

TOWNSHIP OF CRANFORD
MIDPOINT REVIEW REPORT

The Township of Cranford'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. The Settlement also contemplates review of unmet need/deferred mechanisms, though the realistic opportunity for the construction of those mechanisms during the compliance period is not applicable.

On November 20, 2018, the Township of Cranford filed a Declaratory Judgment Action ("DJ Action"), seeking to comply with its third round obligation in the manner prescribed by the Supreme Court in Mount Laurel IV. On November 12, 2019, the Township entered into a global Settlement Agreement with FSHC. The Township is currently in the compliance phase of the Declaratory Judgment process, and a Joint Fairness and Compliance Hearing is scheduled for October of 2021. Since the entry of the Township's DJ Action, the Township has diligently taken measures necessary and appropriate to expeditiously implement an affordable housing plan that will fully satisfy the municipal affordable housing obligations once approved by the Court. The Court will determine at the Joint Fairness and Compliance Hearing whether the Township's Settlement Agreement and Housing Element and Fair Share Plan creates a realistic opportunity for the construction of affordable housing. This hearing will be noticed in advance and all documents will be placed on file with the municipal Clerk for public inspection upon notice to the public.