

**RESOLUTION AUTHORIZING THE BOROUGH TO PURCHASE THE
AFFORDABLE HOUSING UNIT LOCATED AT 4 CITATION COURT**

WHEREAS, the Borough of Tinton Falls (“Borough”) filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division bearing the caption In the Matter of the Borough of Application of the Borough of Tinton Falls, Docket No. MON-L-2475-15 following the New Jersey Supreme Court’s decision in Mt. Laurel IV; and

WHEREAS, the Court entered a Third Round Judgment of Compliance and Repose in the Borough’s favor on July 17, 2023 approving the Borough’s Third Round Housing Element and Fair Share Plan including its Spending Plan protecting the Borough from builder’s remedy lawsuits through July 1, 2025; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act") establishing the statutory calculation of the state-wide fair share obligation for the Fourth Round of affordable housing for the time period 2025-2035; and

WHEREAS, the Borough filed a timely declaratory judgment complaint Fourth Round Delcaratory Judgment Action known as In the Matter of the Application of the Borough of Tinton Falls , County of Monmouth, State of New Jersey, Docket No. MON-L-000296-25 seeking a declaration as to the Borough’s Fourth Round affordable housing obligation and the approval of the Borough’s Housing Element and Fair Share Plan for the time period 2025-2035; and

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of the Borough to endorse the Housing Element and Fair Share Plan to obtain compliance certification from the Program/Court thereby protecting the Borough from exclusionary zoning litigation until July 1, 2035.

WHEREAS, the Borough has an interest in maintaining its existing affordable housing stock in order to continue to meet its constitutional obligation to provide for its fair share of affordable housing and then Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. seq.(“UHAC”) specifically authorizes municipalities to purchase affordable housing units in order to protect the unit from foreclosure which could result in the termination of the affordability controls and the Borough losing credit from the unit towards its overall affordable housing obligation; and

WHEREAS, a foreclosure complaint has been filed against the owner of a three bedroom affordable housing unit located at 4 Citation Court (the “Unit”), and the Borough is interested in purchasing the unit so that it could resell the unit to a low- or moderate-income household in furtherance of the Borough’s constitutional obligation to provide for its fair share of affordable housing.

WHEREAS, the Borough Council believes it is in the best interest of the Borough to purchase the Unit to maintain the affordability controls so that the Borough may continue to obtain affordable housing credit towards its future affordable housing obligation.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls, County of Monmouth, hereby authorizes the Borough of Tinton Falls to purchase the affordable housing unit and property located at 4 Citation Court for a price up to the maximum restricted price of \$217,286.86 as determined by the Borough's Affordable Housing Administrator from funds in the Borough's Affordable Housing Trust Fund.

BE IT FURTHER RESOLVED that upon acquisition of the Unit, the Borough is authorized to resell the Unit to a qualified low-and moderate-income household in conformance with COAH's regulations.

BE IT FURTHER RESOLVED that the Mayor, the Borough Administrator and Special Affordable Housing Counsel are hereby authorized to execute all documents necessary to purchase and sell the Unit and otherwise implement this Resolution.

Dr. Lawrence A. Dobrin, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Mr. Alessi						
Ms. Buckley						
Mr. Nesci						
Mr. Parikh						
Dr. Dobrin						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held June 17, 2025.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 17th day of June 2025.

Michelle Hutchinson
Borough Clerk