

**55-353. REGULATIONS FOR REHABILITATION PROGRAM.**

- A. *General Provisions.* The Fair Share Plan for the Township of Barnegat, as adopted by the Township Committee, establishes a rehabilitation program to address the Township's Fair Share Rehabilitation Component of twenty-eight (28) units. The purpose of the rehabilitation program is to rehabilitate substandard housing units occupied by low and moderate income households. For the purposes of this program, a "substandard housing unit" is defined as a unit with health and safety code violations that require the repair or replacement of a major system. A major system shall include a roof, plumbing (including wells), heating, electricity, sanitary plumbing (including septic

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systems) and/or load bearing structural system. Upon rehabilitation, housing deficiencies shall be corrected and the house shall be brought up to code standards. This standard for evaluating rehabilitation activity shall be the total property maintenance code, or if none is available the BOCA National Existing Structures Code. The rehabilitation activity shall not include luxury improvements, the purchase of appliances (with the exception of stoves) or improvements that are strictly cosmetic. Rental units may not be excluded from the Township's rehabilitation program.

*B. Administration or Rehabilitation Program.*

- (1) The Township shall designate an entity to administer the rehabilitation program. The Township may designate an employee to administer the program, or may enter into an agreement for a governmental agency or private consultant to administer all or some of the program.
- (2) The Township shall prepare a marketing plan for the rehabilitation program. The marketing plan shall be subject to the court's approval. The rehabilitation program shall be marketed through a combination of some, though not necessarily all, of the following:
- (3) Brochures; posters in prominent locations; cable television and radio announcements; notices included in utility bills; notices in municipal tax bills; notices included in municipal publications; and informational meetings with welfare organizations; urban action community groups, personnel departments of local employers, social workers, civic and religious leaders, senior citizen groups and fraternal organizations.
- (4) The Township shall maintain files on each rehabilitation program applicant. The files may be used in responding to monitor requests and to protect mu

nicipality against charges of irregularity. The files shall include:

- (a) The name of each applicant.
- (b) If the applicant is not approved, the reason for disapproval.
- (c) If the applicant is approved:
  - [1] Proof of income eligibility (Federal tax return).
  - [2] The initial inspection by the building inspector.
  - [3] Bids by contractors.
  - [4] The final contract to do the work.
  - [5] Progress reports.
  - [6] A copy of the final inspection.
  - [7] The lien on the property.
- (5) The Township shall develop a rehabilitation manual that complies with COAH's rules and summaries the administration of the rehabilitation program. The manual shall include a copy of the lien to be used on all property and shall describe:
  - (a) The rehabilitation program's staff and their responsibilities.
  - (b) Procedures for program marketing.
  - (c) Eligible repairs and improvements.
  - (d) The amounts of money available for rehabilitation.
  - (e) Financing terms.
  - (f) Income qualification criteria.
  - (g) Procedures for application intake.

- (h) Procedures for review and approval work (such procedures should require interim inspection of work).
  - (i) The length of affordability control.
- (6) The Township shall complete annual monitoring reports as required by COAH.

*C. Household Income Limitations.*

- (1) The incomes of households qualifying for assistance under this rehabilitation program shall not exceed the income limits for low and moderate income households, as defined in N.J.A.C. 5:93-9.1(b), as of January 1 of the current year.
- (a) Low and moderate income households. Households with a gross household income equal to fifty percent (50%) or less of the median gross household income for households of the same size within the housing region in which the housing is located, shall be considered low income households. Households with a gross household income in excess of fifty percent (50%) but less than eighty percent (80%) of the median gross household income for households of the same size within the housing region in which the housing is located, shall be considered moderate income households.
  - (b) The median income determination. The median income by household size shall be established by a regional weighted average of the uncapped Section 8 Income Limits published by the U.S. Department of Housing and Urban Development (HUD) pursuant to N.J.A.C. 5:93-7.4(b).

**D. Controls on Affordability.**

- (1) Rehabilitated owner occupied single family housing units that are improved to code standard through this rehabilitation program shall be subject to controls on its occupancy by a low and moderate income household, for a period not less than six (6) years. Rehabilitated renter occupied housing units that are improved to code standard shall be subject to controls on its occupancy by a low and moderate income household for a period not less than ten (10) years.
- (2) The controls on affordability shall be in the form of a lien filed with the appropriate properties deed. The lien shall be in a form approved by COAH.
- (3) Rents and rehabilitated units may increase annually based on the standards in N.J.A.C. 5:93-9.5.

**E. Funding for Rehabilitation Program.**

- (1) The Township shall be responsible for funding its rehabilitation program in accordance with the requirements of N.J.A.C. 5:93-5.2(h). The Township shall provide two thousand (\$2,000.00) dollars per unit of its rehabilitation component towards administration and eight thousand (\$8,000.00) dollars per unit for rehabilitation activity to total ten thousand (\$10,000.00) dollars per unit of its rehabilitation component.
  - (a) The Township may rehabilitate substandard units that require less than eight thousand (\$8,000.00) dollars of work provided they also rehabilitate substandard units that require more than eight thousand (\$8,000.00) dollars of work. The Township's rehabilitation activity shall average at least eight thousand (\$8,000.00) dollars per unit for each two (2) year period of substantive certification. The

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**Township shall provide a copy of twelve thousand five hundred (\$12,500.00) dollars for the hard cost to rehabilitate any one (1) unit;**

- (b) The Township shall provide sufficient dollars to fund one-third (1/3) of the municipal rehabilitation component within one (1) year of substantive certification. In each subsequent year of the substantive certification period, the Township shall provide sufficient dollars to fund one-sixth (1/6) of the Township's rehabilitation component.**

**55-354-55-359. RESERVED.**