



NJ court delays NJ affordable housing changes

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A three-judge panel has slowed down Gov. Chris Christie's efforts to make quick changes to the state's complicated affordable housing requirements.

The state appeals panel issued a stay Tuesday on his plan for new affordable housing procedures and scheduled a hearing for February.

Until then, the state is ordered to follow the affordable housing procedures that were in place before the state Council on Affordable Housing was abolished last month.

The ruling is the latest in a court and public policy debate that's been fought in New Jersey for more than 40 years.

Courts have ruled repeatedly that New Jersey municipalities are obligated to provide the opportunity for homes that low- and moderate-income residents can afford. But figuring how to do that has been a daunting task.

The state Legislature's solution back in the 1980s was to create the Council on Affordable Housing, a 12-member board that laid out each town's housing obligation and approved its plans for how to meet it.

The council, known by its acronym, COAH, became a nearly universally despised foil for local politicians who didn't like its rules or methods, which they saw as bureaucratic.

Christie formulated a plan in June to eliminate the agency. Lawmakers had two months to object, but none did.

On Sept. 15, Christie's administration announced that COAH would be eliminated and its duties transferred to the state Department of Community Affairs.

"The goal of this reorganization plan is to put an end to this hopelessly complex and outdated system — and provide affordable housing opportunities to our most deserving residents," DCA

Commissioner Lori Griffa said at the time. "The Governor's plan addresses the needs of both the providers and beneficiaries of affordable housing in New Jersey by organizing all programs within a single regulatory body."

His plan set forth interim procedures designed to speed up affordable-housing decisions.

Fair Share Housing Center, a Cherry Hill-based group that advocates for housing for lower-income people, sued.

The group said that the DCA's new rules are not good enough and have meant decisions regarding towns' affordable housing plans are made without enough explanation or opportunity for public comment.

"The only thing worse than a slow COAH, a bureaucratic COAH, is housing policy set by the guy who has announced opposition," Kevin Walsh, a Fair Share lawyer, said Wednesday. "What we're going to get is faster bad decisions."

DCA spokeswoman Lisa Ryan characterized the court order, which was issued without a full opinion, as "a procedural issue on the proposed guidelines."

"The more critical and positive ruling from our perspective is that the court refused to block the Governor's COAH reorganization plan," Ryan said.

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