2316--A

Cal. No. 392

2015-2016 Regular Sessions

IN SENATE

January 22, 2015

Introduced by Sens. YOUNG, ADDABBO, AVELLA, CROCI, FUNKE, GALLIVAN, MARCHIONE, ORTT, PANEPINTO -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the private housing finance law, in relation to disabled veteran access to home for heroes contracts

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 article 28 to read as follows:

ARTICLE XXVIII

NEW YORK ACCESS TO HOME FOR HEROES PROGRAM

SECTION 1240. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE.

1241. DEFINITIONS.

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17 18 1242. ACCESS TO HOME FOR HEROES CONTRACTS.

S 1240. STATEMENT OF LEGISLATIVE FINDINGS AND PURPOSE. THE LEGISLATURE HEREBY FINDS AND DECLARES THAT MANY DISABLED VETERANS IN NEW YORK STATE FACE A SIGNIFICANT IMPEDIMENT TO ACCESSIBLE AND AFFORDABLE HOUSING AS A RESULT OF SERVICE RELATED INJURIES, AGE OR HEALTH RELATED DISABILITIES. THESE MEN AND WOMEN HAVE SERVED OUR COUNTRY AND STATE WITH HONOR AND DISTINCTION AND DESERVE TO ACHIEVE MAXIMUM INDEPENDENCE, SOCIAL INTERACTION AND COMMUNITY INTEGRATION. PROVIDING FINANCIAL ASSISTANCE WITH THE COST OF ADAPTING THE DWELLING UNITS OF OUR DISABLED VETERANS, IS FUNDAMENTAL TO PROVIDING FOR THE PROMISE OF LIVING SAFELY, COMFORTABLY AND PRODUCTIVELY IN THE MOST INTEGRATED SETTING OF THEIR CHOICE.

S 1241. DEFINITIONS. AS USED IN THIS ARTICLE:

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

LBD05276-02-6

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

- 2. "ELIGIBLE APPLICANT" SHALL MEAN A CITY, TOWN, VILLAGE OR NOT-FOR-PROFIT CORPORATION IN EXISTENCE FOR A PERIOD OF ONE OR MORE YEARS PRIOR TO APPLICATION, WHICH IS, OR WILL BE AT THE TIME OF AWARD, INCORPORATED UNDER THE NOT-FOR-PROFIT CORPORATION LAW AND HAS SUBSTANTIAL EXPERIENCE IN ADAPTING OR RETROFITTING HOMES FOR PERSONS WITH DISABILITIES.
- 9 3. "VETERAN" SHALL MEAN A RESIDENT OF THIS STATE, WHO HAS SERVED ON 10 ACTIVE DUTY IN THE UNITED STATES ARMY, NAVY, AIR FORCE, MARINE CORPS, 11 COAST GUARD, AND/OR THE ARMY NATIONAL GUARD, AIR NATIONAL GUARD, NEW 12 YORK GUARD AND/OR THE NEW YORK NAVAL MILITIA, WHO HAS BEEN RELEASED FROM 13 SUCH SERVICE BY HONORABLE DISCHARGE OR GENERAL DISCHARGE.
 - 4. "DISABLED VETERAN" SHALL MEAN A VETERAN WHO IS CERTIFIED BY THE FEDERAL DEPARTMENT OF VETERANS AFFAIRS THROUGH A DISABILITY STATEMENT OR BY THE FEDERAL DEPARTMENT OF DEFENSE THROUGH HIS OR HER DD214.
 - 5. "ACCESS TO HOME FOR HEROES PROGRAMS" OR "PROGRAMS" SHALL MEAN A SERIES OF ACTIVITIES BY AN ELIGIBLE APPLICANT TO ADMINISTER FUNDS TO PROVIDE GRANTS TO HOMEOWNERS AND RENTERS AND TO OVERSEE THE ADAPTATION OR RETROFITTING OF ELIGIBLE PROPERTIES.
 - 6. "ELIGIBLE PROPERTY" SHALL MEAN A HOUSING UNIT THAT IS THE PRIMARY RESIDENCE OF A DISABLED VETERAN OR VETERAN WITH A PHYSICAL DISABILITY AND A TOTAL HOUSEHOLD INCOME THAT DOES NOT EXCEED ONE HUNDRED AND TWENTY PERCENT OF AREA MEDIAN INCOME. A PROPERTY SHALL NOT BE CONSIDERED AN ELIGIBLE PROPERTY IF THE OWNER OF THE PROPERTY IS OTHERWISE OBLIGATED BY FEDERAL, STATE OR LOCAL LAW TO PROVIDE THE IMPROVEMENTS FUNDED UNDER THIS ARTICLE.
 - S 1242. ACCESS TO HOME FOR HEROES CONTRACTS. 1. WITHIN THE LIMIT OF FUNDS AVAILABLE IN THE ACCESS TO HOME FOR HEROES PROGRAM, THE CORPORATION IS HEREBY AUTHORIZED TO ENTER INTO CONTRACTS WITH ELIGIBLE APPLICANTS TO PROVIDE FINANCIAL ASSISTANCE FOR THE ACTUAL COSTS OF AN ACCESS TO HOME FOR HEROES PROGRAM. THE FINANCIAL ASSISTANCE SHALL BE IN THE FORM OF GRANTS. NO MORE THAN FIFTY PERCENT OF THE TOTAL AMOUNT AWARDED PURSUANT TO THIS ARTICLE IN ANY FISCAL YEAR SHALL BE ALLOCATED TO ACCESS TO HOME PROGRAMS LOCATED WITHIN ANY SINGLE MUNICIPALITY. THE CORPORATION SHALL MAKE A CONCERTED EFFORT TO PROVIDE GEOGRAPHIC DISTRIBUTION IN THE AWARDING OF PROGRAM FUNDS TO AFFORD MAXIMUM STATEWIDE IMPACT FOR DISABLED VETERANS.
 - 2. THE TOTAL PAYMENT PURSUANT TO ANY ONE CONTRACT SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS AND THE CONTRACT SHALL PROVIDE FOR COMPLETION OF THE PROGRAM WITHIN A REASONABLE PERIOD, AS SPECIFIED THEREIN, WHICH SHALL NOT IN ANY EVENT EXCEED THREE YEARS FROM ITS COMMENCEMENT. UPON REQUEST, THE CORPORATION MAY EXTEND THE TERM OF THE CONTRACT FOR UP TO TWO ADDITIONAL ONE YEAR PERIODS FOR GOOD CAUSE SHOWN BY THE ELIGIBLE APPLICANT.
 - 3. THE CORPORATION MAY AUTHORIZE THE ELIGIBLE APPLICANT TO SPEND UP TO SEVEN AND ONE-HALF PERCENT OF THE CONTRACT AMOUNT FOR APPROVED ADMINISTRATIVE COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM.
- 49 4. THE CORPORATION SHALL REQUIRE THAT, IN ORDER TO RECEIVE FUNDS 50 PURSUANT TO THIS ARTICLE, THE ELIGIBLE APPLICANT SHALL SUBMIT A PLAN 51 WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, PROGRAM FEASIBILITY, IMPACT 52 ON THE COMMUNITY, BUDGET FOR EXPENDITURE OF PROGRAM FUNDS, A SCHEDULE 53 FOR COMPLETION OF THE PROGRAM, AFFIRMATIVE ACTION AND MINORITY BUSINESS 54 PARTICIPATION.
 - S 2. This act shall take effect immediately.