



FOCUS AREA 8: Address barriers to housing mobility, increase access to opportunity and affirmatively further fair housing policies region-wide •

WHAT AND WHY Despite decades of government efforts to subsidize affordable housing and address disparities in housing and other opportunities, North Jersey remains divided. Most lower-income and minority residents live in the region's cities and older suburbs, with far less access to the higher quality housing, neighborhoods, public services, schools and employment opportunities enjoyed by predominately white, higher-income residents of wealthier suburbs.

According to federal and state law, people have a right to "fair housing," meaning everyone, regardless of race, color, religion, national origin, sex, family status, disability, ancestry or military status, can secure the housing they want in a neighborhood of their choice. The New Jersey Fair Housing Act states that "municipalities cannot discriminate against low- and moderate-income persons and households." In its Mount Laurel decisions, the Supreme Court of New Jersey demands that municipal land use regulations affirmatively afford a reasonable opportunity for a variety and choice of housing, including low- and moderate-cost housing, to meet the needs of people desiring to live there. While provision for the actual construction of that housing by municipalities is not required, they are encouraged to expend their own resources to help provide low- and moderate-income housing (NJAC 52:27D-302 h).

In addition, a U.S. Department of Housing and Urban Development (USHUD) rule requires USHUD funding recipients to affirmatively further fair housing (AFFH) based on the federal Fair Housing Act. This rule defines fair housing to include addressing disparities in access to opportunity and transforming racially or ethnically concentrated areas of poverty into areas of opportunity.

Fair housing is a right guaranteed by law. Government agencies must take affirmative steps to protect against and eliminate discrimination, promote housing choice for all persons, and devote resources to address the needs of disadvantaged and segregated neighborhoods. All of our region's residents should have a fair chance to find the housing they need in the community of their choice. In addition, all North Jersey communities have a right to public investments and services that allow residents to participate fully in society and reach their full potential.

HOW Our region must improve conditions in the places where lower-income residents currently live and build better connections between these neighborhoods and employment, education, healthcare and other opportunities in other parts of the region. We must increase housing mobility for lower-income residents, making it easier for them to move to and afford to live in places suitable to their circumstances and where better opportunities exist. These goals can be achieved by ensuring fair housing policies and plans are in place and enforced, using public investment programs to create, connect, and strengthen access to local and regional opportunities, and implementing residential mobility strategies.

STRATEGY 8.1: Affirmatively further fair housing policies region-wide

Ensuring fair housing policies and plans are enforced requires establishing a comprehensive, region-wide assessment process that systematically identifies impediments and barriers to fair housing and the actions needed to eliminate those barriers. Toward this end, counties, municipalities, and public housing authorities in our region should work with the New Jersey Department of Community Affairs to prepare and routinely update fair housing assessments that comply with state and federal laws and regulations. The assessment processes should ensure transparency and inform planned public investments that can promote fair housing and increase access to local and regional opportunities.

The USHUD AFFH rule was reinstated in 2021 after being repealed in 2020. The rule's reinstatement is an opportunity to ensure effective planning among USHUD funding recipients and other entities that wish to conduct fair housing and access to opportunity assessments.

To promote regional planning and coordination in fair housing policy, our region should explore the creation of a North Jersey Fair Housing Coalition, similar in structure to those that exist in other areas of the country. For example, such a group could: help to coordinate fair housing assessments, support investigations of housing discrimination complaints, examine the enforcement of fair housing laws, and help coordinate regional initiatives such as mobility counseling and efforts to enhance voucher portability.

STRATEGY 8.2: Use public investment programs to create, connect and strengthen access to opportunity

Our region invests hundreds of millions of dollars each year in public infrastructure, transportation, community development, housing, education, workforce development and economic development projects and programs. These funds can be used in innovative ways to help create, connect and strengthen access to opportunity. The agencies and organizations that manage the budgeting and allocation of these funds should develop, adopt and utilize project criteria that prioritize projects that promote fair housing and increase access to opportunity for low-income residents and communities of color. For example, public agencies could prioritize low-income areas for small business support programs or invest in projects that provide transportation options between low-income neighborhoods and job concentrations; a portion of Low-Income Tax Credit investments can be targeted to places with more and better jobs opportunities and high-performing schools. Investment decisions and outcomes should be monitored and evaluated over time to understand the benefits and burdens of various investments.

STRATEGY 8.3: Promote regional housing mobility by fostering innovation in the use of Housing Choice Vouchers

The tenant-based Housing Choice Voucher (HCV) Program, funded by the U.S. Department of Housing and Urban Development, has great potential to improve low and moderate-income households' access to communities with high-performing schools, quality housing and jobs. However, the current structure of the program tends to restrict the low- and moderate-income families who receive vouchers from moving beyond our region's cities and older suburbs. For example, the way vouchers are allocated provides an incentive to retain users within the agency's jurisdiction administering the vouchers.

Knowledge of the program among landlords outside of urban areas is limited, so few participate in the program, and services to help program participants fully understand the options available are not readily available or accessed. To achieve the program's full potential, our region must promote more innovation in implementing voucher programs. These innovations should reward public housing authorities that promote regional housing mobility; provide incentives to consolidate the administration of programs to optimize limited resources and expand the services available to tenants, such as mobility counseling; and link housing choice vouchers with school funding allocations so that communities that take steps to promote more inclusive patterns of family housing get more funding to support their schools.

STRATEGY 8.4: Increase the supply of affordable, accessible housing options for people with disabilities and seniors in appropriate locations

Affordable, accessible housing is essential for making a community more livable for people with disabilities and older adults. The number of seniors will continue to increase over the next 20 years as the large baby boomer generation ages, and average life expectancy increases, with a projected 52 percent increase in the number of adults 65 years and older from 2014 to 2034. In addition, nearly 10 percent of New Jerseyans report having at least one type of disability. Therefore, our region requires a greater supply of housing options with accessibility features such as zero-step entrances, wider doorways, ramps, lifts and elevators where needed, modified kitchens and grab bars in bathrooms, and increased security. Municipalities, counties and state agencies should identify regional needs for accessible housing. Our region should encourage and/or mandate the inclusion of accessibility features in at least a portion of new housing units and target a portion of affordable housing program resources to meet the needs of people with disabilities. Municipalities and state agencies should also provide incentives to encourage the construction of more affordable, accessible housing units in locations where residents can walk and take transit to get where they need to go.

