

Fair Share Housing Center
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FILED MAY 4, 2026
SUPERIOR COURT
CHANCERY DIVISION
Robert Malestein, P.J.CH.

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**In the Matter of the
Application of the Township of
Oldmans, County of Salem.**

SUPERIOR COURT OF NEW JERSEY
Law Division, Salem County
Docket No. SLM-L-22-25

CIVIL ACTION
(Mount Laurel)

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

THIS MATTER having come before the Court via the joint request of the Township via counsel William E. Olson, Esq. (of Surenian, Edwards, Buzak & Nolan LLC), as well as Fair Share Housing Center, via counsel Laura S. Smith-Denker, Esq. (on behalf of Fair Share Housing Center), seeking a certification of compliance with the Fair Housing Act ("FHA"); and

WHEREAS, the Township of Oldmans (the "Township" or "Oldmans") 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 attached hereto as Exhibit P-6; and

WHEREAS, the Township having filed its Amended Housing Element and Fair Share Plan ("HEFSP") on February 19, 2026 and implementing ordinances and resolutions on March 13, 2026; and

WHEREAS, Fair Share Housing Center ("FSHC") having reviewed the Township's filing in accordance with the parties' consent order and confirmed that the Township has complied 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 Amended 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 4th 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-2 through Exhibit P-5 (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 Oldmans'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 to prevailing law and rules of Court. The Court retains jurisdiction over this Order for purposes of enforcement.
4. As per the Township's Amended HEFSP and earlier court orders, the Township's Present Need or Rehabilitation Obligation is 0, the Township's Prior Round Obligation (1987-1999) is 125, the Township's Third Round Obligation (1999-2025) is 120, and the Township's Fourth Round Prospective Need (2025-2035) is 84 units.
5. The Township's combined Prior Round and Third Round Obligation of 245 was granted court approval of a Durational Adjustment.
6. The Township's Fourth Round Obligation is 84. The Township seeks a continuation of the Durational Adjustment for a total of 329, which shall be met with the following mechanisms:

Oldmans Township's Obligation: 329 units/credits	Units	Bonuses	Totals
Obligation			329
100% Affordable Sites – completed and proposed			
Habitat for Humanity - family for-sale completed	1	-	1
78 Perkintown Road - family for-sale proposed	1	-	1
Market-to-Affordable – completed and proposed			
5 family rental/5 family for-sale (10 units; 2 completed)	2	-	2
Alternative Living Facility – completed			
155 Perkintown Road (4 bedrooms)	4	2	6
Remaining obligation, to be durationally adjusted			319

- As demonstrated, the Township does not have any capacity for water or sewer to support inclusionary housing and thus is entitled to a Durational Adjustment in accordance with N.J.A.C. 5:93-4.3.

The Township agrees to comply with N.J.A.C. 5:93-4.3, inclusive of the conditions associated with same outlined in the December 5, 2025, Consent Order, which is attached hereto as Exhibit P-6.

7. The Township agrees to complete the following pursuant to Exhibit P-6, when available:

- The Township will provide affordability controls and/or annually monitor the facility at 155 Perkintown Road to ensure its continued use as a group home.

- The Township will provide the adopted updated Affordability Assistance manual when available.
8. The Township's Compliance Certification shall be subject to required ongoing monitoring as required by and pursuant to the Fair Housing Act and prevailing law.
 9. The Township shall expend its Affordable Housing Trust Funds in accordance with prevailing law.
 10. 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.
 11. 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 Oldmans:

William E. Olson

William E. Olson, Esq.

On behalf of Fair Share Housing Center:

Laura S. Smith-Denker, Esq.
Laura S. Smith-Denker, Esq.