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

5528

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. ZELDIN -- 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 administration of federal rental assistance programs by community development corporations

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

Section 1. Section 254 of the private housing finance law is amended by adding a new subdivision 4 to read as follows:

4. WHERE A COMMUNITY DEVELOPMENT CORPORATION ADMINISTERS A PROGRAM OF FEDERAL RENTAL ASSISTANCE, SUCH CORPORATION SHALL FILE WITH THE LOCAL BUILDING DEPARTMENT A VERIFIED STATEMENT IN A FORM TO BE PROVIDED BY THE LOCAL BUILDING DEPARTMENT THAT EACH SUCH RENTAL UNIT UNDER THE PROGRAM MEETS ALL APPLICABLE BUILDING CODES, ORDINANCES AND REGULATIONS. THE VERIFIED STATEMENT SHALL BE SIGNED BEFORE A NOTARY PUBLIC OF THE STATE AND SUCH SWORN STATEMENT SHALL BE FILED WITH THE LOCAL BUILDING DEPARTMENT PRIOR TO ANY RENTAL ASSISTANCE PAYMENT BEING MADE. ONE YEAR FOLLOWING THE DATE OF THE FIRST RENTAL ASSISTANCE PAYMENT FOR EACH TENANT AND EVERY YEAR THEREAFTER, THE COMMUNITY DEVELOPMENT CORPORATION SHALL FILE A VERIFIED STATEMENT THAT SAID BUILDING IS IN COMPLIANCE WITH BUILDING CODES, ORDINANCES AND REGULATIONS. THE LOCAL BUILDING DEPARTMENT IS HEREBY AUTHORIZED TO INSPECT SUCH PREMISES TO INSURE THAT SUCH RENTAL UNIT IS IN COMPLIANCE WITH ALL APPLICABLE BUILDING CODES, ORDINANCES AND REGULATIONS, PRIOR TO THE FIRST RENTAL ASSISTANCE PAYMENT BEING MADE FOR ANY TENANT. FAILURE TO COMPLY WITH THIS SECTION SHALL BE GROUNDS FOR THE STATE TO RESCIND SUCH CORPORATION'S AUTHORITY TO ADMINISTER THE PROGRAM UNLESS THE DEFECT IS REPAIRED WITHIN THIRTY DAYS. PROVIDED HOWEVER, ANY COMMUNITY DEVELOPMENT CORPORATION NOT IN COMPLIANCE WITH THIS SECTION MUST BE GIVEN WRITTEN NOTIFICATION OF A VIOLATION AND NOTICE THAT THEIR FAILURE TO BRING THE UNIT INTO COMPLIANCE WITHIN THIR-

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

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TY DAYS CONSTITUTES GROUNDS FOR RESCINDING SUCH CORPORATION'S AUTHORITY TO ADMINISTER THE PROGRAM AT THAT PARTICULAR LOCATION.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.