

FAIR SHARE HOUSING CENTER

Adam M. Gordon, Esq.
Laura Smith-Denker, Esq.
Joshua D. Bauers, Esq.
Ashley J. Lee, Esq.
Esmé M. Devenney, Esq.
Ariela Rutbeck-Goldman, Esq.
Joelle L. Paull, Esq.

April 29, 2026

Via eCourts and Electronic Mail

Hon. Robert G. Malestein, P.J.Ch.
Gloucester County Old Courthouse
1 North Broad Street, Floor 2
Woodbury, NJ 08096

Re: IMO the Application of Mannington Township
Docket No. SLM-L-23-25

Dear Judge Malestein:

Enclosed please find the consent order between Mannington Township and Fair Share Housing Center which has been executed by both parties. The parties respectfully request that the court enter this order which upon completion of all conditions shall represent the final compliance certification contemplated in N.J.S.A. 52:27D-301 et. seq.

Thank you for your attention to this matter.

Respectfully submitted,



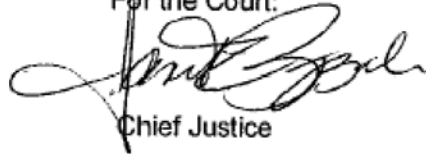
Ashley J. Lee, Esq.

Counsel to Fair Share Housing Center

SUPREME COURT OF NEW JERSEY

Pursuant to Rule 1:13-2(a), it is ORDERED that the payment of filing fees, other fees, and charges of public officers for service of process in connection with actions filed by the Fair Share Housing Center shall be waived; this Order is effective immediately and until further order of the Court.

For the Court:

A handwritten signature in black ink, appearing to read "Robert G. Sica", written over a vertical line that serves as a signature line.

Chief Justice

Dated: January 16, 2007

FILED APRIL 29, 2026
SUPERIOR COURT
CHANCERY DIVISION
Robert Malestein, P.J.CH.

Fair Share Housing Center

510 Park Boulevard
Cherry Hill, New Jersey 08002
P: 856-665-5444
F: 856-663-8182

Attorneys for Fair Share Housing Center

By: Ashley J. Lee, Esq. (375392021)
ashleylee@fairsharehousing.org

In the Matter of the
Application of the Township of
Mannington, County of Salem.

SUPERIOR COURT OF NEW JERSEY
Law Division, Salem County
Docket No. SLM-L-23-25

CIVIL ACTION
(Mount Laurel)

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

THIS MATTER having come before the Court via the joint request of the Township via counsel Jeffrey R. Surenian, Esq. (of Surenian, Edwards, Buzak and Nolan LLC), as well as Fair Share Housing Center, via counsel Ashley J. Lee, Esq. (on behalf of Fair Share Housing Center), seeking a conditional certification of compliance with the Fair Housing Act ("FHA"); and

WHEREAS, the Township of Mannington (the "Township" or "Mannington") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action on January 28, 2025; and

WHEREAS, the above-named parties having previously

presented a consent order to the Court which was entered on December 5, 2025, and which consent order is incorporated herein by reference; and

WHEREAS, the Township having filed its Housing Element and Fair Share Plan ("HEFSP") on June 19, 2025 and implementing ordinances and resolutions on March 3, 2026 and April 1, 2026; and

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

WHEREAS, no other interested-party filed a challenge or any other communication; and

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

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

IT IS on this 29th day of April,

2026, **ORDERED** as follows:

1. The Township's Fourth Round HEFSP, attachments, and applicable implementing ordinances and resolutions, collectively referenced at SCHEDULE-1 hereto as Exhibit P-1 through Exhibit P-6 (inclusive) and herein as the "Implementing Ordinances & Resolutions", are hereby admitted into evidence and entered into the record.
2. Subject to the satisfaction of the Conditions of this Order and the deadlines established therein, the Township of Mannington's Fourth Round Fair Share Plan (Exhibit P-1) is hereby approved and deemed to meet the "objective standard" pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) of complying with the Fair Housing Act and the Mount Laurel doctrine and the Township is granted a Compliance Certification as to its Rehabilitation Obligation ("Present Need"), its Prior Round Obligation (1987-1999), its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and its Fourth Round obligation pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing (hereinafter "COAH") substantive rules, and Mount Laurel

case law, including the New Jersey Supreme Court's Mount Laurel IV decision.

3. The Township's Compliance Certification shall remain in effect for ten (10) years beginning on July 1, 2025 and ending on June 30, 2035, and during this ten (10) year period the Township shall have repose from exclusionary zoning litigation, including, but not limited to, Builder's Remedy lawsuits, as provided for in the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et. seq. The Township's Compliance Certification shall remain subject, however, to revocation or other Order of the Court that does or may hereafter issue, on notice of motion to the Township and all interested parties and good cause shown, at any time during the pendency of the Fourth Round Housing cycle.
4. As per the Township's HEFSP and earlier court orders, the Township's Present Need or Rehabilitation Obligation is 0, the Township's Prior Round Obligation (1987-1999) is 19, the Township's Third Round Obligation (1999-2025) is 38, and the Township's Fourth Round Prospective Need (2025-2035) is 8.
5. The Township's combined Prior Round obligation, Third Round obligation, and Fourth Round obligation is 65 and shall be satisfied as follows:

Compliance Mechanism	Credits	Bonuses	Total
Habitat for Humanity (100% affordable family for-sale)	1	1	2
Bancroft Group Home	5	5	10
Benchmark Group Home	3	-	3
Memorial Hospital Redevelopment (family aff. rentals)	12	6	18
Memorial Hospital Redevelopment (aff. assisted living)	14	7	21
Route 45 Inclusionary Zoning (family affordable rentals)	14	7	21
<i>Totals Before Applying Bonus Cap of 16</i>	<i>49</i>	<i>26</i>	<i>75</i>
<i>Total</i>	<i>49</i>	<i>16</i>	<i>65</i>

6. The Township and FSHC agree that following conditions remain to be met as conditions of compliance certification due June 1, 2026:

- The Township shall provide the adopted resolution committing to conduct annual monitoring in order to ensure that the existing group homes operated by Bancroft and Benchmark continue to be utilized as housing for individuals with special needs. This annual monitoring will be conducted until each group home has been in operation for thirty (30) total years, which will be in 2042 for Bancroft and 2050 for Benchmark. In the event that future monitoring reveals that one or both of the group homes has ceased operation prior to these years, then the Township will revise its Fourth Round HEFSP to provide for the

shortfall in credits and bonuses necessary to address its affordable housing obligation.

- The Township shall provide the resolution designating the Administrative Agent.

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

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

deed restrictions, and residential and non-residential development fees collected and expended, including purposes and amounts of such expenditures, along with the current balance in the municipality's affordable housing trust funds. With respect to units actually constructed, the information shall specify the characteristics of the housing, including housing type, tenure, affordability level, number of bedrooms, date and expiration of affordability controls, and whether occupancy is reserved for families, senior citizens, or other special populations.

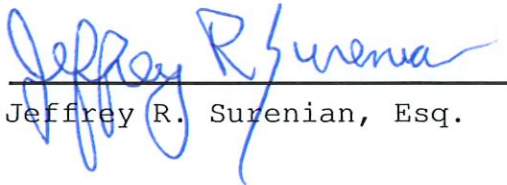
- For the midpoint realistic opportunity review as of July 1, 2030, pursuant to N.J.S.A. 52:27D-313, the municipality or other interested party may file an action through the program seeking a realistic opportunity review and shall provide for notice to the public, including a realistic opportunity review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

8. The Court shall retain jurisdiction for the purpose of enforcing the terms and conditions of this Certification of Compliance and Repose and the Township's adopted Fourth Round HEFSP.
9. A copy of this Order shall be entered on eCourts and shall be effective as of the date of filing.



Hon. Robert G. Malestein, P.J.Ch.

On behalf of the Township of
Mannington:


Jeffrey R. Surenian, Esq.

On behalf of Fair Share Housing
Center:


Ashley J. Lee, Esq.

Schedule 1¹

P-1: Fourth Round Housing Element and Fair Share Plan adopted by the Mannington Township Planning/Zoning Board on June 18, 2025, and endorsed by the Township Committee on June 30, 2025.

P-2: Resolution 09-2025 Resolution of the Planning Board of the Township of Mannington Adopting A Housing Element and Fair Share Plan for Round Four, adopted on June 18, 2025.

P-3: Resolution of the Committee of the Township of Mannington Endorsing the Housing Element and Fair Share Plan Adopted by the Mannington Township Planning Board, adopted on June 30, 2025

P-4: Ordinance 26-02 An Ordinance Amending the Mannington Township Code Chapter 70 "Land Development" to Create an Affordable Housing-1 (AH-1) Inclusionary Housing Zone, adopted March 30, 2026.

P-5: Ordinance 26-03 An Ordinance Amending the Mannington Township Code to Repeal Chapter 46, Article Iv "Developmental Fees"; to Repeal Chapter 89, Article VI "Municipal Housing Liaison"; and to Enact New Chapter 4 "Affordable Housing", adopted March 5, 2026.

P-6: Resolution of the Township of the Township Committee of the Township of Mannington, County of Salem, State of New Jersey, Adopting the Affirmative Marketing Plan Prepared by Leckington Advisor LLC, adopted on March 5, 2026.

¹ P-1 through P-6 have all been filed and are therefore, in the record. They are incorporated by reference.