

7828--A

Cal. No. 1360

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 -- 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 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 UNIT OF LOCAL GOVERNMENT OR NOT-
21 FOR-PROFIT CORPORATION IN EXISTENCE FOR A PERIOD OF ONE OR MORE YEARS
22 PRIOR TO APPLICATION, WHICH IS, OR WILL BE AT THE TIME OF AWARD, INCOR-
23 PORATED UNDER THE NOT-FOR-PROFIT CORPORATION LAW AND HAS BEEN ENGAGED
24 PRIMARILY IN HOUSING AND COMMUNITY DEVELOPMENT ACTIVITIES.

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

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1 3. "RESIDENTIAL EMERGENCY SERVICES TO OFFER HOME REPAIRS TO THE ELDER-
2 LY PROGRAMS" SHALL MEAN A SERIES OF ACTIVITIES BY AN ELIGIBLE APPLICANT
3 TO ADMINISTER FUNDS TO PROVIDE EITHER LOANS OR GRANTS TO HOMEOWNERS
4 SIXTY YEARS OF AGE OR OLDER, WITH A HOUSEHOLD INCOME OF LESS THAN ONE
5 HUNDRED PERCENT OF THE AREA MEDIAN INCOME, TO OVERSEE THE ADAPTATION OR
6 RETROFITTING OF ELIGIBLE PROPERTIES.

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

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

25 2. FROM THE DATE OF THE EMERGENCY REFERRAL, THE ELIGIBLE APPLICANT HAS
26 SEVENTY-TWO HOURS TO RESPOND AND INSPECT THE ELIGIBLE PROPERTY; FROM THE
27 DATE OF THE INSPECTION AND ASSESSMENT OF EMERGENCY REPAIR NEED, THE
28 ELIGIBLE APPLICANT MUST START THE REPAIRS WITHIN SEVEN CALENDAR DAYS;
29 ALL REPAIRS MUST BE COMPLETED WITHIN THIRTY CALENDAR DAYS OF THE START
30 OF THE REPAIRS; OR AS OTHERWISE DETERMINED BY THE CORPORATION.

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

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

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