

Separate Is Never Equal



— Governor Jon S. Corzine
Ethel R. Lawrence Homes • July 17, 2008
Signing of Assembly Bill 500

“The right to affordable housing in New Jersey is just that: **It’s a right.**”

-Governor Jon S. Corzine



New Law Eliminates Regional Contribution Agreements and Opens Doors of Suburbia to Low-Income Families throughout New Jersey

Ethel R. Lawrence: The Fight for Affordable Housing in New Jersey's Suburbs



It is no coincidence that Ethel R. Lawrence Homes was chosen as the site for New Jersey Governor Jon S. Corzine's historic signing of the first major amendments to the state's 1985 Fair Housing Act.



Ethel R. Lawrence Homes, an award-winning townhome-style rental apartment complex in upscale Mount Laurel Township, is unique in all of New Jersey. The development is a direct result of three decades of litigation, advocacy and citizen determination, which produced the first and only affordable housing community in New Jersey's suburbs to reach very low-income families. Ethel R. Lawrence Homes has been praised for promoting racial integration and deconcentrating poverty as well as providing educational support programs in a safe environment.

The complex was named after Ethel R. Lawrence, who is often called the "Rosa Parks of Affordable Housing." Lawrence, a teacher, wife and mother of nine, is renowned for braving racist threats to fight exclusionary zoning in NJ's suburbs. Lawrence's battle began in the late 1960's, in her hometown of Mount Laurel, when Mayor Bill Haines told a crowd of African-Americans assembled at Jacob's Chapel A.M.E. church that their application to build 36 units of affordable garden apartments would be denied.

"If you people can't afford to live in our town, then you'll just have to leave..." Mayor Haines told the residents. He and other town officials didn't care that many African-American families had roots in the Mount Laurel area dating back to the Revolutionary War or that some of these residents were living in converted chicken coops.

The town was zoned for large single-family homes and the official policy was that if your current residence was declared unfit for human habitation and you couldn't afford to buy one of the single-family homes, you would just have to leave the township.



The *Mount Laurel* Doctrine

Fortunately, Mount Laurel's African-American community, led by Ethel Lawrence, refused to go. Instead, Lawrence joined forces with poor residents in the City of Camden, the Southern Burlington County and Camden County NAACPs and Camden County C.O.R.E. in 1971 to sue Mount Laurel. The plaintiffs were represented by Carl S. Bisgaier, Kenneth E. Meiser and Peter J. O'Connor. In 1975, and again in 1983, the plaintiffs won in the New Jersey Supreme Court in the country's most sweeping and most often cited decision prohibiting towns from shutting out the poor through exclusionary zoning. Known nationally as the "*Mount Laurel* Doctrine," these decisions represent the first and only time in our nation's history that a State Supreme Court has interpreted its Constitution to prohibit economic discrimination in the exercise of state powers in land use regulation and to affirmatively require state and local governments to provide realistic affordable housing opportunities for the poor.

In 1986, Peter J. O'Connor founded Fair Share Housing Development, Inc. (FSHD), a nonprofit affordable housing sponsor-developer, to fully implement the settlement agreement in the *Mount Laurel* litigation



Peter J. O'Connor
*is the founder and
Executive Director of
Fair Share Housing
Development, Inc.*



with housing that would reach the very poor. Sadly, Lawrence died in 1994 without ever seeing her dream come to life. FSHD named the development in her honor as a lasting tribute.

Opening the Doors of Suburbia

Since 2000, when Ethel R. Lawrence Homes first opened, the development has been a beacon of hope for families who want to live in a safe community with good jobs and an outstanding school system. More than 2,600 families have applied to live in the 140-unit complex, which boasts spacious one-bedroom, two-bedroom and three-bedroom apartments on 62 beautifully landscaped acres.

Many of the initial residents camped overnight at the site or stood in line for hours on opening day in order to obtain a rental application. Later tenants have endured a waiting list that is today three to five years long.



Ethel R. Lawrence Homes is a townhome-style development with 140 rental units located in affluent Mount Laurel Township. The complex was built and is managed by Fair Share Housing Development, a nonprofit sponsor-developer of affordable housing in Southern New Jersey.

The Promise of a Better Tomorrow



Most Ethel R. Lawrence Homes residents are African-American or Hispanic and because many of them come from urban areas plagued by generations of concentrated poverty, such as nearby Camden, NJ, FSHD provides

education and social services support to help with the transition. An education coordinator provides homework assistance, tutoring, one-on-one counseling in close communication with the school system, and a full-time summer enrichment camp for the children of Ethel R. Lawrence Homes. A social services coordinator monitors and counsels older students and coordinates parenting workshops. Such programs put Ethel R. Lawrence Homes, which won the 2001 Governor's Excellence in Housing Award, at the cutting edge of affordable housing development in the suburbs. FSHD's holistic programs are also very much appreciated by the tenants.

Until now, Ethel R. Lawrence Homes has remained the only affordable housing development in NJ's suburbs to reach families with incomes between 10 percent to 30 percent of median income—or \$7,430 to \$22,290. That will likely change soon with the signing of A-500, which closed the final loopholes in the 1985 Fair Housing Act (enacted by the Legislature in response to the *Mount Laurel* court decisions).



"I sometimes think what might have been if I had not had the opportunity to move to Mount Laurel," says Ethel R. Lawrence Homes tenant Doreen Braz. "I wonder if I would have survived my old neighborhood, if we would have been safe, if my youngest daughter would be getting A's and B's, or if my eldest daughter would have made it to college."

Fair Share Housing Development, Inc.

has built and operates four housing complexes serving more than 2,000 tenants in Camden, Gloucester and Burlington counties. It has been the only provider of housing for very low-income families in high-opportunity suburban New Jersey towns. In addition to the 656 units it currently manages, FSHD also has 441 units in the development pipeline in Mount Laurel, Cherry Hill, Woolwich and Camden.



**FSHD Corporate Headquarters
at Ethel R. Lawrence Homes**

How New Law Will Help NJ's Poorest Families

Under the *Mount Laurel* Doctrine, all towns in New Jersey have to provide their fair share of the region's need for affordable housing. A loophole to that policy was enacted as part of the 1985 Fair Housing Act which allowed

Under the legislation that was signed on July 17, 2008, RCAs going forward have been abolished. This historic legislation closes the primary loophole that towns used to avoid providing affordable housing. Towns will have

to meet all of their fair share obligations within their own borders rather than paying other towns to accept the housing.

Two other provisions in the bill are worth noting. Thirteen percent of the affordable housing built in towns is now required to be very low income (which here means 30 percent of median income and below, or \$22,290 annually).

This amendment will go far in advancing the racial and

economic integration goals of the *Mount Laurel* doctrine. Also, a statewide development fee of 2.5 percent has been imposed on all commercial development. This is projected to create \$163 million annually for affordable housing.



“This historic legislation closes the primary loophole that towns used to avoid providing affordable housing.”



Regional Contribution Agreements (RCAs) to be used to transfer up to 50 percent of a wealthy town's affordable housing obligation to a poor town. In the past 25 years, as a result of the *Mount Laurel* litigation, 40,000 affordable homes have been built in suburban towns. Ten thousand more would have been built in those towns if it had not been for RCAs.



Bill Signing Ceremony

On July 17, 2008...

some 400 affordable housing advocates braved the heat of a steamy summer afternoon to watch Governor Jon S. Corzine sign what has been dubbed "landmark fair housing reform" for NJ. Speeches and commentary were offered by a host of religious dignitaries, citizen activists and key legislative leaders, including Assembly Speaker Joseph J. Roberts, Jr. and Assembly Majority Leader Bonnie Watson Coleman, who were among the primary sponsors of the new law.



Governor Jon S. Corzine

"We are ending decades of unfair, unbalanced and insufficient provision of affordable housing in New Jersey. This bill lays the groundwork for us to reach our ultimate goal of ensuring that housing is available to all New Jerseyans, which ultimately will enhance the quality of life for everyone in this state."





Photo courtesy of Assembly Majority Office

**Assembly Speaker
Joseph J. Roberts, Jr.**

“NJ’s affordable housing laws have failed to live up to the promise of providing homes for low- and moderate-income residents while having the insidious side effect of concentrating poverty in our inner cities. New Jerseyans need homes they can afford and jobs they can reach. Today, we are transforming the state’s almost barren affordable housing landscape from one of lost opportunities to one of hope and promise for thousands of families.”

Key Lawmaker Behind RCA Ban

In 2004, Assemblyman Joseph J. Roberts, Jr., then the Majority Leader, spoke at Princeton University to announce his plan to abolish Regional Contribution Agreements (RCAs). He called them “repulsive” and said that to “advance as a state, we must move forward together—all of us—and not pay others to stay behind.” In January 2007, after he became Assembly Speaker, Roberts followed through on his promise and introduced a bill to abolish RCAs. The rest of the year was spent negotiating with other lawmakers about the RCA ban, which was ultimately included as the centerpiece of a twelve-point plan to reform New Jersey’s affordable housing laws. Success came in the Spring of 2008, as legislators voted to approve A-500 and Gov. Jon S. Corzine vowed to sign the first major set of amendments to the 1985 Fair Housing Act.



**Assembly Majority Leader
Bonnie Watson Coleman**

“Every family deserves to have a choice in where they live and access to a home that is within their means. NJ’s housing policy must be something more than two options: either you can afford a roof over your head or you move to another state.”

Passionate Advocate for NJ’s Poor

Assembly Majority Leader Bonnie Watson Coleman has long been the leading advocate in the Legislature for including households making less than \$25,000 a year in the state’s affordable housing programs. As early as 2002, Watson Coleman introduced a bill in the Assembly that required a quarter of all affordable housing in the state be set aside for New Jersey’s poorest families. A revised version of Watson Coleman’s bill became part of the comprehensive housing package of A-500 in late 2007. The Majority Leader’s passionate speeches before lawmakers in Trenton ultimately led to the state’s first ever requirement to include very low-income housing in every town’s affordable housing plan.



Photo courtesy of Assembly Majority Office

Diane Sterner
Executive Director
Housing and Community Development
Network of New Jersey

“As a result of this new law, many more people will have greater opportunities to find decent, affordable housing throughout New Jersey. The bill helps open communities that have been off-limits to poor and working families, and encourages higher-income folks to move or stay in our urban centers, creating a diversity of wealth and experiences across this great state.”



Doreen Braz
Ethel R. Lawrence
Homes Resident

“I am grateful, and thankful to God, that Mount Laurel did not send me away, but rather welcomed me. Now other towns in NJ will be able to open their doors to hard-working people who just want a decent place to live. This visionary legislation will allow so many more people to accomplish what those of us here at Ethel R. Lawrence Homes have realized: our little piece of the American Dream.”



Bishop Joseph A. Galante
Catholic Diocese of Camden

“We must always insist that the human dignity of all persons be upheld through our laws, our policies and actions. A lack of affordable housing, or finding loopholes to avoid our obligation to provide it, is unacceptable and an affront to the God-given dignity of the human person.”



Monsignor Michael Doyle
Sacred Heart Church, Camden

“May the state of NJ be a beacon of light to the nation in this area of genuine justice in housing. May racism and fear and greed never have the upper hand in this Garden State.”



Assemblywoman Mila Jasey

“Thousands of working NJ families spend upwards of one-third of their hard-earned incomes just to keep a roof over their heads. These reforms will bring real relief to the many NJ families who are struggling to keep up with the ever-increasing cost of housing.”



Photo courtesy of Assembly Majority Office

Senator Dana Redd

“For too long we’ve allowed wealthy municipalities to buy their way out of their affordable housing obligations. If NJ is to continue to grow and thrive, it is critical that we provide affordable housing opportunities in all of our communities—urban, suburban and rural—so that working families, young people and seniors can continue to call the Garden State home.”



Photo courtesy of Assembly Majority Office

Commissioner Joe Doria
*NJ Department of
Community Affairs*

“Governor Corzine has stressed the need to provide affordable housing for the hard-working men and women of NJ and their families. This legislation will provide additional funding and the means to accomplish this.”



Photo courtesy of Assembly Majority Office

Assemblyman Thomas P. Giblin

“State leaders, local leaders and developers need every tool possible to promote the construction of new affordable housing. By working together, the public and private sector can make the dream of home ownership a reality for working families.”

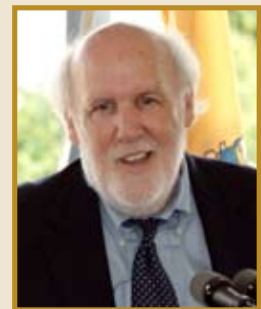


Photo courtesy of Assembly Majority Office

Peter J. O'Connor
*Founder and Executive Director
Fair Share Housing Center,
Fair Share Housing Development*

“The challenge as we go forward is to celebrate today, but make sure that we have won. It's a victory but it's not implementation.”



Photo courtesy of Assembly Majority Office

David Rusk
*Washington-based urban policy expert,
Author, “Inside Game/Outside Game”*

“Assembly Bill 500 is the most important housing reform legislation enacted in the nation in the past two decades.”



Photo courtesy of Assembly Majority Office

Reverend R. Lentin Buffalo, Jr.
*Statewide Clergy Caucus Chair,
New Jersey Regional Coalition*

“The fact that the NJ Regional Coalition is a regional grassroots and faith-based organization made all the difference in this effort.”

The signing ceremony at Ethel R. Lawrence Homes was covered by top newspapers from around the tri-state region and has invited continued commentary on the importance of this landmark legislation.

The Philadelphia Inquirer
 FRIDAY JULY 28, 2008
 philly.com SOUTH JERSEY EDITION
N.J. ends practice of selling affordable housing obligations

The Star-Ledger
 At the right to New Jersey
Another milestone on New Jersey's road to fair housing
 BY DIANE BRADY
 A neighborhood of small homes was being torn down in a section of Mount Laurel in Burlington County. It was 1971 and Robert Lawrence, a long-time resident, stood up at her council meeting to protest the large lot zoning. The zoning, she said, prevented the construction of new housing that she and her neighbors could afford. She was right, in a quote that became famous, "If you can't afford to live here, go somewhere else."
 Robert Lawrence refused to take that as the final answer. With three crusading lawyers and the support of the South Burlington County NAACP, she took her case all the way to New Jersey's Supreme Court.
 To continue to restrict housing opportunities and keep many households trapped in circumstances of concentrated poverty, RCAs should be eliminated. For years, people said that RCAs could never be abolished. But they were proved wrong. Last month, thanks to the tenacious leadership of Assembly Speaker Joe Roberts, with the backing of the New Jersey Regional Coalition, a powerful grassroots coalition of people who demanded that public officials do the right thing, Gov. Jon Corzine signed a law, known as AMR, abolishing RCAs.
 More than 500 people stood in the hot sun to witness the historic signing in a historically important location. They gathered on a street in New Jersey's economic mill town. Without housing near jobs, we have a transportation problem. Without enough housing affordable to the work force, we are at risk of losing jobs overseas to where the work force is being — increasingly — out of state.
 Here is a case in point: In 1980, in central Jersey's Route 1 corridor, a primary economic region for the state, there was almost one house for every job. By 2000, the ratio had almost doubled, only one house for every two jobs. And the 2000 U.S. Census showed that jobs had begun to move to Pennsylvania, where many of the workers in the Route 1 corridor were already living — when they had to go to find housing they could afford. With pas-

Catholic STAR HERALD
 CONTACT: NEW JERSEY, JULY 28, 2008
 Gov. Corzine poses for photos with members of the New Jersey Regional Coalition after signing an affordable-housing bill yesterday in Mount Laurel.
 Contact: Jonathan Tamari at 609-989-9018 or jtamari@phillynews.com

“I bet Ethel R. Lawrence is doing the happy dance up in heaven right about now. Because nearly 40 years after the lifelong Mount Laurel resident sued for the right to affordable housing, Governor Corzine made her dream a reality....

We can only hope that everyone in this four-decade fight will put universal values into action, values that happen to be the names on the street signs at Ethel R. Lawrence Homes.

Faith. Hope. Equality. And most of all, Tolerance.”

- Annette John-Hall
 Columnist
 The Philadelphia Inquirer
 July 22, 2008



Among those who worked to educate lawmakers and the public about the need for affordable housing reforms to help New Jersey's poorest families were a host of nonprofits which joined forces in a common cause. Key players included:

Fair Share Housing Center



Peter J. O'Connor

is FSHC's Founder and Executive Director. Over the last four decades, O'Connor has been a tireless legal crusader for the rights of low-income families in New Jersey to live in high-opportunity neighborhoods with decent jobs and good schools. When he's not battling in the courtroom, O'Connor is busy developing housing for the poor in South Jersey where he heads Fair Share Housing Development, which has developed and manages 656 units of affordable housing, including Ethel R. Lawrence Homes.

Founded in 1975, FSHC is the state's only public interest organization devoted entirely to defending the housing rights of New Jersey's poor as outlined in the *Mount Laurel* Doctrine. Through litigation, public policy work, and other forms of advocacy, FSHC has helped

to deconcentrate poverty and promote racial integration in New Jersey by creating numerous opportunities in municipalities throughout the state for the construction or preservation of tens of thousands of units of affordable housing.

For more information, visit www.fairsharehousing.org



Kevin D. Walsh

is FSHC's Associate Director. In 2000, he joined FSHC following a clerkship in the New Jersey Supreme Court. Walsh, a graduate of The Catholic University of America and Rutgers University School of Law in Camden, is responsible for the administration of FSHC and focuses his practice on regulatory challenges and litigation involving high-growth municipalities. He has also had major success in getting affordable housing included in key transit-oriented development plans.



Adam M. Gordon

joined FSHC as a Staff Attorney and Equal Justice Works Fellow in September 2006. A New Jersey native, Gordon holds a B.A. and J.D. from Yale University. In his work with FSHC, Gordon has fought against Regional Contribution Agreements and worked to promote affordable housing for families earning less than \$25,000 a year. Gordon is also co-founder of a quarterly magazine, *The Next American City*, which *The New York Times* described as a "subtle plan to change the world."

New Jersey Regional Coalition

NJRC is a faith-based, grassroots coalition of groups from throughout New Jersey devoted to the idea that everyone who lives here has a stake in the economic and social well-being of the region, and of all the communities within it, not just his or her own. NJRC works to develop an effective relationship with the decision-makers in Trenton and beyond to bring about change in our society. For more information, visit: www.njregionalequity.org

The Housing and Community Development Network of New Jersey

This nonprofit is a statewide association of more than 250 nonprofit affordable housing and community development corporations, individuals and other organizations that support the creation of housing and economic opportunities for low- and moderate-income New Jerseyans. For more information, visit: www.hcdnnj.org





“The challenges as we move forward are to educate and develop the support of community leaders and municipal officials for the development of affordable housing throughout New Jersey’s six “Mount Laurel” regions and to expand funding from the private sector—individuals, businesses, foundations and religious institutions—in order to leverage and maximize public sector affordable housing assistance.”

—Peter J. O’Connor
Fair Share Housing Center



Photos:
(left to right)

Page 4

1. Diane Sterner, Executive Director of the Housing and Community Development Network and Bruce Davidson, Director of the Lutheran Office of Governmental Ministry.
2. Christ Care Unit Missionary Baptist Church Choir of Sicklerville.
3. Peter J. O’Connor, Assembly Speaker Joe Roberts and Carl D. Poplar, Esquire.

Page 9

1. Bill signing audience.
2. William Schramm and David Danton, Kanalstein Danton Associates, and Peter J. O’Connor.
3. NJ Public Advocate Ronald K. Chen and Governor Jon Corzine.

Page 10

1. Martha Lamar, veteran housing advocate, Betsy Clifford, Executive Director, Camden Lutheran Housing and Arnold Cohen, Policy Coordinator, Housing and Community Development Network.
2. Bill signing audience.
3. Ron Hein, Unitarian Universalist Church, Cherry Hill and Rev. Dr. T.L. Steele Sr., Jerusalem Baptist Church, Trenton.

Back Cover

1. Monsignor Michael Doyle and James G. O’Connor, retired, Executive-Vice President, Ford Motor Company.
2. Alice Olick, Peter J. O’Connor and Hon. Gary S. Stein.
3. Robert F. Williams, Law Professor at Rutgers University School of Law - Camden.
4. Jim DeLuca, president, J.J. DeLuca Company, Inc., Ethel R. Lawrence Homes general contractor and Ronald B. Evans, FSHC Board of Trustees.

Photos by Mark Lozier Photography and New Jersey General Assembly Democratic Office

