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## **N.J. high court sides with fair-housing nonprofit in open-records suit**

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TRENTON - The state Supreme Court ruled Tuesday that the New Jersey State League of Municipalities, a lobbying group for the state's 566 towns, is subject to the Open Public Records Act.

Justices unanimously sided with the Fair Share Housing Center, a Cherry Hill nonprofit organization that filed a lawsuit in 2008 to obtain records related to the league's opposition to proposed revisions to state affordable-housing rules.

Trial and appellate courts had ruled against the housing nonprofit group, denying its claim that the league was a "combination of political subdivisions" covered under the state's Open Public Records Act (OPRA). But the top court ruled that the records law was so broadly written that it covered a wide variety of entities.

"Through the pooling of financial contributions and personnel, the league - in a more efficient and cost-effective way - can do for all municipalities what no one municipality can do for itself," said the opinion, written by Justice Barry Albin. "Moreover, the league is controlled by elected or appointed officials from the very municipalities it represents. . . . This simple plain-language approach leads to the conclusion that the league is a 'public agency.' "

A trial court will next decide what documents the league must turn over to meet Fair Share's original request, though the center said it also planned to file regular requests for documents in the future.

"A mayor would clearly be subject to the Open Public Records Act," said Kevin Walsh, a lawyer representing Fair Share. "Now, when all of the mayors are in the same room, they're also subject to OPRA, instead of being exempt, which we never thought made a lot of sense."

The league is a nonprofit organization that collects about \$540,000 a year in dues from municipalities to provide legislative analysis, publish a magazine, conduct educational programs, and lobby in Trenton.

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