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

5594

2015-2016 Regular Sessions

I N  S E N A T E

May 15, 2015

Introduced by Sen. HASSELL-THOMPSON -- 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 public housing law, in relation to creating a middle income home ownership subsidy program

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

Section 1. The public housing law is amended by adding a new article 11-A to read as follows:

ARTICLE 11-A

MIDDLE INCOME HOME OWNERSHIP SUBSIDY

SECTION 250. DEFINITIONS.
251. MIDDLE INCOME HOME OWNERSHIP SUBSIDY PROGRAM.
252. APPLICATIONS.
253. AMOUNT AND PROCEDURE FOR MIDDLE INCOME HOME OWNERSHIP SUBSIDY PAYMENTS.
254. RULES AND REGULATIONS.
255. FUNDING FOR THE MIDDLE INCOME HOME OWNERSHIP SUBSIDY PROGRAM.

S 250. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. "ELIGIBLE UNIT" SHALL MEAN:

A. ANY (I) HOME WITH TWO OR FEWER UNITS; (II) CONDOMINIUM; OR (III) COOPERATIVE;

B. WHERE THE PURCHASE OF SUCH HOME, CONDOMINIUM, OR COOPERATIVE IS PROVIDED FOR, INSURED, OR GUARANTEED BY THE STATE OR FEDERAL GOVERNMENT;

C. LOCATED IN AN URBAN AREA AS DEFINED BY THE DIVISION.

2. "QUALIFIED HOUSEHOLD" SHALL MEAN ANY PERSON OR HIS OR HER FAMILY MEMBER WHO:

A. HAS AN ANNUAL HOUSEHOLD INCOME BELOW THE CURRENT MEDIAN INCOME FOR THE CITY OF NEW YORK, PROVIDED, THAT ANY SUBSIDY RECEIVED AS A RESULT OF

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

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A SOCIAL PROGRAM SHALL NOT BE CONSIDERED WHEN CALCULATING AN INDIVIDUAL'S GROSS INCOME. THE DIVISION SHALL DETERMINE INCOME ELIGIBILITY OF HOME BUYERS USING THE INCOME DETERMINATION METHODOLOGY UTILIZED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN ACCORDANCE WITH THEIR SECTION 8 HOUSING PROGRAM.

B. DOES NOT CURRENTLY OWN A HOUSING UNIT, INCLUDING A SINGLE FAMILY HOUSE, CONDOMINIUM UNIT, COOPERATIVE UNIT, OR RENTAL UNIT THAT COULD BE OWNER OCCUPIED;

C. HAS NOT PREVIOUSLY RECEIVED HOME OWNERSHIP ASSISTANCE.

S 251. MIDDLE INCOME HOME OWNERSHIP SUBSIDY PROGRAM. THERE IS HEREBY ESTABLISHED A MIDDLE INCOME HOME OWNERSHIP SUBSIDY PROGRAM. THE PURPOSE OF THE PROGRAM IS TO PROVIDE FINANCIAL ASSISTANCE TO MIDDLE INCOME HOUSEHOLDS, WITH AN ANNUAL INCOME BELOW THE CURRENT MEDIAN INCOME FOR THE CITY OF NEW YORK WHO DO NOT CURRENTLY OWN A HOME, TO PURCHASE AN ELIGIBLE UNIT FOR PURPOSES OF REHABILITATION AND OWNERSHIP.

S 252. APPLICATIONS. 1. A QUALIFIED HOUSEHOLD MUST MAKE AN APPLICATION TO THE DIVISION TO RECEIVE A HOME OWNERSHIP SUBSIDY.

2. THE DIVISION SHALL APPROVE AN INDIVIDUAL'S APPLICATION IF IT FINDS THAT:

A. SUCH INDIVIDUAL IS PART OF A QUALIFIED HOUSEHOLD AS DEFINED IN SUBDIVISION TWO OF SECTION TWO HUNDRED FIFTY OF THIS ARTICLE;

B. THE HOME TO BE PURCHASED BY THE INDIVIDUAL IS AN ELIGIBLE UNIT AS DEFINED IN SUBDIVISION ONE OF SECTION TWO HUNDRED FIFTY OF THIS ARTICLE;

C. THE HOME TO BE PURCHASED HAS BEEN INSPECTED BY A DIVISION APPROVED HOME INSPECTOR;

D. THE HOME TO BE PURCHASED HAS BEEN APPRAISED AT A VALUE NOT EXCEEDING THE MAXIMUM PURCHASE PRICE AS SET BY THE DIVISION.

3. IF ANY QUALIFIED HOUSEHOLD THAT HAS BEEN APPROVED AND IS RECEIVING HOME OWNERSHIP ASSISTANCE PAYMENTS DEFAULTS ON ITS MORTGAGE PAYMENT, SUCH HOME OWNERSHIP SUBSIDY PAYMENTS SHALL AUTOMATICALLY CEASE AND BE TERMINATED.

S 253. AMOUNT AND PROCEDURE FOR MIDDLE INCOME HOME OWNERSHIP SUBSIDY PAYMENTS. SUBSIDY AMOUNTS UNDER THIS PROGRAM SHALL EQUAL MORE THAN ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS IN THE AGGREGATE.

S 254. RULES AND REGULATIONS. 1. THE DIVISION IS AUTHORIZED TO IMPLEMENT ANY RULE OR REGULATION NECESSARY FOR THE SUCCESSFUL IMPLEMENTATION OF THIS PROGRAM.

2. THE DIVISION MAY CREATE ANY FORM AND REQUIRE ANY APPLICANT TO FILL OUT SUCH FORM BEFORE RECEIVING DEPARTMENTAL APPROVAL FOR THE HOME OWNERSHIP ASSISTANCE PAYMENTS.

3. THE DIVISION MAY CHARGE AN APPLICATION FEE FOR THE PROCESSING OF A HOUSEHOLD'S HOME OWNERSHIP ASSISTANCE PAYMENT APPLICATION. SUCH FEE SHALL NOT EXCEED ONE HUNDRED DOLLARS.

S 255. FUNDING FOR THE MIDDLE INCOME HOME OWNERSHIP SUBSIDY PROGRAM. FUNDING SHALL BE OBTAINED BY USING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the timely implementation of this act on its effective date is hereby authorized and directed to be made on or before such effective date.