STATE OF NEW YORK

5143

2019-2020 Regular Sessions

IN SENATE

April 11, 2019

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 to amend the public housing law, in relation to enacting the rent regulation reporting act of 2019

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

Section 1. Short title. This act shall be known and may be cited as the "rent regulation reporting act of 2019".

§ 2. Section 20 of the public housing law, as added by chapter 576 of the laws of 1989, is amended to read as follows:

§ 20. Annual reports. **1.** The commissioner shall, on or before October first in each year, beginning in nineteen hundred ninety, submit one or more reports to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and minority leader of the assembly on the activity and implementation of the state housing assistance programs for the previous fiscal year. In addition, the commissioner shall, on or before February first in each year, beginning in nineteen hundred ninety-one, submit an interim report which contains, in tabular format only, the non-narrative data compiled through November thirtieth of each year. The commissioner shall submit on or before February first, nineteen hundred ninety a report for the fiscal year commencing April first, nineteen hundred eighty-eight and the most up to date non-narrative data, in tabular format only, but in no event less than the data compiled through September thirtieth, nineteen hundred eighty-nine. All such reports shall include, but not be limited to the low income housing trust fund program, the affordable home ownership development program, the urban initiatives program, the rural area revitalization program, the rural rental assistance program, the homeless housing and assistance program, the housing opportunities program for the elderly, the state of New York mortgage agency forward

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

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commitment and mortgage insurance programs, the housing finance agency secured loan rental program, the turnkey/enhanced housing trust fund program, the special needs housing program, the permanent housing for the homeless program, the infrastructure development demonstration program and the mobile home cooperative fund program. For the purpose of producing such report or reports, the commissioner shall be authorized to rely on information provided by each administering agency or authority. Such report or reports shall, to the extent applicable to a specific program, include but not be limited to: (i) a narrative for each program reported describing the program purpose, eligible applicants, eligible areas, income population to be served, and limitations on funding; (ii) for each eligible applicant receiving funding under the Housing Trust Fund or the Affordable Home Ownership Development programs during the year specified herein, such applicant's name and address, a description of the applicant's contract amount, a narrative description of the specific activities performed by such applicant, and the income levels of the occupants to be served by the units all as proposed by the applicant at the time the contract is awarded; (iii) a description of the distribution of funds for each category of project funded under each program; (iv) the number of units or beds under award, under contract, under construction and completed based on a change in project status during the year for each program; (v) the number of units or beds assisted during the year under each program; (vi) the amount and type of assistance provided for such units or beds placed under contract; (vii) based on total project costs, the number of units or beds under contract and assisted through new construction, substantial rehabilitation, moderate rehabilitation, improvements to existing units or beds, and through acquisition only for each program; (viii) for the number of units or beds under contract assisted through new construction, substantial rehabilitation, moderate rehabilitation, improvements to existing units or beds, and through acquisition only, the level of state assistance expressed as a percentage of total project cost; (ix) for those units and beds under contract a calculation of the amount of non-state funds provided expressed as a percentage of total project cost; (x) the number of units or beds completed and under award, under contract and under construction for each program based on the current program pipeline; (xi) for units or beds for which mortgage assistance was provided by the state of New York mortgage agency, the number of existing and newly constructed units; and (xii) a list, by program, of units or beds assisted within each county. To the extent that any law establishing or appropriating funds for any of the aforementioned programs requires the commissioner to produce a report containing data substantially similar to that required herein, this report shall be deemed to satisfy such other requirements.

2. The commissioner shall, on or before May twentieth, two thousand nineteen, and on or before October first in each subsequent year, submit a report to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly on the implementation of the system of rent regulation pursuant to chapter five hundred seventy-six of the laws of nineteen hundred seventy-four, chapter two hundred seventy four of the laws of nineteen hundred forty-six, chapter three hundred twenty-nine of the laws of nineteen hundred sixty-three, chapter five hundred fifty-five of the laws of nineteen hundred eighty-two, chapter four hundred two of the laws of nineteen hundred eighty-three, chapter one hundred sixteen of the laws of nineteen hundred ninety-seven, and

sections 26-501, 26-502, and 26-520 of the administrative code of the city of New York. Such report shall include but not be limited to: a narrative describing the programs and activities undertaken by the office of rent administration and the tenant protection unit, and any other programs or activities undertaken by the division to implement, administer, and enforce the system of rent regulation; and in tabular format, for each of the three fiscal years immediately preceding the date the report is due: (i) the number of rent stabilized housing accommodations within each county; (ii) the number of rent controlled housing accommodations within each county; (iii) the number of applications for major capital improvements filed with the division, the number of such applications approved as submitted, the number of such applications approved with modifications, and the number of such applications rejected; (iv) the median and mean value of applications for major capital improvements approved; (v) the number of units which were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation; (vi) for housing accommodations that were registered with the division where the amount charged to and paid by the tenant was less than the registered rent for the housing accommodation, the median and mean difference between the registered rent for a housing accommodation and the amount charged to and paid by the tenant; (vii) the median and mean registered rent for housing accommodations for which the lease was renewed by an existing tenant; (viii) the median and mean registered rent for housing accommodations for which a lease was signed by a new tenant after a vacancy; (ix) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy; (x) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was the full registered rent; (xi) the median and mean increase, in dollars and as a percentage, in the registered rent for housing accommodations where the lease was signed by a new tenant after a vacancy, where the amount changed to and paid by the prior tenant was less than the registered rent; (xii) the number of rent overcharge complaints processed by the division; (xiii) the number of final overcharge orders granting an overcharge; (xiv) the number of investigations commenced by the tenant protection unit, the aggregate number of rent stabilized or rent controlled housing accommodations in each county that were the subject of such investigations, and the dispositions of such investigations. At the time the report is due, the commissioner shall make available to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly, in machine readable format, the data used to tabulate the figures required to be included in the report, taking any steps necessary to protect confidential information regarding individual buildings, housing accommodations, property owners, and tenants.

§ 3. This act shall take effect immediately.