S T A T E O F N E W Y O R K

S. 2771 A. 6329

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

March 2, 2009

IN SENATE -- Introduced by Sens. BRESLIN, ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

IN ASSEMBLY -- Introduced by M. of A. CANESTRARI, McENENY -- read once and referred to the Committee on Housing

AN ACT authorizing a certain housing authority to sell or lease all or part of a certain housing project

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

Section 1. Legislative findings and declaration. The legislature finds and declares that the state has a vital interest in the continued viability of public housing. It is necessary to ensure that public housing continues to serve low-income individuals and families who would otherwise face homelessness or be forced into unsafe or unsanitary housing. Public housing functions as a safety net for persons most in need of safe, decent and affordable housing. The legislature further finds that the Albany Housing Authority has made, and continues to make, a concerted effort to provide public housing to individuals and families in need. A certain project owned by the Albany Housing Authority has suffered deterioration over time, and this authority does not have sufficient resources to address this deterioration. An infusion of private capital is necessary to ensure the continued success and long-term viability of the project. This legislature therefore finds and declares that enactment of this legislation would enable redevelopment and rehabilitation of that certain project owned by the Albany Housing Authority, and the continued operation of that project for persons and families of low-income.

S 2. Upon approval by the commissioner of housing and community renewal and the common council of the city of Albany, county of Albany, the Albany Housing Authority is hereby authorized to sell or lease all

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

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or part of the project commonly known as "Ezra Prentice Homes", located in the city of Albany, county of Albany, upon such terms and conditions and in such manner as the Albany Housing Authority may deem appropriate and in compliance with the provisions of this act. The commissioner of the division of housing and community renewal shall not grant such approval unless he or she makes a finding that such sale or lease will enable the project to be redeveloped and operated in such manner as to provide decent, safe and sanitary housing within the financial reach of persons and families of low-income. There shall be no requirement for a finding by the commissioner of housing and community renewal that: (a) federal assistance will be available to the project upon the sale or lease thereof; or (b) the provision has been made to pay or otherwise assure payment or retirement of all bonds, notes and other obligations heretofore issued to finance the project or a portion thereof, provided that the sale or lease of the project is part of a comprehensive plan of rehabilitation and/or restructuring which includes the provision of housing for persons and families of low-income.

S 3. State subsidies available to the project referred to in section two of this act in connection with the bonds, notes or other obligations heretofore issued to finance the cost thereof may, subject to annual appropriation and upon compliance with the provisions of this act, continue to be used to pay the debt service on such bonds, notes or other obligations, subject to such terms and conditions as the commissioner of housing and community renewal may deem appropriate.

S 4. This act shall take effect immediately, provided, however, that the provisions of section three of this act shall apply to any debt service payments which become due after such date.