

STATE OF NEW YORK

491

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Housing

AN ACT to amend the private housing finance law, in relation to providing housing to eligible homeless families and eligible homeless individuals with a disability in certain housing developments

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 2 of the private housing finance law is amended by adding two new subdivisions 30 and 31 to read as follows:

30. "Eligible homeless families." Families who are homeless or who live in temporary or transitional housing and are unable to secure permanent and stable housing without special assistance or such other categories of families at risk of being homeless as determined by a commissioner of social services or a social services district.

31. "Eligible homeless individuals with a disability." Individuals who are currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act or disability pension or disability compensation benefits provided by the United States department of veterans affairs or those previously eligible by virtue of receiving disability benefits under the supplemental security income program or the social security disability program and currently receiving medical assistance benefits based on determination of disability as provided in section three hundred sixty-six of the social services law and who live in temporary or transitional housing and are unable to secure permanent and stable housing without special assistance or such other categories of individuals with a disability at risk of being homeless as determined by a commissioner of social services or a social services district.

§ 2. Section 31 of the private housing finance law is amended by adding a new subdivision 7-a to read as follows:

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

LBD00043-01-3

1 7-a. Preference in admission shall be granted to a limited number of
2 otherwise eligible applicants who are eligible homeless families or
3 eligible homeless individuals with a disability, in all state-supervised
4 family rental housing developments located in the city of New York and
5 Westchester county which were constructed and are operated pursuant to
6 this article. The owners and managing agents of such developments shall
7 fill at least one of every five vacancies in each building with an
8 eligible homeless family or eligible homeless individual with a disabili-
9 ty. Provided, however, no owner and/or managing agent shall be obli-
10 gated to fill more than five percent of the total number of apartments
11 in each building with an eligible homeless family or eligible homeless
12 individual with a disability assisted hereunder. Section 8 vouchers
13 shall be provided to eligible homeless families and eligible homeless
14 individuals with a disability applying for housing under this subdivi-
15 sion provided such vouchers are otherwise available and not more than
16 forty percent of such vouchers are being provided to such families or
17 individuals.

18 § 3. Section 85-a of the private housing finance law is amended by
19 adding a new subdivision 6-a to read as follows:

20 6-a. Preference in admission shall be granted to a limited number of
21 otherwise eligible applicants who are eligible homeless families or
22 eligible homeless individuals with a disability, in all state-supervised
23 family rental housing developments located in the city of New York and
24 Westchester county which were constructed and are operated pursuant to
25 this article. The owners and managing agents of such developments shall
26 fill at least one of every five vacancies in each building with an
27 eligible homeless family or eligible homeless individual with a disabili-
28 ty. Provided however no owner and/or managing agent shall be obligated
29 to fill more than five percent of the total number of apartments in each
30 building with an eligible homeless family or eligible homeless individ-
31 ual with a disability assisted hereunder. Section 8 vouchers shall be
32 provided to eligible homeless families and eligible homeless individuals
33 with a disability applying for housing under this subdivision provided
34 such vouchers are otherwise available and not more than forty percent of
35 such vouchers are being provided to such families or individuals.

36 § 4. This act shall take effect on the ninetieth day after it shall
37 have become a law. Effective immediately, the addition, amendment and/or
38 repeal of any rule or regulation necessary for the implementation of
39 this act on its effective date are authorized to be made and completed
40 on or before such effective date.