Gov. Chris Christie Tuesday ordered the state government's role in providing affordable housing halted, an action called illegal by housing activists who quickly filed a request with the state Appellate Court to schedule a hearing on the move.

Christie signed an executive order halts all work by the state Council on Affordable Housing unless state Community Affairs Commissioner Lori Grifa decides it would hinder an opportunity to provide affordable housing.

It also creates a five-member Housing Opportunity Task Force headed by former senator Marcia Karrow (R-Hunterdon), who as a legislator opposed affordable housing in the suburbs. The group has 90 days to produce a public report that is to include an evaluation of crumbling housing instead of new construction and assess the state's current affordable housing system.

Christie's order calls COAH's procedures "excessively complex and unworkable." It also declares the "delays and controversy" over the current methods "strongly suggest" there are may be better ways for the state to play a role.

The governor's action comes as the Legislature considers a bill that would eliminate COAH and give cities and towns a greater role in deciding how much affordable housing they should provide, if any.
During his campaign for governor, Christie told potential voters he wanted to "gut" COAH.

The transition team that examined the operation of the Department of Community Affairs for the governor recommended that COAH be disbanded and its employees fired.

Kevin D. Walsh, counsel for the Cherry Hill-based Fair Share Housing Center, said Christie's order puts 45,000 new houses and apartments at risk.

"Christie's action mimics an early initiative by the McGreevey administration which became an embarrassing failure and was struck down in the courts," Walsh said.

"Governor Christie's indefinite freeze on New Jersey's housing policy puts thousands of homes and jobs at risk at a time when the low-cost housing sector is the strongest part of the real estate market," said Peter O'Connor, Fair Share Housing director. "We are filing an appeal of the governor's illegal actions today, which are contrary to the state Constitution, in order to ensure that we do not lose much-needed homes and jobs."

Christie said the mission of the task force will be to examine the regulations and methodologies of COAH, the Fair Housing Act (FHA) and the State Planning Act in meeting the constitutional obligations of the Mt. Laurel–court decisions in a manner that is consistent with sound planning and economic growth for the state.

"COAH's conflicting messages and edicts to municipalities and builders have made it a planning nightmare and a source of endless litigation," Christie said. "This task force will help formulate a sensible planning system that considers economic growth and development, the character of our communities and our commitment to affordable housing opportunities for our residents."

The governor said the state Supreme Court identified a constitutional obligation on the part of municipalities to provide, by their land use regulations, the provision of affordable housing in a manner that is both fair and reasonable. "Delays, inefficiencies, sky-rocketing costs and continued litigation have rendered COAH impractical and ineffective," he said.
A 1975 state Supreme Court ruling and another in 1983 held that every New Jerseyan is entitled to affordable housing and that cities and towns have a role in providing it. While the majority of New Jersey's over 600 towns have provided some sort of affordable housing – usually reluctantly – over 200 have ignored the issue.

Critics of COAH's housing rules cost municipalities tax dollars and make them provide unnecessary housing.

The COAH regulations Christie is questioning stem from an Appellate Court ruling in 2007 that struck down a 2002 move by Gov. James McGreevey to place COAH's housing policies on hold. The court held McGreevey was creating a "dramatic and inexplicable" delay in enforcing the state's laws, and ordered him to proceed with carrying out the state government's obligation to help provide low- and moderate-income housing.

"Gov. Christie wants to give towns the keys to exclude – through stopping groups like Habitat for Humanity and special needs housing developers from building entry-level homes on land that they own," Walsh said. "We are challenging Governor Christie's actions today because he seeks further delay on top of delay stretching a decade that courts have already found invalid. As a former prosecutor, Governor Christie should know that the government has a duty to carry out the law as it is – not to make it up as it goes along."

Here is a chronology of affordable housing issues going back only to 1999:

- **1999** – Third Round COAH rules originally due; COAH announces it is delaying the rules to wait for results of 2000 Census.
- **2002** – McGreevey Administration places hold on COAH rules. Several groups challenge in court.
- **2004** – Court orders COAH to adopt rules, calling delay "dramatic and inexplicable." COAH adopts new rules cutting municipalities' housing obligations in half. Three members of COAH's Board call rules unconstitutional and are then replaced by Gov. McGreevey.
- **January 2007** – Appellate Division invalidates COAH's rules as unconstitutional, and orders COAH to publish constitutional rules within six months.
- June 2008 – COAH extends deadline for towns to submit plans to December 31, 2008.
- Dec. 2008 – Over 250 municipalities submit Third Round fair share plans for over 42,000 low and moderate-income and special needs homes.
- Jan. 2009-Jan. 2010 – COAH more rapidly processes plans than at any point in its history, approving 57 in the first year and completing review of all plans. Plans to build tens of thousands of new homes move forward.