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I N   A S S E M B L Y

April 6, 2016

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

AN ACT to amend the private housing finance law, in relation to establishing an electronic automated system for applications and waiting lists, and to develop a written procedure for applicant selection and rejection

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

1     Section 1. Section 31 of the private housing finance law is amended by  
2     adding three new subdivisions 13, 14 and 15 to read as follows:  
3     13. THE COMMISSIONER OR SUPERVISING AGENCY SHALL DEVELOP A WRITTEN  
4     PROCEDURE WITH REGARD TO HOW APPLICATIONS FOR ADMISSION TO A COMPANY ARE  
5     PROCESSED AND NUMBERED, AND HOW TENANTS ARE SELECTED. SUCH PROCEDURE  
6     SHALL BE IMPLEMENTED AND FOLLOWED BY ALL LIMITED-PROFIT HOUSING COMPANIES  
7     SUBJECT TO THE PROVISIONS OF THIS ARTICLE; PROVIDED, HOWEVER, THAT  
8     ANY LIMITED-PROFIT HOUSING COMPANY MAY ELECT ADDITIONAL PROCEDURES SO  
9     LONG AS SUCH PROCEDURES ARE NOT INCONSISTENT WITH THE PROCEDURES DEVELOPED  
10    BY THE COMMISSIONER OR SUPERVISING AGENCY AND ANY OTHER REQUIREMENTS  
11    SET FORTH IN THIS ARTICLE.  
12    14. THE COMMISSIONER OR SUPERVISING AGENCY SHALL DEVELOP A PROCEDURE  
13    WHEREBY APPLICANTS ARE NOTIFIED IN THE CASE THAT THEIR APPLICATION IS  
14    REJECTED BY A LIMITED-PROFIT HOUSING COMPANY SUBJECT TO THE PROVISIONS  
15    OF THIS ARTICLE, AND SUCH PROCEDURE SHALL ALSO INCLUDE THE APPEAL'S  
16    PROCESS AVAILABLE TO THE REJECTED APPLICANT. THE NOTIFICATION THAT SHALL  
17    BE SENT TO THE APPLICANT SHALL BE IN WRITTEN FORM, INCLUDE REASONS WHY  
18    THE APPLICANT WAS REJECTED, THE APPEAL'S PROCESS, AND BE SENT TO THE  
19    APPLICANT WITHIN SIXTY DAYS AFTER THE LIMITED-PROFIT HOUSING COMPANY  
20    DECIDED TO REJECT SUCH APPLICANT. ANY LIMITED-PROFIT HOUSING COMPANY MAY  
21    ELECT ADDITIONAL PROCEDURES SO LONG AS SUCH PROCEDURES ARE NOT INCONSISTENT  
22    WITH THE PROCEDURES DEVELOPED BY THE COMMISSIONER OR SUPERVISING  
23    AGENCY AND ANY OTHER REQUIREMENTS SET FORTH IN THIS ARTICLE. FOR  
24    PURPOSES OF THIS SUBDIVISION, AN APPLICANT SHALL NOT BE DEEMED REJECTED  
25    IF THEIR APPLICATION IS STILL ACTIVE ON THE LIMITED-PROFIT HOUSING

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

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1 COMPANY'S WAITING LIST AND SUCH WAITING LIST IS STILL OPEN AND ACCEPTING  
2 APPLICATIONS.

3 15. THE COMMISSIONER OR THE SUPERVISING AGENCY SHALL DEVELOP AND  
4 REQUIRE THE USE OF A PUBLICLY AVAILABLE ELECTRONIC AUTOMATED SYSTEM FOR  
5 LIMITED-PROFIT HOUSING COMPANIES TO STORE, PROCESS, AND MAINTAIN APPLI-  
6 CATIONS AND WAITING LISTS. WAITING LISTS MAINTAINED BY EACH SUCH COMPANY  
7 SHALL USE A METHOD THAT PROTECTS ANY PERSONALLY IDENTIFIABLE INFORMATION  
8 OF APPLICANTS FROM BEING PUBLICLY DISCLOSED OR ACCESSIBLE TO THE PUBLIC.  
9 SUCH ELECTRONIC AUTOMATED SYSTEM SHALL ALSO INCLUDE GENERAL INFORMATION  
10 ABOUT EACH COMPANY, INCLUDING, BUT NOT LIMITED TO: THE NAME AND ADDRESS  
11 OF THE COMPANY; THE MANAGEMENT OFFICE AND ADDRESS; THE NUMBER AND SIZE  
12 OF ALL UNITS IN EACH BUILDING; AND INFORMATION ON THE STATUS OF EACH  
13 WAITING LIST, INCLUDING WHETHER THE LIMITED-PROFIT HOUSING COMPANY IS  
14 CURRENTLY ACCEPTING APPLICATIONS AND HOW LONG APPLICANTS MAY HAVE TO  
15 WAIT.

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