

Uncertain Fate for Decision That Paved the Way for Affordable Housing in NJ

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By [Nancy Solomon](#)

Residents of a controversial affordable housing complex in Mount Laurel, N.J., have a better quality of life than those who applied but never moved into the complex, a new study by Princeton University shows.

The study was unveiled just as the court rulings that helped build the complex – known as the Mount Laurel decisions – are coming back to the New Jersey Supreme Court for the first time in more than two decades.

The two-story, vinyl-sided housing complex in this South Jersey town is comprised of 140 town house-style apartments. It was built after court rulings in 1975 and 1983 found that Mount Laurel's zoning laws were unconstitutional – and the court ruled that all municipalities in the state must provide low- and moderate- income housing.

The number of units in each town is calculated by the Council on Affordable Housing (COAH), which changed its methodology in 2008. A challenge to that adjustment has landed the Mount Laurel decisions back in court.

Governor Chris Christie has called the court decision “an abomination” and says he wants it overturned. He is also angling to end COAH.

Critics of the agency said it has poorly assessed each town's ability to build more housing and made determinations that were inconsistent.

“We had situations where cemeteries were identified as developable land, (or) open space, in one example, the median of the parkway was misidentified,” said Michael Cerra, legislative analyst for the New Jersey League of Municipalities. “So we had obligations thrust upon towns in 2008 that were established on a faulty methodology.”

COAH did not return request for comment.

The 2008 formula change sparked another 20 lawsuits because towns believe they were asked to build housing in places that were impossible, he said.

But Peter O'Connor, director of Fair Share Housing Development, Inc., which built the housing complex in Mount Laurel, said the decisions help address urban problems such as racial segregation or concentrated poverty.

“The best way to do it is to provide affordable housing in towns that have good schools, that have access to employment and to provide enrichment to children in a positive setting,” he said, “and that’s what we’ve tried to do in Mount Laurel.”

The Princeton study, conducted by Douglas Massey, compared current residents at the affordable housing complex with those who applied to live there but, for a variety of reasons, never moved in.

“They had higher employment rates, much higher earnings, lower rates of welfare use, better mental health, lower exposure to crime and disorder and violence,” Massey said. “And their children attended markedly better schools and they were exposed to much less violence and disorder in the schools.”

Though Christie backs a return to a voluntary system, Kevin Walsh, an attorney for Fair Share Housing, which has been defending Mount Laurel since its inception, said that means having no system at all.

“History has shown that towns that have the ability not to choose to provide housing for low-income folks will do that,” Walsh said. “They will adopt zoning that tilts in favor of increasing the ratable base, in favor of offices and malls and store, rather than the housing that the region needs.”

In Morristown, N.J., the local organization, Homeless Solutions, built a 12-unit apartment complex on what was a vacant lot in a low-income neighborhood.

The buildings are indistinguishable from any average suburban development: two stories, bay windows and siding painted in muted shades.

A two-bedroom apartment that could rent for \$2,000 costs just \$1,000 including utilities, according to Betsey Hall, president of Homeless Solutions.

“I don’t think it would have happened without the Mount Laurel decision,” Hall said. “So while COAH itself has difficulties, it has produced a number of housing units, and these are for people who are working in our state, they don’t have anyplace to live, they’re bringing up families, and they deserve to have some housing.”