

3798

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. WALKER, ALFANO, RAIA, THIELE, McKEVITT, McDONOUGH, SALADINO, KOLB -- Multi-Sponsored by -- M. of A. BARRA, CALHOUN, CONTE, GIGLIO, OAKS -- read once and referred to the Committee on Housing

AN ACT to amend the private housing finance law, in relation to enacting the state homesteading act

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

1 Section 1. The private housing finance law is amended by adding a new
2 article 8-C to read as follows:

3 ARTICLE VIII-C

4 STATE HOMESTEADING ACT

5 SECTION 480. DEFINITIONS.

6 481. STATE HOMESTEADING.

7 S 480. DEFINITIONS. AS USED IN THIS ARTICLE, THE FOLLOWING TERMS SHALL
8 HAVE THE FOLLOWING MEANINGS:

9 1. "PERSONS AND FAMILIES OF LOW AND MODERATE INCOME" SHALL MEAN
10 PERSONS AND FAMILIES WHO ARE DETERMINED BY THE MUNICIPALITY TO BE IN THE
11 LOW AND MODERATE INCOME GROUPS AND WHO CANNOT AFFORD TO PAY ENOUGH TO
12 CAUSE PRIVATE ENTERPRISE IN THEIR MUNICIPALITY TO BUILD A SUFFICIENT
13 SUPPLY OF ADEQUATE, SAFE AND SANITARY DWELLINGS.

14 2. "MUNICIPALITY" SHALL MEAN ANY CITY, TOWN, VILLAGE OR COUNTY.

15 3. "REHABILITATION" SHALL MEAN REPAIRS, ALTERATIONS OR IMPROVEMENTS OF
16 A HOUSING ACCOMMODATION DESIGNED TO RAISE THE HOUSING STANDARDS THEREIN.

17 S 481. STATE HOMESTEADING. 1. NOTWITHSTANDING ANY GENERAL, SPECIAL, OR
18 LOCAL LAW, A MUNICIPALITY IS HEREBY AUTHORIZED TO SELL UNOCCUPIED MUNI-
19 CIPALLY OWNED ONE- TO FOUR-FAMILY RESIDENTIAL DWELLINGS THAT REQUIRE
20 REHABILITATION TO PERSONS AND FAMILIES OF LOW AND MODERATE INCOME, WHO
21 ARE FIRST-TIME HOMEBUYERS, FOR NOMINAL CONSIDERATION.

22 2. ANY CONTRACT BETWEEN THE MUNICIPALITY AND AN ELIGIBLE PURCHASER
23 MUST PROVIDE THAT ALL CLOSING COSTS BE PAID BY THE PURCHASER AND THAT

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

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1 THE PURCHASER OCCUPY THE RESIDENTIAL DWELLING WITHIN SIXTY DAYS OF THE
2 TITLE CLOSING OR OF THE COMPLETION OF THE REPAIR OR REHABILITATION WORK.
3 3. AFTER THE CONTRACT HAS BEEN EXECUTED BY THE MUNICIPALITY AND THE
4 PURCHASER, THE MUNICIPALITY, IN ITS DISCRETION, MAY PROVIDE THE PURCHAS-
5 ER WITH TECHNICAL ASSISTANCE CONCERNING REHABILITATION PLANNING AND HOME
6 REPAIR, FINANCING, THE MORTGAGE APPLICATION PROCESS, AND PROPERTY
7 MANAGEMENT. AS PART OF ANY SUCH ASSISTANCE, THE MUNICIPALITY MUST ADVISE
8 THE PURCHASER AS TO THE AVAILABILITY OF ANY FINANCING DIRECTLY THROUGH
9 THE MUNICIPALITY OR THROUGH STATE AND FEDERAL AGENCIES.
10 S 2. This act shall take effect immediately.