

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:

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

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

5 § 20. Annual reports. 1. The commissioner shall, on or before October
6 first in each year, beginning in nineteen hundred ninety, submit one or
7 more reports to the governor, the temporary president of the senate, the
8 speaker of the assembly, the minority leader of the senate and minority
9 leader of the assembly on the activity and implementation of the state
10 housing assistance programs for the previous fiscal year. In addition,
11 the commissioner shall, on or before February first in each year, begin-
12 ning in nineteen hundred ninety-one, submit an interim report which
13 contains, in tabular format only, the non-narrative data compiled
14 through November thirtieth of each year. The commissioner shall submit
15 on or before February first, nineteen hundred ninety a report for the
16 fiscal year commencing April first, nineteen hundred eighty-eight and
17 the most up to date non-narrative data, in tabular format only, but in
18 no event less than the data compiled through September thirtieth, nine-
19 teen hundred eighty-nine. All such reports shall include, but not be
20 limited to the low income housing trust fund program, the affordable
21 home ownership development program, the urban initiatives program, the
22 rural area revitalization program, the rural rental assistance program,
23 the homeless housing and assistance program, the housing opportunities
24 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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1 commitment and mortgage insurance programs, the housing finance agency
2 secured loan rental program, the turnkey/enhanced housing trust fund
3 program, the special needs housing program, the permanent housing for
4 the homeless program, the infrastructure development demonstration
5 program and the mobile home cooperative fund program. For the purpose
6 of producing such report or reports, the commissioner shall be author-
7 ized to rely on information provided by each administering agency or
8 authority. Such report or reports shall, to the extent applicable to a
9 specific program, include but not be limited to: (i) a narrative for
10 each program reported describing the program purpose, eligible appli-
11 cants, eligible areas, income population to be served, and limitations
12 on funding; (ii) for each eligible applicant receiving funding under the
13 Housing Trust Fund or the Affordable Home Ownership Development programs
14 during the year specified herein, such applicant's name and address, a
15 description of the applicant's contract amount, a narrative description
16 of the specific activities performed by such applicant, and the income
17 levels of the occupants to be served by the units all as proposed by the
18 applicant at the time the contract is awarded; (iii) a description of
19 the distribution of funds for each category of project funded under each
20 program; (iv) the number of units or beds under award, under contract,
21 under construction and completed based on a change in project status
22 during the year for each program; (v) the number of units or beds
23 assisted during the year under each program; (vi) the amount and type of
24 assistance provided for such units or beds placed under contract; (vii)
25 based on total project costs, the number of units or beds under contract
26 and assisted through new construction, substantial rehabilitation,
27 moderate rehabilitation, improvements to existing units or beds, and
28 through acquisition only for each program; (viii) for the number of
29 units or beds under contract assisted through new construction, substan-
30 tial rehabilitation, moderate rehabilitation, improvements to existing
31 units or beds, and through acquisition only, the level of state assist-
32 ance expressed as a percentage of total project cost; (ix) for those
33 units and beds under contract a calculation of the amount of non-state
34 funds provided expressed as a percentage of total project cost; (x) the
35 number of units or beds completed and under award, under contract and
36 under construction for each program based on the current program pipe-
37 line; (xi) for units or beds for which mortgage assistance was provided
38 by the state of New York mortgage agency, the number of existing and
39 newly constructed units; and (xii) a list, by program, of units or beds
40 assisted within each county. To the extent that any law establishing or
41 appropriating funds for any of the aforementioned programs requires the
42 commissioner to produce a report containing data substantially similar
43 to that required herein, this report shall be deemed to satisfy such
44 other requirements.

45 2. The commissioner shall, on or before May twentieth, two thousand
46 nineteen, and on or before October first in each subsequent year, submit
47 a report to the governor, the temporary president of the senate, the
48 speaker of the assembly, the minority leader of the senate and the
49 minority leader of the assembly on the implementation of the system of
50 rent regulation pursuant to chapter five hundred seventy-six of the laws
51 of nineteen hundred seventy-four, chapter two hundred seventy four of
52 the laws of nineteen hundred forty-six, chapter three hundred twenty-
53 nine of the laws of nineteen hundred sixty-three, chapter five hundred
54 fifty-five of the laws of nineteen hundred eighty-two, chapter four
55 hundred two of the laws of nineteen hundred eighty-three, chapter one
56 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 charged 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 charged 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.