

**Township of Mullica
Fair Share Plan
Midpoint Review Report**

April 23, 2021

Prepared by: Tiffany A. Morrissey, PP, AICP

Purpose

The Township of Mullica’s Settlement Agreement with Fair Share Housing Center (“FSHC”) requires that the Township comply with the statutory midpoint review requirements of the Fair Housing Act (“FHA”) and specifically N.J.S.A. 52:27D-313, which provides in relevant part: “[t]he Council shall establish procedures for a realistic opportunity review at the midpoint of the certification period and shall provide for notice to the public.” Pursuant to the FSHC Settlement Agreement, that review requires the Township to post on its website, with a copy to FSHC, and an opportunity for comment, a status report regarding its compliance mechanisms and whether or not unbuilt sites/unfulfilled mechanisms continue to present a realistic opportunity.

Relevant Background

On July 8, 2015, the Township of Mullica filed a Declaratory Judgment Action, seeking to comply with its third round obligation in the manner prescribed by the Supreme Court in Mount Laurel IV. On October 10, 2017, the Township entered into a global Settlement Agreement with FSHC. A Fairness Hearing was held on December 14, 2017, during which the Court approved the FSHC Settlement Agreement.

Rehabilitation Program(s) Update

The Township of Mullica does not have a rehabilitation obligation. Regardless, the Township continues to participate in the Atlantic County Improvement Authority’s (ACIA) rehabilitation program. The Township also maintains their own loan program through the use of Community Development Block Grants.

Realistic Opportunity Review/Unmet Need

The realistic opportunity standard applies to all mechanisms for non-adjustment municipalities and RDP/non-deferred mechanisms for Vacant Land/Durational Adjustment municipalities.

The Township has a prior round and prospective need obligation of 40 units and a prospective need of 98 units for a total of 138 units. The Township received a Vacant Land Adjustment for their obligation since 1991. The Township also has no public sewer infrastructure which is necessary to permit any type of inclusionary zoning for affordable housing. The recently adopted Fair Share Plan includes a Durational Adjustment in lieu of a Vacant Land Adjustment. The Township has existing credits of 32, leaving them with an unmet need of 106 units. (Per the Settlement Agreement up to 50% of the Township's obligation is permitted to be transferred to a Pinelands Growth Area which would leave an Unmet Need of 66 units. The Township elected not to transfer these units in the approved Fair Share Plan as the Pinelands Commission has no mechanism to transfer the units/obligation. The Township reserves the right to revisit this in the future.)

As of this reporting, there are no changes to the sewer availability in the Township. There is no additional reporting required for the Realistic Opportunity.

Affordable Housing Trust Fund Update

The Township of Mullica adopted a Development Fee Ordinance. As of March 17, 2021, the balance in the account is \$28,644. The Township has not adopted a Spending Plan and has no plans to spend the Trust Fund money currently. Prior to spending any funds a Spending Plan will be prepared for approval.