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I N   S E N A T E

May 12, 2016

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Introduced by Sen. LITTLE -- 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 residential emergency services to offer home repairs to the elderly program

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 28 to read as follows:

3     ARTICLE 28

4             RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO  
5     THE ELDERLY PROGRAM

6 SECTION 1233. STATEMENT OF LEGISLATIVE FINDINGS.

7             1234. DEFINITIONS.

8             1235. RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO  
9     THE ELDERLY CONTRACTS.

10     S 1233. STATEMENT OF LEGISLATIVE FINDINGS. THE LEGISLATURE HEREBY  
11 FINDS AND DECLARES THAT THERE EXISTS IN NEW YORK STATE A NEED FOR FINAN-  
12 CIAL RESOURCES TO ASSIST SENIOR CITIZEN HOMEOWNERS WITH THE COST OF  
13 ADDRESSING EMERGENCIES AND CODE VIOLATIONS THAT POSE A THREAT TO THEIR  
14 HEALTH AND SAFETY, OR AFFECTING THE LIVABILITY OF THEIR HOME. PROVIDING  
15 ASSISTANCE FOR THE COST OF MAKING SUCH CRITICAL REPAIRS WILL ENABLE MANY  
16 SENIORS TO CONTINUE TO LIVE INDEPENDENTLY IN THEIR OWN HOMES.

17     S 1234. DEFINITIONS. AS USED IN THIS ARTICLE:

18     1. "CORPORATION" SHALL MEAN THE HOUSING TRUST FUND CORPORATION ESTAB-  
19 LISHED IN SECTION FORTY-FIVE-A OF THIS CHAPTER.

20     2. "ELIGIBLE APPLICANT" SHALL MEAN A CITY, TOWN, VILLAGE OR  
21 NOT-FOR-PROFIT CORPORATION IN EXISTENCE FOR A PERIOD OF ONE OR MORE  
22 YEARS PRIOR TO APPLICATION, WHICH IS, OR WILL BE AT THE TIME OF AWARD,  
23 INCORPORATED UNDER THE NOT-FOR-PROFIT CORPORATION LAW AND HAS BEEN  
24 ENGAGED PRIMARILY IN HOUSING AND COMMUNITY DEVELOPMENT ACTIVITIES.

25     3. "RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE ELDER-  
26 LY PROGRAMS" SHALL MEAN A SERIES OF ACTIVITIES BY AN ELIGIBLE APPLICANT  
27 TO ADMINISTER FUNDS TO PROVIDE EITHER LOANS OR GRANTS TO HOMEOWNERS

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

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1 SIXTY YEARS OF AGE OR OLDER, WITH A HOUSEHOLD INCOME OF LESS THAN EIGHTY  
2 PERCENT OF THE AREA MEDIAN INCOME, TO OVERSEE THE ADAPTATION OR RETRO-  
3 FITTING OF ELIGIBLE PROPERTIES.

4 4. "ELIGIBLE PROPERTY" SHALL MEAN A HOUSING UNIT THAT IS THE PRIMARY  
5 RESIDENCE OF A PERSON THAT IS SIXTY YEARS OF AGE OR OLDER AND HAVE A  
6 HOUSEHOLD INCOME THAT DOES NOT EXCEED EIGHTY PERCENT OF THE AREA MEDIAN  
7 INCOME.

8 S 1235. RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE  
9 ELDERLY CONTRACTS. 1. WITHIN THE LIMIT OF FUNDS AVAILABLE IN THE RESI-  
10 DENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE ELDERLY PROGRAM,  
11 THE CORPORATION IS HEREBY AUTHORIZED TO ENTER INTO CONTRACTS WITH ELIGI-  
12 BLE APPLICANTS TO PROVIDE FINANCIAL ASSISTANCE FOR THE ACTUAL COSTS OF A  
13 RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE ELDERLY  
14 PROGRAM. THE FINANCIAL ASSISTANCE SHALL BE EITHER IN THE FORM OF GRANTS  
15 OR LOANS, AS THE CORPORATION SHALL DETERMINE. FUNDS MUST BE USED FOR  
16 ONE- TO FOUR-UNIT DWELLINGS THAT ARE OWNED AND OCCUPIED BY ELIGIBLE  
17 HOUSEHOLDS, AND WORK UNDERTAKEN CANNOT EXCEED TEN THOUSAND DOLLARS PER  
18 BUILDING. NO MORE THAN FIFTY PERCENT OF THE TOTAL AMOUNT AWARDED PURSU-  
19 ANT TO THIS ARTICLE IN ANY FISCAL YEAR SHALL BE ALLOCATED TO ANY RESI-  
20 DENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE ELDERLY PROGRAM  
21 LOCATED WITHIN ANY SINGLE MUNICIPALITY.

22 2. FROM THE DATE OF THE EMERGENCY REFERRAL, THE ELIGIBLE APPLICANT HAS  
23 SEVENTY-TWO HOURS TO RESPOND AND INSPECT THE ELIGIBLE PROPERTY. FROM THE  
24 DATE OF THE INSPECTION AND ASSESSMENT OF EMERGENCY REPAIR NEED, THE  
25 ELIGIBLE APPLICANT MUST START THE REPAIRS WITHIN SEVEN CALENDAR DAYS.  
26 ALL REPAIRS MUST BE COMPLETED WITHIN THIRTY CALENDAR DAYS OF THE START  
27 OF THE REPAIRS.

28 3. THE TOTAL PAYMENT PURSUANT TO ANY ONE CONTRACT SHALL NOT EXCEED  
29 FIVE HUNDRED THOUSAND DOLLARS AND THE CONTRACT SHALL PROVIDE FOR  
30 COMPLETION OF THE PROGRAM WITHIN A REASONABLE PERIOD, AS SPECIFIED THER-  
31 EIN, WHICH SHALL NOT IN ANY EVENT EXCEED THREE YEARS FROM ITS COMMENCE-  
32 MENT. UPON REQUEST, THE CORPORATION MAY EXTEND THE TERM OF THE CONTRACT  
33 FOR UP TO TWO ADDITIONAL ONE YEAR PERIODS FOR GOOD CAUSE SHOWN BY THE  
34 ELIGIBLE APPLICANT.

35 4. THE CORPORATION SHALL AUTHORIZE THE ELIGIBLE APPLICANT TO SPEND  
36 SEVEN AND ONE-HALF PERCENT OF THE CONTRACT AMOUNT FOR APPROVED PLANNING  
37 AND ADMINISTRATIVE COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM.

38 S 2. This act shall take effect on the one hundred eightieth day after  
39 it shall have become a law; provided, however, that effective immediate-  
40 ly, the addition, amendment and/or repeal of any rule or regulation  
41 necessary for the implementation of this act on its effective date are  
42 authorized and directed to be made and completed on or before such  
43 effective date.