

**Township of Buena Vista  
Fair Share Plan  
Midpoint Review Report**

**July 1, 2020**

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**Purpose**

The Township of Buena Vista’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, that: “[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 with the Township, 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. This document represents said Midpoint Review Report.

**Relevant Background**

In July 2015, the Township of Buena Vista filed a Declaratory Judgment Action, seeking to comply with its third round obligation in the manner prescribed by the Supreme Court in Mount Laurel IV. On August 4, 2017, the Township entered into a global Settlement Agreement with FSHC. A Fairness Hearing was held on September 27, 2017, during which the Court approved the global Settlement Agreement with FSHC. On August 30, 2018, the Court granted the Township a Final Judgment of Compliance and Repose pursuant to a compliance hearing.

The Township does not have any outstanding affordable housing obligations. All of the prior round obligations were satisfied prior to the filing of the 2017 Fair Share Plan. The Township’s Prospective Need was zero (0) units. The only obligation in the Fair Share Plan was for the Township’s Present Need (Rehabilitation) Obligation of seventy-three (73) units.

**Rehabilitation Programs Update**

The Township of Buena Vista has a rehabilitation obligation of seventy-three (73) units. The Township continues to participate in the Atlantic County Improvement Authority’s (ACIA) rehabilitation program. Since January of 2010, there were a total of nineteen (19) units in the

Township which have been rehabbed under this program. That is seven (7) more since the adoption of the Township's November 2017 Fair Share Plan. The Township intends to continue to participate in this program through the compliance period ending on July 1, 2025 or when the Township's immunity is resolved, whichever is later.

The Township also intends to establish its own revolving loan program using funds from its Affordable Housing Trust Fund. The Township has been working with the ACIA to establish a program specific for the units in the Township. It is expected that this program will be established within the next twelve (12) months.

### **Affordable Housing Trust Fund Update**

The Township of Buena Vista has an Affordable Housing Trust Fund with a current balance of \$206,743.60. This includes deposits from three (3) non-residential developments since the approval of the 2017 Spending Plan and Fair Share Plan. The Township will be utilizing a portion of this money to fund their local Rehabilitation Revolving Loan Program for the rehabilitation of units as set forth above. This will be done in partnership with the ACIA and will be modeled after their program. The Township expects to have this program fully established before the end of calendar year 2020.

### **Conclusion**

The Township's plan implementation continues to create a realistic opportunity where that standard is applicable and the Township maintains sufficient mechanisms for addressing their Present Need.