

# STATE OF NEW YORK

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649

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

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Introduced by Sen. KENNEDY -- 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 private housing finance law, in relation to creating the mortgage assisted population recovery program

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

1 Section 1. The private housing finance law is amended by adding a new  
2 section 45-d to read as follows:

3 § 45-d. Mortgage assisted population recovery program. 1. There is  
4 hereby created within the agency a mortgage assisted population recovery  
5 program. The program shall make available all mortgage and down payment  
6 assistance funding incentives offered by the agency for homebuyers in  
7 economically distressed target areas, as designated by the agency  
8 through census tracks determined by the United States bureau of the  
9 census, to homebuyers in those counties that have experienced negative  
10 population growth from January one, two thousand to the latest available  
11 annual estimates of the resident population. Such incentives shall  
12 include, but may not necessarily be limited to, higher household income  
13 and home purchase price limits, as offered by the agency for homebuyers  
14 in such economically distressed targeted areas.

15 2. (a) Homebuyer eligibility. In addition to the limitations on house-  
16 hold income and home purchase price described in subdivision one of this  
17 section, an eligible homebuyer must (1) have established residency  
18 outside the county in which the subject property is located, and which  
19 has experienced negative growth from the two thousand decennial census  
20 for the twelve month period prior to application to the program, or (2)  
21 be a first-time homebuyer, and (3) use the property purchased through  
22 the mortgage assisted population recovery program as his or her primary  
23 residence. An eligible homebuyer, the eligible homebuyer's spouse, the

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

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1 eligible homebuyer's domestic partner as defined by section twenty-nine  
2 hundred ninety-four-a of the public health law, or any individual whose  
3 name appears on the mortgage or deed of the property that is the subject  
4 of the mortgage assisted population recovery program at the time of  
5 purchase by the eligible homebuyer, shall be ineligible for the program  
6 thereafter.

7 (b) County eligibility. Any county eligible for the mortgage assisted  
8 population recovery program under subdivision one of this section, which  
9 experiences twenty-four consecutive months of population growth as  
10 determined by the latest available annual estimates of resident popu-  
11 lation by the United States bureau of the census, shall be ineligible  
12 for the program, unless and until such county experiences six consec-  
13 utive months of population decline.

14 3. All post-purchase restrictions and limitations which apply to the  
15 agency's funding assistance programs for homebuyers in designated  
16 economically distressed target areas shall apply to the eligible home-  
17 buyer and the property subject to the mortgage assisted population  
18 recovery program.

19 § 2. This act shall take effect immediately.