

Housing Affordability Impact

The rules proposed for readoption implement a section of the Fair Housing Act that establishes a fund to be used by the Department to subsidize the development of affordable housing. Readoption of these rules would continue the positive impact of the statute and rules upon housing production costs and affordability. The Economic Impact above includes a summary of the number of projects and housing units funded by the program.

Smart Growth Development Impact

The rules proposed for readoption implement a section of the Fair Housing Act that establishes a fund to be used by the Department to subsidize the development of affordable housing. Readoption of these rules would continue the positive impact of the statute and rules upon housing production within Planning Areas 1 and 2 and within designated centers under the State Development and Redevelopment Plan. The Economic Impact above includes a summary of the number of projects and housing units funded by the program.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 5:43.

(a)

DIVISION OF HOUSING AND COMMUNITY RESOURCES

Local Housing Authority and Municipal Redevelopment Agency Training Program and Executive Director Review

Proposed Readoption: N.J.A.C. 5:44

Authorized By: Lori Grifa, Commissioner, Department of Community Affairs.

Authority: N.J.S.A. 40A:12A-45 and 49.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2010-127.

Submit written comments by September 4, 2010 to:

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The agency proposal follows.

Summary

Pursuant to N.J.S.A. 52:14B-5.1c, the rules concerning local housing authority and municipal redevelopment agency training program and executive director review, N.J.A.C. 5:44, are scheduled to expire on May 17, 2011. The Department has reviewed these rules and finds that they continue to be necessary for the purpose for which they were adopted and is therefore proposing that they be readopted without amendment.

The purpose for which these rules were adopted was to improve the technical expertise and management skills of commissioners and executive directors of local housing authorities and municipal redevelopment agencies through a comprehensive, structured educational program and to further professionalism in management through clearly established standards of education and experience.

The rules include general provisions and definitions, training requirements and administration, employment requirements for executive directors, requirements regarding board composition and vacancies, enforcement procedures and standards for the training program.

As provided in N.J.S.A. 40A:12A-46, all commissioners and executive directors of local housing authorities and municipal redevelopment agencies are required to complete a comprehensive training program prescribed by the Commissioner of Community Affairs, with the assistance of an advisory committee of housing professionals, public housing representatives and representatives of Rutgers University.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The training program affects all of the 84 local housing authorities and 24 municipal redevelopment agencies in New Jersey. There are five one-day courses for housing authority commissioners, 10 such courses for housing authority executive directors, two for redevelopment agency commissioners and four for redevelopment agency executive directors. From 14 to 16 courses are offered each semester by Rutgers. Commissioners must complete training within 18 months of appointment, and executive directors within two years of appointment.

The training program is necessary to enhance the skills of commissioners and executive directors who must manage their facilities in the best interest of the residents and the community. The enactment of P.L. 1992, c. 79 (N.J.S.A. 40A:12A-1 et seq.) was in response to a HUD evaluation in the late 1980s that noted substantial mismanagement.

Economic Impact

Rutgers tuition for each one-day course is currently \$450.00, and \$780.00 for a two-day course. In a typical year, there will be 80 to 100 new commissioners and about six new executive directors who must take the courses within the time allowed. Courses are held at various locations around the State on different days. Executive directors who fail to complete the courses face the adverse economic consequence of losing their positions.

Federal Standards Statement

No Federal standards analysis is required because these rules are not being readopted under the authority of, or in order to implement, comply with or participate in any program established under, Federal law or a State law that incorporates or refers to Federal law, standards or requirements.

Jobs Impact

The rules proposed for readoption would not result in the generation or loss of any jobs. The rules establish requirements that must be satisfied by any person seeking to be employed as an executive director, but do not affect the establishment of executive director positions by local housing authorities or municipal redevelopment agencies.

Agriculture Industry Impact

The Department does not anticipate any impact upon the agriculture industry as a result of the rules proposed for readoption.

Regulatory Flexibility Statement

These rules affect local housing authorities and municipal redevelopment agencies. They do not have any impact upon "small businesses," as defined in the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

Smart Growth Impact

The Department does not anticipate any impact upon the achievement of smart growth or the implementation of the State Development and Redevelopment Plan as a result of the rules proposed for readoption.

Housing Affordability Impact

The rules proposed for readoption concern the local housing authority and municipal redevelopment agency training program and executive director review. The rules would be most unlikely to have any impact upon housing production costs or to affect affordability.

Smart Growth Development Impact

The rules proposed for readoption concern the local housing authority and municipal redevelopment agency training program and executive director review. The rules would be most unlikely to have any impact upon housing production within Planning Areas 1 and 2 or within designated centers under the State Development and Redevelopment Plan.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 5:44.