719	Monmouth Co.	Media
Calvary Assembly of God	120 Mechanic St		Hightstown, NJ 08520	Mercer Co.	Religious Buildings
Calvary Missionary Baptist Church	735 E. State St.		Trenton, NJ 08609	Mercer Co.	Religious Buildings

Capital Health Systems - Fuld Campus	750 Brunswick Ave.			Trenton, NJ 08638	Mercer Co.	Major Employer
CARcnj	913 Sewall Ave			Asbury Park, NJ 07712	Monmouth	Social Service Offices/Administration Buildings
CARcnj	12 Throckmorton Street			Freehold, NJ 07728	Monmouth	Social Service Offices/Administration Buildings
Catholic Campus Ministry	492 Ewingville Rd.			Trenton, NJ 08638	Mercer Co.	Religious Buildings
Centra State Healthcare Systems	901 West Main St.			Freehold, NJ 07728	Monmouth Co.	Major Employer
Chambers Methodist Church	1627 Liberty St.			Trenton, NJ 08629	Mercer Co.	Religious Buildings
Chesterfield Baptist Church	209 Crosswicks Chesterfield Rd.			Chesterfield, NJ 08515	Mercer Co.	Religious Buildings
Church of God of Prophecy	917 S. Clinton Ave.			Trenton, NJ 08611	Mercer Co.	Religious Buildings
Church of Master United Methodist Church	110 Salem Hill Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
Church of St. William the Abbot	2740 Lakewood Allenwood Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
Church of the Nativity National Catholic	102 West 2nd St. & Route 9			Howell, NJ 07731	Monmouth Co.	Religious Buildings
Monmouth County Hall Of Records/Econ Dev	1 East Main St.		Attn: Fredrica Brown	Freehold, NJ 07728	Monmouth Co.	Major Employer
Comcast	90 Lake Dr.			East Windsor, NJ 08520	Mercer Co.	Major Employer
Comcast Cable of Monmouth Co.	403 South St.			Eatontown, NJ 07724	Monmouth Co.	Media
Comcast Cable of Ocean Co.	751 Brick Blvd.			Brick, NJ 08723	Ocean Co.	Media
Comcast of Toms River	830 Route 37 West			Toms River, NJ 08754	Ocean Co.	Media
Community Action Service Center	PO Box 88			Hightstown, NJ 08520	Mercer Co.	Social Service Offices/Administration Buildings
Compass Healthcare Inc	1140 Route 72 W			Manahawkin, NJ 08050	Ocean	Major Employer
Conair	150 Milford Rd.			East Windsor, NJ 08520	Mercer Co.	Major Employer
Concerned Citizens of Ewing, Inc.	320 Hollowbrook Dr.			Ewing, NJ 08638	Mercer Co.	Social Service Offices/Administration Buildings
Congoleum	3500 Quakerbridge Rd.			Mercerville, NJ	Mercer Co.	Major Employer
Congregation Ahavat Achim	106 Windeler Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
Congregation Beth Chaim	329 Village Rd. E.			Princeton Junction, NJ 08550	Mercer Co.	Religious Buildings

Congregation Kol Am	59 Broad Street			Freehold, NJ 07728	Monmouth Co.	Religious Buildings
Congregation Toras Emes	639 Abbington Dr.			East Windsor, NJ 08520	Mercer Co.	Religious Buildings
Corinth Baptist Church	31 Hawthorne Ave.			Trenton, NJ 08638	Mercer Co.	Religious Buildings
Covance	206 Carnegie Center Drive			Princeton, NJ 08540	Mercer	Major Employer
Dana Communications	2 E. Broad St.			Hopewell, NJ 08525	Mercer Co.	Major Employer
Devine Temple Church of God	202 Brinton Ave.			Trenton, NJ 08618	Mercer Co.	Religious Buildings
DPT Lakewood	1200 Paco Way			Lakewood, NJ 08701	Ocean Co.	Major Employer
Durham School Service	1540 Route 539			Little Egg Harbor Twp, NJ 08087	Ocean	Major Employer
East Windsor Regional School District	25A Leshin Lane			Hightstown, NJ 08520	Mercer Co.	Major Employer
East Windsor Senior Center	40 Lanning Blvd.			East Windsor, NJ 08520	Mercer Co.	Social Service Offices/Administration Buildings
Eatontown Public Library	33 Broad St.			Eatontown, NJ 07724	Monmouth Co.	Libraries
Ebenezer Church of God	121 Wayne Ave.			Trenton, NJ 08618	Mercer Co.	Religious Buildings
Educational Testing Service	660 Rosedale Road			Princeton, NJ 08541	Mercer	Major Employer
Emmanuel Pentecostal Temple	203 Hutchinson Rd.			Robbinsville, NJ 08691	Mercer Co.	Religious Buildings
Evans East	104 Windsor Center Dr.			East Windsor, NJ 08520	Mercer Co.	Major Employer
Ewing Branch Library	61 Scotch Rd.			Ewing, NJ 08628	Mercer Co.	Libraries
Ewing Township Schools	2099 Pennington Road			Ewing, NJ 08618-1499	Mercer Co.	Major Employer
Fair Haven Public Library	748 River Rd.			Fair Haven, NJ 07704	Monmouth Co.	Libraries
Fair Share Housing Center	510 Park Blvd			Cherry Hill, NJ 08002	ALL	Social Service Offices/Administration Buildings
First Assembly of God	87 Route 31 S.			Pennington, NJ 08534	Mercer Co.	Religious Buildings
First Baptist Church	125 South Main St.			Hightstown, NJ 08520	Mercer Co.	Religious Buildings
First Baptist Church	128 Centre St.			Trenton, NJ 08611	Mercer Co.	Religious Buildings
First Baptist Southard Church	31 Hilltop Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
First Presbyterian Church	48 River Dr.			Titusville, NJ 08560	Mercer Co.	Religious Buildings
First Presbyterian Church of Hightstown	320 North Main St.			Hightstown, NJ 08520	Mercer Co.	Religious Buildings
Food Town Circus Supermarkets	835 Highway 35, P.O. Box 278	Attn: Nancyanne Fama		Middletown, NJ 07748	Mercer Co.	Religious Buildings
					Monmouth Co.	Major Employer

Foodarama Supermarkets	10 Centerville Road			Holmdel, NJ 07733	Monmouth Co.	Major Employer
ForDoz Pharma Corp	69 Princeton Hightstown Rd			East Windsor, NJ 08520	Mercer Co.	Major Employer
Freehold Public Library	28 1-2 E. Main St.			Freehold, NJ 07728	Monmouth Co.	Libraries
Freehold Senior Citizens Center	116 Jackson Mills Rd.			Freehold, NJ 07728	Monmouth Co.	Social Service Offices/Administration Buildings
Gaum, Inc.	1080 US Highway 130			Robbinsville, NJ 08691	Mercer Co.	Major Employer
Georgian Court University	900 Lakewood Ave			Lakewood, NJ 08701	Ocean	Major Employer
Grace-St. Paul's Church	3715 E. State St. Ext.			Mercerville, NJ 08619	Mercer Co.	Religious Buildings
Greater Freehold NAACP	PO Box 246			Marlboro, NJ 07746	Monmouth	Social Service Offices/Administration Buildings
Greater Media Newspapers	Attn: Tri-Town News/News Transcript PO Box 950		198 Rt. 9 North, Suite 100	Manalapan, NJ 07726	Monmouth Co.	Media
Greater Red Bank NAACP	PO Box 2147			Red Bank, NJ 07701-2147	Monmouth	Social Service Offices/Administration Buildings
Hackensack Meridian Health Riverview Medical Center	1 Riverview Plaza			Red Bank, NJ 07701	Monmouth	Major Employer
Hamilton Square Baptist Church	3752 Nottingham Way			Trenton, NJ 08690	Mercer Co.	Religious Buildings
Hamilton Township Free Public Library	1 Justice Samuel A. Alito, Jr. Way			Hamilton, NJ 08619	Mercer Co.	Libraries
Hamilton Township Schools	90 Park Ave.			Hamilton Square, NJ 08690	Mercer Co.	Major Employer
Health South Rehabilitation Hospital	14 Hospital Dr.			Toms River, NJ 08755	Ocean Co.	Major Employer
Hickory Corner Branch Library	138 Hickory Corner Rd.			East Windsor, NJ 08520	Mercer Co.	Libraries
Hightstown Church of God	1004 Old Yorke Rd.			East Windsor, NJ 08520	Mercer Co.	Religious Buildings
Hightstown Housing Authority	131 Rogers Avenue			Hightstown, NJ 08520	Mercer	Social Service Offices/Administration Buildings
Hightstown Memorial Library	114 Franklin St.			Hightstown, NJ 08520	Mercer Co.	Libraries
Holy Spirit Lutheran Church	333 North Main St.			Manahawkin, NJ 08050	Ocean Co.	Religious Buildings
Homasote	932 Lower Ferry Rd.			Trenton, NJ 08618	Mercer Co.	Major Employer
Hopewell Branch Library	245 Pennington Titusville Rd.			Pennington, NJ 08534	Mercer Co.	Libraries
Hopewell Public Library	13 E. Broad St.			Hopewell, NJ 08525	Mercer Co.	Libraries

Hopewell Valley Regional Schools	425 South Main St.			Pennington, NJ 08534	Mercer Co.	Major Employer
Horizon Blue Cross Blue Shield	1427 Wycoff Rd.	Attn: Jonathan Pearson		Farmingdale, NJ 07727	Monmouth Co.	Major Employer
Hovione	40 Lake Dr.			East Windsor, NJ 08520	Mercer Co.	Major Employer
Howell Baptist Church	1554 Maxim Southard Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
Howell Senior Citizens Center	251 Preventorium Rd.	P.O. Box 580		Howell, NJ 07731	Monmouth Co.	Social Service Offices/Administration Buildings
Immanuel Baptist Church	1244 West Farms Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
International Flavors and Fragrances	State Highway 36	Attn: Silvio Amorosino		Union Beach, NJ 07735	Monmouth Co.	Major Employer
Jackson Premium Outlets	537 Monmouth Road			Jackson, NJ 08527	Ocean	Major Employer
Jackson Township Board of Education	101 Don Connor Blvd.			Jackson, NJ 08527	Ocean Co.	Major Employer
Janssen Pharmaceutical	1125 Trenton Harborton Rd.			Titusville, NJ 08560	Mercer Co.	Major Employer
JCP&L/First Energy	1345 Old Bridge-Englishtown Rd			Old Bridge, NJ 08857	Monmouth Co.	Major Employer
Jenkinsons	300 Ocean Ave.			Point Pleasant, NJ 08742	Ocean Co.	Major Employer
Jerseyville United Methodist Church	8 Howell Rd.			Freehold, NJ 07728	Monmouth Co.	Religious Buildings
John O. Wilson Hamilton Twp. Service Center	169 Wilfred Ave.			Trenton, NJ 08610	Mercer Co.	Social Service Offices/Administration Buildings
Johnson & Johnson	One Johnson & Johnson Plaza			New Brunswick, NJ 08933	Mercer Co.	Major Employer
Joyful Baptist Korean Church	118 Bear Brook Rd.			Princeton, NJ 08540	Mercer Co.	Religious Buildings
King of Kings Community Church	1000 Route 9			Manahawkin, NJ 08050	Ocean Co.	Religious Buildings
Lacey Township Board of Education	200 Western Blvd.			Lanoka Harbor, NJ 08734	Ocean Co.	Major Employer
Lakewood Township Board of Education	855 Somerset Ave			Lakewood, NJ 08701	Ocean Co.	Major Employer
Lawrence Headquarters Branch	2751 Brunswick Pike			Lawrenceville, NJ 08648-3099	Mercer Co.	Libraries
Lawrence Rd. Presbyterian Church	1039 Lawrence Rd.			Lawrenceville, NJ 08648	Mercer Co.	Religious Buildings
Lawrence Township Schools	2565 Princeton Pike			Lawrenceville, NJ 08648-3631	Mercer Co.	Major Employer
Lawrence Twp. Community Council, Inc.	295 Eggerts Rd.			Lawrence, NJ 08648	Mercer Co.	Social Service Offices/Administration Buildings

Little Egg Harbor Township-Public Schools-Superintendent	307 Frog Pond Rd			Little Egg Harbor Twp, NJ 08087	Ocean	Major Employer
Little Silver Public Library	484 Prospect Ave.			Little Silver, NJ 07739	Monmouth Co.	Libraries
Long Beach Township Beach Patrol	7910 Long Beach Blvd			Long Beach Township, NJ 08008	Ocean	Major Employer
Long Branch Free Public Library	328 Broadway			Long Branch, NJ 07740	Monmouth Co.	Libraries
Manahawkin Baptist Church	400 Beach Ave			Manahawkin, NJ 08050	Ocean Co.	Religious Buildings
Manahawkin Nursing & Rehabilitation Center	1211 Route 72 W			Manahawkin, NJ 08050	Ocean	Major Employer
Manahawkin United Methodist	116 Stafford Ave.			Manahawkin, NJ 08050	Ocean Co.	Religious Buildings
Manasquan Public Library	55 Broad St.			Manasquan, NJ 08736	Monmouth Co.	Libraries
Manchester Board of Education	121 Route 539		P.O. Box 4100	Whiting, NJ 08759	Ocean Co.	Major Employer
Matawan-Aberdeen Public Library	165 Main St.			Matawan, NJ 07747	Monmouth Co.	Libraries
McGraw Hill	120 Windsor Center Dr.			East Windsor, NJ 08520	Mercer Co.	Major Employer
Mercer Co. Board of Education	1075 Old Trenton Rd.			Trenton, NJ 08618	Mercer Co.	Major Employer
Mercer Co. Board of Social Services	200 Woolverton St.		P.O. Box 1450	Trenton, NJ 08650	Mercer Co.	Social Service Offices/Administration Buildings
Mercer Co. Special Services School District	1020 Old Trenton Rd.			Hamilton, NJ 08690-1230	Mercer Co.	Major Employer
Mercer Co. Vocational School District	1085 Old Trenton Rd.			Trenton, NJ 08690-1229	Mercer Co.	Major Employer
Mercer County Association of REALTORS	1428 Brunswick Avenue			Trenton N.J. 08638	Mercer	Major Employer
Mercer County Department of Human Services	640 S. Broad Street		P. O. Box 8068	Trenton, NJ 08650-0068	Mercer	Social Service Offices/Administration Buildings
Mercer County Dept of Housing & Community Development	640 S. Broad Street		P. O. Box 8068	Trenton, NJ 08650-0068	Mercer	Social Service Offices/Administration Buildings
Mercer County Office on Aging	640 S. Broad Street		P. O. Box 8068	Trenton, NJ 08650-0068	Mercer	Social Service Offices/Administration Buildings
Meridian Health - Ocean Medical Center	415 Jack Martin Blvd.			Brick, NJ 08724	Ocean Co.	Major Employer
Meridian Health Systems	1350 Campus Parkway Ste 110			Wall Township, NJ 07753	Monmouth Co.	Major Employer

Merrill Lynch & Co.	1300 Merrill Lynch Drive				Pennington, NJ 08534				Major Employer
Merrill Lynch Bank of America	7 Roszel Road	Floor 04			Princeton, NJ 08540				Major Employer
Middletown Township Public Library	55 New Monmouth Rd.				Middletown, NJ 07748				Libraries
Monmouth Beach Public Library	18 Willow Ave.				Monmouth Beach, NJ 07750				Libraries
Monmouth Co. Division of Social Services	P.O. Box 3000	Koslowski Rd.			Freehold, NJ 07728				Social Service Offices/Administration Buildings
Monmouth Co. Hall of Records	Hall of Records				Freehold, NJ 07728				Libraries
Monmouth Co. Human Services	3000 Koslowski Rd.				Freehold, NJ 07728				Social Service Offices/Administration Buildings
Monmouth Co. Human Services	2405 Route 66				Ocean, NJ 07712				Social Service Offices/Administration Buildings
Monmouth Co. Library	125 Symmes Dr.				Manalapan, NJ 07726				Libraries
Monmouth Co. Library - Allentown	16 S. Main St.				Allentown, NJ 08501				Libraries
Monmouth Co. Library - Eastern Branch	1001 Route 35				Shrewsbury, NJ 07702				Libraries
Monmouth Co. Library- Hazlet	251 Middle Rd.				Hazlet, NJ 07730				Libraries
Monmouth Co. Library- Holmdel	101 Crawfords Corner Rd.	Suite 2110			Holmdel, NJ 07733				Libraries
Monmouth Co. Library- Howell	318 Old Tavern Rd.				Howell, NJ 07731				Libraries
Monmouth Co. Library- Marlboro	1 Library Ct & Wyncrest Dr.				Marlboro, NJ 07746				Libraries
Monmouth Co. Library- Ocean	701 Deal Rd				Ocean, NJ 07712				Libraries
Monmouth Co. Library- Wall	2700 Allaire Rd				Wall, NJ 07719				Libraries
Monmouth County Community Development	Monmouth County Hall of Records	One East Main Street, P.O. Box 1255			Freehold, NJ 07728				Social Service Offices/Administration Buildings
Monmouth County Department of Human Services	Monmouth County Hall of Records	One East Main Street, P.O. Box 1255			Freehold, NJ 07728				Social Service Offices/Administration Buildings
Monmouth County Office on Aging	3000 Kozloski Road				Freehold, NJ 07728				Social Service Offices/Administration Buildings
Monmouth County Public Housing Agency	3000 Kozloski Road				Freehold, NJ 07728				Social Service Offices/Administration Buildings

Monmouth Housing Alliance	3535 State Route 66 Ste 4			Neptune, NJ 07753	Monmouth Co.	Social Service Offices/Administration Buildings
Monmouth Medical Center	300 Second Ave.	Attn: Bruce Pardo		Long Branch, NJ 07740	Monmouth Co.	Major Employer
Monmouth Ocean Regional Realtors	One Hovchild Plaza	4000 Route 66		Tinton Falls, NJ 07753	Monmouth/Ocean	
Monmouth University	400 Cedar Avenue			West Long Branch, NJ 07764	Monmouth Co.	Major Employer
NAAACP Ocean County/Lakewood Branch	PO Box 836			Lakewood, NJ 08701	Ocean	Social Service Offices/Administration Buildings
NAAACP Toms River Branch	PO Box 5144			Toms River, NJ 08754	Ocean	Social Service Offices/Administration Buildings
Naval Weapons Station Earle Neptune Township Public Library	201 State Highway 34			Colts Neck, NJ 07722	Monmouth	Major Employer
New Jersey Housing Resource Center	25 Neptune Blvd.			Neptune, NJ 07753	Monmouth Co.	Libraries
NJ Department of Community Affairs	637 South Clinton Ave	PO Box 18550		Trenton, NJ 08650	ALL	Social Service Offices/Administration Buildings
NJ Department of Community Affairs Homeless Prevention	Division of Housing and Community Resources	101 South Broad Street, PO Box 806		Trenton, NJ 08625-0806	Mercer	Social Service Offices/Administration Buildings
NJ Manufacturers Insurance	1510 Hooper Ave			Toms River, NJ 08753	Ocean	Social Service Offices/Administration Buildings
NJ Resources Corporation	P.O. Box 1428	301 Sullivan Way		West Trenton, NJ 08628	Mercer Co.	Major Employer
NJ State Library	1415 Wycoff Rd.	Attn: Betty Moerschel		Wall, NJ 07719	Monmouth Co.	Major Employer
Norkus Enterprises	P.O. Box 520			Trenton, NJ 08650	Mercer Co.	Libraries
NovaCare Rehabilitation	505 Richmond Ave.	Attn: Louise Horowitz		Point Pleasant, NJ 08742	Monmouth Co.	Major Employer
Ocean Acres Elementary School	1001 Center St			Little Egg Harbor Twp, NJ 08087	Ocean	Major Employer
Ocean City Housing Authority	489 Nautilus Dr			Manahawkin, NJ 08050	Ocean	Major Employer
Ocean Co. Administration Building	204 4th Street			Ocean City, NJ 08226	Ocean	Social Service Offices/Administration Buildings
	101 Hooper Ave.			Toms River, 08754	Ocean Co.	Libraries

Ocean Co. Board of Social Services	1027 Hooper Ave.		P.O. Box 547	Toms River, NJ 08754	Ocean Co.	Social Service Offices/Administration Buildings
Ocean Co. Board of Social Services	North Ocean Co. Resource Center		225 Fourth St.	Lakewood, NJ 08701	Ocean Co.	Social Service Offices/Administration Buildings
Ocean Co. College	College Dr.		P.O. Box 2001	Toms River, NJ 08754	Ocean Co.	Major Employer
Ocean Co. Library - Barnegat Branch	112 Burr St.			Barnegat, NJ 08005	Ocean Co.	Libraries
Ocean Co. Library - Bay Head Reading Center	136 Meadow Ave			Bay Head, NJ 08742	Ocean Co.	Libraries
Ocean Co. Library - Beachwood Branch	126 Beachwood Blvd			Beachwood, NJ 08722	Ocean Co.	Libraries
Ocean Co. Library - Berkeley Branch	30 Station Rd			Bayville, NJ 08721	Ocean Co.	Libraries
Ocean Co. Library - Brick Branch	301 Chambers Bridge Rd			Brick, NJ 08723	Ocean Co.	Libraries
Ocean Co. Library - Island Heights Branch	P.O Box 1127		121 Central Ave	Island Heights, NJ 08732	Ocean Co.	Libraries
Ocean Co. Library - Jackson Branch	2 Jackson Dr.			Jackson, NJ 08527	Ocean Co.	Libraries
Ocean Co. Library - Lacey Branch	10 East Lacey Rd			Forked River, NJ 08731	Ocean Co.	Libraries
Ocean Co. Library - Lakewood Branch	301 Lexington Ave.			Lakewood, NJ 08701	Ocean Co.	Libraries
Ocean Co. Library - Little Egg Harbor Branch	290 Mathistown Rd			Little Egg Harbor, NJ 08087	Ocean Co.	Libraries
Ocean Co. Library - Long Beach Island Branch	217 S. Central Ave			Surf City, NJ 08008	Ocean Co.	Libraries
Ocean Co. Library - Manchester Branch	21 Colonial Dr			Manchester, NJ 08759	Ocean Co.	Libraries
Ocean Co. Library - Plumsted Branch	119 Evergreen Rd			New Egypt, NJ 08533	Ocean Co.	Libraries
Ocean Co. Library - Point Pleasant Branch	834 Beaver Dam Rd			Pt. Pleasant, NJ 08742	Ocean Co.	Libraries
Ocean Co. Library - Pt. Pleasant Beach Branch	710 McLean Ave			Pt. Pleasant Beach, NJ 08742	Ocean Co.	Libraries
Ocean Co. Library - Stafford Branch	129 N. Main St.			Manahawkin, NJ 08050	Ocean Co.	Libraries
Ocean Co. Library - Toms River Branch	101 Washington St			Toms River, NJ 08753	Ocean Co.	Libraries
Ocean Co. Library - Tuckerton Branch	380 Bay Ave			Tuckerton, NJ 08087	Ocean Co.	Libraries
Ocean Co. Library - Upper Shores Branch	112 Jersey City Ave			Lavallette, NJ 08735	Ocean Co.	Libraries

Ocean Co. Library - Waretown Branch	112 Main St			Waretown, NJ 08758	Ocean Co.	Libraries
Ocean Co. Library - Whiting Branch	400 Lacey Rd.			Whiting, NJ 08759 Manahawkin, NJ 08050	Ocean Co.	Libraries
Ocean Community Church	1492 Route 72 West			Toms River, NJ 08754-2191	Ocean Co.	Religious Buildings Social Service Offices/Administration Buildings
Ocean County Administrative Offices	PO Box 2191			Toms River, N.J. 08754-2191	Ocean	Social Service Offices/Administration Buildings
Ocean County Board of Chosen Freeholders	P.O. Box 2191			Toms River, NJ 08755	Ocean	
Ocean County Board of Realtors	271 Lakehurst Road			Toms River, NJ 08754-2191	Ocean	Social Service Offices/Administration Buildings
Ocean County Community Development	129 Hooper Ave.		PO Box 2191	Toms River, NJ 08753	Ocean	Social Service Offices/Administration Buildings
Ocean County Department of Human Services	101 Hooper Avenue			Lakewood, NJ 08701	Ocean	Social Service Offices/Administration Buildings
Ocean County Lakewood Chapter of the NAACP	14 Clifton Ave South			Toms River, NJ 08754	Ocean	Social Service Offices/Administration Buildings
Ocean County Office on Aging	1027 Hooper Avenue		Building 2, 1st Floor	Brick, NJ 08724	Monmouth	Major Employer
Ocean Medical Center	425 Jack Martin Boulevard			Toms River, NJ 08754	Ocean	Social Service Offices/Administration Buildings
OCEAN, INC	P.O. Box 1029			Rumson, NJ 07760	Monmouth Co.	Libraries
Oceanic Free Library	109 Ave. Of Two Rivers			Howell, NJ 07731	Monmouth Co.	Religious Buildings
Open Door Bible Baptist Church	521 Lakewood Farmingdale Rd.			West Trenton, NJ 08628	Mercer Co.	Religious Buildings
Our Lady of Good Counsel	137 W. Upper Ferry Rd.			Mercerville, NJ 08619	Mercer Co.	Religious Buildings
Our Lady of Sorrows	3816 E. State St. Ext.			Hightstown, NJ 08520	Mercer Co.	Major Employer
Peddie School	201 S Main Street			Plainsboro, NJ 08536	Mercer	Major Employer
Penn Medicine Princeton Medical Cener	One Plainsboro Road			Pennington, NJ 08534	Mercer Co.	Libraries
Pennington Free Public Library	30 N. Main St.			Farmingdale, NJ 07727	Monmouth Co.	Religious Buildings
Pierce Memorial Presbyterian	40 Main St.			Red Bank, NJ, 07701	Monmouth	Religious Buildings
Pilgrim Baptist Church	172 Shrewsbury Ave					Religious Buildings

Point Pleasant Beach Ocean Star	13 Broad St.			Manasquan, NJ 08736	Ocean Co.	Media
Prince of Peace Lutheran Church	177 Princeton Hightstown Rd.			Princeton Junction, NJ 08550	Mercer Co.	Religious Buildings
Prince of Peace Lutheran Church	434 East Aldrich Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
Princeton Housing Authority	1 Redding Circle			Princeton, NJ 08540	Mercer	Social Service Offices/Administration Buildings
Princeton Packet/Central Jersey.com	198 Route 9 N	Suite 100		Manalapan, NJ 07726	Monmouth	Media
Princeton Public Library	65 Witherspoon St.			Princeton, NJ 08542	Mercer Co.	Libraries
Princeton Regional School District	25 Valley Rd.			Princeton, NJ 08540	Mercer Co.	Major Employer
Princeton Senior Resource Center	The Suzanne Patterson Building	45 Stockton Street		Princeton, NJ 08540	Mercer	Social Service Offices/Administration Buildings
Princeton Senior Resource Center	179 Spruce Circle			Princeton, NJ 08540	Mercer	Social Service Offices/Administration Buildings
Princeton Theological Seminary	P.O. Box 821	64 Mercer Street		Princeton, NJ 08542-0803	Mercer	Major Employer
Princeton University	Office of Human Resources	2 New South		Princeton, NJ 08544	Mercer	Major Employer
Princeton University Firestone Library	Public Administration Collection	Firestone A-17-J-1		Princeton, NJ 08544	Mercer Co.	Libraries
Red Bank Affordable Housing Corporation	166 Shrewsbury Ave			Red Bank, NJ, 07701	Monmouth	
Red Bank Public Library	84 W. Front St.			Red Bank, NJ 07701	Monmouth Co.	Libraries
Rider University	Franklin F. Moore Library	2083 Lawrenceville Rd		Lawrenceville, NJ 08648-3099	Mercer Co.	Libraries
Robbinsville Baptist Church	22 Main St.			Robbinsville, NJ 08691	Mercer Co.	Religious Buildings
Robbinsville Branch Library	42 Allentown- Robbinsville Rd.			Robbinsville, NJ 08691	Mercer Co.	Libraries
Robbinsville Township Schools	155 Robbinsville-Edinburg Rd.			Robbinsville, NJ 08691	Mercer Co.	Major Employer
Robert Wood Johnson University Hospital	1 Hamilton Health Plaza			Trenton, NJ 08618	Mercer Co.	Major Employer
Roscoe L. West Library	College of New Jersey	2000 Pennington Rd.		Ewing, NJ 08618-1499	Mercer Co.	Libraries
RWJ- Rehab	1400 Lower Ferry Road			Ewing, NJ 08638	Mercer	Major Employer
Saint Barnabas Health Care Systems	368 Lakehurst Rd., Suite 203			Toms River, NJ 08755	Ocean Co.	Major Employer
Saint David the King Church	1 New Village Rd.			Princeton Junction, NJ 08550	Mercer Co.	Religious Buildings

Saint Francis Community Center	4700 Long Beach Blvd			Long Beach Township, NJ 08008	Ocean	Social Service Offices/Administration Buildings
Saker Shoprite	10 Centerville Road			Holmdel, NJ 07733	Monmouth	Major Employer
Sea Bright Library	1097 Ocean Ave			Sea Bright, NJ 07760	Monmouth Co.	Libraries
Sea Girt Library	321 Baltimore Blvd.			Sea Girt, NJ 08750	Monmouth Co.	Libraries
Seventh Day Adventist Church of Hightstown	116 Broad St.			Hightstown, NJ 08520	Mercer Co.	Religious Buildings
Shiloh Baptist Church	340 Reverand S Howard Woodson			Trenton, NJ 08618	Mercer	Religious Buildings
Shiseido America	366 Princeton-Hightstown Rd.			Hightstown, NJ 08520	Mercer Co.	Major Employer
Six Flags	Route 537		P.O. Box 120	Jackson, NJ 08527	Ocean Co.	Major Employer
Southern Ocean Co. Hospital	1140 Route 72 West			Manahawkin, NJ 08050	Ocean Co.	Major Employer
Southern Regional School District	105 Cedar Bridge Rd.			Manahawkin, NJ 08050	Ocean Co.	Major Employer
Spring Lake Public Library	1501 Third Ave.			Spring Lake, NJ 07762	Monmouth Co.	Libraries
Squankum United Methodist Church	45 Old Tavern Rd.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
St. Alexander Nevsky Russian Orthodox	200 Alexander Ave.			Howell, NJ 07731	Monmouth Co.	Religious Buildings
St. Ann's Roman Catholic Church	1253 Lawrenceville Rd.			Trenton, NJ 08648	Mercer Co.	Religious Buildings
St. Anthony of Padua Roman Catholic Church	251 Franklin St.			Hightstown, NJ 08520	Mercer Co.	Religious Buildings
St. Catherines Roman Catholic Church	31 Asbury Rd			Farmingdale, NJ 07727	Monmouth Co.	Religious Buildings
St. Francis Medical Center	601 Hamilton Ave.			Trenton, NJ 08629	Mercer Co.	Major Employer
St. James African Methodist Episcopal Church	413 Summit St.			Hightstown, NJ 08520	Mercer Co.	Religious Buildings
St. James Church	115 E. Delaware Ave.			Pennington, NJ 08534	Mercer Co.	Religious Buildings
St. Lawrence Rehabilitation Center	2381 Lawrenceville Rd.			Lawrenceville, NJ 08648	Mercer Co.	Major Employer
St. Paul Parish	216 Nassau Street			Princeton, NJ 08542-4604	Mercer	Religious Buildings
St. Pauls Lutheran Church	79 One Mile Rd. Extension			East Windsor, NJ 08520	Mercer Co.	Religious Buildings
St. Veronica's Roman Catholic Church	4215 US 9 North			Howell, NJ 07731	Monmouth Co.	Religious Buildings
St. Vincent's Catholic Church	555 Yardville Allentown Rd.			Yardville, NJ 08620	Mercer Co.	Religious Buildings
Star-Ledger	1 Star Ledger Plaza			Newark, NJ 07102	Ocean Co.	Media

STEPS	14 Clifton Ave South	Lakewood, NJ 08701	Ocean Co.	Social Service Offices/Administration Buildings
Supportive Housing Association	185 Valley Street	South Orange, NJ 07079	Essex	Social Service Offices/Administration Buildings
Temple Beth Am	1235 Highway 70	Lakewood, NJ 08701	Monmouth Co.	Religious Buildings
The ARC of Ocean County	815 Cedar Bridge Avenue	Lakewood, NJ 08701	Ocean Co.	Social Service Offices/Administration Buildings
The Asbury Park/Neptune Branch of the NAACP	PO Box 1143	Asbury Park, NJ 07712	Monmouth	Social Service Offices/Administration Buildings
The College of New Jersey	2000 Pennington Rd.	Ewing, NJ 08628	Mercer Co.	Major Employer
The Latino Action Network	PO Box 943	Freehold, NJ 07728	Monmouth	Social Service Offices/Administration Buildings
The NAACP of Greater Long Branch	231 Wilbur Ray Avenue	Long Branch, NJ 07740	Monmouth	Social Service Offices/Administration Buildings
The New Jersey State Conference of the NAACP	4326 Harbor Beach Blvd. #775	Brigantine, NJ 08203	Atlantic	Social Service Offices/Administration Buildings
The Salvation Army Trenton	575 E State St.	Trenton, NJ 08601	Mercer	Social Service Offices/Administration Buildings
The Trenton Times	413 River View Plaza	Trenton, NJ 08611	Mercer Co.	Major Employer
The Trentonian	600 Perry St.	Trenton, NJ 08618	Mercer Co.	Media
Tinton Falls Public Library	664 Tinton Ave.	Tinton Falls, NJ 07724	Monmouth Co.	Libraries
Toms River Municipal Offices	33 Washington St.	Toms River, NJ 08753	Ocean Co.	Major Employer
Toms River Regional School District	1144 Hooper Ave.	Toms River, NJ 08753	Ocean Co.	Major Employer
Trac Intermodal	750 College Road East	Princeton, NJ 08540	Mercer	Major Employer
Trenton Free Public Library	120 Academy St.	Trenton, NJ 08608	Mercer Co.	Libraries
Trenton Housing Authority	875 New Willow Street	Trenton, NJ 08638	Mercer	Social Service Offices/Administration Buildings
Trenton NAACP/NJ NAACP State Office	15 W Front Street	Trenton, NJ 08608	Mercer	Social Service Offices/Administration Buildings
Trenton Schools	108 North Clinton Ave.	Trenton, NJ 08609	Mercer Co.	Major Employer

Trenton Times	413 River View Plaza			Trenton, NJ 08611-3427	Mercer Co.	Media
Twin Rivers Branch Library	276 Abbingdon Dr.			East Windsor, NJ 08520	Mercer Co.	Libraries
Union Beach Memorial Library	810 Union Ave.			Union Beach, NJ 07735	Monmouth Co.	Libraries
United Way Greater Mercer	3150 Brunswick Pike, Ste 230			Lawrenceville, NJ 08648	Mercer Co.	Social Service Offices/Administration Buildings
United Way Monmouth Co.	1415 Wycoff Rd.			Farmingdale, NJ 07727	Monmouth Co.	Social Service Offices/Administration Buildings
United Way Ocean Co.	253 Chestnut Street			Toms River, NJ 08753	Ocean Co.	Social Service Offices/Administration Buildings
VA NJ Health Care System - Joni Owen, LCSW	151 Knollcroft Rd., Bldg. 53		Mail code 116D-C34B	Lyons, NJ 07939-5000		Social Service Offices/Administration Buildings
Veteran Services	2280 Hamilton Ave.			Hamilton, NJ 08619	Mercer Co.	Social Service Offices/Administration Buildings
Vonage	23 Main St			Holmdel, NJ 07733	Monmouth Co.	Major Employer
West Farms United Methodist Church	153 Casino Dr.			Farmingdale, NJ 07727	Monmouth Co.	Religious Buildings
West Long Branch Public Library	95 Poplar Ave.			West Long Branch, NJ 07764	Monmouth Co.	Libraries
West Windsor-Plainsboro Regional Schools	505 Village Rd. West		P.O. Box 505	Princeton Junction, NJ 08550	Mercer Co.	Major Employer
Westminster Choir College of Rider University	2083 Lawrenceville Road			Lawrenceville, NJ 08648	Mercer	Major Employer
Windsor Heights Herald/Central Jersey	198 Route 9, Suite 100			Manalapan, NJ 07726	Monmouth	Media
Witherspoon Street Presbyterian Church	112 Witherspoon Street			Princeton, NJ08542	Mercer	Religious Buildings
Rainbow Foundation	PO Box 545			New Monmouth, NJ 07748	Monmouth	Social Service Offices/Administration Buildings
STEPS	PO Box 728			Toms River, NJ 08754-0728	Ocean	Social Service Offices/Administration Buildings

# Appendix II

## Appendix II – Rumson Preliminary Application Distribution List

<b><u>Business Name</u></b>	<b><u>Address1</u></b>	<b><u>Address 2</u></b>	<b><u>City State Zip</u></b>
Monmouth Co. Office on Aging	21 Main and Court Center	PO Box 1255	Freehold, NJ 07728
Ocean Co. Office of Senior Services	1027 Hooper Avenue		Toms River, NJ 08754-2191
Mercer Co. Office on Aging	Mercer Co. Administration Bldg.	PO Box 8068	Trenton, NJ 08650-0068
Monmouth Co. Public Housing Agency	Monmouth Co. Division of Social Services	PO Box 3000	Freehold, NJ 07728
Mercer Co. Library Headquarters	2751 Brunswick Pike		Lawrenceville, NJ 08648
Monmouth Co. Headquarters Library	125 Symmes Drive		Manalapan, NJ 07726
Ocean Co. Library	101 Washington Street		Toms River, NJ 08753
Borough of Rumson	80 East River Road		Rumson, NJ 07760
Oceanic Free Library	109 Ave. Of Two Rivers		Rumson, NJ 07760

# Appendix III

## Appendix III AFFIRMATIVE FAIR HOUSING MARKETING PLAN For Affordable Housing in **(REGION 4)**

### I. APPLICANT AND PROJECT INFORMATION

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

1a. Administrative Agent Name, Address, Phone Number		1b. Development or Program Name, Address	
1c. Number of Affordable Units:  Number of Rental Units:  Number of For-Sale Units:	1d. Price or Rental Range  From  To	1e. State and Federal Funding Sources (if any)	
1f. <input type="checkbox"/> Age Restricted  <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates  Advertising: <span style="float: right;">Occupancy:</span>		
1h. County <b>Mercer, Monmouth, Ocean</b>		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

### II. RANDOM SELECTION

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

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)			
<input type="checkbox"/> White (non-Hispanic) <input checked="" type="checkbox"/> Black (non-Hispanic) <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Other group:			
3b. HOUSING RESOURCE CENTER ( <a href="http://www.njhousing.gov">www.njhousing.gov</a> ) A free, online listing of affordable housing			<b>X</b>
3c. Commercial Media (required) (Check all that applies)			
	<b>DURATION &amp; FREQUENCY OF OUTREACH</b>	<b>NAMES OF REGIONAL NEWSPAPER(S)</b>	<b>CIRCULATION AREA</b>
<b>TARGETS ENTIRE HOUSING REGION 4</b>			
Daily Newspaper			
<input type="checkbox"/>		Star-Ledger	
<b>TARGETS PARTIAL HOUSING REGION 4</b>			
Daily Newspaper			
<input checked="" type="checkbox"/>		Trenton Times	Mercer
<input type="checkbox"/>		Trentonian	Mercer
<input checked="" type="checkbox"/>		Asbury Park Press	Monmouth, Ocean
<input type="checkbox"/>		Ocean County Observer	Ocean
Weekly Newspaper			
<input type="checkbox"/>		Ewing Observer	Mercer
<input type="checkbox"/>		Hopewell Valley News	Mercer
<input type="checkbox"/>		Lawrence Ledger	Mercer
<input type="checkbox"/>		Pennington Post	Mercer
<input type="checkbox"/>		Princeton Town Topics	Mercer
<input type="checkbox"/>		Tempo Mercer	Mercer
<input type="checkbox"/>		Trenton Downtowner	Mercer
<input type="checkbox"/>		Windsor Heights Herald	Mercer
<input type="checkbox"/>		West Windsor-Plainsboro News	Mercer, Middlesex
<input type="checkbox"/>		Princeton Packet	Mercer, Middlesex, Somerset
<input type="checkbox"/>		Messenger-Press	Mercer, Monmouth, Ocean
<input type="checkbox"/>		Woodbridge Sentinel	Middlesex
<input type="checkbox"/>		Atlanticville	Monmouth

<input type="checkbox"/>		Coaster	Monmouth
<input type="checkbox"/>		Courier	Monmouth
<input type="checkbox"/>		Examiner	Monmouth
<input type="checkbox"/>		Hub, The	Monmouth
<input type="checkbox"/>		Independent, The	Monmouth
<input type="checkbox"/>		News Transcript	Monmouth
<b>X</b>		Two River Times	Monmouth
<input type="checkbox"/>		Coast Star, The	Monmouth, Ocean
<input type="checkbox"/>		Beach Haven Times	Ocean
<input type="checkbox"/>		Beacon, The	Ocean
<input type="checkbox"/>		Berkeley Times	Ocean
<input type="checkbox"/>		Brick Bulletin	Ocean
<input type="checkbox"/>		Brick Times	Ocean
<input type="checkbox"/>		Jackson Times	Ocean
<input type="checkbox"/>		Lacey Beacon	Ocean
<input type="checkbox"/>		Manchester Times	Ocean
<input type="checkbox"/>		New Egypt Press	Ocean
<input type="checkbox"/>		Ocean County Journal	Ocean
<input type="checkbox"/>		Ocean Star, The	Ocean
<input type="checkbox"/>		Tri-Town News	Ocean
<input type="checkbox"/>		Tuckerton Beacon	Ocean
<input type="checkbox"/>		Atlantic Highlands Herald	Monmouth

	<b>DURATION &amp; FREQUENCY OF OUTREACH</b>	<b>NAMES OF REGIONAL TV STATION(S)</b>	<b>CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE</b>
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**TARGETS ENTIRE HOUSING REGION 4**

<input type="checkbox"/>		2 WCBS-TV CBS Broadcasting Inc.	
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	

<input type="checkbox"/>		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		10 WCAU NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		11 WPIX WPIX, Inc. (Tribune)	
<input type="checkbox"/>		13 WNET Educational Broadcasting Corporation	
<input type="checkbox"/>		58 WNJB New Jersey Public Broadcasting Authority	
<b>TARGETS PARTIAL HOUSING REGION 4</b>			
<input type="checkbox"/>		25 W25AW WZBN TV, Inc.	Mercer
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Mercer
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp	Mercer
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcasting Corp.	Mercer
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Mercer
<input type="checkbox"/>		41 WXTV WXTV License Partnership, G.P. (Univision Communications Inc.)	Mercer, Monmouth
<input type="checkbox"/>		3 KYW-TV CBS Broadcasting Inc.	Mercer, Ocean
<input type="checkbox"/>		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	Mercer, Ocean
<input type="checkbox"/>		12 WHYI-TV WHYI, Inc.	Mercer, Ocean
<input type="checkbox"/>		17 WPHL-TV Tribune Company	Mercer, Ocean
<input type="checkbox"/>		23 WNJS New Jersey Public Broadcasting Authority	Mercer, Ocean
<input type="checkbox"/>		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	Mercer, Ocean
<input type="checkbox"/>		35 WYBE Independence Public Media Of Philadelphia, Inc.	Mercer, Ocean
<input type="checkbox"/>		48 WGTW-TV Trinity Broadcasting Network	Mercer, Ocean
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	Mercer, Ocean
<input type="checkbox"/>		57 WPSG CBS Broadcasting Inc.	Mercer, Ocean
<input type="checkbox"/>		61 WPPX Paxson Communications License Company, LLC	Mercer, Ocean

<input type="checkbox"/>		65 WUVP-TV Univision Communications, Inc.	Mercer, Ocean
<input type="checkbox"/>		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	Monmouth
<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, LLC	Monmouth
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	Monmouth
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	Monmouth
<input type="checkbox"/>		68 WFUT-TV Univision New York LLC	Monmouth, Ocean (Spanish)
<input type="checkbox"/>		62 WWSI Hispanic Broadcasters of Philadelphia, LLC	Ocean

	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
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**TARGETS PARTIAL HOUSING REGION 4**

<input type="checkbox"/>		Cablevision of Hamilton	Partial Mercer, Monmouth
<input type="checkbox"/>		Comcast of Central NJ,	Partial Mercer, Monmouth
<input type="checkbox"/>		Patriot Media & Communications, CNJ	Partial Mercer
<input type="checkbox"/>		Cablevision of Monmouth, Raritan Valley	Partial Monmouth
<input type="checkbox"/>		Comcast of Mercer County, Southeast Pennsylvania	Partial Middlesex
<input type="checkbox"/>		Comcast of Monmouth County	Partial Monmouth, Ocean
<input type="checkbox"/>		Comcast of Garden State, Long Beach Island, Ocean County, Toms River	Partial Ocean

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
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**TARGETS ENTIRE HOUSING REGION 4**

AM

<input type="checkbox"/>		WWJZ 640	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	
<input type="checkbox"/>		WCBS 880	
<input type="checkbox"/>		WBBR 1130	
<input type="checkbox"/>		WPST 94.5	

FM

<input type="checkbox"/>		WKXW-FM 101.5	
<input type="checkbox"/>		WPRB 103.3	
<b>TARGETS PARTIAL HOUSING REGION 4</b>			
AM			
<input type="checkbox"/>		WFIL 560	Mercer, Monmouth
<input type="checkbox"/>		WMCA 570	Monmouth, Ocean
<input type="checkbox"/>		WFAN 660	Mercer, Monmouth
<input type="checkbox"/>		WNYC 820	Mercer, Monmouth
<input type="checkbox"/>		WWBD 860	Mercer
<input type="checkbox"/>		WPHY 920	Mercer
<input type="checkbox"/>		WNTP 990	Mercer
<input type="checkbox"/>		WCHR 1040	Mercer
<input type="checkbox"/>		WOBM 1160	Monmouth, Ocean
<input type="checkbox"/>		WWTR 1170	Mercer
<input type="checkbox"/>		WPHT 1210	Mercer, Monmouth
<input type="checkbox"/>		WBUD 1260	Mercer, Monmouth
<input type="checkbox"/>		WIMG 1300	Mercer
<input type="checkbox"/>		WADB 1310	Monmouth, Ocean
<input type="checkbox"/>		WHTG 1410	Monmouth
<input type="checkbox"/>		WCTC 1450	Mercer, Monmouth
<input type="checkbox"/>		WBCB 1490	Mercer
<input type="checkbox"/>		WTTM 1680	Mercer, Monmouth
FM			
<input type="checkbox"/>		WNJT-FM 88.1	Mercer
<input type="checkbox"/>		WWFM 89.1	Mercer, Monmouth
<input type="checkbox"/>		WRDR 89.7	Monmouth, Ocean
<input type="checkbox"/>		WRTI 90.1	Mercer
<input type="checkbox"/>		WBJB-FM 90.5	Monmouth
<input type="checkbox"/>		WWNJ 91.1	Ocean
<input type="checkbox"/>		WTSR 91.3	Mercer
<input type="checkbox"/>		WBGD 91.9	Ocean

<input type="checkbox"/>		WFNY-FM 92.3	Mercer, Monmouth
<input type="checkbox"/>		WXTU 92.5	Mercer
<input type="checkbox"/>		WOBM-FM 92.7	Ocean
<input type="checkbox"/>		WPAT-FM 93.1	Mercer, Monmouth
<input type="checkbox"/>		WMMR 93.3	Mercer
<input type="checkbox"/>		WNYC-FM 93.9	Mercer, Monmouth
<input type="checkbox"/>		WYSP 94.1	Mercer
<input type="checkbox"/>		WJLK-FM 94.3	Monmouth, Ocean
<input type="checkbox"/>		WFME 94.7	Mercer, Monmouth
<input type="checkbox"/>		WZZO 95.1	Mercer
<input type="checkbox"/>		WPLJ 95.5	Mercer, Monmouth
<input type="checkbox"/>		WBEN-FM 95.7	Mercer
<input type="checkbox"/>		WRAT 95.9	Monmouth, Ocean
<input type="checkbox"/>		WCTO 96.1	Mercer
<input type="checkbox"/>		WQXR-FM 96.3	Mercer, Monmouth
<input type="checkbox"/>		WRDW-FM 96.5	Mercer
<input type="checkbox"/>		WQHT 97.1	Mercer, Monmouth
<input type="checkbox"/>		WSKQ-FM 97.9	Mercer, Monmouth
<input type="checkbox"/>		WUGL 98.1	Mercer
<input type="checkbox"/>		WMGQ 98.3	Mercer, Monmouth
<input type="checkbox"/>		WRKS 98.7	Mercer, Monmouth
<input type="checkbox"/>		WUSL 98.9	Mercer, Monmouth
<input type="checkbox"/>		WAWZ 99.1	Mercer, Monmouth
<input type="checkbox"/>		WBAI 99.5	Mercer, Monmouth
<input type="checkbox"/>		WJRZ-FM 100.1	Ocean
<input type="checkbox"/>		WHTZ 100.3	Mercer, Monmouth
<input type="checkbox"/>		WCBS-FM 101.1	Mercer, Monmouth
<input type="checkbox"/>		WQCD 101.9	Mercer, Monmouth
<input type="checkbox"/>		WIOQ 102.1	Mercer
<input type="checkbox"/>		WNEW 102.7	Mercer, Monmouth

<input type="checkbox"/>		WMGK 102.9	Mercer
<input type="checkbox"/>		WKTU 103.5	Mercer, Monmouth
<input type="checkbox"/>		WAXQ 104.3	Mercer, Monmouth
<input type="checkbox"/>		WWPR-FM 105.1	Mercer, Monmouth
<input type="checkbox"/>		WDAS-FM 105.3	Mercer, Monmouth
<input type="checkbox"/>		WCHR-FM 105.7	Ocean
<input type="checkbox"/>		WJJZ 106.1	Mercer, Monmouth
<input type="checkbox"/>		WHTG-FM 106.3	Monmouth, Ocean
<input type="checkbox"/>		WLTW 106.7	Mercer, Monmouth
<input type="checkbox"/>		WKDN 106.9	Mercer
<input type="checkbox"/>		WWZY 107.1	Monmouth, Ocean
<input type="checkbox"/>		WBLS 107.5	Mercer, Monmouth
<input type="checkbox"/>		WWPH 107.9	Mercer

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters)  
(Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
<b>TARGETS ENTIRE HOUSING REGION 4</b>			
Weekly			
	Nuestra Comunidad	Central/South Jersey	Spanish-Language
<b>TARGETS PARTIAL HOUSING REGION 4</b>			
Weekly			
<input type="checkbox"/>	New Jersey Jewish News	Northern and Central New Jersey	Jewish
<input type="checkbox"/>	El Hispano	Camden and Trenton areas	Spanish-Language
<input type="checkbox"/>	Ukrainian Weekly	New Jersey	Ukrainian community

3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
<b>Please see Appendix I of the Upper Freehold Affirmative Marketing Plan for the complete listing</b>		
Mercer County		
<input type="checkbox"/>	Mercer County Board of Education	1075 Old Trenton Rd, Trenton, NJ
<input type="checkbox"/>	Medical Center at Princeton	253 Witherspoon St, Princeton, NJ

<input type="checkbox"/>		Bristol-Myers Squibb	100 Nassau Park Blvd, Princeton, NJ and 820 Bear Tavern Rd, Trenton, NJ
<input type="checkbox"/>		St. Lawrence Rehabilitation Center	2381 Lawrenceville Rd, Lawrenceville, NJ
<input type="checkbox"/>		McGraw-Hill	120 Windsor Center Dr, East Windsor, NJ
<input type="checkbox"/>		Conair Corporation	150 Milford Rd, Hightstown, NJ
<input type="checkbox"/>		Shiseido America, Inc.	366 Princeton Hightstown Rd, East Windsor, NJ
<input type="checkbox"/>		NJ Manufacturers Insurance Company	1001 Grand St S, Hammonton, NJ
<input type="checkbox"/>		Homasote	932 Lower Ferry Rd, Trenton, NJ
<input type="checkbox"/>		Robert Wood Johnson University Hospital	1 Hamilton Health Pl, Trenton, NJ
<input type="checkbox"/>		Congoleum Corp.	3500 Quakerbridge Rd, Mercerville, NJ
<input type="checkbox"/>		Coca-Cola Foods	480 Mercer St, Hightstown, NJ
<input type="checkbox"/>		Peddie School	111 Armellino Ct, Hightstown, NJ
<input type="checkbox"/>		Dana Communications	2 E Broad St, Hopewell, NJ
<input type="checkbox"/>		Merrill Lynch	410 Scotch Rd, Hopewell, NJ
<input type="checkbox"/>		Janssen Pharmaceutical	1125 Trenton Harbourton Rd, Titusville, NJ
<input type="checkbox"/>		St. Francis Medical Center	601 Hamilton Avenue Trenton NJ 08629-1986
<input type="checkbox"/>		The Trenton Times	500 Perry St, Trenton, NJ
<input type="checkbox"/>		Gaum. Inc.	1080 US Highway 130, Robbinsville, NJ

Monmouth County

<input type="checkbox"/>		Meridian Health System	1350 Campus Parkway Neptune
<input type="checkbox"/>		US Army Communications Electronics Command Fort Monmouth	CECOM Bldg 901 Murphy drive Fort Monmouth
<input type="checkbox"/>		County of Monmouth Hall of Records	1 East Main Street Freehold
<input type="checkbox"/>		Central State Healthcare Systems	West Main Street Freehold
<input type="checkbox"/>		Monmouth Medical Center	300 Second Ave Long Branch
<input type="checkbox"/>		Asbury Park Press	3601 Route 66 Neptune, NJ
<input type="checkbox"/>		Food Circus Super Markets, Inc.	835 Highway 35 PO BOX 278 Middletown, NJ
<input type="checkbox"/>		Monmouth University	Cedar Ave West Long Branch
<input type="checkbox"/>		Naval Weapons stations Earle	State Highway 34 Colts Neck, NJ
<input type="checkbox"/>		Norkus Enterprises, Inc.	505 Richmond Ave Point Pleasant, NJ
<input type="checkbox"/>		Horizon Blue Cross Blue Shield	1427 Wyckoff Road Farmingdale, NJ

<b>Ocean County</b>			
<input type="checkbox"/>		Saint Barnabas Health Care System	300 2nd Ave Long Branch, NJ 07740
<input type="checkbox"/>		Six Flags Theme Parks Inc	Route 537 Jackson, NJ 08527
<input type="checkbox"/>		Meridian Health Care System	415 Jack Martin Blvd, Brick, NJ 1140 Route 72 West, Manahawkin, NJ
<input type="checkbox"/>		Southern Ocean County Hospital	300 Ocean Ave Pt. Pleasant Beach, NJ 08742
<input type="checkbox"/>		Jenkinsons	

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)

**Please see appendix I of the Rumson Affirmative Marketing Plan**

3g. Direct notification of the availability of affordable housing units, along with copies of application forms shall be provided to the following locations:

- Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)
- New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd. #775, Brigantine, NJ 08203)
- The Latino Action Network (P.O. Box 943, Freehold, NJ 07728)
- STEPS (14 Clifton Ave S, Lakewood, NJ, 08701)
- Greater Red Bank Branch of the NAACP (PO Box 2147, Red Bank, NJ, 07701)
- Asbury Park/Neptune Branch of the NAACP (PO Box 1143, Asbury Park 07712)
- Bayshore Branch of the NAACP (PO Box 865, Matawan, NJ, 07747)
- Greater Freehold Branch of the NAACP (PO Box 246, Marlboro Annex, NJ, 07746)
- Greater Long Branch Branch of the NAACP (38 Memorial Parkway, Long Branch, NJ, 07740)
- Trenton Branch of the NAACP (PO Box 1355, Trenton, NJ, 08608)
- Supportive Housing Association (185 Valley Street, South Orange, NJ 07079)

#### IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:

4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)

**Please refer to appendix II of the Rumson Affirmative Marketing Plan**

	<b>BUILDING</b>	<b>LOCATION</b>
<input type="checkbox"/>	Mercer County Library Headquarters	2751 Brunswick Pike, Lawrenceville, NJ 08648
<input type="checkbox"/>	Monmouth County Headquarters Library	125 Symmes Drive, Manalapan, NJ 07726
<input type="checkbox"/>	Ocean County Library	101 Washington Street, Toms River, NJ 08753

4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)

**Please refer to appendix II of the Rumson Affirmative Marketing Plan**

4c. Sales/Rental Office for units (if applicable)

### V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI/CHOICE funding).

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Title/Municipality

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Appendix E

## BOROUGH OF RUMSON

### AFFORDABLE HOUSING SPENDING PLAN

The Borough of Rumson (hereinafter the “Borough”), Monmouth County, has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (FHA) (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:99-1 et seq). The Borough began collecting development fees in 2004, after its initial Development Fee Ordinance was adopted by the Borough on May 6, 2004, which was approved by COAH. The balance of the Affordable Housing Trust fund as of May 31, 2025 was \$3,527,118.

As of May 31, 2025, Rumson collected a total of \$8,105,791 in development fees, interest, and other income. It has spent a total of \$4,578,672. All development fees, “other” income, and interest generated by the fees are deposited in one (1) separate interest-bearing account dedicated toward the creation of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16, as described in the sections that follow.

This updated Spending Plan is submitted to the Superior Court of New Jersey for approval to expend Affordable Housing Trust Fund monies that will contribute to 100% affordable housing projects and the market to affordable program. Additionally, the Borough will expend funds on affordability assistance, including expenditures to create very-low income units or to render existing units more affordable, and toward administrative expenses.

## REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of Fourth Round Judgment of Repose, Rumson considered the following:

**(a) Development fees: \$4,000,000**

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

**(b) Payment in lieu (PIL): \$1,450,000**

Payment in lieu funds mean actual and committed payments in lieu of construction from developers. The Borough anticipates a payment in lieu of construction from a developer constructing an inclusionary development at 91 Rumson Road and 132 Bingham Avenue. The payment in lieu funds will be dedicated to the construction of a 100% affordable housing development at 62 Carton Street and West River Road within the Borough.

**(c) Other funding sources: \$0**

The Borough does not anticipate future funds from this category at this time. Funds from other sources, include, but are not limited to the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, and proceeds from the sale of affordable units.

**(d) Projected interest: \$200,000**

Based on interest earned in recent years and projected rates of development fee revenue, Rumson anticipates collecting \$200,000 in interest through 2035.

## **ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS**

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

### **a) Collection of development fee revenues:**

All collection of development fee revenues will be consistent with local regulations which follow COAH administrative models for both residential and non-residential developments and in accordance with N.J.S.A. 40:55D-8.1 through 8.7.

### **(b) Distribution of development fee revenues:**

The governing body may hear and decide upon a request for development fee revenues for the purpose of creating affordable housing. The governing body reviews the request for consistency with the Spending Plan and adopts the recommendation by resolution.

The release of funds requires the adoption of the governing body resolution. Once a request is approved by resolution, the Chief Financial Officer releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

## **DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS**

### **(a) Affordability Assistance (N.J.A.C. 5:93-8.16(c))**

Rumson Borough is required to spend a minimum of 30 percent of development fee revenue to render affordable units more affordable and at least one-third of that amount must be dedicated to very low-income households or to create very low-income units (i.e. households with incomes less than 30 percent of the

regional median income). The actual affordability assistance minimums should be calculated based on actual revenues.

Projected Minimum Affordability Assistance Requirement		
Actual Development Fees Collected through 5/31/25		\$7,371,161
Actual Interest earned through 5/31/25	+	\$356,243
Development Fees Projected 2025-2035	+	\$4,000,000
Interest Projected 2025-2035	+	\$200,000
Less Housing Activity Expenditures per N.J.A.C. 5:93-8.16(c) including new construction	-	\$1,882,434
<b>Total</b>	<b>=</b>	<b>\$10,044,970</b>
30 Percent Requirement	x 0.30 =	\$3,013,491
Less Affordability Assistance Expenditures through 4/30/25	-	\$1,000,000
<b>Projected Minimum Affordability Assistance Requirement</b>	<b>=</b>	<b>\$2,013,491</b>
<b>Projected Minimum Very Low-Income Requirement</b>	<b>÷ 3 =</b>	<b>\$671,163</b>

Based on fees and interest collected to date and projected revenues, Rumson Borough must dedicate at least \$2,013,491 from the affordable housing trust fund to render units more affordable, including \$671,163 to render units more affordable to households with income at 30 percent or less of median income by region. Please refer to the affordability assistance program manual provided as an appendix to the Spending Plan for details of how the affordability assistance funds are anticipated to be used. It may use a variety of vehicles to do this including, but not limited to the following:

- Emergency Repair Program;
- Down-payment assistance;
- Rental assistance;
- Security deposit assistance;

- Moving expenses;
- Low interest loans;
- Assistance with homeowners’ association or condominium fees and special assessments; and/or
- Converting low-income units to very-low-income units or creating new very-low income units, etc.

The Borough will work with its affordable housing providers and administrator to expand outreach to ensure the existing and new households of very-low-, low- and moderate-income programs can take advantage of affordability assistance programs. Additionally, the Borough will work with affordable housing providers to convert low income units to very low-income units.

**(e) Administrative Expenses (N.J.A.C. 5:93-8.16(e))**

Rumson Borough may use Affordable Housing Trust Fund revenue for related administrative costs up to a 20 percent limitation pending funding availability after programmatic and affordability assistance expenditures. The actual administrative expense maximum is calculated on an ongoing basis based on actual revenues.

Projected Administrative Expenses		
Actual Development Fees Collected through 5/31/25		\$7,371,161
Actual Interest Collected through 5/31/25	+	\$356,243
Payments-in-lieu of construction and other deposits through 5/31/25	+	\$378,386
Development Fees Projected 2025-2035	+	\$4,000,000
Payments In Lieu Projected 2025-2035	+	\$1,450,000
Interest Projected 2025-2035	+	\$200,000
<b>Total</b>	<b>=</b>	<b>\$13,755,790</b>
20 Percent Maximum Permitted Administrative Expenses	x 0.20 =	\$2,751,158

Less Administrative Expenditures through 4/30/25	-	\$1,029,456
Projected Allowed Administrative Expenditures	=	\$1,721,702

Rumson Borough projects that \$1,721,702 may be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

- Borough Attorney, Engineer, and Planner fees related to plan preparation and implementation, and to obtaining Judgment of Compliance and Repose;
- Administration fees related to rehabilitation, extension of expiring controls, affordability assistance programs, and municipally-sponsored construction programs;
- Affirmative Marketing;
- Income qualification of households; and
- Administration of Borough’s Affordable Housing Units.

## EXPENDITURE SCHEDULE

Rumson Borough intends to use Affordable Housing Trust Fund revenues for its municipally-sponsored construction program, accessory apartments, market to affordable program, affordability assistance including the creation of very-low income units and making existing units more affordable, and administration expenses. Additionally, this expenditure schedule meets the requirement that trust fund revenues are expended within four years of their collection.

Projected Expenditure Schedule 2025 Through 2035

Program	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Affordability Assistance	\$100k	\$200k	\$200k	\$200k	\$200k	\$200k	\$200k	\$200k	\$200k	\$200k	\$100k	\$2.0M
New Construction *	\$500k	\$1M	\$228k	-	-	\$3.1M						
Bond Repayment (Purchase of W.River Road)	\$400k	\$300k	\$300k	\$300k	\$300k	\$300k	\$300k	\$300k	-	-	-	\$2.5M
Administration	\$250k	\$350k	\$42k	\$250k	\$350k	\$1.5M						
<b>TOTAL</b>	<b>\$1.25M</b>	<b>\$1.85M</b>	<b>\$770k</b>	<b>\$770k</b>	<b>\$770k</b>	<b>\$770k</b>	<b>\$770k</b>	<b>\$770k</b>	<b>\$470k</b>	<b>\$450k</b>	<b>\$450k</b>	<b>\$9.1M</b>

\* Note: New Construction projects include a supportive and special needs home and/or a 100% affordable housing project.

**EXCESS OR SHORTFALL OF FUNDS**

In the event that a shortfall of anticipated revenues occurs, Rumson will bond to satisfy the gap in funding. In the event that funds exceed projected expenditures, the Borough will devote any excess funds on additional affordability assistance above the 30 percent minimum requirement. Alternatively, the Borough reserves the opportunity to amend its Housing Element and Fair Share Plan, as well as this Spending Plan, to create additional affordable housing opportunities.

**SUMMARY**

The Borough of Rumson intends to spend Affordable Housing Trust Fund revenues pursuant to the extent regulations governing such funds and consistent with the housing programs outlined in the 2025 Fourth Round Housing Plan Element and Fair Share Plan. Rumson had a balance of \$3,527,118 as of May 31, 2025 and anticipates an additional \$5,650,000 in revenues and interest before the expiration of a Fourth Round Judgment of Repose for a total of \$9,177,118. At this time, the Borough estimates that approximately

\$2,013,491 of Trust Funds will be spent to create very low-income units, and to make units more affordable and \$3,163,627 on new construction of affordable housing.

Spending Plan Summary	
Revenues	
Balance as of May 31, 2025	\$3,527,118
Projected Revenue from 2025 through 2035	\$5,650,000
1. Development Fees	+ \$4,000,000
2. Payments-In-Lieu of Construction	+ \$1,450,000
3. Other Funds	+ \$0
Interest	+ \$200,000
<b>Total Projected Balance</b>	<b>= \$9,177,118</b>
Expenditures	
Bond Repayment	- \$2,500,000
Affordability Assistance	- \$2,013,491
New Construction	- \$3,163,627
Administration	- \$1,500,000
<b>Total Projected Expenditures</b>	<b>= \$9,177,118</b>
<b>Remaining Balance</b>	<b>= \$0.00</b>

## Appendix F

## SURENIAN, EDWARDS, BUZAK & NOLAN LLC

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January 8, 2026

### VIA eCOURTS

**Honorable Menelaos W. Toskos, J.S.C (ret.)  
Affordable Housing Dispute Resolution Program**

Richard J. Hughes Justice Complex  
25 Market Street  
P.O Box 37  
Trenton, NJ 08625-00373

**RE: In the Matter of the Application of the Borough of Rumson  
Docket No. MON-L-304-25**

Dear Judge Toskos:

This office represents the Borough of Rumson as Special Affordable Housing Counsel in the above matter before the Program and the Court. As per the Borough's December 31, 2025 letter, enclosed please find a copy of the adopted resolution authorizing the Mayor to sign the Mediation Agreement with Fair Share Housing Center, along with a copy of the signed Mediation Agreement.

I thank Your Honor for your time and attention to this matter.

Very truly yours,

*Erik C. Nolan*

Erik C. Nolan

ECN/sp

Enclosure

cc: All attorneys of record (*via ecourts*)  
Frank Banisch, PP, Special Adjudicator (*via email*)  
Ariela Rutbeck-Goldman, Esq., Attorney for FSHC (*via email*)

2026-0106-26

January 6, 2026

Councilmember Smith offered the following resolution and moved its adoption:

**RESOLUTION OF THE BOROUGH OF RUMSON, COUNTY OF MONMOUTH,  
AUTHORIZING THE MAYOR TO EXECUTE A MEDIATION AGREEMENT  
BETWEEN THE BOROUGH OF RUMSON AND FAIR SHARE HOUSING CENTER**

WHEREAS, pursuant to the March 2024 amendments to the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. (the “FHA”), the Borough of Rumson (hereinafter “Borough”) filed a Declaratory Judgment Action on January 23, 2025 with the Affordable Housing Dispute Resolution Program (hereinafter “the Program”) and the Court; and

WHEREAS, in order to maintain immunity from all Mount Laurel lawsuits, the Borough was required to prepare a Fourth Round Housing Element and Fair Share Plan (the “Fourth Round HEFSP”), which the Borough’s Planning Board adopted, the Borough Council endorsed, and the Borough submitted to the Program and the Court for review on June 18, 2025; and

WHEREAS, Fair Share Housing Center (“FSHC”) filed a challenge with the Program and the Court to the Borough’s Fourth Round HEFSP on August 27, 2025; and

WHEREAS, in order to resolve FSHC’s challenge before the Program and the Court, the Borough and FSHC negotiated a settlement and drafted a Mediation Agreement, which outlines a global settlement between the Borough and FSHC, and sets forth certain deadlines that must be met by the Borough moving forward in the process, so that the Borough can obtain a Compliance Certification approving its Fourth Round HEFSP, which will give the Borough immunity from all Mount Laurel lawsuits, including builder’s remedy lawsuits, through July 1, 2035; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RUMSON That the Borough Council hereby authorizes and directs the Mayor of the Borough of Rumson to execute the Mediation Agreement between the Borough and Fair Share Housing Center, which is attached hereto as Exhibit A.

Resolution seconded by Councilmember Casazza and carried on the following roll call vote:

In the affirmative: Conklin, Casazza, Kingsbery, Smith.

In the negative: None.

Absent: Pomphrey, Lospinuso.

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of a resolution adopted by the Borough Council of the Borough of Rumson at the annual Re-Organization Meeting held January 6, 2026.



**Thomas S. Rogers**  
**Municipal Clerk/Administrator**



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

In the Matter of the Application of the Borough of Rumson, County of Monmouth  
Docket No. MON-L-304-25

**WHEREAS**, the Borough of Rumson (the “Borough” or “Rumson”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action pursuant to N.J.S.A. 52:27D-391 et. seq. (the “Fair Housing Act”) on January 23, 2025; and

**WHEREAS**, the Court having entered an order on April 1, 2025 setting the Borough’s Fourth Round fair share obligations as a Present Need of zero (0) units and a Prospective Need of 117 units, which no party appealed, and ordered the Borough to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

**WHEREAS**, the Borough having filed its HEFSP on June 18, 2025 (“Adopted HEFSP”);  
and

**WHEREAS**, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough’s HEFSP on August 26, 2025; and

**WHEREAS**, the Borough and FSHC have agreed to amicably resolve the issues set forth in the FSHC challenge through this mediation agreement and present this agreement for review by the Program, and referral to the Mount Laurel judge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, which if approved will result in a Compliance Certification for the Borough for the Fourth Round; and

**THEREFORE**, the Borough and FSHC agree:

**Fair Share Obligations**

1. The Borough’s Present Need or Rehabilitation Obligation is zero (0), the Borough’s Prior Round Obligation (1987-1999) is 268, the Borough’s Third Round Obligation (1999-2025) is 335, and the Borough’s Fourth Round Prospective Need (2025-2035) is 117.

**Satisfaction of Fair Share Obligations**

2. Since the Borough has a Present Need or Rehabilitation number of zero (0), there is no current Present Need Obligation to address.
3. The Borough’s Prior Round and Third Round obligations were adjusted through a Vacant Land Adjustment (“VLA”), resulting in a combined Prior Round and Third Round Realistic Development Potential (“RDP”) of 50 and an unmet need of 553.
4. The Borough is satisfying its Third Round RDP of 50 as follows:

MECHANISM	LOCATION	TYPE	UNITS	BONUS	TENURES	STATUS
Market to Affordable	19 North Street (Block 46, Lot 15) & 68 Blackpoint Road (Block 54, Lot 5)	Family	2	0	For Sale and Rental	Occupied
Washington Street	16 Washington Street (Block 8, Lot 5)	Inclusionary Family	1	1	Rental	Occupied
Lafayette Mews	7 Lafayette Street (Block 8, Lot 4)	Inclusionary Family	2	2	Rental	Occupied
62 Carton Street	Block 59, Lot 10	100% Affordable – Age Restricted	12	0	Rental	Approved
49 West River Road	Block 25, Lot 4	100% Affordable – Family	12	10	Rental	Approved
Scattered Sites	6 Maplewood	Family	1	0	For Sale	Occupied

	(Block 51, Lot 17)					
Scattered Sites	15 Maplewood (Block 50, Lot 7)	Family	1	0	Rental	Occupied
Scattered Sites	15 Maplewood (Block 50, Lot 7)	Special Needs	4	0	Rental	Under Construction
Scattered Sites	61 South Ward (Block 141, Lot 19)	Family	2	0	Rental	Occupied
<b>Total</b>			<b>37</b>	<b>13</b>		

5. For the Fourth Round, the Borough has an RDP of zero (“0”). Therefore, the Borough has a Fourth Round unmet need of 117.
6. The Borough will address its Fourth Round Unmet Need of 117, through the following mechanisms:

MECHANISM	LOCATION	TYPE	UNITS	TENURES	STATUS
Mixed Use Multi-Family Overlay Zone (16 du/acre with a 20% set-aside and increase in lot coverage to 75% and building coverage to 40%)		Overlay	24	TBD	Proposed
Residential Overlay Inclusionary Zone 2 (3 du/acre with a 20% set-aside)		Overlay	9*	TBD	Adopted
Residential Overlay Inclusionary Zone 4 (6		Overlay	3*	TBD	Adopted

du/acre with a 20% set-aside)					
Residential Overlay Inclusionary Zone 5 (12 du/acre with a 20% set-aside)		Overlay	6*	TBD	Adopted
Faith Institution Inclusionary Overlay (9 du/acre with a 20% set-aside)	Block 104, Lot 1.01 & Block 81, Lot 6	Overlay	8	TBD	Proposed
Faith Institution Inclusionary Overlay (11 du/acre with a 20% set-aside)	Block 10, Lot 6	Overlay	1	TBD	Proposed
Mandatory Set-Aside Ordinance (MSO) (20% set-aside for both rental and for-sale units)	Borough-wide	MSO		TBD	Adopted
Group Home	TBD	Supportive Housing	4 bedroom units minimum	TBD	Proposed

*Note: \* Units are attributed to the Third Round Unmet need.*

**Unit Type and Income Distribution Requirements**

7. The Borough and FSHC agree that the Borough’s HEFSP as presented above satisfies the following standards set forth in P.L. 2024, c. 2, and that the Borough shall maintain satisfaction with such requirements for the Fourth Round:

- a. Age Restricted Cap. The Borough agrees that it shall not exceed the age-restricted cap found in N.J.S.A. 52:27D-311(l), which requires age-restricted units to be capped at 30 percent of the overall Fourth Round affordable housing units that address the Fourth Round Prospective Need obligation exclusive of any bonus credits.
- b. Family units. Pursuant to N.J.S.A. 52:27D-211(l), the Borough shall satisfy a minimum of 50 percent of the actual affordable housing units, exclusive of any

bonus credits, created to address its Fourth Round Prospective Need affordable housing obligation through the creation of housing available to families with children and otherwise in compliance with the requirements and controls established pursuant to Section 21 of P.L.1985, c.222 (C.52:27D-321).

- c. Rental and family rental units. Pursuant to N.J.S.A. 52:27D-311(I), at least 25 percent of the actual affordable housing units, exclusive of any bonus credits, created to address its Prospective Need affordable housing obligation shall be addressed through rental housing, including at least half as available to families with children.
  - d. Very low-income units. Pursuant to N.J.S.A. 52:27D-329.1, 13 percent of all affordable units referenced in this Agreement addressing the Borough's Prospective Need obligation shall be very low-income units for households earning 30 percent or less of the regional median income, with half of the very low-income units being available to families.
  - e. All new construction units shall be adaptable in conformance with P.L.2005, c.350/N.J.S.A. 52:27D-311(a) and (b), and all other applicable law.
  - f. All Prior Round and Third Round compliance shall continue to meet with the applicable percentages and standards for bonuses, family and senior housing, rental and family rental, very low-income units, and adaptability set forth in any prior settlement agreement between FSHC and the Borough, statutory requirements, and applicable Prior Round and Third Round regulations.
8. In all developments that produce affordable housing, the Borough and FSHC agree that, unless varied by a trial court order, the below terms shall apply:

- a. All of the affordable units shall fully comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. (“UHAC”), including but not limited to, the required bedroom and income distribution, length of affordability controls, and phasing of affordable units.
- b. The applicability of the updated form of UHAC versus the prior form of UHAC shall be as set forth in the statute and most current form of UHAC adopted by HMFA. Any terms of a prior agreement, judgment, or grant of substantive certification as to prior round of obligations modifying UHAC as to affordability controls longer than the current regulations, or as to very low-income units, shall remain in effect as to those prior rounds of obligations.
- c. The Borough agrees that in order to meet the low-income and very low-income requirement of the Fair Housing Act, it shall adopt an ordinance requiring for all affordable housing developments in its HEFSP that 50 percent of the affordable units within each bedroom distribution shall be required to be for low-income households earning 50 percent or less of the regional median income, including 13 percent of the affordable units within each bedroom distribution shall be required to be for very low-income households earning 30 percent or less of the regional median income.
- d. The Borough agrees to review its Affordable Housing Ordinance and other ordinances to ensure that said ordinances comply with the most up to date requirements of UHAC, and revise those ordinances accordingly as part of its Fourth Round HEFSP and implementing ordinances.

- e. The affordable units shall be affirmatively marketed in accordance with UHAC and applicable law. The affirmative marketing shall include posting of all affordable units on the New Jersey Housing Resource Center website in accordance with applicable law. The affirmative marketing plan shall include the following community and regional organizations: FSHC; New Jersey State Conference of the NAACP; Latino Action Network; STEPS, Ocean, Inc.; the Greater Red Bank, Asbury Park/Neptune, Bayshore, Greater Freehold, Greater Long Branch, and Trenton branches of the NAACP; and the Supportive Housing Association.

**Process for Approval and Implementation**

- 9. Pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, the municipality and FSHC recognize that the Program and/or county level housing judge must still review this agreement, and the resulting amended Fourth Round HEFSP and implementing ordinances and resolutions for compliance with the Fair Housing Act prior to issuing a Fourth Round Compliance Certification, as follows:
  - a. The Borough and FSHC shall present this mediation agreement to the Program member for review, subject to final execution by FSHC and an authorized representative of the Borough, once a resolution is adopted by the Borough Council authorizing the execution of the mediation agreement within thirty days of presentation to the Program.
  - b. The Program Member shall review the agreement, and if satisfied with compliance with the Fair Housing Act, shall refer this matter to the Mount Laurel judge for review and entry of a Compliance Certification, conditioned on adoption of all implementing ordinances and resolutions.

- c. The Borough shall adopt all implementing ordinances and resolutions no later than March 15, 2026, including but not limited to, the outstanding items identified in Paragraph 10. No later than March 15, 2026, the Borough shall file the information required by Paragraph 10, along with any other relevant adopted ordinances and resolutions on eCourts.
- d. No later than April 15, 2026, the Borough and FSHC shall provide via filing on eCourts a form of consent order granting a final Fourth Round Compliance Certification for the Court's review, or identify any remaining issues of compliance that may still be disputed, at which point the court shall schedule a case management conference to review any such disputes.
- e. Both parties agree to implement the terms of this Agreement. If the Program, county level housing judge, or any appellate court rejects this Agreement, the parties reserve their right to rescind any action taken in anticipation of the Program's approval and return to *status quo ante*. All parties shall have an obligation to fulfill the intent and purpose of this Agreement, unless to do so would be inconsistent with the final, unappealable adjudication of any Program or court ruling or judgment. The terms of this agreement may be enforced through an enforcement motion in this declaratory judgment, or a separate action before the Program or the Superior Court, Law Division.

10. The Borough and FSHC agree that the following conditions remain to be met prior to March 15, 2026 as conditions of compliance certification, and that the municipality shall provide these documents to FSHC in draft form for comment by January 9, 2026. FSHC shall provide feedback by February 2, 2026:

- a. The Borough shall provide draft zoning for the Mixed Use Multi-Family Overlay Zone and the Faith Institution Inclusionary Overlays by January 9, 2026 and adopt it by March 15, 2026.
  - b. Within two years of the entry of a Compliance Certification, the Borough will provide documentation on the proposed group home.
  - c. If by December 31, 2026, the 49 West River Road project has not begun construction, and/or the 52 Carton Street Project has not received state funding, the Borough will fund any shortfall/gap in financing. The Borough will provide FSHC with an update regarding the funding/construction status of both of these projects three months prior to the December 31, 2026 deadline.
  - d. Where inclusionary development occurs, the Borough shall require a sufficient number of two- and three-bedroom affordable units to balance with the planned group home development, as to satisfy UHAC bedroom mix rules across the Borough.
  - e. The Borough will adopt an Amended Fourth Round Spending Plan in accordance with P.L. 2024, c. 2 and the forthcoming regulations at N.J.A.C. 5:99.
  - f. The Borough will update and adopt its affordable housing ordinance, development fee ordinance, affirmative marketing plan, and other administrative documents in accordance with the forthcoming regulations at N.J.A.C. 5:80-26.1, et seq., and N.J.A.C. after they are adopted and before March 15, 2026.
11. The Borough and FSHC recognize that substantial changes in circumstances affecting the Borough's RDP are possible pursuant to the holding in Fair Share Housing Center v. Cherry Hill, 173 N.J. 393, (2002) and related law. Changed circumstances will include properties

that enter the municipality's stock when a certificate holder has not redeemed the tax lien certificate. The Borough shall have one hundred twenty (120) days to present to the trial court and FSHC a plan to address such change in circumstances on notice and opportunity to be heard from FSHC. The Borough agrees that any additional RDP generated due to changed circumstances must be addressed in a manner that is consistent with controlling law.

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

- a. The Borough by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all development fees and any other payments into its trust fund that have been collected including residential and non-residential development fees, along with the current balance in the municipality's affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1<sup>st</sup> to December 31<sup>st</sup>.
- b. The Borough by February 15, 2026, and annually, agrees to electronically enter data into the AHMS system of the Department of Community Affairs of up-to-date municipal information concerning the number of affordable housing units actually constructed, construction starts, certificates of occupancy granted, and the start and expiration dates of deed restrictions. With respect to units actually constructed, the information shall specify the characteristics of the housing, including housing type, tenure, affordability level, number of bedrooms, date, and expiration of affordability controls, and whether occupancy is reserved for families, senior

citizens, or other special populations. The Borough shall also include a report on any expression of interest, applications, or pre-applications made under the overlay zones.

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

13. This Agreement may be executed in counterparts, all of which together shall constitute the same agreement, and any exhibits or schedules attached hereto shall be hereby made a part of this Agreement. This Agreement shall not be modified, amended, or altered in any way except by a writing signed by each of the parties. Each party acknowledges that each has entered into this Agreement on its own volition without coercion or duress after consulting with its counsel, that each signatory is the proper person and possesses the authority to sign the Agreement, and that this Agreement was not drafted by any one of the parties, but was drafted, negotiated and reviewed by all parties, therefore, the presumption of resolving ambiguities against the drafter shall not apply. Unless otherwise specified, it is intended that the provisions of this Agreement are to be severable. The validity of any article, section, clause, or provision of this Agreement shall not affect the validity of the remaining articles, sections, clauses, or provisions hereof. If any section of this Agreement shall be

adjudged by a court to be invalid, illegal, or unenforceable in any respect, such determination shall not affect the remaining sections. No member, official or employee of the municipality shall have any direct or indirect interest in this Agreement, nor participate in any decision relating to the Agreement, which is prohibited by law, absent the need to invoke the rule of necessity.

Attest:

**BOROUGH OF RUMSON**



By:   
Joseph K. Henry, Mayor

Print Name: THOMAS S. ROGERS, RMC  
MUN clerk / Administrator

Date: JANUARY 6<sup>th</sup>, 2026



Attest:

**FAIR SHARE HOUSING CENTER**

  
Print Name:

By:   
Adam Gordon, Esq.

Ariela Rutbeck-Goldman, Esq.

Date: December 29, 2025

# EXHIBIT B

26-004 D

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON  
BY AMENDING CHAPTER XXII, DEVELOPMENT REGULATIONS,  
AMENDING THE REQUIREMENTS FOR THE MIXED-USE AND  
MULTI-FAMILY OVERLAY OPTION IN THE GB, NB AND POB ZONE DISTRICTS IN  
THE BOROUGH OF RUMSON

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth, that it does hereby supplement and amend Chapter XXII of the Code of the Borough of Rumson as follows:

PURPOSE

The purpose of this Ordinance is to replace regulations and standards governing the development of mixed-use and multi-family housing developments, which will include a required on-site affordable housing component, in the Borough's GB, NB and POB Zones. The ordinance is designed to regulate said mixed-use and multi-family housing developments in a manner consistent with Borough's Affordable Housing Ordinance, the Borough's Housing Element and Fair Share Plan, any applicable Order of the Court (including a Judgment of Compliance and Repose Order), the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. ("FHA"), Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC"), and applicable New Jersey Council on Affordable Housing (COAH) Prior Round regulations, N.J.A.C. 5:93-1 et seq.

In any instance in which these regulations and standards do not address a particular land development control, or when specific reference to the Land Development Ordinance is made, the standards of the Development Regulations shall apply:

SECTION 1

That Chapter XXII, Development Regulations, Section 22-5 (Zoning District Regulations) Subsection 22-5.15 Mixed-Use Overlay Zone of the code of the Borough of Rumson shall be amended as follows:

22-5.15 Mixed-Use and Multi-Family Overlay Zone

a.-c. No Changes.

d. General Requirements and Conditions. Mixed-use multi-family residential units shall be permitted in the Mixed-Use Overlay Zone, provided that the use and building shall adhere to the following minimum standards and conditions:

1. All standards and requirements in the underlying GB, NB and POB Zones (subsections 22-5.10, 5.11 and 5.12) shall be met, except as otherwise modified by this section. The exceptions include the following:
  - i. Building Coverage shall not exceed 75%.
  - ii. Lot Coverage shall not exceed 40%.
2. No Changes.
3. Density: ~~If a mixed-use project is being constructed with residential units, the maximum density for residential uses shall be ten (10) dwelling units per acre. The maximum density for a multi-family development shall not exceed twelve (12) dwelling units per acre. The maximum density shall not exceed sixteen (16) dwelling units per acre.~~

4.-6. No Changes.

7. Affirmative Marketing of Affordable Units: The affordable units must be affirmatively marketed to the housing region in accordance with COAH's regulations and ~~subsection 22:7.35, Affirmative Marketing of Affordable Housing Units Chapter 23.~~

8.-12. No Changes.

e. Administrative Entity.

1. The Borough has designated an Administrative Agent appointed by the Mayor and Council to administer the affordable units created in accordance with the Borough's Mixed-Use Affordable Housing Overlay Zone. The administrative responsibilities of the Borough's Administrative Agent include, but are not limited to, advertising, income qualifying prospective renters, setting rents and annual rental increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the accessory unit program. The Borough's Administrative Agent shall administer the program in accordance with COAH's regulations and ~~the subsection 22-7.35, Affirmative Marketing of Affordable Housing Units, and subsection 22-7.36, Affordable Housing Developments Chapter 23.~~ The Developer is responsible for all costs of the Borough's Administrative Agent regarding the developer's particular project.

2. No Changes.

f.-g. No Changes.

## SECTION 2

All Ordinances or parts of Ordinances inconsistent with this Ordinance if held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

## SECTION 3

The Borough Clerk is hereby directed, upon adopt of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S.40:49-2.1.

## SECTION 4

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

Introduced: January 20, 2026

Motion to introduce Ordinance in first reading and schedule a public hearing by Councilmember Kingsbery, seconded by Councilmember Casazza and carried on the following roll call vote:

In the affirmative: Conklin, Casazza, Kingsbery, Pomphrey, Smith.

In the negative: None.

Absent: Lospinuso.

Motion to introduce Ordinance in first reading and schedule a public hearing by Councilmember Kingsbery, seconded by Councilmember Casazza and carried on the following roll call vote:

In the affirmative: Conklin, Casazza, Kingsbery, Pomphrey, Smith.

In the negative: None.

Absent: Lospinuso.

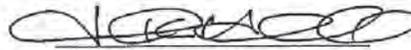
Passed and Approved: February 10, 2026

In the affirmative: Conklin, Casazza, Kingsbery, Pomphrey, Lospinuso.

In the negative: None.

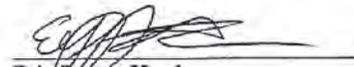
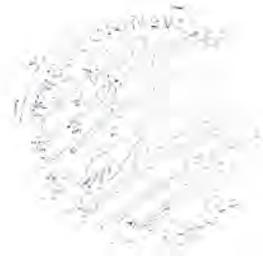
Absent: Smith.

I hereby approve of the passing of this ordinance.



Joseph K. Hemphill  
Mayor

Attest:

  
Eric Boone-Hurd  
Deputy Municipal Clerk/Communication Coordinator

26-005 D

AN ORDINANCE OF THE BOROUGH OF RUMSON TO AMEND  
CHAPTER XXII "DEVELOPMENT REGULATIONS", TO AMEND THE FAITH INSTITUTION  
INCLUSIONARY OVERLAY (FIIO)

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter XXII (Development Regulations) of the Code of the Borough of Rumson is hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to Amend *Chapter XXII* of the *Development Regulations* to amend Section 22-5 (Zoning District Regulations) Subsection 22-5.16 Faith Institution Inclusionary Overlay (FIIO) as an additional overlay district.

In any instance in which these regulations and standards do not address a particular land development control, or when specific reference to the Land Development Ordinance is made, the standards of the Development Regulations shall apply:

SECTION 1

That Chapter XXII, Development Regulations, Section 22-5 (Zoning District Regulations) Subsection 22-5.16 (Faith Institution Inclusionary Overlay (FIIO)) shall be amended as follows:

22-5.16 Faith Institution Inclusionary Overlay (FIIO)

a.-d. No Changes.

e. Development Standards

1. No Changes.

2. Maximum density: 6 9 du/acre for Block 104, Lot 1.01 and Block 81, Lot 6  
& 11 du/acre for Block 10, Lot 6

a. No Changes.

3.-16. No Changes.

SECTION 2

All Ordinances or parts of Ordinances inconsistent with this Ordinance if held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

SECTION 3

The Borough Clerk is hereby directed, upon adopt of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S.40:49-2.1.

SECTION 4

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

Introduced: January 20, 2026

Motion to introduce Ordinance in first reading and schedule a public hearing by Councilmember Kingsbery, seconded by Councilmember Casazza and carried on the following roll call vote:

In the affirmative: Conklin, Casazza, Kingsbery, Pomphrey, Smith.

In the negative: None.

Absent: Lospinuso.

Passed and Approved: February 10, 2026

In the affirmative: Conklin, Casazza, Kingsbery, Pomphrey, Lospinuso.

In the negative: None.

Absent: Smith.

I hereby approve of the  
passing of this ordinance.



Joseph K. Hemphill  
Mayor

Attest:



Eric Paone-Hurd  
Deputy Municipal Clerk/Communication Coordinator



# EXHIBIT C

26-007 D

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY  
REPEALING AND REPLACING CHAPTER XXIII AFFORDABLE HOUSING  
DEVELOPMENT

WHEREAS, Chapter XXIII (Affordable Housing Development) of the General Ordinances of the Borough of Rumson has to be repealed and replaced in its entirety to comply with the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. ("FHA"), as was amended in 2024, the newly adopted Uniform Housing Affordability Controls ("UHAC") regulations, N.J.A.C. 5:80-26.1 et seq., and newly adopted N.J.A.C. 5:99-1 et seq; and

WHEREAS, this Ordinance establishes Borough wide regulations and standards to govern the development of very low, low and moderate-income affordable units for multifamily for-sale and rental residential developments that may be approved by the Borough or the Borough Planning Board, and is designed to regulate these very low, low- and moderate-income units in a manner consistent with the FHA, UHAC, N.J.A.C. 5:99-1 et seq., and applicable New Jersey Council on Affordable Housing (COAH) regulations; and

WHEREAS, this Ordinance also establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with regulations set forth in P.L. 2024, c. 2, N.J.S.A. 52:27D-301 et seq., N.J.A.C. 5:99-1 et seq. and as previously established in accordance with P.L. 2008, c. 46, Sections 8 and 32 through 38 (N.J.S.A. 52:27D-329.2) and the Statewide Nonresidential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7);

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter XXIII (Affordable Housing Development) of the General Ordinances of the Borough of Rumson is hereby repealed and replaced as follows:

Section 1. Chapter XXIII, Affordable Housing Development, of the General Ordinances of the Borough of Rumson, shall be repealed and replaced as follows:

CHAPTER XXIII AFFORDABLE HOUSING DEVELOPMENT

§ 23-1. Introduction & Applicability.

- a. This Ordinance sets forth regulations regarding the very low-, low- and moderate-income housing units in Borough of Rumson consistent with the provisions outlined in P.L 2024, Chapter 2, including the amended Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., as well as the Department of Community Affairs, Division of Local Planning Services ("LPS") at N.J.A.C. 5:99 et seq., statutorily upheld existing regulations of the now-defunct Council on Affordable Housing ("COAH") at N.J.A.C. 5:93 and 5:97, the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq., and as reflected in the adopted municipal Fourth Round Housing Element and Fair Share Plan ("HEFSP").
- b. This Ordinance is intended to ensure that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy these units pursuant to statutory requirements. This Ordinance shall apply to all inclusionary developments, individual affordable units, and 100% affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit financed developments shall adhere to the provisions set forth below in item e.3. below.
- c. The Borough of Rumson Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.
- d. This Ordinance implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- e. Applicability

1. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created pursuant to the municipality's most recently adopted HEFSP, excluding those affordable housing units that were subject to a written agreement, rezoning or approval prior to the end of the Third Round on June 30, 2025.
2. This Ordinance shall also apply to any unanticipated future developments that will provide very low-, low- and moderate-income housing units.
3. Projects receiving federal Low Income Housing Tax Credit financing and are proposed for credit shall comply with the low/moderate split and bedroom distribution requirements, maximum initial rents and sales prices requirements, affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period, for a total of not less than 45 years.

#### § 23-2. Definitions.

As used herein the following terms shall have the following meanings:

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

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

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

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

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

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

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

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

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

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

"Affordable housing development" means a development included in a municipality's housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment

in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP. Payments in lieu of construction were invalidated per P.L. 2024, c.2.

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

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

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

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

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

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

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

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

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

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

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

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

“Commissioner” means the Commissioner of the Department of Community Affairs.

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

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

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

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

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

“Department” means the New Jersey Department of Community Affairs.

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

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

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

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

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

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

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

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

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

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

“Extension of expiring controls” means extending the deed restriction period on units where the controls will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

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

“Fair share plan” means the plan or proposal, with accompanying ordinances and resolutions, by which a municipality proposes to satisfy its constitutional obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of very low-, low- and moderate-income housing, as provided in the municipal

housing element, and which addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

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

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

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

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

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

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

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

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

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

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

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

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

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

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

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

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

“Municipal affordable housing trust fund” means a separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing previously approved prior to March 20, 2024 (per P.L. 2024, c.2), barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

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

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

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

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

“95/5 restriction” means a deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the closing of a sale at market price.

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

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

“Non-residential development” means:

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

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

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

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

“Order for repose” means the protection a municipality has from a builder’s remedy lawsuit for a period of time from the entry of a judgment of compliance by the Superior Court. A judgment of compliance often results in an order for repose.

“Payment in lieu of constructing affordable units” means the prior approval of the payment of funds to the municipality by a developer when affordable units are were not produced on a site

zoned for an inclusionary development. The statutory permission for payments in lieu of constructing affordable units was eliminated per P.L. 2024, c.2.

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

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

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

“Price differential” means the difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the difference between the controlled sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

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

“Program” means the Affordable Housing Dispute Resolution Program, established pursuant to section 5 of P.L.2024, c. 2 (C.52:27D-313.2).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

except that in the case of unrelated individuals not operating as a family unit, income eligibility shall be tested on an individual basis rather than in the aggregate; the unit is leased or sold subject to the affordability controls established herein; and the supportive services available to the household are designed to promote housing stability, independent living, and community integration. The determination of whether unrelated individuals are operating as a family unit shall be made based on the applicant's self-identification of household members on the affordable housing application.

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

"Supportive housing unit" means a restricted rental unit, as defined by N.J.S.A. 34:1B-21.24, that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. Supportive housing units are also referred to as permanent supportive housing units.

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

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

"UHAC" means the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26.

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

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

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

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

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

"Veteran" means a veteran as defined at N.J.S.A. 54:4-8.10.

"Veterans' preference" means the agreement between a municipality and a developer or residential development owner that allows for low- to moderate-income veterans to be given preference for up to 50 percent of rental units in relevant projects, as provided for at N.J.S.A. 52:27D-311.j.

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

### § 23-3. Monitoring and Reporting Requirements.

- a. The municipality shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its court-approved Housing Element and Fair Share Plan:
  1. The municipality shall provide electronic monitoring data with the Department pursuant to P.L. 2024, Chapter 2 and N.J.A.C. 5:99 through the Affordable Housing Monitoring System (AHMS). All monitoring information required to be made public by the FHA shall be available to the public on the Department's website at <https://www.nj.gov/dca/dlps/hss/MuniStatusReporting.shtml>.

2. On or before February 15 of each year, the municipality shall provide annual reporting of its municipal Affordable Housing Trust Fund activity to the Department on the AHMS portal. The reporting shall include an accounting of all municipal Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended, for the previous year from January 1st to December 31st.
3. On or before February 15 of each year, the annual reporting of the status of all affordable housing activity shall be provided to the Department on the AHMS portal, for the previous year from January 1st to December 31st.

§ 23-4. Municipality-wide Mandatory Set-Aside.

- a. A development, other than single-family detached, providing a minimum of five new housing units created through any municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provides for densities at or above six units per acre, is required to include an affordable housing set-aside of 20%.
- b. Any affordable units generated through such mandatory set-aside shall be subject to all other provisions of this ordinance.
- c. All such affordable units shall be governed by this ordinance the controls on affordability, including bedroom distribution, and affirmatively marketed to the housing region in conformance with UHAC at N.J.A.C. 5:80-26.1 et seq., any successor regulation, and all other applicable laws.
- d. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
- e. The mandatory set-aside requirements of this section do not give any developer the right to any rezoning, variance or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance or other relief.
- f. This municipality-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the HEFSP, for which density and set-aside requirements shall be governed by the specific standards as set forth therein.
- g. In the event that the inclusionary set-aside of 20% of the total number of residential units does not result in a full integer, the developer shall choose one of two options for addressing the fractional unit:
  1. The developer may round the set-aside upward to construct a whole additional affordable unit; or
  2. If the set-aside includes a fractional unit equal to 0.49 or less, the developer may round the set-aside downward and construct the lesser whole number of affordable units and shall also contribute the fractional subsidy payment ("fractional subsidy payment") to be made to the municipality and deposited in the municipal Affordable Housing Trust Fund. The fractional subsidy payment amount shall be calculated as the fractional unit multiplied by the base subsidy payment amount currently established by the municipality as the average subsidy reflected in financial pro formas for 100% affordable housing or subsidized developments in the municipality or region on file with the municipality. For example, if seven total units are developed at an inclusionary site, a 20% set-aside would require 1.4 affordable units. Per the requirements above:

The developer shall round up the 0.4 unit to one whole affordable unit so as to construct a total of two (2) affordable housing units; or The developer shall round the set-aside downward so as to construct only one affordable unit AND shall pay into the municipal affordable housing trust fund a fractional subsidy payment equal to the dollar amount established by the municipality multiplied by 0.4.

§ 23-5. New Construction.

Per the definition of "New Construction," (per N.J.A.C. 5:93 as may be updated per various sections in N.J.A.C. 5:97 and N.J.S.A. 52:27D-301 et seq.) this section governs the creation of new affordable housing units regardless of the means by which the units are created. Newly constructed units may include new residences constructed or created through other means.

- a. The following requirements shall apply to all new or planned developments that contain very low-, low- and moderate-income housing units. To the extent possible, details related

to the adherence to the requirements below shall be outlined in the resolution granting municipal subdivision or site plan approval of the project to assist municipal representatives, developers and Administrative Agents.

- b. Completion Schedule (previously known as phasing). Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following completion schedule for very low-, low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development:

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

- c. Design. The following design requirements apply to affordable housing developments, excluding prior round units.

- 1. Design of 100 percent affordable developments:

- i. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
- ii. Each bedroom in each restricted unit must have at least one window.
- iii. Restricted units must include adequate air conditioning and heating.

- 2. Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to prior round units, unless stated otherwise.

- i. Restricted units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
- ii. Restricted units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.
- iii. Restricted units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round affordable units shall be integrated with market rate units to the extent feasible.
- iv. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
- v. Restricted units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to prior round units.
- vi. Each bedroom in each restricted unit must have at least one window.
- vii. Restricted units must be of the same unit type as market-rate units within the same building.
- viii. Restricted units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.

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

- i. At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
  - ii. Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
  - iii. The combined number of efficiency and one-bedroom units shall be no greater than 20%, rounded down, of the total number of low- and moderate-income units.
  - iv. At least 30% of all low- and moderate-income units, rounded up shall be two-bedroom units.
  - v. At least 20% of all low- and moderate-income units, rounded up shall be three-bedroom units.
  - vi. The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
5. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the inclusionary development. Supportive housing units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least 5% of those restricted units.
- f. Accessibility requirements.
1. Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
  2. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multi-floor dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
    - i. An adaptable toilet and bathing facility on the first floor;
    - ii. An adaptable kitchen on the first floor;
    - iii. An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
    - iv. An adaptable room that can be used as a bedroom, with a door, or the casing for the installation of a door that is compliant with the Barrier Free Subcode, on the first floor;
    - v. If not all of the foregoing requirements in 2.i. through 2.iv. can be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
    - vi. An accessible entranceway as set forth in P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the municipality has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
      - (a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.

- (b) To this end, the builder of restricted units shall deposit funds within the Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
  - (c) The funds deposited shall be expended for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
  - (d) The developer of the restricted units shall submit to the Construction Official a design plan and cost estimate for the conversion from adaptable to accessible entrances.
  - (e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Affordable Housing Trust Fund and earmarked appropriately.
- vii. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site-impracticable" to meet the requirements. If full compliance with this section would be site impracticable, compliance with this section for any portion of the dwelling shall be required to the extent that it is not site impracticable. Determinations of site impracticability shall comply with the Barrier Free Subcode at N.J.A.C. 5:23-7.

§ 23-6. Affordable Housing Programs/Compliance Techniques.

- a. Pursuant to amended UHAC regulations at N.J.A.C. 5:80-26.1 et seq. and, in addition, pursuant to P.L. 2024, c.2 and specifically to the amended FHA at N.J.S.A. 52:27D-311.m, "All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions." The following are some of the main provisions of the COAH regulations at either N.J.A.C. 5:93 or 5:97 that have been upheld by the NJ Supreme Court. Municipalities should consult the cited full COAH regulations when preparing the HEFSP for required documentation, etc. Additional compliance details may also be included in the specific municipal program manual.
- b. Market to Affordable Program (per N.J.A.C. 5:97-6.9).
  - 1. The market to affordable program permits the purchase or subsidization of unrestricted units through a mortgage write-down provided to an income-certified buyer or through a sale or rental as a low- or moderate-income unit to an income-eligible household. The market to affordable program may produce both low- and moderate-income units.
  - 2. At the time they are offered for sale or rental, eligible units may be new, pre-owned or vacant.
  - 3. The units shall be certified to be in sound condition as a result of an inspection performed by a licensed building inspector.
  - 4. A minimum subsidy of \$25,000 per moderate-income unit and/or \$30,000 per low-income unit shall be provided, with additional subsidy depending on the market prices or rents in a municipality.
  - 5. The units shall comply with UHAC with the following exceptions:
    - i. Bedroom distribution (N.J.A.C. 5:80-26.4).
    - ii. Low/moderate income split (N.J.A.C. 5:80-26.4).
  - 6. Affordability average (N.J.A.C. 5:80-26.4); however:
    - i. The maximum rent for a moderate-income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income; and
    - ii. The maximum sales price for a moderate-income unit shall be affordable to households earning no more than 70 percent of median income and the maximum

sales price for a low-income unit shall be affordable to households earning no more than 40 percent of median income.

- c. Extension of Controls Program (for ownership units per N.J.A.C. 5:97-6.14 and UHAC at N.J.A.C. 5:80-26.6(h) through (k) and (m); and for rental units per N.J.A.C. 5:97-6.14 and N.J.A.C. 5:80-26.12(h) through (k)).
  - 1. An extension of affordability controls program is established to maintain and extend the affordability of deed restricted units scheduled to come out of their affordability control period, subject to N.J.A.C. 5:97-6.14 and UHAC, including the following:
    - i. The affordable unit meets the criteria for prior cycle (April 1, 1980 - December 15, 1986) or post December 15, 1986 credits set forth in N.J.A.C. 5:97.
    - ii. The affordability controls for the unit are scheduled to expire in the current round; or in the next round of housing obligations if the municipal election to extend controls is made no earlier than one year before the end of the current round;
    - iii. The municipality shall obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the restricted unit meets all code standards.
    - iv. If a unit requires repair and/or rehabilitation work in order to receive a continuing certificate of occupancy or certified statement from the municipal building inspector, the municipality shall fund and complete the work.
    - v. The municipality shall adhere to the process for extending controls pursuant to UHAC for extending ownership units and rental units, either inclusionary or 100% affordable developments.
    - vi. The deed restriction for the extended control period shall be filed with the County Clerk.
- d. Assisted Living Residence (per N.J.A.C. 5:97-6.11).
  - 1. An assisted living residence is a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.
  - 2. The unit of credit shall be the apartment. However, a two-bedroom apartment shall be eligible for two units of credit if it is restricted to two unrelated individuals.
  - 3. A recipient of a Medicaid waiver shall automatically qualify as a low- or moderate-income household.
  - 4. Assisted living units are considered age-restricted housing in a HEFSP and shall be included with the maximum number of units that may be age-restricted.
  - 5. Low- and moderate-income residents cannot be charged any upfront fees.
  - 6. The units shall comply with UHAC with the following exceptions:
    - i. Affirmative marketing (N.J.A.C. 5:80-26.16); provided that the units are restricted to recipients of Medicaid waivers;
    - ii. The deed restriction may be on the facility, rather than individual apartments or rooms;
    - iii. Low/moderate income split and affordability average (N.J.A.C. 5:80-26.4); only if all of the affordable units are affordable to households at a maximum of 60 percent of median income; and
  - 7. Tenant income eligibility (N.J.A.C. 5:80-26.14); up to 80 percent of an applicant's gross income may be used for rent, food and services based on occupancy type and the affordable unit must receive the same basic services as required by the Agency's underwriting guidelines and financing policies. The cost of non-housing related services shall not exceed one and two-thirds times the rent established for each unit.
- e. Supportive Housing and Group Homes (per N.J.A.C. 5:97-6.10).
  - 1. The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:

- i. Units are subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968).
- ii. Units may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services.
- iii. The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
- iv. Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.
- v. Occupancy shall not be restricted to youth under 18 years of age.
- vi. In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
- vii. The bedrooms and/or units shall comply with UHAC with the following exceptions:
  - (a) Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing, and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan approved by the sponsoring program;
  - (b) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
- viii. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record or execute a long-term deed restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this Section.
- ix. Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.
- x. The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
  - (a) An Affirmative Marketing Plan in accordance with D1 above; and
  - (b) If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.
- xi. The sponsor/owner shall complete annual monitoring as directed by the MHL.

#### § 23-7. Regional Income Limits.

- a. Administrative agents shall use the current regional income limits for the purpose of pricing affordable units and determining income eligibility of households.
- b. Regional income limits are based on regional median income, which is established by a regional weighted average of the "median family incomes" published by HUD. The procedure for computing the regional median income is detailed in N.J.A.C. 5:80-26.3.

- c. Updated regional income limits are effective as of the effective date of the regional Section 8 income limits for the year, as published by HUD, or 45 days after HUD publishes the regional Section 8 income limits for the year, whichever comes later. The new income limits may not be less than those of the previous year.

§ 23-8. Maximum Initial Rents And Sales Prices.

- a. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4.
- b. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
- c. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60% of regional median income. The maximum rent may be increased to no more than 70 percent of regional median income for moderate-income units within affordable developments where very-low-income units compose at least 13 percent of the restricted units; however, the number of units with rent affordable to households earning 70 percent of regional median income may not exceed the number of very-low-income units in excess of 13 percent (rounded up) of the restricted units.
- d. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income. These very low-income units shall be part of the low-income requirement and very-low-income units should be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count.
- e. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70% of median income, and each affordable housing development must achieve an affordability average that does not exceed 55% for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.
- f. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
- g. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
  - 1. A studio or efficiency unit shall be affordable to a one-person household;
  - 2. A one-bedroom unit shall be affordable to a one and one-half person household;
  - 3. A two-bedroom unit shall be affordable to a three-person household;
  - 4. A three-bedroom unit shall be affordable to a four and one-half person household; and
  - 5. A four-bedroom unit shall be affordable to a six-person household.
- h. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted and special needs and supportive housing developments, the following standards shall be met:
  - 1. A studio or efficiency unit shall be affordable to a one-person household;
  - 2. A one-bedroom unit shall be affordable to a one and one-half person household; and
  - 3. A two-bedroom unit shall be affordable to a two-person household or to two one-person households. Where pricing is based on two one-person households, the developer shall

provide a list of units so priced to the Municipal Housing Liaison and the Administrative Agent.

- i. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Freddie Mac 30-Year Fixed Rate-Mortgage rate of interest), property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30 percent of the eligible monthly income of the appropriate size household as determined pursuant to N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
- j. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented. The initial rent for a restricted rental unit shall be calculated so the eligible monthly housing expenses/income, including an allowance for tenant-paid utilities does not exceed 30 percent of gross income of and the appropriate household size as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- k. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following proper notice provided to the occupant household pursuant to N.J.S.A. 2A:18-61.1.f, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." Rent increases for units constructed pursuant to Low-Income Housing Tax Credit regulations shall be indexed pursuant to the regulations governing Low-Income Housing Tax Credits.

#### § 23-9. Affirmative Marketing.

- a. The municipality shall adopt, by resolution, an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.
- b. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children, to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 4 and is required to be followed throughout the period of deed restriction.
- c. The Affirmative Marketing Plan provides the following preferences, provided that units that remain unoccupied after these preferences are exhausted may be offered to households without regard to these preferences.
  1. Where the municipality has entered into an agreement with a developer or residential development owner to provide a preference for very-low-, low-, and moderate-income veterans who served in time of war or other emergency, pursuant to N.J.S.A. 52:27D-311.j, there shall be a preference for veterans for up to 50 percent of the restricted rental units in a particular project.
  2. There shall be a regional preference for all households that live and/or work in Housing Region 4 comprising Mercer, Monmouth, and Ocean Counties.
  3. Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
  4. With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-

income households that are displaced by the rehabilitation or demolition and replacement.

- d. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Process, including the marketing of initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the municipality shall implement the Affirmative Marketing Process to ensure the Affirmative Marketing of all affordable units, with the exception of affordable programs that are exempt from Affirmative Marketing as noted herein.
- e. The Affirmative Marketing Process shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Process, the Administrative Agent shall consider the use of language translations where appropriate.
- f. Applications for affordable housing or notices thereof, if offered online, shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the developer's rental or sales office. The developer shall mail applications to prospective applicants upon request and shall make applications available through a secure online website address.
- g. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph. In addition, as a result of the Borough's 2026 mediation agreement with FSHC, the Affirmative Marketing Plan shall require the notification to Fair Share Housing Center; New Jersey State Conference of the NAACP; Latino Action Network; STEPS, Ocean, Inc.; the Greater Red Bank, Asbury Park/Neptune, Bayshore, Greater Freehold, Greater Long Branch, and Trenton branches of the NAACP; and the Supportive Housing Association
- h. In implementing the Affirmative Marketing Process, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- i. The Affirmative Marketing Process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
- j. The cost to affirmatively market the affordable units shall be the responsibility of the developer, sponsor or owner, with the exception of Affirmative Marketing for resales.

§ 23-10. Selection of Occupants of Affordable Housing Units.

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

§ 23-11. Occupancy Standards.

- a. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
  1. Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
  2. Provide a bedroom for every two adult occupants;
  3. With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
  4. Avoid placing a one-person household into a unit with more than one bedroom.

§ 23-12. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

- a. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.
- b. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years (crediting towards present need only).
- c. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit. The date of commencement shall be identified in the deed restriction.
- d. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
- e. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
  1. If the municipality exercises the right to extend the affordability controls on the unit, no exit sale occurs and a new control period commences; or
  2. If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.
- f. Prior to the issuance of any building permit for the construction/rehabilitation of restricted ownership units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
- g. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- h. At the time of the initial sale of the unit and upon each successive price-restricted sale, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- i. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to price-restricted ownership units.

§ 23-13. Price Restrictions for Restricted Ownership Units and Resale Prices.

- a. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
  1. The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
  2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the standards set forth in N.J.A.C 5:80-26.7.
    - i. If the resale occurs prior to the one-year anniversary of the date on which title to the unit was transferred to a certified household, the maximum resale price for a is the most recent non-exempt purchase price.
    - ii. If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3
  3. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:

- i. those that render the unit suitable for a larger household or the addition of a bathroom.
  - ii. The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit, excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);
4. No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.
- b. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

§ 23-14. Buyer Income Eligibility.

- a. Buyer income eligibility for restricted ownership units shall be established pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that very low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 30% of median income, low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 50% of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80% of median income.
- b. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.
- c. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.

- d. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 35 percent of the household's eligible monthly income; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for housing expenses, and the proposed housing expenses will reduce its housing costs;
  2. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for housing expenses in the past and has proven its ability to pay; or
  3. The household is currently in substandard or overcrowded living conditions;
  4. The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments

§ 23-15. Limitations on Indebtedness Secured by Ownership Unit; Subordination.

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

§ 23-16. Control Periods for Restricted Rental Units.

- a. Control periods for units that meet the definition of prior round units shall be pursuant to the 2001 UHAC rules originally adopted October 1, 2001, 33 N.J.R. 3432, and amended December 20, 2004, 36 N.J.R. 5713 and shall remain subject to the requirements of this ordinance for a period of at least 30 years as applicable unless otherwise indicated.
- b. Other than for prior round units, control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 40 years. Restricted rental units created as part of developments receiving 9% Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period for a total of 45 years.
- c. The affordability control period for a restricted rental unit shall commence on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension, which is the end of the original control period.
- d. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years.
- e. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
- f. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property. The deed restriction shall be recorded by the developer with the county records office, and provided as filed and recorded, to the Administrative Agent within 30 days of the receipt of a certificate of occupancy.
- g. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
  1. Sublease or assignment of the lease of the unit;
  2. Sale or other voluntary transfer of the ownership of the unit;

3. The entry and enforcement of any judgment of foreclosure on the property containing the unit; or
4. The end of the control period, until the occupant household vacates the unit, or is certified as over-income and the controls are released in accordance with UHAC.

§ 23-17. Rent Restrictions for Rental Units; Leases and Fees.

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

§ 23-18. Tenant Income Eligibility.

- a. Tenant income eligibility shall be determined pursuant to N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:
  1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the regional median income by household size.
  2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of the regional median income by household size.
  3. Moderate-income rental units shall be reserved for households with a gross household income less than 80% of the regional median income by household size.
- b. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income or moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
  1. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;

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

§ 23-19. Municipal Housing Liaison.

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

§ 23-20. Administrative Agent.

- a. All municipalities that have created or will create affordable housing programs and/or affordable units shall designate or approve, for each project within its HEFSP, an administrative agent to administer the affordable housing program and/or affordable housing units in accordance with the requirements of the FHA, NJAC 5:99-1 et seq. and UHAC.
- b. The fees for administrative agents shall be paid as follows:
  1. Administrative agent fees related to rental units shall be paid by the developer/owner.
  2. Administrative agent fees related to initial sale of units shall be paid by the developer.
  3. Administrative agent fees related to resales shall be paid by the seller of the affordable home.

4. Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
- c. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
- d. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7 and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
  1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
  2. Affirmative marketing:
    - i. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
    - ii. Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.
  3. Household certification.
    - i. Soliciting, scheduling, conducting and following up on interviews with interested households.
    - ii. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
    - iii. Providing written notification to each applicant as to the determination of eligibility or non-eligibility within 5 days of the determination thereof.
    - iv. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1 et seq.
    - v. Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located.
    - vi. Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
  4. Affordability controls.
    - i. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit.
    - ii. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit in accordance with UHAC.
    - iii. Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
    - iv. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.
  5. Records retention.
    - i. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage, and note, as appropriate.
    - ii. Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.
  6. Resales and re-rentals.

- i. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
  - ii. Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.
7. Processing requests from unit owners.
- i. Reviewing and approving requests from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership to determine that the amount of indebtedness to be incurred will not violate the terms of this ordinance.
  - ii. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.
  - iii. Notifying the municipality of an owner's intent to sell a restricted unit.
  - iv. Making determinations on requests by owners of restricted units for hardship waivers.
8. Enforcement.
- i. Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
  - ii. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
  - iii. Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;
  - iv. Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
  - v. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.
9. The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.

§ 23-21. Responsibilities of the Owner of a development containing affordable units.

- a. The owner of all developments containing affordable units subject to this subchapter or the assigned management company thereof shall provide to the administrative agent:
  - 1. Site plan, architectural plan, or other plan that identifies the location of each affordable unit, if subject to the site plan approval, settlement agreement, or other applicable document regulating the location of affordable units. The administrative agent shall determine the location of affordable units if not set forth in the site plan approval, settlement agreement, or other applicable document.
  - 2. The total number of units in the project and the number of affordable units.
  - 3. The breakdown of the affordable units by or identification of affordable unit locations by bedroom count and income level, including street addresses / unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The administrative agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.

4. Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
  5. A projected construction schedule.
  6. The location of any common areas and elevators.
  7. The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
- b. In addition to a. above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:
1. Send to all current tenants in all restricted rental units an annual mailing containing a notice as to the maximum permitted rent and a reminder of the requirement that the unit must remain their principal place of residence, which is defined as residing in the unit at least 260 days out of each calendar year, together with the telephone number, mailing address, and email address of the administrative agent to whom complaints of excess rent can be issued.
  2. Provide to the administrative agent a description of any applicable fees.
  3. Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
  4. Agree and ensure that the utility configuration established at the start of the rent-up process not be altered at any time throughout the restricted period.
  5. Provide to the administrative agent a proposed form of lease for any rental units.
  6. Ensure that the tenant selection criteria for the applicants for affordable units not be more restrictive than the tenant selection criteria for applicants for non-restricted units.
  7. Strive to maintain the continued occupancy of the affordable units during the entire restricted period.
- c. In addition to a. above, the owner of affordable for-sale developments containing affordable for-sale units subject to this subchapter or the assigned management company thereof shall provide the administrative agent:
1. Proposed pricing for all units, including any purchaser options and add-on items.
  2. Condominium or homeowner association fees and any other applicable fees.
  3. Estimated real property taxes.
  4. Sewer, water, trash disposal, and any other utility assessments.
  5. Flood insurance requirement, if applicable.
  6. The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

§ 23-22. Enforcement of Affordable Housing Regulations

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