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March 11, 2026

VIA E-COURTS
Honorable William G. Mennen, J.S.C.
Somerset County Superior Court
20 N. Bridge Street
Somerville, New Jersey 08876

Re: In the Matter of the Application of the Borough of Washington, County of Warren
Docket No.: WRN-L-41-25

Dear Judge Mennen:

Please be advised that this office represents the Plaintiff Borough of Washington in the above referenced matter. Pursuant to the Court's January 30, 2026, Consent Order, please find annexed to this correspondence a Certified Resolution of the Borough's Resolution 2026-43 adopting an updated Affordable Housing Affirmative Marketing Plan.

Respectfully submitted



Erik Peterson

Encl.

Cc: Joshua Bauers, Esq., FSHA via e-courts

**RESOLUTION 2026-43
BOROUGH MAYOR AND COUNCIL
BOROUGH OF WASHINGTON WARREN COUNTY, NEW JERSEY**

**RESOLUTION ADOPTING THE UPDATED ‘AFFIRMATIVE MARKETING PLAN’
FOR THE BOROUGH OF WASHINGTON**

WHEREAS, in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq.*, the Borough of Washington is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Borough of Washington, are affirmatively marketed to low- and moderate-income households within Housing Region 2, the COAH Housing Region encompassing the Borough of Washington.

BE IT RESOLVED, that the Borough Council of the Borough of Washington in the County of Warren, and the State of New Jersey does hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Borough of Washington shall be marketed in accordance with the provisions herein.
- B. This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low-, low- and 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. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by one or more Administrative Agent(s) designated by and/or under contract to the Borough of Washington. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Borough of Washington, shall undertake, at the minimum, all of the following strategies: