

STATE OF NEW YORK

5175--A

Cal. No. 246

2019-2020 Regular Sessions

IN ASSEMBLY

February 7, 2019

Introduced by M. of A. BLAKE, BARRON, COOK, CRESPO, DE LA ROSA, GOTTFRIED, HYNDMAN, MOSLEY, ORTIZ, PHEFFER AMATO, PICHARDO, RICHARDSON, SEAWRIGHT, TAYLOR, WALKER, ARROYO -- read once and referred to the Committee on Housing -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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:

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

3 13. The commissioner or supervising agency shall develop a written
4 procedure with regard to how applications for admission to a company are
5 processed and numbered, and how tenants are selected. Such procedure
6 shall be implemented and followed by all limited-profit housing compa-
7 nies subject to the provisions of this article; provided, however, that
8 any limited-profit housing company may elect additional procedures so
9 long as such procedures are not inconsistent with the procedures devel-
10 oped by the commissioner or supervising agency and any other require-
11 ments set forth in this article.

12 14. The commissioner or supervising agency shall develop a procedure
13 whereby applicants are notified in the case that their application is
14 rejected by a limited-profit housing company subject to the provisions
15 of this article, and such procedure shall also include the appeal's
16 process available to the rejected applicant. The notification that shall
17 be sent to the applicant shall be in written form, include reasons why
18 the applicant was rejected, the appeal's process, and be sent to the

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

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1 applicant within sixty days after the limited-profit housing company
2 decided to reject such applicant. Any limited-profit housing company may
3 elect additional procedures so long as such procedures are not incon-
4 sistent with the procedures developed by the commissioner or supervising
5 agency and any other requirements set forth in this article. For
6 purposes of this subdivision, an applicant shall not be deemed rejected
7 if their application is still active on the limited-profit housing
8 company's waiting list and such waiting list is still open and accepting
9 applications.

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

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