STATE OF NEW YORK

2537--A

2019-2020 Regular Sessions

IN SENATE

January 28, 2019

Introduced by Sens. COMRIE, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the private housing finance law, in relation to establishing an electronic automated system for applications and waiting lists, and to develop a written procedure for applicant selection and rejection

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 31 of the private housing finance law is amended by adding three new subdivisions 13, 14 and 15 to read as follows:

13. The commissioner or supervising agency shall develop a written procedure with regard to how applications for admission to a company are processed and numbered, and how tenants are selected. Such procedure shall be implemented and followed by all limited-profit housing companies subject to the provisions of this article; provided, however, that any limited-profit housing company may elect additional procedures so long as such procedures are not inconsistent with the procedures developed by the commissioner or supervising agency and any other requirements set forth in this article.

14. The commissioner or supervising agency shall develop a procedure whereby applicants are notified in the case that their application is rejected by a limited-profit housing company subject to the provisions of this article, and such procedure shall also include the appeal's process available to the rejected applicant. The notification that shall be sent to the applicant shall be in written form, include reasons why the applicant was rejected, the appeal's process, and be sent to the applicant within sixty days after the limited-profit housing company decided to reject such applicant. Any limited-profit housing company may

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

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elect additional procedures so long as such procedures are not inconsistent with the procedures developed by the commissioner or supervising agency and any other requirements set forth in this article. For purposes of this subdivision, an applicant shall not be deemed rejected if their application is still active on the limited-profit housing company's waiting list and such waiting list is still open and accepting applications.

15. The commissioner or the supervising agency shall develop and require the use of a publicly available electronic automated system for limited-profit housing companies to store, process, and maintain applications and waiting lists. Waiting lists maintained by each such company shall use a method that protects any personally identifiable information of applicants from being publicly disclosed or accessible to the public. Such electronic automated system shall also include general information about each company, including, but not limited to: the name and address of the company; the management office and address; the number and size of all units in each building; and information on the status of each waiting list, including whether the limited-profit housing company is currently accepting applications and how long applicants may have to wait.

§ 2. This act shall take effect June 15, 2021.