

4678

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

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-
24 ing for persons of low income in areas in which rehabilitation opportu-

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

LBD04264-02-9

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

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

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

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

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

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

35 S 4. This act shall take effect immediately.