

1 OUT SUCH A RE-INVESTMENT NEW YORK STATE WILL NOT REALIZE THE POTENTIAL
2 SAVINGS.

3 THEREFORE, THE LEGISLATURE DEEMS THIS RENTAL HOUSING SUBSIDY PROGRAM
4 TO BE IN THE PUBLIC INTEREST.

5 S 26-A. DEFINITIONS. AS USED IN THIS ARTICLE, THE FOLLOWING TERMS
6 SHALL HAVE THE FOLLOWING MEANINGS UNLESS THE CONTEXT CLEARLY REQUIRES
7 OTHERWISE:

8 1. "DIVISION" SHALL MEAN THE DIVISION OF HOUSING AND COMMUNITY
9 RENEWAL.

10 2. "COMMISSIONER" SHALL MEAN THE COMMISSIONER OF THE DIVISION OF HOUS-
11 ING AND COMMUNITY RENEWAL.

12 3. "ELIGIBLE PERSON" SHALL MEAN AN INDIVIDUAL WHO HAS BEEN DEEMED
13 ELIGIBLE FOR AND ACCEPTED INTO THE NURSING FACILITY TRANSITION AND
14 DIVERSION MEDICAID WAIVER PROGRAM PURSUANT TO SUBDIVISION SIX-A OF
15 SECTION THREE HUNDRED SIXTY-SIX OF THE SOCIAL SERVICES LAW.

16 4. "APPROVED RENTAL HOUSING" SHALL MEAN DECENT, SANITARY AND SAFE
17 HOUSING UNIT WITH REASONABLE ACCESSIBILITY ACCOMMODATIONS FOR THE ELIGI-
18 BLE APPLICANT.

19 S 26-B. RENTAL HOUSING SUBSIDY PROGRAM. 1. THE DIVISION SHALL ESTAB-
20 LISH A RENTAL HOUSING SUBSIDY PROGRAM, MODELED AFTER THE EXISTING
21 DEPARTMENT OF HEALTH-RUN TRAUMATIC BRAIN INJURY SUBSIDY PROGRAM, SUBJECT
22 TO THE AVAILABILITY OF MONEYS, FOR ELIGIBLE PERSONS. SUCH ELIGIBLE
23 PERSONS SHALL RECEIVE RENTAL SUBSIDY PAYMENTS UPON WRITTEN VERIFICATION
24 THAT SUCH PERSON, OR HIS OR HER REPRESENTATIVE, HAS ENTERED INTO A VALID
25 LEASE AGREEMENT FOR APPROVED RENTAL HOUSING IN NEW YORK STATE.

26 2. THE DIVISION SHALL CONSIDER THE FINANCIAL STATUS OF SUCH PERSONS
27 ONLY FOR THE PURPOSE OF DETERMINING THE AMOUNT OF THE PAYMENTS TO BE
28 MADE, PURSUANT TO SUBDIVISION FIVE OF THIS SECTION.

29 3. SUCH PAYMENTS SHALL CONTINUE TO BE ISSUED MONTHLY, OR ON SUCH OTHER
30 PERIODIC BASIS AS MAY BE PROVIDED IN THE LEASE AGREEMENT, FOR THE DURA-
31 TION OF SUCH LEASE AGREEMENT, RENEWAL THEREOF, OR UPON TERMINATION OF
32 SUCH LEASE AND ENTRANCE INTO A NEW LEASE AGREEMENT FOR AN APPROVED
33 RENTAL HOUSING UNIT. NO PAYMENTS MAY BE MADE PURSUANT TO THIS SUBDIVI-
34 SION IF THE DIVISION DETERMINES THAT THE ELIGIBLE PERSON IS NO LONGER
35 LEGALLY RESPONSIBLE FOR THE RENTAL AGREEMENT OR LIVING IN THE APPROVED
36 RENTAL HOUSING UNIT.

37 4. THE AGREEMENT PROVIDED FOR IN SUBDIVISION ONE OF THIS SECTION SHALL
38 BE SUBJECT TO THE APPROVAL OF THE DIVISION UPON THE APPLICATION OF THE
39 ELIGIBLE PERSON, OR HIS OR HER REPRESENTATIVE; PROVIDED, HOWEVER, THAT
40 IN ACCORDANCE WITH THE REGULATIONS OF THE DIVISION, THE DIVISION MAY
41 AUTHORIZE THE COMMISSIONER OF HEALTH TO APPROVE OR DISAPPROVE THE APPLI-
42 CATION ON BEHALF OF THE DIVISION. IN EITHER SITUATION, THE AGREEMENT
43 SHALL BE APPROVED OR DISAPPROVED WITHIN THIRTY DAYS OF RECEIPT.

44 5. THE AMOUNT OF THE MONTHLY PAYMENT MADE PURSUANT TO THIS SECTION
45 SHALL BE FOUR HUNDRED THIRTY-FIVE DOLLARS PER INDIVIDUAL AND ELEVEN
46 HUNDRED SEVENTY-TWO DOLLARS PER COUPLE ENTERING A LEASE AGREEMENT IN NEW
47 YORK CITY, NASSAU, ROCKLAND, SUFFOLK OR WESTCHESTER COUNTIES; AND FOUR
48 HUNDRED FIVE DOLLARS PER INDIVIDUAL AND ELEVEN HUNDRED TWELVE DOLLARS
49 PER COUPLE ENTERING A LEASE AGREEMENT IN ANY OTHER COUNTY IN NEW YORK
50 STATE. PERIODIC INCREASES IN SUCH PAYMENT LEVELS, SUBJECT TO AVAILABILITY
51 OF MONEYS, SHALL MIRROR THE PERCENTAGE INCREASES IN STATE SUPPLE-
52 MENTAL SECURITY INCOME BENEFIT RATES AS PROVIDED IN SECTION TWO HUNDRED
53 TEN OF THE SOCIAL SERVICES LAW.

54 6. EXCEPT AS MAY BE REQUIRED BY FEDERAL LAW AS A CONDITION FOR FEDERAL
55 REIMBURSEMENT OF PUBLIC ASSISTANCE EXPENDITURES, PAYMENTS UNDER THIS

SECTION SHALL NOT BE CONSIDERED FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR PUBLIC ASSISTANCE OR MEDICAL ASSISTANCE FOR NEEDY PERSONS.

S 26-C. ADMINISTRATIVE PROVISIONS. 1. THE COMMISSIONER SHALL PROVIDE, BY REGULATIONS, FOR THE ADMINISTRATION OF THE PROVISIONS OF THIS ARTICLE. SUCH REGULATIONS SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, PROVISIONS FOR OVERSIGHT OF THE PROGRAM IN A MANNER CONSISTENT WITH THE INTENT OF THIS ARTICLE.

2. RENTAL ASSISTANCE PAYMENTS PURSUANT TO THIS ARTICLE MAY BE PLEDGED BY THE SPONSOR IN CONNECTION WITH THE FINANCING OR REFINANCING OF A PROJECT, SUBJECT TO ANY CONDITIONS PRESCRIBED IN THE HOUSING ASSISTANCE CONTRACT, BUT NO SUCH PLEDGE SHALL CREATE ANY OBLIGATION OR LIABILITY ON THE PART OF THE STATE OR ANY AGENCY OR INSTRUMENTALITY THEREOF OTHER THAN THAT PRESCRIBED IN THE CONTRACT.

3. NOTHING IN THIS ARTICLE SHALL PREVENT THE ELIGIBLE PERSON FROM SEEKING OR ACCEPTING ANY OTHER FORM OF GOVERNMENTAL SUBSIDY OR ASSISTANCE.

4. THE COMMISSIONER SHALL REQUIRE THAT ALL PERSONS WHO RECEIVE FINANCIAL ASSISTANCE PURSUANT TO THIS ARTICLE SHALL COMPLY WITH ALL REGULATIONS APPLICABLE TO THE PROGRAM ADOPTED BY THE DIVISION. THE COMMISSIONER MAY TERMINATE ANY PAYMENTS UPON A FINDING THAT A SUBSTANTIAL VIOLATION OF SUCH REGULATIONS OR LAWS HAS REMAINED UNCORRECTED FOR A SUBSTANTIAL PERIOD OF TIME.

5. ON OR BEFORE FEBRUARY FIRST, TWO THOUSAND SEVENTEEN AND ON OR BEFORE FEBRUARY FIRST OF EACH YEAR THEREAFTER IN WHICH PAYMENTS UNDER THIS SECTION ARE IN FORCE, THE COMMISSIONER SHALL SUBMIT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY A REPORT DETAILING PROGRESS AND EVALUATING RESULTS, TO DATE, OF THE PROGRAM.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall expire 3 years after such effective date when upon such date the provisions of this act shall be deemed repealed.