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

7828

I N S E N A T E

May 12, 2016

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:

Section 1. The private housing finance law is amended by adding a new article 28 to read as follows:

ARTICLE 28

RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE ELDERLY PROGRAM

SECTION 1233. STATEMENT OF LEGISLATIVE FINDINGS.

1234. DEFINITIONS.

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

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

S 1234. DEFINITIONS. AS USED IN THIS ARTICLE:

1. "CORPORATION" SHALL MEAN THE HOUSING TRUST FUND CORPORATION ESTABLISHED 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 BEEN ENGAGED PRIMARILY IN HOUSING AND COMMUNITY DEVELOPMENT ACTIVITIES.

3. "RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE ELDERLY PROGRAMS" SHALL MEAN A SERIES OF ACTIVITIES BY AN ELIGIBLE APPLICANT 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.

LBD15469-01-6

SIXTY YEARS OF AGE OR OLDER, WITH A HOUSEHOLD INCOME OF LESS THAN EIGHTY PERCENT OF THE AREA MEDIAN INCOME, TO OVERSEE THE ADAPTATION OR RETROFITTING OF ELIGIBLE PROPERTIES.

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

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

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

3. 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.

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

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 implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.