

STATE OF NEW YORK

8419

IN SENATE

May 25, 2020

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT in relation to enacting the "emergency rent relief act of 2020" to establish an interim residential rent relief program; and to provide for the repeal of such provisions upon expiration thereof

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "emergency rent relief act of 2020".

3 § 2. 1. For the purposes of this act:

4 a. "Coverage period" shall mean April 1, 2020 through July 31, 2020.

5 b. "Eligible household" shall mean a household (i) with an income
6 below 80 percent of the area median income, as adjusted for family size,
7 both prior to March 7, 2020 and at the time of application; (ii) with a
8 rent burden both prior to March 7, 2020 and at the time of application;
9 and (iii) has lost income during the coverage period.

10 c. "Income" shall mean income from all sources of each member of the
11 household, including all wages, tips, overtime, salary, recurring gifts,
12 returns on investments, welfare assistance, social security payments,
13 child support payments, unemployment benefits, any benefit, payment or
14 cash grant whose purpose is to assist with rental payments, any payments
15 whose purpose is to replace lost income, and any other government bene-
16 fit or cash grant. The term "income" shall not include: employment
17 income from children under eighteen years of age, employment income from
18 children eighteen years of age or older who are full-time students,
19 foster care payments, sporadic gifts, groceries provided by persons not
20 living in the household, supplemental nutrition assistance program bene-
21 fits, earned income disallowance, or the earned income tax credit.

22 d. "Fair market rent" shall mean the fair market rent for each rental
23 area as promulgated annually by the United States department of housing
24 and urban development's office of policy development and research pursu-
25 ant to 42 USC 1437f.

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

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1 e. "Rent burden" shall mean the amount of a contract monthly rent
2 which is more than 30 percent of the household income.

3 2. The commissioner of housing and community renewal is hereby author-
4 ized and directed to establish and implement an interim residential rent
5 relief program to support households impacted by the COVID-19 pandemic.

6 3. Such program shall be provided up to \$100,000,000 of monies that
7 have been allocated to the state of New York by the federal Coronavirus
8 Aid, Relief, and Economic Security (CARES) Act of 2020 (P.L. 116-136)
9 that have not otherwise been obligated, to provide rental assistance to
10 eligible households for their primary residence in the state of New
11 York.

12 4. A rental subsidy shall be provided in the form of a voucher to be
13 provided directly to the owner of the dwelling unit for applicants
14 determined to be eligible households during the coverage period in an
15 amount equal to the difference between the applicant's rent burden on
16 March 1, 2020 and their rent burden during the month or months assist-
17 ance is requested for. Such subsidy shall be limited to 125 percent of
18 the fair market rent.

19 5. Applicants shall not be expected or required to repay any assist-
20 ance granted through this program unless otherwise required by law.
21 Assistance shall not be considered income for purposes of public bene-
22 fits or other public assistance. There shall be no requirement on appli-
23 cants to seek assistance from other sources, including charitable
24 contributions, for eligibility.

25 6. The commissioner of housing and community renewal may delegate the
26 administration of portions of this program to any state, county, city,
27 town, or public housing agency or any non-profit organization as neces-
28 sary to implement such program.

29 7. The commissioner of housing and community renewal shall establish
30 preferences prioritizing households with the greatest economic and
31 social need in processing applications for this program. Such prefer-
32 ences shall account for, at a minimum:

33 a. the historical income level of the household as it relates to area
34 median income;

35 b. the rent burden of the household;

36 c. the percentage income lost for the household; and

37 d. the risk of homelessness or eviction.

38 8. The commissioner of housing and community renewal shall, on or
39 before, October thirty-first two thousand twenty submit and make public-
40 ly available a report to the governor, the temporary president of the
41 senate, the speaker of the assembly, and on its website, on the monthly
42 expenditures made pursuant to this act including recipient demographic
43 data, regional data, and details on subsidy values.

44 § 3. This act shall take effect immediately and shall expire July 31,
45 2021, when upon such date the provisions of this act shall be deemed
46 repealed.