

FAIR SHARE HOUSING CENTER

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October 6, 2025

Via eCourts and Electronic Mail

Hon. Ronald E. Bookbinder, A.J.S.C. (ret. and on recall)
 Affordable Housing Dispute Resolution Program
 Richard J. Hughes Justice Complex
 P.O. Box 037
 Trenton, New Jersey 08625

**Re: IMO the Application of the Township of Teaneck, County of Bergen,
 Docket No. BER-L-776-25**

Dear Judge Bookbinder:

Please accept this letter as Fair Share Housing Center’s (“FSHC”) response to the Township of Teaneck’s October 3, 2025 letter asking the Affordable Housing Dispute Resolution Program (“Program”) to dismiss FSHC’s challenge to the Township’s Fourth Round Housing Element and Fair Share Plan (“HEFSP”).

Despite receiving FSHC’s challenge on August 27, 2025, the Township waited over a month to file its response on a Friday—just one business day before the scheduled Monday, October 6, 2025 conference—placing unnecessary burden on both FSHC and the Program. Ultimately, this last-minute filing should not obscure the fact that FSHC’s objections are well-supported, legally grounded, and directly relevant to whether Teaneck’s HEFSP provides a realistic opportunity to meet its constitutional and statutory obligations to provide its fair share of affordable housing.

Indeed, FSHC’s challenge is plainly particularized within the meaning of N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24. FSHC identifies detailed, substantive deficiencies that demonstrate Teaneck’s HEFSP does not comply with the Fair Housing Act (“FHA”). The issues raised by FSHC include, but are not limited to, the Township’s failure to conduct a legally compliant vacant land analysis, its failure to provide mechanisms to meet its full unmet need (including sites likely to redevelop to address 25% of the unmet need), its failure to propose a compliant unmet need plan by applying bonus credits to its unmet need, and its failure to provide sufficient compliance documentation. These are not vague or generalized complaints; they target specific legal standards and the Township’s documented departures from them. FSHC further enumerated required corrective actions, such as revising its realistic development potential and vacant land analysis, providing mechanisms to address its full unmet need, demonstrating that prior round sites continue to be realistic, and updating key ordinances and plans.

The Township complains that FSHC failed to identify specific sites, but FSHC is not required to supply the Township’s compliance plan for it. Rather, FSHC identified where the HEFSP fails to comply with applicable law. These objections go directly to the Township’s compliance burden, which requires the municipality—not objectors—to prove every element of

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compliance. See N.J.S.A. 52:27D-304.1(f)(2)(b); S. Burlington Cnty. NAACP v. Mount Laurel, 92 N.J. 158, 306 (1983) (Mount Laurel II).

Respectfully,



Esmé M. Devenney, Esq.
Counsel for Fair Share Housing Center