

CHAPTER 44

LOCAL HOUSING AUTHORITY AND MUNICIPAL
REDEVELOPMENT AGENCY TRAINING PRO-
GRAM AND EXECUTIVE DIRECTOR REVIEW

Authority

N.J.S.A. 40A:12A-45 and 49.

Source and Effective Date

R.2005 d.438, effective November 18, 2005.
See: 37 N.J.R. 698(a), 37 N.J.R. 4910(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 44, Local Housing Authority and Municipal Redevelopment Agency Training Program and Executive Director Review, expires on May 17, 2011. See: 42 N.J.R. 1281(a).

Chapter Historical Note

Chapter 44, Local Housing Authority and Municipal Redevelopment Agency Training Program, was originally codified in Title 5 as Chapter 16, Local Housing Authority and Municipal Redevelopment Agency Training Program. Chapter 16 was adopted as R.1995 d.259, effective June 5, 1995. See: 26 N.J.R. 4867(a), 27 N.J.R. 2182(a).

Pursuant to Reorganization Plan No. 002-1998, Chapter 16, Local Housing Authority and Municipal Redevelopment Agency Training Program, was recodified as N.J.A.C. 5:44, effective July 1, 1998. See: 30 N.J.R. 1347(a), 30 N.J.R. 2644(a). Administrative correction. See: 30 N.J.R. 3068(b).

Chapter 44, Local Housing Authority and Municipal Redevelopment Agency Training Program, was renamed Local Housing Authority and Municipal Redevelopment Agency Training Program and Executive Director Review by R.2000 d.61, effective February 22, 2000. See: 31 N.J.R. 3250(a), 32 N.J.R. 690(a).

Pursuant to Executive Order No. 66(1978), Chapter 44, Local Housing Authority and Municipal Redevelopment Agency Training Program and Executive Director Review, was readopted as R.2000 d.271, effective June 5, 2000. See: 32 N.J.R. 1458(a), 32 N.J.R. 2425(c).

Chapter 44, Local Housing Authority and Municipal Redevelopment Agency Training Program and Executive Director Review, was readopted by R.2005 d.438, effective November 18, 2005. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 5:44-1.1 Title; scope
- 5:44-1.2 Authority
- 5:44-1.3 Intent and purpose
- 5:44-1.4 Definitions
- 5:44-1.5 Severability

SUBCHAPTER 2. TRAINING REQUIREMENTS AND AD-
MINISTRATION

- 5:44-2.1 Training curriculum
- 5:44-2.2 Course credit and evaluation criteria
- 5:44-2.3 Certificate of completion
- 5:44-2.4 Compliance period
- 5:44-2.5 Waivers
- 5:44-2.6 Right of appeal
- 5:44-2.7 Exemptions

SUBCHAPTER 3. GENERAL PROCEDURES

- 5:44-3.1 Employment requirements for executive directors
- 5:44-3.2 Board composition
- 5:44-3.3 Board vacancies
- 5:44-3.4 Enforcement

SUBCHAPTER 4. ESTABLISHMENT OF TRAINING
PROGRAM

- 5:44-4.1 Scope; intent
- 5:44-4.2 Applicability
- 5:44-4.3 Standards for training program

SUBCHAPTER 1. GENERAL PROVISIONS

5:44-1.1 Title; scope

(a) The rules contained in this chapter shall be known as the "Rules for the Local Housing Authority and Municipal Redevelopment Agency Training Program."

(b) These rules govern the prescribed training program referred to as Local Housing Authority and Municipal Redevelopment Agency Training Program, hereinafter designated as the LHA/MRA Training Program.

(c) These rules govern the prescribed review by the State of the qualifications of a candidate for the executive director position at a housing authority or redevelopment agency.

Amended by R.2000 d.61, effective February 22, 2000.
See: 31 N.J.R. 3250(a), 32 N.J.R. 690(a).

Added (c).

Amended by R.2000 d.271, effective July 3, 2000.

See: 32 N.J.R. 1458(a), 32 N.J.R. 2425(c).

In (c), added "or redevelopment agency".

5:44-1.2 Authority

These rules are promulgated by the Commissioner of the Department of Community Affairs pursuant to the authority of the "Redevelopment and Housing Law," (P.L. 1992, c.79; N.J.S.A. 40A:12A-1 et seq.).

5:44-1.3 Intent and purpose

(a) The purpose of the LHA/MRA Training Program shall be to improve the technical expertise and management skills of commissioners and executive directors of local housing authorities and municipal redevelopment agencies through a comprehensive, structured educational program.

(b) The purpose of the State review of executive director qualifications is to further the professionalism of housing authority and redevelopment agency management through clearly established standards of education and experience.

Amended by R.2000 d.61, effective February 22, 2000.

See: 31 N.J.R. 3250(a), 32 N.J.R. 690(a).

Added (b).

Amended by R.2000 d.271, effective July 3, 2000.

See: 32 N.J.R. 1458(a), 32 N.J.R. 2425(c).

In (b), inserted "and redevelopment agency" following "authority".

5:44-1.4 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise. All definitions found in the Redevelopment and Housing Law, P.L. 1992, c.79 (N.J.S.A. 40A:12A-1 et seq.), shall be applicable to this chapter.

"Certificate of completion" means written documentation provided to executive directors and commissioners of local housing authorities and municipal redevelopment agencies evidencing successful completion of the required course of study for the LHA/MRA Training Program.

"Commissioner" means an appointed member of the governing board of a local housing authority or a municipal redevelopment agency, which board is responsible for overseeing operations, including developing policy and establishing monitoring controls.

"Commissioner of the Department," or "DCA Commissioner," means the Commissioner of Community Affairs.

"Course curriculum" means the mandatory and elective courses that executive directors and commissioners of local housing authorities and municipal redevelopment agencies must complete to satisfy the training requirements more fully described in N.J.A.C. 5:44-3.

"DCA Commissioner" (See "Commissioner of the Department.")

"Department" means the New Jersey Department of Community Affairs.

"Executive director" means an individual employed as the chief officer and secretary to the board of a local housing authority or municipal redevelopment agency and responsible for the daily management of the entity.

"Hardship" means any physical, mental or social privation, suffering or adversity that may hinder or preclude an individual from satisfactorily completing the requirements of the LHA/MRA Training Program. The New Jersey Department of Community Affairs will, within reason, provide appropriate accommodations to assist all LHA/MRA Training Program participants to complete both the course curriculum and evaluation components.

"Holdover" means an individual who continues to occupy a seat as a member of a board after resignation or upon expiration of the term associated with that seat, and who has no right to the office.

"Housing Authority and Redevelopment Agency Training Advisory Committee" means the committee, comprised of staff of the Department of Community Affairs, representa-

tives of the New Jersey National Association of Housing and Redevelopment Officials (NJNAHRO), the New Jersey Association of Housing and Redevelopment Authorities (NJAHRA) and the United States Department of Housing and Urban Development, executive directors and commissioners of housing authorities, representatives of Rutgers, The State University, and two nationally recognized training organizations, that has responsibility for guiding the course of study for the Training Program.

"Local government agency," as defined by N.J.S.A. 40A:9-22.3, means any agency, board, governing body, including the chief executive officer, bureau, division, office, commission or other instrumentality within a county or municipality, and any independent local authority, including any entity created by more than one county or municipality, which performs functions other than of a purely advisory nature, but shall not include a school board.

"Local government officer" as defined by N.J.S.A. 40A:9-22.3 means any person whether compensated or not: "(1) elected to any office of a local government agency; (2) serving on a local government agency which has the authority to enact ordinances, approve development applications or grant zoning variances; (3) who is a member of an independent municipal, county or regional authority; or (4) who is a managerial executive or confidential employee of a local government agency, as defined in section 3 of the 'New Jersey Employer-Employee Relations Act' "but shall not mean any employee of a school district or member of a school board.

"Local housing authority" means a housing authority created or continued pursuant to the "Redevelopment and Housing Law," P.L. 1992, c.79 (N.J.S.A. 40A:12A-1 et seq.).

"Management company" means a private firm or corporation that has entered into a contract or agreement with the housing authority or redevelopment agency to provide specified services related to the ongoing management and operation of the entity.

"Member" means an individual serving as a member or commissioner of a local housing authority or a municipal redevelopment agency.

"Municipal employee" as defined by N.J.S.A. 40A:9-22.3 means "any person, whether compensated or not, employed by or serving on a local government agency who is not a local government officer."

"Municipal redevelopment agency" means a redevelopment agency created or continued pursuant to the "Redevelopment and Housing Law," P.L. 1992, c.79 (N.J.S.A. 40A:12A-11).

"Post-session evaluation" means the written or oral performance assessment administered by LHA/MRA Training Program instructors at the end of the course to assess the participant's understanding of and to reinforce key concepts and significant issues covered during the training session.