

Ordinance #2006-1029
Fair Share Affordable Housing Ordinance

AN ORDINANCE TO REPLACE ORDINANCE 2005-1017 TO ADDRESS REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) RELATED TO MANVILLE'S JUDGMENT OF REPOSE UNTIL JUNE 23, 2010 AND ITS THEREAFTER THIRD ROUND SUBSTANTIVE CERTIFICATION OF ITS HOUSING ELEMENT AND FAIR SHARE PLAN.

BE IT ORDAINED by the Mayor and Council of the Borough of Manville, ("Manville") Somerset County that Ordinance 2005-1017 entitled Fair Share Ordinance for the Borough of Manville as well as the general ordinances/ zoning ordinances of the Borough of Manville is hereby replaced to address Manville's constitutional obligation to provide for its fair share of low-and moderate-income housing, consistent with the provisions of N.J.A.C. 5:95 et. seq. and N.J.A.C. 5:80-26.1 as effective on December 20, 2004, and pursuant to the New Jersey Fair Housing Act of 1985.

The Manville Planning Board adopted the Housing Element pursuant to the MLUL at N.J.S.A. 40:55D-1 et seq. on April 5, 2005. A Fair Share Plan was prepared by Schoor Depalma that is consistent with this Housing Element and which was adopted by the Planning Board on April 5, 2005 and endorsed by the Governing Body on April 11, 2005. This Fair Share Plan describes the methods by which Manville will address its Fair Share obligation as determined by the Housing Element. This ordinance implements and incorporates that Fair Share Plan and addresses the requirements of N.J.A.C. 5:94 et. seq. Manville annually files a monitoring report with the Council On Affordable Housing delineating the status of its certified plan and this report is available to the public at the municipal building of Manville and from the Council On Affordable Housing at P.O. Box 813, Trenton, New Jersey 08625-0813.

COAH's Third Round "Growth Share" Rules became effective December 20, 2004. Although the Fair Share allocation period (1987-1999) has expired, the second round Precredited Need remains in effect until the end of the Court's grant of the Judgment of Repose which will be June 23, 2010. COAH allocated Manville a second round Precredited Need of 25 units. All 25 units of Precredited Need are rehabilitation units. Manville's new construction obligation is zero.

Section 1. Municipal Fair Share Obligation

The fair share obligation in Manville consists of a 25 unit rehabilitation obligation. Its growth share obligation for Round Three represents one (1) affordable unit for every eight (8) market rate residential units receiving a certificate of occupancy subsequent to January 1, 2004 plus one affordable housing unit for every twenty-five (25) jobs created through the expansion or creation of non-residential development in accordance with the schedule determined by the New Jersey Council On Affordable Housing (COAH).

Section 2. Definitions

“Administrative agent” means the entity responsible for administering the affordability controls of this ordinance with respect to specific restricted units, as designated pursuant to N.J.A.C. 5:80-26.14.

“Affordability average” means an average of the percentage of median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

“Affordable” means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.) and in, but not of, the DCA.

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population where the head of the household is a minimum age of either 62 years, or 55 years and meets the provisions of the 42 U.S.C. §§3601 et seq., except that due to death, a remaining spouse of less than 55 years of age shall be permitted to continue to reside.

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Balanced Housing” means the Neighborhood Preservation Balanced Housing Program of the DCA as set forth at N.J.S.A. 52:27D-320 and N.J.A.C. 5:43.

“Certified household” means a household that has been certified by an administrative agent as a low-income household or moderate-income household.

“COAH” means the Council On Affordable Housing in, but not of, the DCA, established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Fair Share Round” means any one of three (3) periods in time during which the Council established municipal obligations to provide affordable housing and the first round was from 1987-1993 and the second round was from 1993-1997 and the third round is for 1999–2014.

“HAS” means the Housing Affordability Service, formerly known as the “Affordable Housing Management Service,” in the Department of Community Affairs, Division of Housing.

“Judgment of compliance”- means a determination issued by the Superior Court approving a municipality’s plan to satisfy its fair share obligation.

“Low-income household” means a household with a total gross annual household income equal to fifty (50%) percent or less of the median income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Median income” means the median income by household size for an applicable county, as adopted annually by COAH.

“Moderate-income household” means a household with a total gross annual household income in excess of fifty (50%) percent but less than eighty (80%) percent of the median income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“MONI” means the Agency’s Market Oriented Neighborhood Investment Program, as it may be authorized from time to time by the Agency.

“95/5 unit” means a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, before October 1, 2001.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary; and the transfer of ownership by court order.

“Order of repose”- means the protection a municipality has from builder’s remedy lawsuits for a period of time from the entry of a judgment of compliance from the Superior Court. A judgment of compliance most usually results in an order of repose.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one (1) applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value affordable to a four-person household with an income at or above eighty (80%) percent of the regional median as defined by the Councils annually adopted income limits.

“Rehabilitation”- means the renovation of a deficient housing unit, which is occupied by a low or moderate income household, to meet municipal or other applicable housing code standards as further described in N.J.A.C. 5:94-4.3.

“Rehabilitation share” -means the number of deficient housing units occupied by low-and moderate-income households within a municipality, established in accordance with the provisions of N.J.A.C. 5:94-2.1(b) that must be addressed in a Fair Share Plan.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, but does not include a market-rate unit financed under UHORP or MONI.

“UHORP” means the Agency’s Urban Homeownership Recovery Program.

The following general guidelines apply to ALL DEVELOPMENTS that contain proposed low-and moderate-income units, as listed below, and any future developments that may occur.

Section 3. Rehabilitation

Manville has a 25 unit rehabilitation obligation. Eight (8) rehabilitation credits are units through the federally funded Somerset County Housing Rehabilitation Program. Seven (7) rehabilitation credits for projects expected to be funded through Somerset County during 2005-2006. Six (6) units are expected to be rehabilitated through a new local housing rehabilitation program funded through in lieu payments from Brooks Townhouse. Manville executed a contract on July 27, 2005 with Housing and Community Development Services (HCDS) to administer this program. The remaining rehabilitation obligation is five (5) credits and five (5) rental bonuses for apartments owned by the Association for Retarded Citizens (ARC).

All rehabilitation units shall comply and be governed by N.J.A.C. 5:94-4.3. There shall be ten-year controls on affordability on both owner-occupied units and rental units. On owner-occupied units, the controls on affordability may be in the form of a lien filed with the appropriate property's deed. For rental units, the controls on affordability shall be in the form of a deed restriction and may also include a lien. If a unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low or moderate income household at an affordable price and affirmatively marketed pursuant to the N.J.A.C. 5:94-7. Rents in rehabilitated units may increase annually pursuant to N.J.A.C. 5:94-7.

Section 4. Zoning

Any payments in lieu of development will be used within Manville for the creation of affordable housing units.

In zones where affordable housing units must be built, as opposed to where there is an option to pay for units instead of building, the following schedule shall be followed:

<u>Percentage of Market-Rate Units Completed</u>	<u>Minimum Percentage (%) of Low- and Moderate-Income Units Completed</u>
1	0
25+1	10
50	50
75	75
90	100

Section 5. New Construction

A. Bedroom Distribution of affordable housing units:

1. The fair share obligation shall be divided equally between low- and moderate-income households.
2. In each affordable development, at least fifty (50%) percent of the restricted units within each bedroom distribution shall be low-income units.
3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - a. The combined number of efficiency and one (1) bedroom units is no greater than twenty (20%) percent of the total low- and moderate-income units;
 - b. At least thirty (30%) percent of all low- and moderate-income units are two (2) bedroom units;

- c. At least twenty (20%) percent of all low- and moderate-income units are three (3) bedroom units; and
- d. The remainder may be allocated at the discretion of the developer;
- e. Age-restricted low- and moderate-income units may utilize a modified bedroom distribution and at a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the affordable development.

B. Accessible Townhouse Units

No accessible townhomes are planned

C. Design Standards

Affordable units shall be designed to include all amenities, facade treatments and living area found in comparable market-rate units located within the same development.

D. Maximum Rents and Sales Prices

1. Manville hereby establishes that the maximum rent for affordable units within each affordable development shall be affordable to households earning no more than sixty (60%) percent of median income and the average rent for low- and moderate-income units shall be affordable to households earning no more than fifty-two (52%) percent of median income.
2. The developers and/or municipal sponsors of restricted rental units shall establish at least one (1) rent for each bedroom type for both low-income and moderate-income units, provided that at least ten (10%) percent of all low- and moderate-income units shall be affordable to households earning no more than thirty-five (35%) percent of median income.
3. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than seventy (70%) percent of median income and each affordable development must achieve an affordability average of fifty (50%) percent for restricted ownership units and in achieving this affordability average, moderate-income ownership units must be available for at least three (3) different prices for each bedroom type, and low-income ownership units must be available for at least two (2) different prices for each bedroom type.
4. The provisions of this ordinance shall not apply to affordable developments

financed under UHORP or MONI or to assisted living residences, which shall comply with applicable Agency policies, guidelines and regulations.

Section 6. Utilities

1. Affordable units shall utilize the same type of heating source as market units within the affordable development.
2. Those tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

Section 7. Occupancy Standards

Occupancy standards for affordable housing units are pursuant to N.J.A.C. 5:80-26.4.

Section 8. Control Periods for Ownership Units and Enforcement Mechanisms

Control periods for ownership units are pursuant to N.J.A.C. 5:80-26.5 and each restricted ownership unit shall remain subject to the requirements of this ordinance until Manville elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1 and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1 for at least thirty (30) years.

1. At the time of the first sale of the unit, the purchaser shall execute and deliver to the administrative agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
2. All conveyances of restricted ownership units shall be made by deeds and restrictive covenants pursuant to N.J.A.C. 5:80-26.1 and each purchaser of a 95/5 unit, in addition, shall execute a note and mortgage, incorporated herein by reference.
3. The affordability controls set forth in this ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

Section 8. Price Restrictions for Ownership Units and Resale Prices

Price restrictions for ownership units are pursuant to N.J.A.C. 5:80-26.1, including;

1. The initial purchase price for a restricted ownership unit shall be approved by the administrative agent. The initial purchase price for all restricted ownership units except those financed under UHORP or MONI shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95%) percent of the purchase price and the Federal Reserve HR15 rate of interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed twenty-eight (28%) percent of the eligible monthly income of an appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.
2. The initial purchase price of a restricted ownership unit financed under UHORP or MONI shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve HR15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed twenty-eight (28%) percent of the eligible monthly income of a household whose income does not exceed forty-five (45%) percent of median income, in the case of a low-income unit, or seventy-two (72%) percent of median income, in the case of a moderate-income unit, and that is of an appropriate household size as determined under N.J.A.C. 5:80-26.4.
3. The administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
4. The master deeds of affordable developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers, although condominium units subject to a municipal ordinance adopted before October 1, 2001, which provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection shall have such fees and assessments governed by said ordinance.
5. The owners of ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom.

Section 9. Buyer Income Eligibility

Buyer income eligibility for ownership units is pursuant to N.J.A.C. 5:80-26.1, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to fifty (50%) percent of median income and moderate income ownership units shall be reserved for households with a gross household income less than eighty (80%) percent of median income.

1. The administrative agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees as applicable) does not exceed thirty-three (33%) percent of the household's eligible monthly income.
2. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the municipal building inspector stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a).

Section 10 Rental Units Control Period

Each restricted rental unit shall remain subject to the requirements of this ordinance until Manville elects to release the unit from such requirements, however, prior to such a municipal election, a restricted rental unit must remain subject to the requirements of this ordinance for a period of at least thirty (30) years.

1. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property and the deed restriction shall be filed by the developer or seller with the records office of the County and a copy of the filed document shall be provided to the administrative agent within thirty (30) days of the receipt of a certificate of occupancy.
2. A restricted rental unit shall remain subject to the affordability controls of this ordinance, despite the occurrence of any of the following events:
 - a. sublease or assignment of the lease of the unit;
 - b. sale or other voluntary transfer of the ownership of the unit; and/or,
 - c. the entry and enforcement of any judgment of foreclosure.

Section 11 Price Restrictions for Rental Units and Rent Increase: leases

The initial rent for a restricted rental unit shall be approved by the administrative agent and shall be calculated so as not to exceed thirty (30%) percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.

1. Rents may be increased annually based on the Housing Consumer Price Index for the United States, and these figures are published annually by COAH. Rents may not be increased more than once a year.
2. A written lease is required for all restricted rental units, except for units in an assisted living residence, and tenants are responsible for security deposits and the full amount of the rent as stated on the lease.
3. No additional fees or charges may be added to the approved rent (except, in the case of units in an assisted living residence, for the customary charges for food and services) without the express written approval of the administrative agent. Application fees (including the charge for any credit check) may not exceed five (5%) percent of the monthly rental of the applicable restricted unit and shall be payable to the administrative agent to be applied to the costs of administering the controls in this ordinance as applicable to the unit.

Section 12 Tenant income eligibility will be enforced pursuant to N.J.A.C. 5:80-26.1.

Section 13 Administrative agent for Manville 's affordable housing units

The affordability controls set forth in this ordinance shall be administered and enforced by the administrative agent. The primary responsibility of the administrative agent shall be to ensure that the restricted units under administration are sold or rented, as applicable, only to low and moderate-income households.

1. The administrative agent shall create and shall publish in plain English, and in such other languages as may be appropriate to serving its client base, a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls, including procedures for long-term control of restricted units; for enforcing the covenants of N.J.A.C. 5:80-26.18 and for releasing restricted units promptly at the conclusion of applicable control periods. The administrative agent shall have authority to take all actions necessary and appropriate to carrying out its responsibilities hereunder. The operating manual shall have a separate and distinct chapter or section setting

forth the process for identifying applicant households seeking certification to restricted units, for reviewing applicant household eligibility, and for certifying applicant households in accordance with the household certification and referral requirements set forth in N.J.A.C. 5:80-26.16

2. The administrative agent shall establish and maintain a ready database of applicant households as a referral source for certifications to restricted units, and shall establish written procedures to ensure that selection among applicant households be via the database, and in accordance with a uniformly applied random selection process and all applicable State and Federal laws relating to the confidentiality of applicant records.
3. The municipality in which restricted units are located shall select one or more administrative agents for those units. A municipality itself (through a designated municipal employee, department, Board, agency or Council) may elect to serve as the administrative agent for some or all restricted units in the municipality, or the municipality may select HAS or an experienced private entity approved by the Division, the Agency or COAH to serve as administrative agent for some or all restricted units in the municipality. The foregoing approval by COAH or the Division is to be based on the private entity's demonstration of the ability to provide a continuing administrative responsibility for the length of the control period for the restricted units. The Agency shall select the administrative agents for restricted units receiving UHORP or MONI funding.
4. The administrative agent shall have the authority to discharge and release any or all instruments, as set forth in the Appendices of this ordinance, filed of record to establish affordability controls.

Section 14 Affirmative Marketing

The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the period of deed restriction.

1. The administrative agent shall assure the affirmative marketing of affordable units.

2. If the municipality does not designate a municipal staff person, it shall contract with other experienced administrative agents approved by COAH to administer the affirmative marketing plan. Where the municipality contracts with another administrative agent to administer the affirmative marketing plan, the municipality shall appoint a housing officer who shall supervise the contracting administrative agent. In addition, where the contracting administrative agent is not responsible for the entire affirmative marketing plan, the municipality shall outline who or what municipal agent is responsible for the remaining portion of the affirmative marketing plan. The municipality has the ultimate responsibility for the proper administration of the affirmative marketing program, including initial sales and rentals and resales and re-rentals.
3. In implementing the affirmative marketing plan, administrative agents shall designate an experienced staff person approved by COAH to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
4. The affirmative marketing plan shall describe the media to be used in advertising and publicizing the availability of housing. In developing the plan, the administrative agent shall consider the use of language translations.
5. The affirmative marketing process for available affordable units shall begin at least four (4) months prior to expected occupancy.
6. Applications for affordable housing shall be available in several locations, including, at a minimum, the county administrative building and/or the county library for each county within the housing region; the municipal administrative building(s) and the municipal library in the municipality in which the units are located; and the developer's sales office. Applications shall be mailed to prospective applicants upon request.
7. COAH shall review and assess the effectiveness of Manville's affirmative marketing program.

Section 15 Household certification and referral; related project information

No household may be referred to a restricted unit, or may receive a commitment with respect to a restricted unit, unless that household has received a signed and dated certification and has executed a certificate.

1. The sources of income considered by the administrative agent shall be the types

of regular income reported to the Internal Revenue Service and which can be used for mortgage loan approval.

2. If the applicant household owns a primary residence with no mortgage on the property valued at or above the regional asset limit as published annually by COAH, a certificate of eligibility shall be denied unless the applicant's existing monthly housing costs exceed thirty-eight (38%) percent of the household's eligible monthly income.

3. The administrative agent shall employ a random selection process when referring households for certification to affordable units.

Section 16 Enforcement of Affordable Housing Regulations

By accepting State funds for affordable housing purposes, or by submitting to the jurisdiction of COAH, a municipality shall be deemed to have delegated to its administrative agent the day-to-day responsibility for implementing practices and procedures designed to ensure effective compliance with the controls set forth in this ordinance. The municipality, however, shall retain the ultimate responsibility for ensuring effective compliance with this ordinance.

Administrative agent practices and procedures shall include, but shall not necessarily be limited to, the following:

1. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgment of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent.

2. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates.

3. The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made.

4. If the unit is owner-occupied:

a. That the unit may be resold only to a household that has been approved in advance and in writing by the administrative agent.

- b. That no sale of the unit shall be lawful, unless approved in advance and in writing by the administrative agent, and that no sale shall be for a consideration greater than regulated maximum permitted resale price, as determined by the administrative agent.
- c. That no refinancing, equity loan, secured letter of credit, or any other mortgage obligation or other debt secured by the unit may be incurred except as approved in advance and in writing by the administrative agent, and that at no time will the administrative agent approve any debt, if incurring the debt would make the total of all such debt exceed ninety-five (95%) percent of the then applicable maximum permitted resale price.
- d. That the owner of the unit shall at all times maintain the unit as his or her principal place of residence, which shall be defined as residing at the unit at least two hundred sixty (260) days out of each calendar year.
- e. That, except as set forth in N.J.A.C. 5:80-26.18(c)4vii, at no time shall the owner of the unit lease or rent the unit to any person or persons, except on a short-term hardship basis, as approved in advance and in writing by the administrative agent.
- f. That the maximum permitted rent chargeable to affordable tenants is as stated in the notice required to be posted in accordance with N.J.A.C. 5:80-26.18(d)3 of this ordinance, a copy of which shall be enclosed, and that copies of all leases for affordable rental units must be submitted annually to the administrative agent.
- g. Banks and other lending institutions are prohibited from issuing any loan secured by owner-occupied real property subject to the affordability controls set forth in this ordinance, if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located.

Section 17 Appeals

Appeals from all decisions of an administrative agent appointed pursuant to this ordinance shall be filed in writing with the Executive Director of the Agency.

Types of affordable housing programs are as follows:

1. Municipal Zoning
2. New Construction
3. Municipally Sponsored and 100 percent affordable programs
4. Regional Contribution Agreement

5. Alternative Living Arrangements
6. Accessory Apartments
7. Write Down Buy Down
8. Municipally Sponsored Rental Programs
9. ECHO units
10. Assisted Living Residences
11. Affordable Housing Partnership Programs
12. Expanded Crediting Opportunities

Borough of Manville

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

Philip E. Petrone, Borough Clerk

ORDINANCE #2006-1029

FIRST READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ASHER	√			
		OTRIMSKI				√
√		PETROCK	√			
		PETRONE	√			
		QUICK	√			
	√	SZABO	√			
		MAYOR CORRADINO				

PASSED this 27th day of March, 2006.

Attest:

Philip E. Petrone, Borough Clerk

SECOND READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ASHER	√			
√		OTRIMSKI	√			
		PETROCK				√
		PETRONE	√			
		QUICK				√
	√	SZABO	√			
		MAYOR CORRADINO				

PASSED this 10th day of April, 2006.

Attest:

Philip E. Petrone, Clerk

