

SEVEN FATAL FLAWS OF THE COAH REGULATIONS

- 1. Negative and overwhelming burdens on the taxpayer in violation of the Fair Housing Act, which specifically provides that a municipality shall not be required to raise or expend municipal revenue in order to provide low and moderate income housing.**
- 2. Unjustified and unsupportable adjustments to the first and second round numbers, which result in unachievable obligations for many municipalities.**
- 3. Third round growth share obligations are based upon unreliable and inaccurate information and exaggerated projections which result from false and unsupportable assumptions in the expert reports relied upon by COAH.**
- 4. The exaggerated third round growth share obligations are allocated based upon false and inaccurate vacant land analysis and speculative residential and non-residential growth patterns, which ignore unusable land and levels of low and moderate income households anticipated to be created through 2018.**
- 5. The Third Round allocated obligations ignore the State Development and Redevelopment Plan and all aspects of Smart Growth and open space conservation.**
- 6. Full compliance with the third round obligations is unachievable, but will nonetheless subject municipalities to excessive market rate housing to subsidize the inaccurate projections of low and moderate income housing.**
- 7. The implementation of the regulations will hinder rather than promote the production of low and moderate income housing for the low and moderate income citizens in the State of New Jersey, now and in the future.**