STATE OF NEW YORK

4446--A

2025-2026 Regular Sessions

IN SENATE

February 5, 2025

Introduced by Sens. KAVANAGH, S. RYAN, BASKIN, CLEARE, COONEY, FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to enacting the "shelter arrears eviction forestallment act" to provide emergency assistance for rent or mortgage arrears or other fees for the prevention of eviction

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

Section 1. Short title. This act shall be known and may be cited as the "shelter arrears eviction forestallment act".

§ 2. The social services law is amended by adding a new section 131-cc to read as follows:

§ 131-cc. Shelter arrears eviction forestallment program. 1. (a) Within amounts appropriated therefor, the office of temporary and disability assistance shall establish the shelter arrears eviction forestallment program to provide emergency assistance for rent arrears for the prevention of eviction due to nonpayment of rent or mortgage arrears, homeowners' association fees, legal fees, or late fees if an applicant can establish that such expenses are necessary to retain their housing. Funds shall be allocated to social services districts with a population of five million or fewer, for services and expenses related to the payment of rent arrears necessary to retain housing and to households that are in receipt of or who would be eligible for ongoing or emergency public assistance pursuant to section one hundred thirty-one-a of this title but have exhausted the allowable frequency of such payments through the emergency safety net assistance or emergency assistance to families programs. Each social services district to which funds are allocated pursuant to this section shall use best efforts to make such

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

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funds available to households for the purposes set forth in this section.

(b) The office of temporary and disability assistance shall allocate funding to social services districts with a population of five million or fewer, with a methodology that shall consider the rate of eviction filings and other indicators of need as determined by the office of temporary and disability assistance.

(c) The office shall establish rules for the administration of the program, including but not limited to:

(i) requiring payments shall not exceed a total of six months of arrears in addition to payments previously made through the emergency safety net assistance or emergency assistance to families programs;

(ii) providing that such payments shall not be limited by the shelter allowance amount set forth in section one hundred thirty-one-a of this title and shall not be part of the standard of need pursuant to such section;

(iii) providing that funding allocated to social services districts pursuant to this section shall not replace or reduce any other emergency assistance allocations such districts would otherwise receive;

(iv) requiring program payments be made directly to the landlord or property owner on behalf of a tenant. Tenants, landlords and property managers shall be notified of any assistance provided under the program;

(v) providing that program payments may be issued to households who are unable to reasonably demonstrate an ability to pay future shelter expenses;

(vi) providing that districts may establish local criteria regarding the use of their allocations and will maintain responsibility for not exceeding their allocation issued pursuant to this section; and

(vii) providing that districts may elect to delegate the administration of the program established pursuant to this section, in full or in part, to another public agency, contractor or non-profit organization.

2. In a form and manner prescribed by the office of temporary and disability assistance, social services districts with a population of five million or fewer shall submit annual reports to the office including but not limited to the following information:

(a) the criteria used by such social services district to determine program eligibility;

(b) the dollar value of arrears issued under the program; and

(c) basic demographic information on the households served including but not limited to the:

(i) number of households served;

(ii) number of households served for multiple periods;

(iii) number and percentage of households with and without children;

(iv) number and percentage of households with an open public assistance (PA) case;

(v) age distribution of the primary tenant;

(vi) distribution of the number of children;

(vii) distribution of total payment amount; and

(viii) distribution of race and ethnicity.

3. The office of temporary and disability assistance shall submit a report to the governor, the temporary president of the senate, and the speaker of the assembly by the thirty-first of December of each year. Such report shall cover the twelve-month period ending on the thirtieth of September immediately preceding the date the report is due and shall include but not be limited to the information submitted pursuant to

subdivision two of this section, in the aggregate for the state and for each county.

§ 3. This act shall take effect immediately.