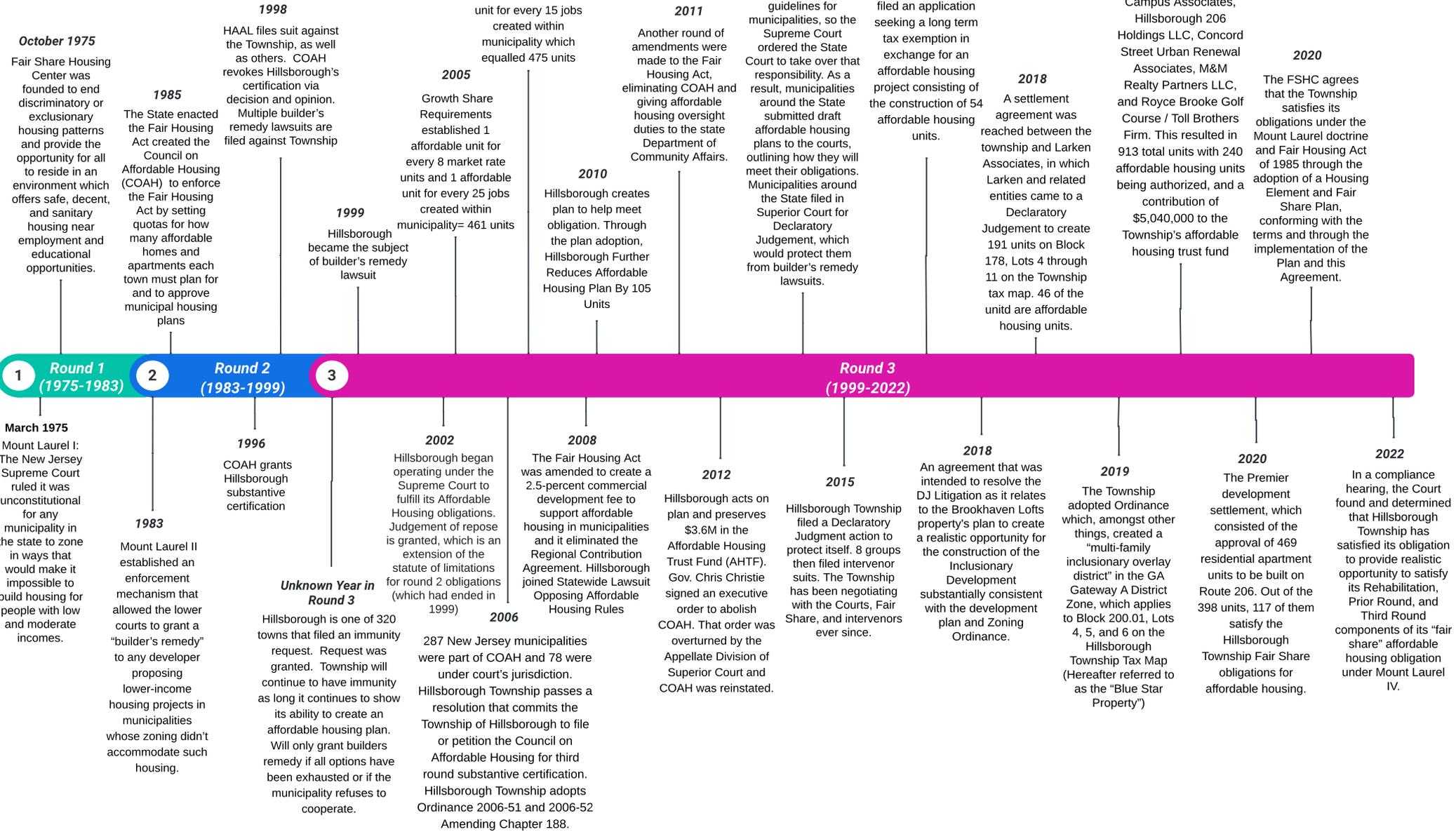


# Affordable Housing Timeline

Hillsborough, NJ 08844  
(1975-2022)



**October 1975**  
Fair Share Housing Center was founded to end discriminatory or exclusionary housing patterns and provide the opportunity for all to reside in an environment which offers safe, decent, and sanitary housing near employment and educational opportunities.

**March 1975**  
Mount Laurel I: The New Jersey Supreme Court ruled it was unconstitutional for any municipality in the state to zone in ways that would make it impossible to build housing for people with low and moderate incomes.

**1985**  
The State enacted the Fair Housing Act created the Council on Affordable Housing (COAH) to enforce the Fair Housing Act by setting quotas for how many affordable homes and apartments each town must plan for and to approve municipal housing plans

**1983**  
Mount Laurel II established an enforcement mechanism that allowed the lower courts to grant a "builder's remedy" to any developer proposing lower-income housing projects in municipalities whose zoning didn't accommodate such housing.

**1998**  
HAAL files suit against the Township, as well as others. COAH revokes Hillsborough's certification via decision and opinion. Multiple builder's remedy lawsuits are filed against Township

**1996**  
COAH grants Hillsborough substantive certification

**Unknown Year in Round 3**  
Hillsborough is one of 320 towns that filed an immunity request. Request was granted. Township will continue to have immunity as long it continues to show its ability to create an affordable housing plan. Will only grant builders remedy if all options have been exhausted or if the municipality refuses to cooperate.

**1999**  
Hillsborough became the subject of builder's remedy lawsuit

**2005**  
Growth Share Requirements established 1 affordable unit for every 8 market rate units and 1 affordable unit for every 25 jobs created within municipality= 461 units

**2002**  
Hillsborough began operating under the Supreme Court to fulfill its Affordable Housing obligations. Judgement of repose is granted, which is an extension of the statute of limitations for round 2 obligations (which had ended in 1999)

**2006**  
287 New Jersey municipalities were part of COAH and 78 were under court's jurisdiction. Hillsborough Township passes a resolution that commits the Township of Hillsborough to file or petition the Council on Affordable Housing for third round substantive certification. Hillsborough Township adopts Ordinance 2006-51 and 2006-52 Amending Chapter 188.

**2008**  
Growth Rate Requirements that were established in 2005 invalidated. New rate established 1 affordable unit for every 5 market rate unit and 1 affordable unit for every 15 jobs created within municipality which equalled 475 units

**2010**  
Hillsborough creates plan to help meet obligation. Through the plan adoption, Hillsborough Further Reduces Affordable Housing Plan By 105 Units

**2008**  
The Fair Housing Act was amended to create a 2.5-percent commercial development fee to support affordable housing in municipalities and it eliminated the Regional Contribution Agreement. Hillsborough joined Statewide Lawsuit Opposing Affordable Housing Rules

**2011**  
Another round of amendments were made to the Fair Housing Act, eliminating COAH and giving affordable housing oversight duties to the state Department of Community Affairs.

**2012**  
Hillsborough acts on plan and preserves \$3.6M in the Affordable Housing Trust Fund (AHTF). Gov. Chris Christie signed an executive order to abolish COAH. That order was overturned by the Appellate Division of Superior Court and COAH was reinstated.

**2015**  
COAH failed to establish affordable housing quotas and guidelines for municipalities, so the Supreme Court ordered the State Court to take over that responsibility. As a result, municipalities around the State submitted draft affordable housing plans to the courts, outlining how they will meet their obligations. Municipalities around the State filed in Superior Court for Declaratory Judgement, which would protect them from builder's remedy lawsuits.

**2015**  
Hillsborough Township filed a Declaratory Judgment action to protect itself. 8 groups then filed intervenor suits. The Township has been negotiating with the Courts, Fair Share, and intervenors ever since.

**2015**  
A financial agreement between Amwell Commons Urban Renewal Associates and the Township was met, where the entity filed an application seeking a long term tax exemption in exchange for an affordable housing project consisting of the construction of 54 affordable housing units.

**2018**  
An agreement that was intended to resolve the DJ Litigation as it relates to the Brookhaven Lofts property's plan to create a realistic opportunity for the construction of the Inclusionary Development substantially consistent with the development plan and Zoning Ordinance.

**2018**  
A settlement agreement was reached between the township and Larken Associates, in which Larken and related entities came to a Declaratory Judgement to create 191 units on Block 178, Lots 4 through 11 on the Township tax map. 46 of the units are affordable housing units.

**2019**  
The Township adopted Ordinance which, amongst other things, created a "multi-family inclusionary overlay district" in the GA Gateway A District Zone, which applies to Block 200.01, Lots 4, 5, and 6 on the Hillsborough Township Tax Map (Hereafter referred to as the "Blue Star Property")

**2019**  
Multiple settlements and agreements were made between Hillsborough Township and companies such as Campus Associates, Hillsborough 206 Holdings LLC, Concord Street Urban Renewal Associates, M&M Realty Partners LLC, and Royce Brooke Golf Course / Toll Brothers Firm. This resulted in 913 total units with 240 affordable housing units being authorized, and a contribution of \$5,040,000 to the Township's affordable housing trust fund

**2020**  
The Premier development settlement, which consisted of the approval of 469 residential apartment units to be built on Route 206. Out of the 398 units, 117 of them satisfy the Hillsborough Township Fair Share obligations for affordable housing.

**2020**  
The FSHC agrees that the Township satisfies its obligations under the Mount Laurel doctrine and Fair Housing Act of 1985 through the adoption of a Housing Element and Fair Share Plan, conforming with the terms and through the implementation of the Plan and this Agreement.

**2022**  
In a compliance hearing, the Court found and determined that Hillsborough Township has satisfied its obligation to provide realistic opportunity to satisfy its Rehabilitation, Prior Round, and Third Round components of its "fair share" affordable housing obligation under Mount Laurel IV.