STATE OF NEW YORK

5381--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

Introduced by M. of A. ROSENTHAL, REYES -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the private housing finance law, in relation to annual audits of limited-profit housing companies

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

Section 1. Subdivision 3 of section 32-a of the private housing finance law, as amended by chapter 684 of the laws of 2021, is amended to read as follows:

3. Require every company to file with [~~him, her or it~~] **the commissioner or supervising agency** semi-annual or quarterly financial statements and an annual financial statement. Each annual financial statement shall be accompanied by a certificate of the company's independent certified public accountant. Such financial statements shall be filed at the times and in the manner prescribed by the commissioner or supervising agency **and within fourteen days of such filing, the company shall post such financial statement on a website available to all shareholders and maintained by the board of directors**. **Such annual financial statement shall include, but not be limited to, documentation of the following:**

(a) records of all service contracts;

(b) invoices and bank statements for all expenses;

(c) any reimbursement claims and petty cash transactions;

(d) reserve funding;

(e) staff salaries and bonus pay, if applicable;

(f) total amount of residential and commercial rent collected per month;

(g) total number of residents receiving housing benefits, including but not limited to, the senior citizen rent increase exemption, and

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

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assistance under section eight of the United States housing act of nineteen hundred thirty-seven;

(h) utility bills for the calendar year; and

(i) a list of board members with their addresses, length of service, including any breaks in such service, and any possible conflicts of interest of such board members.

§ 2. Section 32-a of the private housing finance law is amended by adding a new subdivision 15 to read as follows:

15. Annually complete an audit of the books of every company incorporated pursuant to the provisions of this article. Such audit shall examine the legality, reasonableness or necessity of the expenditures of the company. Any expenditure disallowed by the commissioner or the supervising agency on such audits shall not be included in any construction, management or operating costs in connection with any application to increase or reduce the rents or carrying charges in a project.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.