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

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I N A S S E M B L Y

March 17, 2014

Introduced by M. of A. WRIGHT -- read once and referred to the Committee on Housing

AN ACT to amend the private housing finance law, in relation to initiating a four-year moratorium on the dissolution of any urban rental Mitchell-Lama company, and in relation to establishing the implementation of a Mitchell-Lama housing program study; and providing for the repeal of certain provisions upon expiration thereof

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 section 35-a to read as follows:

S 35-A. MORATORIUM ON VOLUNTARY DISSOLUTION. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY URBAN RENTAL COMPANY CREATED PURSUANT TO THIS ARTICLE AND OTHERWISE ELIGIBLE TO VOLUNTARILY DISSOLVE PURSUANT TO SECTION THIRTY-FIVE OF THIS ARTICLE SHALL BE PROHIBITED FROM SUCH DISSOLUTION.

S 2. 1. Mitchell-Lama housing program study. New York State Homes and Community Renewal, in consultation with the New York City Department of Housing Preservation, shall execute a study on the preservation, sustainability, reform, and growth of the Mitchell-Lama housing program, including, but not limited to:

a. recommendations for the expansion of the Mitchell-Lama housing program to address the affordable housing needs of New York's growing population;

b. taxation and financing models to encourage housing developers to participate in the Mitchell-Lama housing program;

c. adjusting the amount of time a company must remain in the Mitchell-Lama housing program before it may voluntarily dissolve;

d. an analysis of current family income criteria used to determine access to low- and middle-income housing;

e. a determination of geographic areas of the state to best locate potential Mitchell-Lama housing;

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

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f. policy initiative responsive to the present and future needs of the Mitchell-Lama housing program and of Mitchell-Lama developments owned by urban rental or mutual companies;

g. the feasibility of methods to preserve and expand the inventory of Mitchell-Lama housing relative to and within New York's other low- and middle-income housing programs.

2. Preliminary and final study report. New York State Homes and Community Renewal shall submit to the governor, the speaker and the minority leader of the assembly, and the temporary president and the minority leader of the senate a preliminary report with findings concerning the Mitchell-Lama housing program within two years of the effective date of this section. Four years after the effective date of this section, New York State Homes and Community Renewal shall submit to the governor, the speaker and minority leader of the assembly, and the temporary president and minority leader of the senate a final report with recommendations respecting the Mitchell-Lama housing program study.

3. Assistance. To the maximum extent possible, New York State Homes and Community Renewal shall be entitled to request and receive, and shall utilize and be provided with such facilities, resources, and data from any state court, department, division, board, bureau, commission, agency, or political subdivision that they may reasonably request to properly execute their responsibilities pursuant to this act.

S 3. This act shall take effect immediately, provided, however, that the provisions of section one of this act shall expire and be deemed repealed four years after this act shall have become a law.