

AFFORDABLE HOUSING LEGISLATION

SENATE BILL 50/ASSEMBLY BILL 4



FAIR SHARE
HOUSING CENTER

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New Jersey is facing a housing crisis. There is an unprecedented shortage of affordable homes — more than 200,000 units. This significant gap is largely due to a 15-year period of non-enforcement of the Mount Laurel Doctrine, a framework which requires all New Jersey municipalities to build their fair share of affordable homes. The housing crisis is disproportionately impacting low-income New Jerseyans and families of color — further exacerbating racial disparities in our state. We need to build more affordable housing to meet the needs of our residents.

The good news is that we already know what works to build affordable housing.

Since 2015, the Mount Laurel Doctrine has been enforced through the courts instead of the Council on Affordable Housing, and the numbers speak for themselves. Since then, more than 50,000 lower income families have been housed and more than 21,000 affordable homes have been built or are under construction. The production of affordable homes between 2015 and 2022 has nearly doubled when compared to production under the Council on Affordable Housing.

THE SOLUTION

We need to make sure New Jersey keeps producing more affordable housing — and the affordable housing legislation currently pending in the Legislature (Senate Bill 50/Assembly Bill 4) does just that. It takes the good parts of the current enforcement system and improves on it by creating a more efficient and effective system to build affordable housing and ultimately get New Jerseyans housed. It has been supported by a broad coalition of advocates, non-profit and for-profit developers, and the League of Municipalities as a strong plan that moves our state forward.

Here is what the legislation does:

- Amends New Jersey's Fair Housing Act to protect the Mount Laurel Doctrine and keep New Jersey on track to address its affordable housing deficit with an improved compliance system.
- Eliminates the failed Council on Affordable Housing and replaces it with a streamlined process with clear timelines for municipalities to implement affordable housing plans..
- Codifies what is known as the "Jacobson methodology" as the way that affordable housing obligations should be calculated, which links new housing to areas with jobs, transportation, and existing affordability gaps.
- Creates an Affordable Housing Dispute Resolution Program to resolve disputes and challenges to towns affordable housing obligations.
- Updates rules that are 20 years old for how to preserve housing affordability over time and ensure fair access and marketing of new affordable homes.
- Preserves the ban on wealthy towns paying out of their affordable housing obligations.

New Jersey cannot afford to go back to a failed system. The fourth round of Mount Laurel affordable housing obligations are set to begin in July 2025. All stakeholders need as much time as possible to prepare to implement this proposed system prior to that. Time is of the essence to get this legislation passed. **New Jerseyans need affordable housing now.**