



Gov. Christie's Illegal Executive Order on COAH

We learned just a few minutes ago that Gov. Christie has issued an executive order that halts all work by the Council on Affordable Housing (COAH) while yet another task force "studies" the issue - continuing a decade-long pattern of delay instead of building homes. This illegal move to "gut" our state's housing policies was no doubt taken in response to recent demands from prominent right-wing pundits. We are taking immediate action with the Appellate Division today to address Gov. Christie's unconstitutional attempt to claim the power of the Legislature, Judiciary, and independent state agencies all at once.

The governor's action is disappointing on many levels. There are 300 municipalities participating in the Third Round process and 57 municipalities that have received substantive certification. The executive order issued this afternoon brings all of that progress to a grinding halt. This will no doubt result in thousands of units planned by non-profit and for-profit builders and special needs providers now being delayed as municipalities await a better deal. Much needed housing for working families, including many projects ready to go at a time when little other building is happening, will be stopped in its tracks. The Executive Order's "exception" for ready to go projects is unfortunately a sham that will lead to even more litigation, not housing.

The governor claims that he wants the economy to recover, but by interfering with the development of housing, he has staked his claim with NIMBY towns and thus interfered with New Jersey's economic recovery. He has allowed municipal red tape to take over once again.

While some of the mayors of New Jersey's wealthiest towns and ideological pundits may applaud this indefinite period of uncertainty, regular New Jerseyans seeking a chance to live close to their jobs and to send their children to good schools have been sent packing.

The executive order reinstates a delay that began in 1999 and continued until hundreds of municipalities filed their fair share plans in December 2008. That delay was criticized by the judiciary repeatedly. In its January 2007 decision, the Appellate Division ordered COAH to adopt regulations within six months and repeatedly pushed COAH to implement constitutional policies as rapidly as possible. We doubt that the courts will tolerate further delay that is plainly driven by the same motivations that has always led wealthy municipalities to exclude lower-income New Jerseyans.

We are thus filing a request with the Appellate Division today for a rapid review of Gov. Christie's executive order. Governors execute laws; they are not permitted to supplant the legislature. Governors may not issue edicts that take over the role of independent state agencies. This is as clear a violation of the doctrine of separation of powers as it gets.

We will continue to update you on the Governor's illegal actions, and the response from the courts and the public, through our blog at <http://fairsharehousing.org/blog/> and, for major events, over e-mail.

Visit us on the web at www.fairsharehousing.org. To support our work with an online donation, please [click here](#).

Forward email

 **SafeUnsubscribe®**

This email was sent to jrs@surenian.com by kevinwalsh@fairsharehousing.org.
Update Profile/Email Address | Instant removal with SafeUnsubscribe™ | Privacy Policy.

Email Marketing by



Fair Share Housing Center | 510 Park Boulevard | Cherry Hill | NJ | 08002