CENTRAL JERSEY
HOUSING RESOURCE CENTER
501(c)(3) non-profit organization

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AFFORDABLE HOUSING RENTAL UNITS RULES

Affordable housing units are restricted by written, recorded agreements/documents that constitute a covenant running with the land and the specific affordable housing unit(s).

A thorough and complete reading of these agreements/documents is necessary to fully understand the restrictions that bind these residential units.

Below is a summary of the most significant restrictions and/or information:

1) Renting an affordable housing unit is restricted to households whose total gross annual income is measured at less than 80% of an approved median income guide established by household size, geographic region and authorized by a specific governing entity.

2) **The Affordable housing rental units must be utilized as the primary residence** of the tenant(s) who applied for the unit. Primary residence is defined as a unit wherein a household maintains continuing residence for no less than nine months of each calendar year. **At no time can you ever live in another property for more than 3 months of a calendar year. Your affordable housing address must be reflected on an acceptable proof of identity or other requested documents if ever questioned.**

3) Affordable housing rental units cannot be subleased or rented out to any other person, not even to members of the tenant's family.

4) Tenants are not allowed to make any improvements to the apartment unless they have been approved in advance and in writing by the landlord or appropriate party for the landlord.

5) Once rents have been determined, prospective renters who have submitted an application, have been approved (by the administrative agency handling that complex), and are selected according to their household income and size, will then be notified regarding their ability to meet the determined monthly rental rate. The standard for affordability is that renters should not be required to pay more than 30% of their gross monthly income for housing costs that include an estimate of tenant-paid utility charges. CJHRC allows a standard of 35% (40% for age-restricted units) in order to provide more housing choices for low and moderate-income households. There are special circumstances that a Household may be considered if the rental rate exceeds the 35%.

6) Tenants rental rate may be adjusted annually at the lease renewal date; if such increase is consistent with the regional income increase most recently published by an approved entity, calculated pursuant to N.J.A.C. 5:94-7.2(b). In some cases, if a landlord did not increase the rent due to the percentage amounts not being released by the entity, those landlords may be able to increase the amount by the combined increase for more than one year (s) but not to exceed the combined percentages for those years.

7) The restrictions imposed on an affordable housing unit are contained in the Appendix K which is signed by renters at the time they are singing a lease. The terms, restrictions, and provisions including the required amount of rent will be set forth in the lease. Rent must be paid on time and in the manner provided for in the lease.

8) In New Jersey, Landlords/Owners may legally collect a security deposit that is no more than one and one half times the current/new rental rate, which may mean that a renewal lease may require the tenant/household to submit additional funds to be added to their security account with the landlord/owner.

9) Renters should understand their rights and responsibilities. The Truth-in-Renting Act (N.J.S.A. 46:8-43 et seq.) requires the Department of Community Affairs to prepare and publish a statement of the rights and responsibilities of residential tenants and landlords. Potential tenants or those looking to learn their rights and landlord's rights can get the Landlord-Tenant laws on-line at http://www.njleg.state.nj.us.gov/.

10) At the first sign of financial difficulty, affordable housing renters should contact a local HUD counseling agency. Central Jersey Housing Resource Center (CJHRC) is a HUD Certified Housing Counseling Agency and offers free counseling to tenants who are struggling or concerned about future rent payments. Call CJHRC at 908-446-0036 and arrange for an in-person counseling session between the hours of 9am and 3pm Monday through Friday.

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