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2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the private housing finance law, in relation to the low income housing trust fund program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 1100 of the private housing finance law, as amended  
2     by chapter 121 of the laws of 1988, is amended to read as follows:  
3     S 1100. Statement of legislative findings and purpose. The legislature  
4     hereby finds and declares that there is a serious shortage of decent  
5     affordable housing in the state for persons of low income; that the cost  
6     of providing such housing without public participation and assistance is  
7     prohibitively high; that there exists throughout the state a significant  
8     number of dwellings which are deteriorated and are vacant or underuti-  
9     lized; THAT THERE EXISTS THROUGHOUT THE STATE A SIGNIFICANT NUMBER OF  
10    OCCUPIED DWELLINGS WHICH ARE ALSO DETERIORATED, UNSAFE OR SUBSTANDARD;  
11    that the existence of such properties creates a serious threat to the  
12    health and safety of persons who live in or near them, limits the avail-  
13    ability of decent affordable housing to others, contributes to the  
14    blight and deterioration of neighborhoods, and drains municipal  
15    resources and expenditures; that the rehabilitation of these properties  
16    would stem the deterioration of neighborhoods and promote the preserva-  
17    tion and creation of safe and sanitary low income housing; that the  
18    potential exists to make such housing available to persons of low income  
19    through projects carried out by eligible applicants to rehabilitate  
20    these dwelling accommodations, bring these accommodations into compli-  
21    ance with all applicable laws and regulations and remove all hazardous  
22    and immediately hazardous code conditions; that the purposes of this  
23    article should also be served by providing for new construction of hous-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD02626-01-1

1 ing for persons of low income in areas in which rehabilitation opportu-  
2 nities are limited or where new construction would prove to be more  
3 effective; that the carrying out of such projects serves a significant  
4 public purpose and may appropriately be performed by eligible appli-  
5 cants; that payment for such services, tax exemptions and other public  
6 participation in such projects would bring down the cost of such housing  
7 and make it affordable to persons of low income; and that it is the  
8 policy of the state to preserve and create such housing and to provide  
9 for the aid, care, and support of the needy. The legislature therefore  
10 finds that a program should be established to provide monies for the  
11 rehabilitation and construction of these properties by eligible appli-  
12 cants to promote the preservation and creation of affordable housing for  
13 persons of low income.

14 It is intended that any payments, grants or loans provided to munici-  
15 palities through this program not substitute for funds which such muni-  
16 cipalities would have spent in the absence of this program and that such  
17 payments, grants and loans will enable such municipalities to expand  
18 their commitment to increase the supply of affordable low income housing  
19 to levels greater than would have been possible without this program.

20 S 2. Subdivision 12 of section 1101 of the private housing finance  
21 law, as amended by chapter 121 of the laws of 1988, is amended to read  
22 as follows:

23 12. "Project" shall mean a MODERATE REHABILITATION, cooperative,  
24 condominium, homesteading or rental project. In cases where any such  
25 project consists of less than the total number of units or the total  
26 amount of floor space of a property, any reference in this article, to a  
27 "project", "MODERATE REHABILITATION PROJECT", "cooperative project",  
28 "condominium project", "rental project" or "homesteading project" shall  
29 mean that portion of such property which makes up such project.

30 S 3. Section 1101 of the private housing finance law is amended by  
31 adding a new subdivision 14 to read as follows:

32 14. "MODERATE REHABILITATION PROJECT" SHALL MEAN ANY OCCUPIED RESIDEN-  
33 TIAL PROPERTY OR ANY PORTION THEREOF WHICH, IF VACANT OR UNDEROCCUPIED,  
34 WOULD QUALIFY AS A COOPERATIVE PROJECT, CONDOMINIUM PROJECT, HOMESTEAD-  
35 ING PROJECT OR RENTAL PROJECT.

36 S 4. This act shall take effect immediately.