



**FAIR SHARE**  
HOUSING CENTER

# THE FIGHT FOR HOUSING JUSTICE:

## A YEAR IN REVIEW



## FIGHTING FOR HOUSING JUSTICE

Everyone deserves a safe, healthy, and affordable place to call home. At Fair Share Housing Center (FSHC), we use legal, policy, and community-building strategies to dismantle decades of racial and economic discrimination in New Jersey and beyond.

Our 2022 victories in the courtroom, at the statehouse, and locally in communities across the state will expand access to affordable housing for low-income families and communities of color that have been harmed by systemic exclusion and disinvestment.

We are thankful to our staff, board, and partners for their commitment to our vision of housing justice for all.

# FROM OUR EXECUTIVE DIRECTOR

This year, our state and nation witnessed unprecedented levels of housing instability. As housing prices continue to rise, renters and homeowners alike are facing uncertain situations, putting our communities at risk. Too often the response to this housing crisis has been complacency; when gas prices go up 20 cents a gallon it's a national catastrophe, but we hear much less about rents rising by hundreds of dollars a month and thousands of families sitting on waitlists for affordable housing. We have chosen instead to respond to these challenges with action — action that recognizes the central role housing plays in health, education, and our nation's continued racial disparities.

Since 1975, FSHC has fought to dismantle racial and economic segregation in New Jersey by challenging exclusionary zoning. At the center of our work is enforcement of the *Mount Laurel Doctrine*, New Jersey's constitutional mandate that requires every municipality to provide its fair share of affordable housing. We work with community leaders and partner organizations to enforce *Mount Laurel* and safeguard affordable housing throughout New Jersey.

While *Mount Laurel* assures the development of affordable housing, we know that the construction of homes is necessary but insufficient to solve the housing crisis. Eliminating discriminatory barriers to housing access that disproportionately impact Black and Latino communities like the use of eviction records, credit checks, and questions about prior criminal legal system involvement ensures that homes are truly available to families that need them. Fair housing efforts like ending appraisal bias and predatory foreclosures can also help to shrink the racial wealth gap so communities of color can finally reap the generational benefits of homeownership. We continue to work closely

with legislators and community organizers in New Jersey and beyond to advocate for policies that make housing accessible.

We are proud to share this year's victories with you and demonstrate the material impact of your support. This year we secured a historic affordable housing allocation in the state budget — the largest in state history and the largest single allocation of federal recovery funds in the budget; won litigation that will end nearly fifty years of housing segregation in Englewood Cliffs; released a report that called on state agencies to enforce affordability requirements with state funding and worked with the Economic Development Authority to make related policy changes on its \$14 billion Aspire program; and advanced equitable disaster recovery efforts in conjunction with national partners and locally in response to Hurricane Ida.

Thanks to you, FSHC has had another successful year of championing housing rights for low-income families and communities of color. We thank you for your generous contributions, unyielding support, and community partnerships. We look forward to continuing the fight for racial and economic justice, together.

In solidarity,

Adam Gordon  
Executive Director



# OUR WORK

---

## CREATING INCLUSIVE COMMUNITIES

We enforce the landmark Mount Laurel Doctrine to advance inclusion, prevent exclusionary zoning, and challenge localities that impede the development of affordable housing. We advocate for local, state, and federal policies that create more opportunities for affordable housing development, such as inclusionary zoning and affordable housing funding.

## SAFEGUARDING ACCESS TO HOUSING

We advocate for policies, like the Fair Chance in Housing Act, that protect individuals' access to affordable housing. No one should be denied a home solely because of poor credit, a past eviction, or prior involvement in the criminal legal system.

## ENSURING EQUITABLE DISASTER RELIEF

After Hurricane Sandy devastated communities in 2012, we secured the largest fair housing settlement in the nation for low-income renters and homeowners across New Jersey. We continue to advocate for fairer and more equitable disaster relief processes and increased investments to build resilient communities at the state and federal levels.

## ADDRESSING RACIAL & ECONOMIC DISPARITIES

We recognize the intersectionality of housing with other issues and know that to truly achieve racial and economic justice we must tackle disparities from multiple angles. We partner with community stakeholders, government officials, and advocacy organizations to address the racial wealth gap and secure investments that benefit communities of color.

# IMPACT BY THE NUMBERS

\$305M

HISTORIC AFFORDABLE HOUSING  
PRODUCTION FUND TO SUBSIDIZE  
100% AFFORDABLE PROJECTS

ONLY 2

REMAINING UNSETTLED  
FAIR SHARE CASES OUT OF  
344 FILED IN 2015

NEARLY  
3,300

NEWLY PROJECTED AFFORDABLE  
HOUSING UNITS STATEWIDE FROM  
HISTORIC \$305M INVESTMENT

3,260

SUBSCRIBERS TO OUR  
NEWSLETTER

\$337,575,000

ALLOCATED TO HURRICANE IDA RECOVERY

# CREATING INCLUSIVE COMMUNITIES

---

## ENFORCING THE MOUNT LAUREL DOCTRINE

To date, FSHC has settled more than 340 cases with municipalities around the state under the Mount Laurel Doctrine. We anticipate approximately 50,000 new affordable homes to be built over the next decade as a result of these settlements. This year, as part of our work to enforce the Doctrine, we won two significant and meaningful victories in Englewood Cliffs and Madison that will help advance affordable housing.

Englewood Cliffs is a prime example of the extreme lengths that a municipality will go to exclude low- and moderate-income New Jerseyans from its borders. It has gone above and beyond to avoid compliance and delay construction of affordable homes as required by New Jersey's Constitution. In fact, the Borough has not allowed a single affordable home to be built in Englewood Cliffs since Mount Laurel I was decided in 1975. But as a result of our advocacy, the very first affordable homes are set to be built in Englewood Cliffs. In July, The Appellate Division of the Superior Court found Englewood Cliffs in violation of their settlement agreement. There is no place for discrimination and exclusion in New Jersey. Fair Share Housing Center is committed to safeguarding the right for all New Jerseyans to choose where they want to reside—and to creating more inclusive and vibrant communities where all people, regardless of their economic or racial background, have an equal opportunity to thrive.

This year we won an important case in Madison Borough that will help solidify the legal foundation for towns' continued affordable housing obligations after changed circumstances. Under the Mount Laurel Doctrine, a town's affordable housing obligation is sometimes adjusted based on how much developable land is available within the town, called a vacant land adjustment. But developable land can change over time or new information can impact what was previously agreed to. In the Madison case, there was land owned by Drew University that was previously not considered in the calculation of Madison's affordable housing obligation. The Court ruled that the increase in available acreage had to be considered. Because redevelopment in towns that are largely built out has provided for more and more of recent New Jersey development, this case has important implications for the continued enforcement of the Mount Laurel Doctrine.

## PREVENTING DISPLACEMENT IN URBAN CENTERS

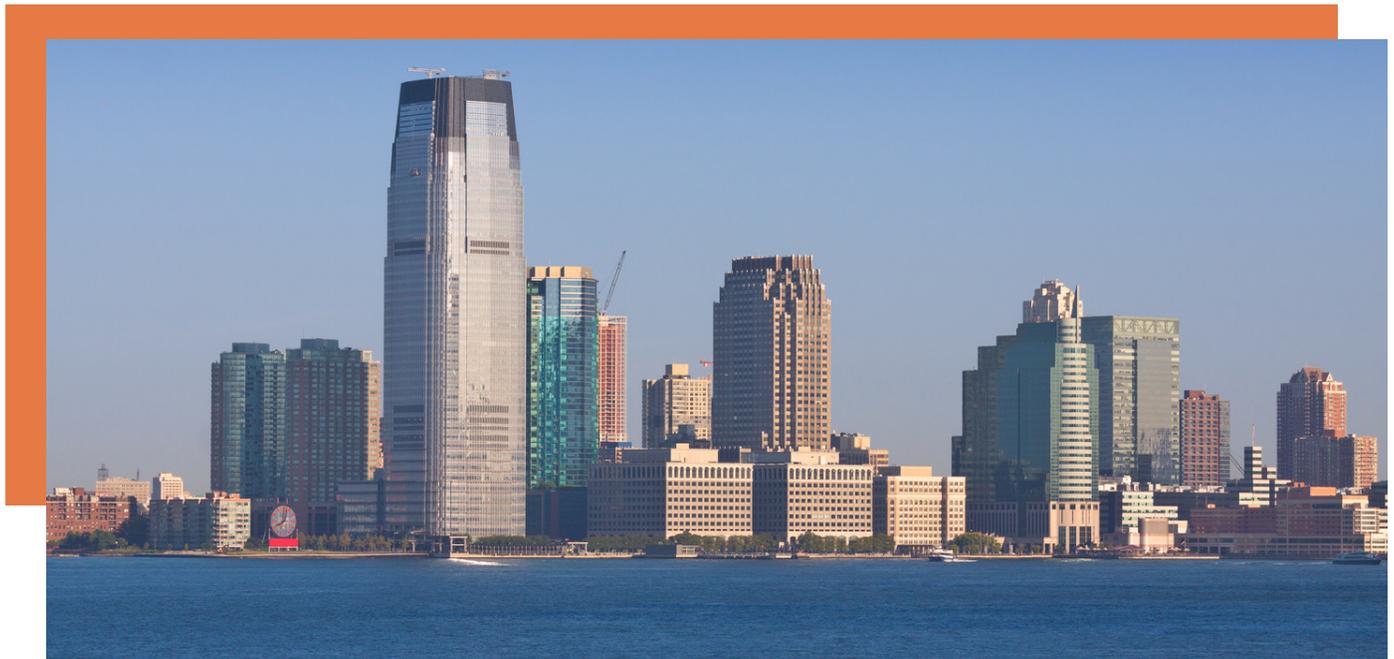
As New Jersey's population grows, an influx of new residents to our urban centers drives gentrification forward at a record pace. Maintaining affordability for longtime residents of these cities is critical to preventing displacement and fueling further segregation in our state. Inclusionary zoning is one policy solution that helps safeguard affordability by requiring affordable housing set-asides in certain instances when new residential projects are to be developed. This year, in addition to defending the state's first urban inclusionary zoning ordinance in Hoboken, we also worked with local partners and advocates on the ground to advance inclusionary zoning in Newark and Jersey City.

**HOBOKEN:** In 2011 and 2012, FSHC filed suit to enforce Hoboken's inclusionary zoning ordinance against four developers who received approvals from the City's Zoning Board. This summer, after more than a decade of litigation, the Appellate Division of the Superior Court of New Jersey, for

the third time, upheld the ordinance that requires a ten percent set-aside for affordable housing in new residential developments.

**JERSEY CITY:** After passing the City's first Inclusionary Zoning Ordinance in 2021, this year Jersey City expanded on the ordinance by passing an affordable housing overlay that will further advance affordable housing. At a time when rents in Jersey City are making national headlines, this innovative addition to the ordinance will create more opportunities for smaller mixed-income developments.

**NEWARK:** This year the City of Newark strengthened its Inclusionary Zoning Ordinance thanks to the persistent advocacy of local partners and FSHC. Working with the Administration and City Council, the updated ordinance requires a 20% set-aside for affordable housing and applies to new construction or substantial rehabilitation of 15 or more units.





## A HISTORIC STATE BUDGET

As a result of our advocacy, for the first time ever this year, the New Jersey State Budget included dedicated funding to build affordable housing projects approved under Mount Laurel settlement agreements. We are grateful to the Murphy Administration and the New Jersey Legislature for prioritizing affordable housing in the Fiscal Year 23 budget. The \$305 million Affordable Housing Production Fund is the single largest investment in building affordable housing in New Jersey history and the largest use of American Rescue Plan funds in the FY 23 budget. It will accelerate the development of affordable housing and is anticipated to create almost 3,300 new affordable homes statewide.

## A CALL TO ACTION

In September, FSHC released *Untapped Resources: How New Jersey Can Leverage State Financing and Land For Affordable Housing*, a report that encourages New Jersey to fully implement the Fair Housing Act. In 2008, New Jersey amended the Fair Housing Act to provide for an affordable housing set-aside when new residential development occurs on state-owned land or is supported in whole or in part with state monies. However, the law has yet to be fully implemented. Missed opportunities to mandate an affordable housing set-aside in certain developments contributes to New Jersey's housing crisis.

New Jersey is one of the most segregated states in the country, and the impact of segregation on the health of Black and Latino communities is significant. In *Untapped Resources*, we demonstrate the value of living in neighborhoods with direct access to regional opportunities, high quality public infrastructure, and wealth. Earlier this year, the NJ Economic Development Authority released draft regulations on the ASPIRE program. Even though these aren't yet finalized, the proposed rules require a 20% set-aside for affordable housing and also include critical protections for income and bedroom distribution in all projects. The proposed rules demonstrate how state agencies can fully implement the Fair Housing Act.

# SAFEGUARDING ACCESS TO HOUSING

---

## FOSTERING COMMUNITY CONVERSATIONS

In April, FSHC hosted a Housing Justice Roundtable with partners from around the state to discuss the need for more affordable housing, the need for more affordable housing, better access, and how advocates are working on the local and state levels to tackle these challenges. Joined by Lieutenant Governor Oliver, Attorney General Platkin, Chairwoman Lopez, and partners from around the state, the event made clear that housing is a multifaceted issue that can only be addressed with an intersectional approach

To further our goal of housing low-income families and communities of color, we hosted two webinars on Affordable Housing in New Jersey to educate the public on the Mount Laurel Doctrine and how to apply to affordable housing. Since Mount Laurel affordable housing has a different application process than other low-income housing opportunities in the state, these webinars

sought to educate partners and prospective tenants on the application process for affordable housing. While much of our work focuses on ensuring that affordable housing is built, it is equally important that we work to make sure people know how to access the housing once it is constructed.

## ENDING DISCRIMINATION IN HOUSING

To celebrate the one-year anniversary of the signing of the Fair Chance in Housing Act, we hosted a virtual event with Attorney General Platkin and a panel of experts to highlight implementation and enforcement of the law. Since the law went into effect, the Division on Civil Rights has issued multiple warnings and violations to housing providers throughout the state. We continue to prioritize community education because the best way to protect residents is to make sure everyone knows their rights when applying to housing.



# ENSURING EQUITABLE DISASTER RECOVERY AND CLIMATE RESILIENCE

---

## CENTERING SURVIVORS

October 29th, 2022 marked the ten year anniversary of Superstorm Sandy. In remembrance of this day, FSHC helped to coordinate an event at the home of Sandy survivor Carol Ferraoili where other survivors and advocates came together to discuss the aftermath of Sandy and the ways the disaster recovery system is in dire need of reform. Since Superstorm Sandy in 2012, we have watched as other disasters like Hurricanes Harvey, Maria, Fiona, and Ida have ravaged communities across the country. We know that climate disaster is becoming more frequent, and we need a federal response that centers equity, mitigation, and a reconstruction process that swiftly gets residents the resources they need to rebuild their lives and confront the next storm stronger than before.

For this reason, we partnered with storm survivors and advocates from around the United States and Puerto Rico to advocate for a better federal disaster recovery system that prioritizes everyday people. Our joint report, *But Next Time: Storm Survivors Demand Overhaul of Disaster Recovery System*, identifies five key problems: the efficiency of disaster recovery, socioeconomic barriers to relief, rising climate disaster insurance premiums that push people out of coverage, a failure to safeguard our communities against the next storm, and a disjointed approach to relief by federal agencies. The report then outlines potential solutions to each of these problems that are informed by the knowledge of advocacy experts and the firsthand experiences of storm survivors. This report calls on our nation's leaders to heed the demands of survivors and advocates—we can, and we must, do better.

# ADDRESSING RACIAL AND ECONOMIC DISPARITIES

---

## PARTNERING FOR RACIAL AND ECONOMIC JUSTICE

At FSHC we take a multifaceted approach to tackling racial and economic disparities because we understand the intersectionality of housing justice. We leverage partnerships to amplify our voices and power to effectuate change. To that end, FSHC, alongside six other partner organizations, convenes the United Black Agenda. The United Black Agenda uses their shared power to advocate for policies that benefit Black New Jerseyans and broader communities on issues ranging from civil rights and criminal justice reform to housing, education, economic vitality, health, and environmental justice.

This year, FSHC staff have also participated in Governor Murphy’s Wealth Disparities Task Force.

In addition to co-convening the Housing subcommittee of the Task Force, Fair Share staff have advocated for policies to close the racial wealth gap. Most recently, Fair Share has worked in partnership with the NJ Institute for Social Justice to advance legislation to end housing appraisal bias in New Jersey.

Fair Share has also worked with partners at the American Civil Liberties Union, New Jersey Policy Perspective, and Salvation and Social Justice to advocate for equity in the cannabis industry and for reinvestment of tax revenue into communities most harmed by the War on Drugs. We see this work as critical to repairing communities of color with historic disinvestment.



## RECONNECTING WITH PARTNERS

---

In October we hosted a celebratory event, Building an Inclusive New Jersey, at the Heldrich Hotel in New Brunswick, New Jersey. After being apart for many years due to the pandemic, it was energizing to be in a room full of housing justice advocates. We also had the opportunity to honor three leaders for housing justice: Senator Troy Singleton, Assemblywoman Britnee N. Timberlake, and Ironbound Community Corporation. In addition to the honorees, the program included inspiring speeches from our founder Peter O'Connor, Rev. Dr. Charles Boyer, our Board Chair Frank Argote-Freyre, and New Brunswick Mayor James Cahill.



## INTRODUCING OUR NEW LOOK

---

As FSHC approaches our fiftieth anniversary, we are excited to unveil a new look. In October we launched a new logo and an updated version of our website that better showcases the work we do everyday. Our website is designed with accessibility in mind so users can navigate the site as easily as possible to keep up with our advocacy, or join the fight alongside us. Visitors can also access exclusive blog content from our staff, as well as educational resources, and make secure donations to the cause of housing justice.

# OUR TEAM

## BOARD OF DIRECTORS

Frank Argote-Freyre, *Chair*  
Crystal Charley-Sibley  
Deborah DelGrande, *Secretary*  
Jesselly De La Cruz  
Michael McNeil

## STAFF

Adam M. Gordon, *Executive Director*  
Rev. Eric Dobson, *Deputy Director*  
Tanushree Bansal, *Legal Fellow*  
Joshua D. Bauers, *Senior Staff Attorney*  
Zoey Chenitz, *Staff Attorney*  
Laura Smith-Denker, *Senior Staff Attorney*  
Esmé Devenney, *NJ Housing Justice Corps Fellow*  
Will Fairhurst, *Legal Fellow*  
Donna Gomez, *Administrative Assistant*  
Ashley J. Lee, *Staff Attorney*  
Rachel N. Lokken, *Staff Attorney*  
Martina Manicastro, *Communications Strategist*  
Katherine Payne, *Director of Land Use*  
David T. Rammler, *Consulting Disaster Recovery Attorney*  
Paola Reinoso, *Administrative Assistant*  
Alex Staropoli, *Director of Advocacy and Communications*  
James C. Williams IV, *Director of Racial Justice Policy*



**FAIR SHARE**  
HOUSING CENTER

CONNECT WITH US

[www.fairsharehousing.org](http://www.fairsharehousing.org)



510 Park Boulevard  
Cherry Hill, NJ  
08002