

**FILED**  
MAR 03 2026  
Honorable  
Janine M. Allen, J.S.C.

**PREPARED BY THE COURT:**

**IN THE MATTER OF THE  
DECLARATORY JUDGMENT  
ACTION OF THE BOROUGH  
OF MENDHAM, MORRIS  
COUNTY PURSUANT TO P.L.  
2024, CHAPTER 2 (N.J.S.A.  
52:27D-304.1, et seq.),**

Petitioner.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – CIVIL PART  
MORRIS COUNTY  
DOCKET NO. MRS-L-000254-25

Civil Action  
Mt. Laurel Program

**ORDER EXTENDING TIME TO ADOPT  
AND FILE HESFP**

**THIS MATTER**, having come before the Court on referral from and recommendation issued by the Affordable Housing Dispute Resolution Program (“Program”), pursuant to the Complaint for Declaratory Judgment filed on January 30, 2025 (“DJ Complaint”) by the Petitioner, **BOROUGH OF MENDHAM**(“Petitioner” or “Municipality”), pursuant to N.J.S.A. 52:27D-304.2, -304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (collectively, the “FHA”), and in accordance with Section II.A of Administrative Directive #14-24 (“Directive #14-24”) of the “Program”, seeking a certification of compliance with the FHA;

**AND THE COURT**, having entered its Decision and Order Fixing Municipal Obligations for “present need” and “prospective need” for the Fourth Round housing cycle on May 2, 2025 for the Municipality – specifically, therein establishing a “present need” obligation of **zero (0)** affordable housing units, and a “prospective need” obligation of **one hundred twenty four (124)** affordable housing units (collectively, the “Fourth Round Affordable Housing Obligation”);

**AND IT APPEARING** that, the Municipality timely adopted a Resolution hereby endorsing its proposed Housing Element and Fair Share Plan (“HEFSP”) for the implementation of its Fourth Round Affordable Obligation, and thus by or before June 30, 2025, as provided for and in accordance with the FHA and Section III.A of Directive #14-24 (as amended), and which Plan contained the elements set forth in the “Addendum” attached to Directive #14-24 (as amended)

**AND IT APPEARING** that, challenges to the Municipality’s HEFSP (“Challenges”) were timely and properly filed by Defendant/Interested Party, **Accordia Realty Ventures, LLC**. (“Accordia”) and by **Fair Share Housing Center** (“FSHC”), (each a “Challenger”, and collectively the “Challengers”) by and through their respective counsel, in accordance with the FHA and Section III.B of Directive #14-24, wherein the Challengers disputed, in whole or in part, certain compliance mechanisms and/or other aspects of the Municipality’s proposed HEFSP, as set forth in each Challenge;

**AND IT APPEARING** that, pursuant to the Program, the Administrative Office of the Courts (“AOC”) appointed and assigned the case to Program member, the Hon. Stephan C. Hansbury, J.S.C. (Ret.) (“Program Member”) to manage the proceedings, host settlement conferences, conduct sessions, and make recommendations to the Court in accordance with the FHA and the AOC’s Directive #14-24, and that the Program Member appointed James Kyle, PP/AICP, an independent affordable housing expert, as special adjudicator (“Special Adjudicator”) in this case to work with, make recommendations to, and assist the Program, and who worked closely with the Program Member;

**AND IT APPEARING** that, on October 17, 2025, November 14, 2025, and December 17, 2025, settlement conferences were conducted on notice to all parties with the participation of local

officials, town planner, planners for FSHC, and attorneys for the Municipality and attorneys for the Challengers, in accordance with the statutory framework and Directive #14-24, and with the goal of reaching a resolution;

**AND IT APPEARING** that, the parties engaged in extensive settlement negotiations before and during the settlement conferences, with the guidance and assistance of the Program Member and the Special Adjudicator;

**AND IT APPEARING** that, as a result of the settlement conferences conducted, that no resolution was reached;

**AND THE COURT**, having received the Program Member's report and Decision Recommendation and accompanying detailed Statement of Reasons contained therein, dated December 19, 2025 and later amended on January 6, 2026, the findings, terms, and recommendations of which are incorporated by reference as though more fully set forth herein (the "Report");

**AND THE COURT**, having held a Case Management Conference on today's date with counsel for the Municipality and for the Challengers, and all parties indicating that negotiations continue and therefore requesting an extension to file a HESFP;

**AND THE COURT**, having reviewed and considered the Program Member's Report and Recommendations, and hearing the positions of all counsel, and for the reasons placed on the record, and for good cause having been shown:

**IT IS, THEREFORE**, on and as of this **3<sup>rd</sup> day of March, 2026**

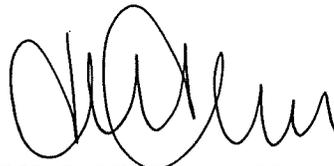
**ORDERED AND ADJUDGED**, as follows:

1. The time to adopt and file the HESFP is hereby extended to April 30, 2026 to allow the parties to continue discussions;

2. The parties shall provide an update to the Court on April 15, 2026 detailing any progress on the negotiations.

**IT IS FURTHER ORDERED**, that a copy of this Order shall be deemed served on the Petitioner, Petitioner's counsel, and counsel for all Challengers upon its posting by the Court to the eCourts case jacket for this matter pursuant to R. 1:5-1(a) and R. 1:32-2A.

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Janine Allen', written in a cursive style.

**HON. JANINE ALLEN, J.S.C.**

*Designated Mt. Laurel Judge – Morris/Sussex Vicinage*

(X) Challenged.