

## Resolution #2894

### RESOLUTION OF THE HOUSING AUTHORITY OF THE TOWNSHIP OF WOODBRIDGE APPROVING THE TERMS OF A PROPERTY LEASING AND MANAGEMENT AGREEMENT WITH THE WOODBRIDGE AFFORDABLE HOUSING CORPORATION

**WHEREAS**, the Housing Authority of the Township of Woodbridge (the "Authority"), a public housing agency as defined in the United States Housing Act of 1937, 42 U.S.C. 1437a(b)(6) ("PHA") with a Section 8 Annual Contributions Contract with the United States Department of Housing and Urban Development ("HUD"), is the fee simple owner of an affordable residential rental public housing project located at the following addresses: Adams Towers, 555 Rahway Ave., Woodbridge, NJ; Finn Towers, 19 Martin Terrace, Woodbridge, NJ; Cooper Towers, 1422 Oak Tree Rd., Iselin, NJ; Greiner Towers, 460 Inman Ave., Colonia, NJ; Olsen Towers, 555 New Brunswick Ave., Fords, NJ (the "Project"); and

**WHEREAS**, the Authority received a RAD Conversion Commitment ("RCC"), dated Sept. 5, 2017 and as amended, from HUD to convert its proposed projects to Authority-owned and operated multifamily housing under the Rental Assistance Demonstration Program, P.L. 112-55 (2012) ("RAD"; implemented through Notice PIH 2012-32), administered by HUD; and

**WHEREAS**, the Authority proposes to convert funding to project-based voucher ("PBV") assistance under the RAD Program (codified at 42 U.S.C. 1437f(o)(13) and implemented at 24 CFR Part 983), and in connection therewith is required to enter into a PBV Housing Assistance Payment ("HAP") contracts and Rental Assistance Demonstration Use Agreements ("RAD Use Agreement") with respect to the Project; and

**WHEREAS**, the "Rental Assistance Demonstration Project (RAD) Quick Reference Guide for Public Housing Projects Converting to Project-Based Voucher (PBV) Assistance, Department of Housing and Urban Development (HUD), October 2014", at Sections 2 and 3, provides that (i) the RAD PBV HAP contract must be signed by the owner of the project and the PHA administering the PBV assistance, acting as a contract administrator, (ii) the contract administrator and the owner cannot be the same legal entity, and (iii) the PHA must hire an independent entity, approved by HUD, to perform the housing quality standards ("HQS") inspections and render reasonableness determinations (24 CFR Sec. 983.59); and

**WHEREAS**, where a PHA is the fee owner of a project, HUD allows the PHA to contract with an affiliated entity to lease and manage project and to assume the obligations of the "owner" ("HAP Owner") under the RAD PBV HAP contract, and also requires that such affiliated entity execute a RAD Use Agreement in the capacity as an owner; and

**WHEREAS**, the Woodbridge Affordable Housing Corporation ("WAHC") has organized a not-for-profit corporation under the laws of the State of New Jersey; and

**WHEREAS**, the Authority desires to appoint WAHC as its agent for the leasing and management of the Project, to assume the obligations as HAP Owner under the RAD PBV HAP

contract, and to enter into the RAD Use Agreement, and WAHC hereby accepts such appointment and assumes such obligations via reciprocal Resolution adopted by the WAHC; and

**WHEREAS**, the Authority desires to approve the terms and conditions of a Property Leasing and Management Agreement with the WAHC (the "Agreement"), in substantially the form attached hereto as Exhibit A, with such additional revisions, if necessary, to be recommended by HUD and/or made by Special Counsel.

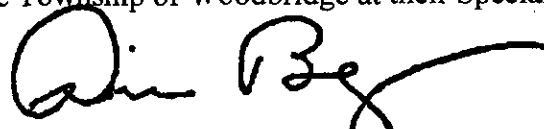
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Housing Authority of the Township of Woodbridge, Woodbridge, New Jersey, as follows:

1. The Authority hereby appoints WAHC as its agent for the leasing and management of the Project, to assume the obligations as HAP Owner under the RAD PBV HAP contract, and to enter into the RAD Use Agreement, in accordance with the terms of the Agreement.
2. The Authority hereby approves the terms of the Agreement in substantially the form attached hereto as Exhibit A, with such additional revisions, if necessary, to be recommended by HUD and/or made by Special Counsel, and authorizes the execution and delivery of such Agreement by the Chairman, Executive Director and Secretary of the Authority, as applicable.
3. This Resolution shall take effect immediately.

Motion to adopt Resolution #2894 moved by Commissioner Michelson and seconded by Commissioner Walker and upon roll call, the vote was as follows:

ROLL CALL: Kenny Michelson Perez-Rosado Rupasinghe Shah Walker Ficarra  
AYES: Kenny Michelson Rupasinghe Walker Ficarra  
NAYS: None  
Abstain: None  
Absent: Perez-Rosado Shah

I hereby certify that the above is a true and exact copy of the Resolution adopted by the Board of Commissioners of the Housing Authority of the Township of Woodbridge at their Special Meeting of October 23, 2017.



Donna F. Brightman, Secretary



**CERTIFICATION**

I, the Executive Director and Secretary of the Housing Authority of the Township of Woodbridge, do hereby certify that the within resolution entitled, "RESOLUTION OF THE HOUSING AUTHORITY OF THE TOWNSHIP OF WOODBRIDGE APPROVING THE TERMS OF A PROPERTY LEASING AND MANAGEMENT AGREEMENT WITH THE WOODBRIDGE AFFORDABLE HOUSING CORPORATION," was adopted at a meeting of the Authority duly called and held on October 23, 2017, at which meeting a quorum was present and acting throughout, by a majority of the full membership of the Board of Commissioners. Such resolution has not been amended, modified, or repealed, and is in full force and effect as of the date hereof and is a true copy of the whole of the resolution.

A handwritten signature in black ink, appearing to read "Donna Brightman", written over a horizontal line.

Donna Brightman  
Executive Director/ Secretary