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

328

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. MONTESANO, MOLINARO, RAIA, SALADINO -- 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:

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

ARTICLE VIII-C

STATE HOMESTEADING ACT

SECTION 480. DEFINITIONS.

481. STATE HOMESTEADING.

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

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

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

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

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

2. ANY CONTRACT BETWEEN THE MUNICIPALITY AND AN ELIGIBLE PURCHASER 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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THE PURCHASER OCCUPY THE RESIDENTIAL DWELLING WITHIN SIXTY DAYS OF THE TITLE CLOSING OR OF THE COMPLETION OF THE REPAIR OR REHABILITATION WORK.

3. AFTER THE CONTRACT HAS BEEN EXECUTED BY THE MUNICIPALITY AND THE PURCHASER, THE MUNICIPALITY, IN ITS DISCRETION, MAY PROVIDE THE PURCHASER WITH TECHNICAL ASSISTANCE CONCERNING REHABILITATION PLANNING AND HOME REPAIR, FINANCING, THE MORTGAGE APPLICATION PROCESS, AND PROPERTY MANAGEMENT. AS PART OF ANY SUCH ASSISTANCE, THE MUNICIPALITY MUST ADVISE THE PURCHASER AS TO THE AVAILABILITY OF ANY FINANCING DIRECTLY THROUGH THE MUNICIPALITY OR THROUGH STATE AND FEDERAL AGENCIES.

S 2. This act shall take effect immediately.