

RESOLUTION #2025-115

RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNT OF OCEAN, STATE OF NEW JERSEY, COMMITTING TO THE TOWNSHIP'S FOURTH ROUND AFFORDABLE HOUSING OBLIGATION AS CALCULATED BY DCA

WHEREAS, on March 20, 2024, Governor Philip D. Murphy signed P.L. 2024, c.2 into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (hereinafter "Amended FHA"); and

WHEREAS, the Amended FHA abolished the Council on Affordable Housing, also known as COAH, and delegated its responsibilities to the New Jersey Department of Community Affairs (hereinafter "DCA"), the New Jersey Housing and Mortgage Finance Agency, and the Affordable Housing Dispute Resolution Program (hereinafter "Program"), created by the same law; and

WHEREAS, the Amended FHA requires the DCA to calculate non-binding estimates of fair share obligations on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report identifies the Township of Lakewood ("Township") as an Urban Aid municipality and further calculates the Township's Fourth Round (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 878 and a Prospective Need or New Construction Obligation of 0; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

WHEREAS, in addition to the above, the Acting Administrative Director of the Administrative Office of the Court issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

WHEREAS, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint . . . in the county in which the municipality is located . . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner"; and

WHEREAS, based on the foregoing, the Township of Lakewood, accepts the DCA's confirmation of classification as an Urban Aid municipality, accepts the calculations of the Township's fair share obligations and commits to its fair share of 878 units present need and 0 units prospective need; and


WHEREAS, the Township of Lakewood seeks a certification of compliance with the FHA and, therefore, directs its Affordable Housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED on this 31st day of January, 2025 by the Township Committee of the Township of Lakewood, Ocean County, New Jersey as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.
2. For the reasons set forth in this resolution, the Township of Lakewood hereby commits to the DCA Round 4 Present Need Obligation of 878 units and the Round 4 Prospective Need Obligation of 0 units described in this resolution.
3. The Township of Lakewood hereby directs its Affordable Housing Counsel to file a declaratory judgment complaint in Ocean County within 48 hours after adoption of this resolution.
4. The Township of Lakewood authorizes its Affordable Housing Counsel to attach this resolution as an exhibit to the declaratory judgment action that is filed and to submit and/or file this resolution with the Program or any other such entity as may be determined to be appropriate.
5. The Township of Lakewood hereby directs its Township Clerk to post this resolution on the Township website within 48 hours after adoption of this resolution, attaching this resolution.
6. The Township of Lakewood shall undertake all acts necessary to adopt a housing element and fair share plan to address its present and prospective need obligations as provided for by the Amended FHA, for filing by June 30, 2025 as part of the declaratory judgment action authorized herein.
7. This resolution shall take effect immediately, according to law.

CERTIFICATION

I, Lauren Kirkman, Clerk of the Township of Lakewood, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee of said Township at a meeting held on **January 31, 2025.**


Lauren Kirkman, RMC, CMR
Township Clerk