



**Assembly Housing Committee Testimony on Municipal Fair Share Obligations
Thursday, September 15, 2022**

Good afternoon, Chairperson Lopez, Vice-Chairperson Jimenez, and members of the Assembly Housing Committee. Thank you for the opportunity to testify today on the landmark Mount Laurel decision and how we determine affordable housing obligations in NJ.

My name is Matthew Hersh, director of policy and advocacy at the Housing and Community Development Network of New Jersey. I am proud to represent nearly 300 community development corporations, individuals and other organizations that support the creation of affordable homes, economic opportunities, and strong communities. The Network is also the state's largest, funded HUD-certified housing counseling intermediary serving NJ exclusively.

For more than 30 years, the Network and our members around the Garden State have been working to address housing instability and homelessness in our communities by creating rental and homeownership opportunities. The pandemic made plain what many of us have been saying for years: Housing insecurity is one of the biggest threats to public health and safety at any time, but never more so than during a global health emergency. We owe it to those who have been harmed the most by the pandemic to recover equitably.

A fair and just recovery for all must center creating affordable homes for our most vulnerable residents. New Jersey's housing market remains out of balance and affordable, safe homes are out of reach for too many of our residents. Along with our national partner, the National Low Income Housing Coalition, we release the annual [Out of Reach report](#), New Jersey's average FMR is 7th-highest in the nation, and our own housing wage – what you must earn per hour to afford an average two-bedroom market rental – is \$31.32, nearly 2.5 times the minimum wage. We have one of the worst racial wealth gaps between in the nation, which continues to keep Black and Brown families from creating generational wealth through homeownership.

We welcome the chance to discuss the historic impact *Mount Laurel* has made on NJ communities and the discussion we should be having here in this room today is how to address the [200,000-rental-home shortage](#) for extremely low-income renters statewide, stopping evictions and foreclosures and making sure everyone has access to home ownership.

The court process currently in operation was established in 2015 after Gov. Christie made good on his campaign promise to “gut” the Council on Affordable Housing. In the years since he made and kept that campaign promise, the state has taken important actions toward ensuring towns live up to their housing obligations through the efficient and transparent court process free of the political pressures that were used to ignore a town's unmet housing needs. I am glad to report on just a few examples of this process working in communities around the state,

where our members have been actively involved in creating the homes and housing security New Jersey residents need.

- **In Edison**, one of the state's largest municipalities, our members Triple C Housing and Catholic Charities contributed dozens of affordable homes that counted toward the township's third-round obligation.
- **In Hamilton**, just next door, our member Project Freedom Inc. has built more than 100 affordable homes that count toward the municipality's obligation. Another member, HomeFront, is completing 42 affordable homes for the township.
- **In Princeton**, Network member Princeton Community Housing is the largest provider of low- and moderate-income housing. PCH owns and manages Elm Court, Griggs Farm's rental units, Harriet Bryan House, and Princeton Community Village. Currently, PCH is moving forward on a project to create 80 new affordable family rental units, including 11 very low-income units, 29 low-income units, and 40 moderate-income units.

Determining municipal fair share obligations in the courts has resulted in the best, most efficient execution of affordable homes since *Mount Laurel*. That is the result of some basic principles: ending the concentration of poverty; providing an adequate number of homes to serve our lowest-income earners, regardless of what town they live in; ensuring the stability necessary for families, and particularly Black and brown families, to have the ability to generate wealth.

Prior to the effective and fair court process we have now, politicians treated COAH like a political football. . This past spring, this Legislature gave non-compliant communities, who have and continued to drag their feet instead of building the homes their residents and employees need, the resources they need to get the job done. By adopting Governor Murphy's proposal to put \$300 million into the new Affordable Housing Production Fund, you have given these towns the funds they said they needed.

Unfortunately, these recalcitrant, exclusionary communities will look for any excuse to avoid their legal and moral obligation to house New Jersey. Instead of getting the job done, they want to send everyone back to the drawing board. They got what they wanted, and eliminated COAH, but all three branches of our government – the Governor, the Court and the Legislature have all told them what needs to happen and given them the funds to succeed. Now, they want to change the rules of the game again, including suing to reconstitute COAH. It's just another delay tactic. And, frankly, it's insulting to working families, seniors, veterans, domestic violence survivors, people with disabilities and special needs, and first responders, all of whom struggle to find safe, affordable places to call home.

We have come so far since 2009, or 1985, or 1975. We understand what NJ's affordable housing needs are and we have a system now that is—finally—working well. Changing a system that is delivering better results New Jerseyans families is not what NJ need now. We have an unprecedented opportunity to help mitigate and undo systemic and institutional racism, which prevents Black and Brown families from access to a safe, affordable home. There are many

obstacles to tear down and so many communities to build up. Let's use the historic resources and deploy the tools this Legislature has created to meet the critical moment we are in so that we can HouseNJ.