

No More Delays on New Jersey Housing

By THE EDITORIAL BOARD

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Over the last several years, Gov. Chris Christie of New Jersey has shown utter contempt for the State Supreme Court's three-decades-old ruling in the Mount Laurel housing case, which bars wealthy towns from excluding affordable housing and requires them to write zoning laws that permit a reasonable amount of such housing to be built.

The Christie administration repudiated the court again in November when it failed to obey a court order requiring it to ratify long-overdue rules for determining how much affordable housing will be built and where. Its recalcitrance has hobbled the affordable housing program. The court has no choice at this point but to take direct control of the affordable housing program and get it started again, perhaps by appointing a special master to oversee the issue.

The original Mount Laurel case dates to the 1960s, when a group of low-income minority residents was barred from building a small affordable housing project in the affluent New Jersey township of Mount Laurel. The court ruled that municipalities could not legally shut out affordable housing; it also found that towns had an obligation to allow for a "fair share" of such housing based on growth, job opportunities and income.

The ruling, which resonated nationally, has led to the creation of an estimated 60,000 homes for low- and moderate-income families in the state, providing them with better access to jobs and decent schools.

A study of the Ethel Lawrence Homes, which opened in Mount Laurel in 2000, found that residents had higher incomes and employment rates than applicants that ended up living elsewhere and that their children did well academically despite moving into more competitive schools. The project had no negative impact on property values or taxes.

Mr. Christie, however, has been trying to derail the program virtually since the moment he was sworn in as governor. Last year, for example, the State Supreme Court ruled that he had exceeded his authority in trying to dismantle the agency that oversees affordable housing. The court also stopped him from adopting a housing formula that would have allowed wealthy municipalities to decide for themselves how much affordable housing would be built. Efforts to press the administration to adopt affordable housing guidelines that comply with the law have had little effect.

While the guidelines remain undecided, the need for housing grows more pressing. In March, the court generously gave the Christie administration until November to adopt guidelines. The order

made clear that the court was prepared to take strong measures if the state failed to create the guidelines, including allowing lawsuits against towns that have not met their responsibilities.

That would be a good start. A better, more far-reaching solution would be to take over day-to-day operations of the housing program until the tens of thousands of units that are clearly needed get built. Enough is enough. The court should tolerate no further delays.

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