

**RESOLUTION NO. 2023-142**

**RESOLUTION OF THE TOWNSHIP OF LITTLE  
EGG HARBOR, COUNTY OF OCEAN, STATE OF  
NEW JERSEY URGING THE STATE LEGISLATURE  
TO NOT SUPPORT ASSEMBLY BILL A4106 (S2537)  
AND PROTECT AGE-RESTRICTED COMMUNITIES**

**WHEREAS**, A4106 (S2537) would expressly require the association of an age-restricted common interest community to permit an owner of a dwelling unit in the community to sell or grant the unit to a purchaser or grantee regardless of whether the purchaser's or grantee's age did not comply with the applicable age restrictions, where the new owner to reside there; and

**WHEREAS**, Federal law permits the existence of age-restricted communities as an exception, known as "housing for older persons," to the anti-discrimination provisions of the "Fair Housing Amendments Act of 1988," provided that certain quotas are maintained of age-appropriate persons occupying the premises; and

**WHEREAS**, the Bill could remove the discretion of community associations to determine the composition of the 20% of total units in 55 and older communities, as in communities organized by a developer to house persons aged 55 and over, at least 80% of the residents and one resident per each household, must be aged 55 or older; and

**WHEREAS**, the governing body urges the State legislature to not support A4106 (S2537).

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body encourages the State Legislature to not support A4106 (S2537) and to continue to allow community associations autonomy in determining the makeup of 55 and older age-restricted communities in complying with Federal law.
2. That a certified copy of this resolution shall be forwarded to Governor Murphy, and 9<sup>th</sup> District Legislators.

**rmshc**

Rothstein, Mandell, Strohm,  
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ATTORNEYS AT LAW

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**CERTIFICATION**

I, **KELLY LETTERA, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the **13th** day of **April, 2023**.



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**KELLY LETTERA, RMC**  
Township Clerk  
Little Egg Harbor Township

**r|m|s|h|c**

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